

**REGULAR MEETING
DESTIN CITY COUNCIL
FEBRUARY 22, 2022
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Stewardship*****

CALL TO ORDER

*** INVOCATION**

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL *(Matters not specifically listed on the agenda may be added and acted upon with a super-majority vote of the Council members present and eligible to vote on the matter)*

- 1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / **PUBLIC PRESENTATIONS / ANNOUNCEMENTS**
 - A. State of the City
 - B. Joe's Bayou Recreational Area Improvement Project update from DEP.
- 2. PUBLIC COMMENTS (Section 5 - Public Hearings has separate public comments time for these items)** (Note: Individual speakers will be limited to 3 minutes. At the discretion of the mayor, this 3 minute allowance may be adjusted depending on the level of business coming before the City Council)
- 3. *** CONSENT AGENDA**
 - A. Capital Project Status
 - B. Operations Financial Report
 - C. Milling/Resurfacing/Restriping of a Section of Scenic 98 (Matthew Blvd to Cobia Street)
 - D. Request for final plat approval for Harbor Place Townhomes DO-21-08
 - E. Re-Striping of Azalea Drive, authorization to issue a Purchase Order
 - F. Bert Harris Settlement Agreement for 71 Tarpon Street
 - G. Bert Harris Settlement Agreement for 73 Tarpon Street
 - H. Upgrade of Position: Human Resource Coordinator PT to FT Human Resource Specialist
 - I. Destin Little League Parade Approval
 - J. Approval of minutes of January 27, 2022 Council Strategic Visioning Session
 - K. Boards & Committees Meeting Minutes
- 4. CITY MANAGER REPORTS**
 - A. Mobility Plan and Fee Schedule Update
 - B. Facilities and Needs Assessment RFP 21-11-PS
 - C. Announcements

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 22-04-CN - Reduction of Speed Limit on Airport Road, 98 Palms Blvd, and Azalea Drive
- B. Proposed Annotations for Land Development Code Articles I and II
- C. Indian Bayou West 1st Amendment – Curtis Gwin of Indian Bayou West, LLC, on behalf of Indian Bayou Properties, is requesting approval for a Major Deviation to a Major Development Order. The project is located at 1 Country Club Dr. E. (Parcel ID: 00-2S-22-0000-0046-0000), with the property totaling approximately 69.16 acres. The applicant is proposing an addition of 9 lots to the previously approved 86 single-family, long-term residential lots (approved under DO 21-12), for a total of 95 lots, utilizing the same project area. This project was previously reviewed by the City Council on January 3, 2022, but the request has been modified since that time. The proposed deviation is an amendment to the previous submittal.

6. COMMENTS / PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

- A. Councilmember Braden
- B. Councilmember Wagner
- C. Councilmember Destin
- D. Councilmember Bagby
- E. Councilmember Hebert
- F. Councilmember King
- G. Councilmember Schmidt
- H. Mayor Gary Jarvis
- I. Land Use Attorney
- J. City Attorney

7. PUBLIC COMMENTS (Comments from the public on any matters considered at the meeting, or on any matters not on the agenda)

8. ADJOURN

* Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council, or the City staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.

** To be placed on the agenda under public presentations, citizens must contact the City Manager or City Clerk's office one (1) week prior to the scheduled City Council Meeting, completing a Speakers Request Form and providing any accompanying documentation as requested in the form's instructions.

*** All items listed under Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and may be considered separately.

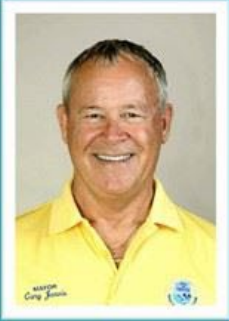
If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she may need a record of the proceedings, and for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. FS 286.0105.

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242. Personas con discapacidades que necesitan asistencia o personas que necesitan ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

All regularly scheduled city council meetings will be streamed live via the city's YouTube channel, www.youtube.com/CityofDestin. Past council meetings can also be viewed here. Please visit our agenda center on the city website at www.cityofdestin.com/agendas.



DESTIN CITY COUNCIL



GARY JARVIS
MAYOR



DEWEY DESTIN
MAYOR PRO TEM/COUNCILMEMBER



JIM BAGBY
COUNCILMEMBER



RODNEY BRADEN
COUNCILMEMBER



TERESA HEBERT
COUNCILMEMBER



JOHNNY KING
COUNCILMEMBER



BOBBY WAGNER
COUNCILMEMBER



KEVIN SCHMIDT
COUNCILMEMBER

CITY OF DESTIN, FLORIDA



State of the City

2022

Strategic Plan FY21-22



VISION 2035

DESTIN IS A FAMILY- ORIENTED
BEACH AND FISHING COMMUNITY
WHERE PEOPLE WANT TO
LIVE, WORK & PLAY AND WHERE VISITORS
ARE WELCOMED TO RESPECTFULLY ENJOY
OUR COMMUNITY AND ITS RESOURCES.

PRIORITIZED KEY CUSTOMER GROUPS

1. Year-Round Residents
2. Destin-Based Businesses
3. Visitors

Strategic Plan FY21-22



STRATEGIC GOALS 2026

1. Financially sound city providing service excellence
2. A green and sustainable environment
3. Improve mobility and connectivity
4. Enhanced quality of life and safety for families
5. Economic development and revitalization
6. Effective, efficient, and aesthetically pleasing infrastructure

Strategic Plan FY21-22



COUNCIL OBJECTIVES FY21/22

SECTION 1

CRITICAL PRIORITIES

1.1 Offer livable wages & benefits to attract and maintain high caliber, qualified staff

IMPORTANT PRIORITIES

1.2 Complete two-lane Crosstown Connector

1.3 Public Beachfront acquisition initiative

1.4. Underground Utilities

1.5 Zerbe St/Calhoun Ave Phase II -Design pedestrian pathway under Marler Bridge





























Home of the
Destin Fishing Rodeo
October 1-31st

Welcome to

DESTIN

The World's Luckiest Fishing Village







PRIMROSE

RESTORED BY THE
VICTORIAN BOAT
MUSEUM BY A
DONOR CONTRIBUTION
THE GRACE R. PAVILLION
2014

DESTIN BEACH SAFETY

























Studi
15

HEATLUCK

Pierre

2nd Street Gallery
1501 N. Beach Blvd.
8760

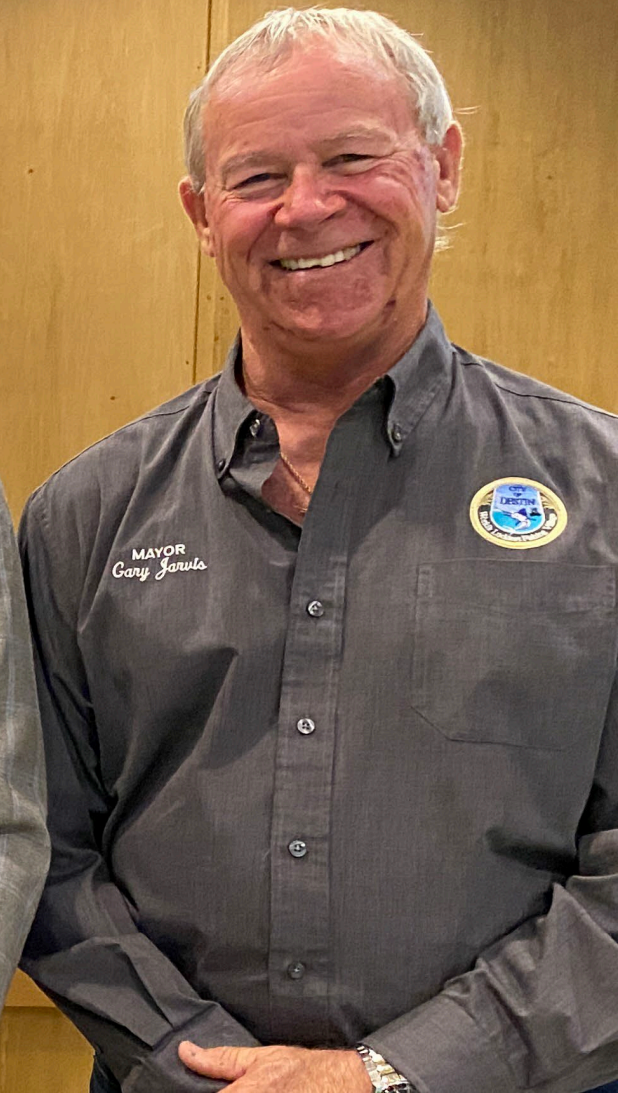































BEACH PATRONS
Please keep Destin beautiful by participating
in the city's Leave No Trace initiative:
1-Take a basket to the beach and
collect any trash
2-Dispose of the trash in the
appropriate containers
3-Please return the basket to the
stand for others to use
Please direct any questions or concerns to the
Parks and Recreation Department at 850.650.1241
 



DESTIN
COMMUNITY
CENTER











HARVEST HOUSE











Welcome To The

Children's Park

MORGAN SPORTS CENTER / CITY OF DESTIN







DESTIN FIRE / RESCUE

Destin Fire / Rescue

DESTIN FIRE

DIAL 911

DESTIN FIRE

BATTALION CHIEF

DESTIN FIRE

CONTROL DIST.

LADDER 10

www.destinfire.com

CULTURAL ARTS VILLAGE



























CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: Presentation

AGENDA OUTLINE NUMBER: 1.B.

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: Joe's Bayou Recreational Area Improvement Project update from DEP.

I. BACKGROUND:

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: City Manager Report

AGENDA OUTLINE NUMBER: 3.A.

TO: City Council

THRU: Jeffrey Cozadd, Grants Manager
Webb Warren, Deputy City Manager
Kyle Bauman, City Attorney
Lance Johnson, City Manager

FROM: Krystal Strickland, Finance Director

DATE: February 15, 2022

SUBJECT: Capital Project Status

I. BACKGROUND: Informational Item Only

II. DISCUSSION: Please find attached a summary of the current capital improvement projects, showing status and Year-to-Date expenditures and encumbrances.

A. Link to Strategic Goals / Objectives: Financially sound City providing Service Excellence

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION: Not applicable. Informational only.

Attachments:

1. Jan 2022 Capital Projects

CITY OF DESTIN CAPITAL IMPROVEMENT PLAN - Monthly Status Report

COUNCIL/ MGMT OBJECTIVE	October 1, 2021 - December 31, 2021		FY2022 Budget*	YTD Actuals	YTD Encumbrances	FY2022 Available Budget	Status	Notes
PRIORITY	Citizen/Council Directed							
1.2	EN615	Cross-Town Connector	\$ 3,006,672	\$ 100,852	\$ 551,191	\$ 2,354,629	Ongoing	Atkins working on design and ROW acquisitions
1.3, 2.2	CM001	Beach Acquisition	4,478,269	-	39,701	4,438,569	Ongoing	TDC working on beach park design. TPL working towards 3rd parcel acquisition.
1.6	EVENT	Multi-Use Convention/Sports/Comm Ctr	75,000	-	-	75,000		
1.4, 2.3	UNDER	Undergrounding	364,105	69,400	44,801	249,904	Ongoing	Electric Franchise agreement increment for undergrounding is signed. Utility Consultants of Florida working on opinion of probable cost, phase maps, and gulf power input.
1.8	TR621	Transit Trolley	25,000	-	-	25,000		
1.9	MARIN	City Marina	75,000	-	-	75,000		
1.7	ANNEX	Annexation Study	10,000	-	-	10,000		
	Renewal & Replacement							
3.2	RR051	General Government	204,752	13,949	-	190,803		
3.2	RR052	Public Safety	217,044	(580)	-	217,624		YTD is negative because prior year insurance claim is higher than current YTD actual expenditures
3.2	RR053	Physical Environment (Stormwater, Cemetery)	365,868	196,970	101,731	67,167		Harbor Pump has been rebuilt and re-installed. Waiting on VFD (March 2022).
1.10, 3.2, 3.7	RR054	Roads, Sidewalks, Street Lighting (Gas Tax 1)	887,727	9,206	45,552	832,969		Benning Drive Striping approved to start soon
3.2	RR057	Parks and Recreation	681,765	16,036	71,509	594,220		
3.2	RRVEH	Vehicles	523,044	59,617	326,206	137,221		All FY21 vehicles have been received. FY22: ordered: F150 for Code Compliance, JD 410L Loader & JD Utility Tractor
	Growth Necessitated & Comp Plan							
	LB002	Library Impact Fee Projects	24,000	-	-	24,000		
4.10	NORG1	Norriego Point Road	380,000	-	60,000	320,000		Council-approved development order. Jenkins (engineer) is working on parking and road design. A construction road should be in place by Spring 2022.
	RC004	Park Impact Fee Projects	-	-	-	-		
4.14	SW54	Stormwater Improvements	60,000	-	-	60,000		
1.5, 4.8	TR618	Zerbe-Calhoun Pedestrian Pathway (under the Marler Bridge)	155,932	6,361	149,571	-		Baskerville-Donovan engineering firm presented 60% design. FDOT is not supporting pathway development under the Marler Bridge due to bridge renovation plans and location of critical utility lines. Consider refocus to Stahlman.
1.10	TR619	Sibert-Zerbe Parking Lot Consolidation	150,000	-	-	150,000		
3.9	TR620	ADA Transition - Pedestrian Facilities	142,000	-	141,040	960		Kickoff meeting held. Project underway.
1.10	TR622	General Parking Improvements (FY22 kiosk)	30,000	-	-	30,000		
	Other Capital Projects							

	CE001	Code Compliance Vessel	41,000	-	-	41,000		Sheriff's office donated a vessel. Code Compliance team updating equipment needs list for potential budget transfer.
3.3, 4.7	CRH63	Captain Royal Melvin Heritage Park and Plaza (RESTORE)	1,436,008	185,903	543,575	706,530	Ongoing	Should be substantially complete by mid March 2022.
3.5	CRH64	Harbor CRA Wayfinding Plan Signage	-	-	-	-		See 2023 budget.
4.2	CRH65	Harbor Capacity Study	250,000	250,000	-	-		March 15 Army Corps will present their progress at Harbor Capacity Steering Committee meeting. Contractor procurement is underway for ground surveys and aerial imagery.
4.15	CRT17	Town Center CRA Easement Trail/Linear Park	-	-	-	-		Grant application for state appropriation in process.
3.5	CRT64	Town Center CRA Wayfinding Plan Signage	-	-	-	-		See 2023 budget.
3.5	TR64	General Wayfinding Plan Signage	100,000	-	-	100,000		Coordinating with TDC.
3.2	IT002	CD Tech Fund Hardware/Software Replacements	75,000	16,168	-	58,832		
	IT003	Other Hardware/Software Replacements	50,000	18,245	-	31,755		
	LB001	Library Tablet Station & Biblioteca RFID and Mobil Ap	24,906	13,996	7,083	3,828	Ongoing	Tablet station is open to public. RFID tagging is complete.
	NPDES	National Pollutant Discharge Elimination System (NPDES)	32,500	-	-	32,500		
	PW015	Vehicle WashDown Station	-	-	-	-		
	RC124	Morgan's Children's Park Playground Structure	51,745	-	-	51,745		
	RC125	Buck Destin Restrooms	135,000	-	-	135,000		
4.16	RC127	Pickleball Court	400,000	-	-	400,000		
	RC128	Morgan's Bathrooms/Storage/Fieldhouse	250,000	-	-	250,000		Staff is drafting a tentative layout for an engineering firm to start a design.
	RC129	World's Luckiest Fishing Pond at X-Town Park	-	-	-	-		
	RC130	Cultural Facilities Grant Bldg Improvements	-	-	-	-		
3.3, 4.11	RC216	Clement Taylor Park Renovations	764,918	-	-	764,918		Construction RFP to be drafted Spring 2022
	ARP	Infrastructure Project TBD	790,000	-	-	790,000		Options to be presented for dicussion March/April
	TRSAF	Intersection Safety	100,000	-	-	100,000		
	SW55	Mobile Pumps and Hoses (Flood Prevention)	96,619	83,718	-	12,901		Received (2) 6" pumps and hoses and (1) 4" pump
	SALLY	Hurricane Sally Repairs	58,951	26,263	32,688	-		Started Sept 2020
	SW53	Stormwater Master Plan	6,148	2,125	4,023	-		Started in 2018 Jenkins Engineering
	XMAS	Christmas Decorations (capital items)	68,160	69,846	-	(1,686)	Complete	
Total Funded Projects			\$ 16,587,133	\$ 1,138,076	\$ 2,118,669	\$ 13,330,388		

		5-Year Capital Budget Amount
Council Objectives		
1.1	Offer livable wages & benefits to attract and maintain high caliber, quality staff	\$ 355,000
1.2	Complete two-lane Crosstown Connector	6,000,000
1.3	Public Beachfront acquisition initiative	17,931,132
1.4	Underground Utilities	1,405,000
1.5	Zerbe St/Calhoun Ave Phase II - Design pedestrian pathway under Marler Bridge	-
1.6	Research viability of Multi-use Convention/Sports/Community Center (phase 1 Feasibility study)	75,000
1.7	Annexation of unincorporated enclaves	10,000
1.8	Transit/Trolley system	25,000
1.9	City Marina (phase 1 Feasibility Study)	75,000
1.10	Improve parking	355,000
1.11	Beach re-nourishment, planning and scheduling	-
Management Objectives		
2.1-2.8	These are management-related, not capital project related	-
Management in Progress		
3.1	Memorialize institutional knowledge	-
3.2	Plan for renewal and replacement of city facilities and infrastructure	4,475,437
3.3	Monitor RESTORE Act grants	-
3.4	Implement enhanced signage control	-
3.5	Develop/implement wayfinding program	350,000
3.6	Update golf cart/low speed vehicle rules	-
3.7	Implement a roadway striping program	5,084,667
3.8	Provide training to Board and Committee members	-
3.9	Improve sidewalks (wider, more walkable)	142,000
3.10	Enforce residential boat and RV parking regulations	-
3.11	Monitor beach cleaning with Okaloosa County	-
3.12	Redevelopment (citywide)	-
3.13	Reestablish environmental committee	-
Major Projects		
4.1	Implement and manage COMPASS software	-
4.2	Harbor Capacity Study (USACE)	-
4.3	Land Development Code revision	-
4.4	Impact Fee Study	-
4.5	Building Permit Fee Study	-
4.6	Update BTR Fee Schedule and processes	-
4.7	Construction of Capt Royal Melvin Heritage Park	706,530
4.8	Zerbe St/Calhoun Ave Phase II - Design pedestrian pathway under Marler Bridge	-
4.9	Hwy 98 Median Improvement project (w/FDOT)	-
4.10	Norreogo Point Recreation components (w/FDEP)	350,000

4.11	Renovate Clement Taylor Park	764,918
4.12	Redevelop Joe's Bayou Recreation Area (w/FDEP)	-
4.13	Continuity of streetlights/Conversion to LEDs	-
4.14	Implement prioritized stormwater improvements based on the Stormwater Master Plan	120,000
4.15	Design and construct Gulf Power Easement Trail/Linear Park	1,320,000
4.16	Design and construct pickleball courts	400,000
	TOTAL	<u>\$ 39,944,683</u>

TOTAL FY2022-2026 CAPITAL BUDGET	\$	42,271,832
% FOR COUNCIL OBJECTIVES		94%

CITY OF DESTIN 5-YEAR CAPITAL IMPROVEMENT PLAN

COUNCIL/ MGMT OBJECTIVE			FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Total
PRIORITY	Citizen/Council Directed							
1.2	EN615	Cross-Town Connector	\$ 2,700,000	\$ -	\$ 1,650,000	\$ 1,650,000	\$ -	\$ 6,000,000
1.3, 2.2	CM001	Beach Acquisition	6,585,000	-	-	-	11,346,132	17,931,132
1.6	EVENT	Multi-Use Convention/Sports/Comm Ctr	75,000	-	-	-	-	75,000
1.4, 2.3	UNDER	Undergrounding	250,000	780,000	375,000	-	-	1,405,000
1.8	TR621	Transit Trolley	25,000	-	-	-	-	25,000
1.9	MARINA	City Marina	75,000	-	-	-	-	75,000
1.7	ANNEX	Annexation Study	10,000	-	-	-	-	10,000
	Renewal & Replacement							
3.2	RR051	General Government	195,000	22,500	51,500	28,500	142,500	440,000
3.2	RR052	Public Safety	217,044	259,544	132,544	128,044	239,500	976,678
3.2	RR053	Physical Environment (Stormwater, Cemetery)	26,307	26,307	26,307	26,307	26,307	131,533
1.10, 3.2, 3.7	RR054	Roads, Sidewalks, Street Lighting (Gas Tax 1)	1,018,000	1,011,667	1,031,667	1,011,667	1,011,667	5,084,667
3.2	RR057	Parks and Recreation	602,751	331,512	537,512	329,512	362,512	2,163,799
3.2	RRVEH	Vehicles	463,427	-	-	-	-	463,427
	Growth Necessitated & Comp Plan							
	LB002	Library Impact Fee Projects	24,000	10,000	120,000	-	-	154,000
4.10	NORG1	Norriego Point Road	350,000	-	-	-	-	350,000
	RC004	Park Impact Fee Projects	-	-	-	-	-	-
4.14	SW54	Stormwater Improvements	60,000	60,000	-	-	-	120,000
1.5, 4.8	TR618	Zerbe-Calhoun Pedestrian Pathway	-	-	-	-	-	-
1.10	TR619	Sibert-Zerbe Parking Lot Consolidation	150,000	-	-	-	-	150,000
3.9	TR620	ADA Transition - Pedestrian Facilities	142,000	-	-	-	-	142,000
1.10	TR622	General Parking Improvements (FY22 kiosk)	30,000	75,000	100,000	-	-	205,000
	Other Capital Projects							
	CE001	Code Compliance Vessel	41,000	-	-	-	-	41,000
3.3, 4.7	CRH63	Captain Royal Melvin Heritage Park and Plaza (R	706,530	-	-	-	-	706,530
3.5	CRH64	Harbor CRA Wayfinding Plan Signage	-	150,000	-	-	-	150,000
4.2	CRH65	Harbor Capacity Study	-	-	-	-	-	-
4.15	CRT17	Town Center CRA Easement Trail/Linear Park	-	270,000	50,000	1,000,000	-	1,320,000
3.5	CRT64	Town Center CRA Wayfinding Plan Signage	-	100,000	-	-	-	100,000
3.5	TR64	General Wayfinding Plan Signage	100,000	-	-	-	-	100,000
3.2	IT002	CD Tech Fund Hardware/Software Replacement	75,000	225,000	-	-	-	300,000
	IT003	Other Hardware/Software Replacements	50,000	-	-	100,000	-	150,000

	LB001	Library Tablet Station & Biblioteca RFID and Mo	57,904	-	-	-	-	57,904
	NPDES	National Pollutant Discharge Elimination System	32,500	32,500	32,500	32,500	32,500	162,500
	PW015	Vehicle WashDown Station	-	-	-	-	-	-
	RC124	Morgan's Children's Park Playground Structure	51,745	-	-	-	-	51,745
	RC125	Buck Destin Restrooms	135,000	-	-	-	-	135,000
4.16	RC127	Pickleball Court	400,000	-	-	-	-	400,000
	RC128	Morgan's Bathrooms/Storage/Fieldhouse	250,000	-	-	-	-	250,000
	RC129	World's Luckiest Fishing Pond at X-Town Park	-	-	-	-	-	-
	RC130	Cultural Facilities Grant Bldg Improvements	-	-	-	-	-	-
3.3, 4.11	RC216	Clement Taylor Park Renovations	764,918	-	-	-	-	764,918
	SW55	Mobile Pumps and Hoses (Flood Prevention)	-	-	-	-	-	-
	ARP	Infrastructure Project TBD	790,000	790,000	-	-	-	1,580,000
	TRSAF	Intersection Safety	100,000	-	-	-	-	100,000
Total Projects			\$ 16,553,126	\$ 4,144,030	\$ 4,107,030	\$ 4,306,530	\$ 13,161,117	\$ 42,271,832

Funding Sources			FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Total
TC CRA	10258500	TOWN CENTER CRA	\$ -	\$ 370,000	\$ 50,000	\$ 1,000,000	\$ -	\$ 1,420,000
Harbor CRA	11058500	HARBOR CRA	-	150,000	150,000	-	-	300,000
Parking Fund	12254500	PARKING FUND	126,000	95,667	120,667	20,667	20,667	383,667
Tech Fund	12552329	TECHNOLOGY FUND	-	-	-	-	-	-
Oka 1/2 Penny	12953831	OKA 1/2 STORMWATER	-	-	-	-	-	-
Oka 1/2 Penny	12953931	OKA 1/2 UNDERGROUNDING	250,000	780,000	225,000	-	-	1,255,000
Oka 1/2 Penny	12957231	OKA 1/2 BEACH ACQ	2,699,850	-	-	-	4,651,914	7,351,764
Gas Taxes	30054131	GAS TAX#1 RR ROADS	440,000	509,000	509,000	509,000	509,000	2,476,000
Half Cent	30058585	RR GENERAL	1,986,529	1,121,863	1,249,863	994,363	1,252,819	6,605,437
Grant	30553833	FL DEM STRMWTR GRANT	-	-	-	-	-	-
Grant	30554133	FDOT TRIP GRANT	2,700,000	-	-	-	-	2,700,000
Grant	30554137	OKA BOCC X-TOWN GRANT	-	-	1,650,000	1,650,000	-	3,300,000
Grant	30557133	LIBRARY/MUSEUM GRANTS	57,904	-	-	-	-	57,904
Grant	30557233	RESTORE PARK GRANT	1,286,448	-	-	-	-	1,286,448
Grant	30557237	TDC BEACH ACQ GRANT	3,885,150	-	-	-	6,694,218	10,579,368
General Fund	30558500	GENERAL FUND	1,205,700	225,000	-	100,000	-	1,530,700
Impact Fees	31552000	POLICE IMPACT FEES	11,300	-	-	-	-	11,300
Impact Fees	31553732	NPEB IMPACT FEES	36,500	32,500	32,500	32,500	32,500	166,500
Grant	31553833	STORMWATER	60,000	60,000	-	-	-	120,000
Gas Taxes	31554031	GAS TAX#2 COMP PLAN	150,000	-	-	-	-	150,000
Impact Fees	31554032	MULTI-MODAL IMPACT FEES	142,000	-	-	-	-	142,000

Impact Fees	31554132	ROAD IMPACT FEES	350,000	-	-	-	-	350,000
Impact Fees	31557132	LIBRARY IMPACT FEES	24,000	10,000	120,000	-	-	154,000
Impact Fees	31557232	PARK IMPACT FEES	325,000	-	-	-	-	325,000
Grant	31557236	MORGANS KID PARK GRANT	26,745	-	-	-	-	26,745
Grant	30553937	AMERICAN RESCUE PLAN	790,000	790,000	-	-	-	1,580,000
Total Sources			\$ 16,553,126	\$ 4,144,030	\$ 4,107,030	\$ 4,306,530	\$ 13,161,117	\$ 42,271,832

*30558500 GF CIP PROJECTS includes General Fund excess cash balances

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: City Manager Report

AGENDA OUTLINE NUMBER: 3.B.

TO: City Council

THRU: Webb Warren, Deputy City Manager
Kyle Bauman, City Attorney
Lance Johnson, City Manager

FROM: Krystal Strickland, Finance Director

DATE: February 15, 2021

SUBJECT: Operations Financial Report

I. BACKGROUND: This item is informational only.

II. DISCUSSION: Year-to-date budget versus actuals for the General Fund and the two CRAs shall be provided to Council within forty-five days of the month end. Governmental funds are accounted for on a modified accrual basis.

Highlights as of 12/31/2021:

- *We are 25% of the way through the fiscal year
- * 88% of Ad Valorem Taxes have been received/recorded
- * We have expended approximately 21% of Operating budget
- * We have expended approximately 5% of Capital Outlay budget
- *Current net change in total fund balance is a year-to-date increase of \$7.3 million

Details for all funds are on file with the Finance Department, and are available upon request.

A. Link to Strategic Goals / Objectives: Goal #1: Financially sound city providing service excellence

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

1. 2021 1231 YTD Budget Vs Actuals

City of Destin, Florida

Balance Sheet - Governmental Funds

	01, 700	102	110	111	122, 125, 129	209, 213, 214, 221	300, 305, 315	
<i>Period ended December 31,</i>								2021
	General Fund	1998-2028 or to 2037 Town Center CRA	2003-2043 Harbor CRA	Florida Building Code Fund	Other Special Revenue Funds	Debt Service Funds	Capital Project Funds	Total Governmental Funds
Assets								
Cash and cash equivalents	\$ 14,444,824	\$ 1,396,811	\$ -	\$ -	\$ 3,973,570	\$ -	\$ 2,402,813	\$ 22,218,018
Investments	14,408,609	-	-	-	-	-	-	14,408,609
Due from other funds	662,203	-	-	74,111	36,926	-	135,766	909,006
Due from other governments	-	-	-	-	-	-	(0)	(0)
Advance to other funds	2,448,824	-	-	-	-	-	-	2,448,824
Accounts receivable - other	28,454	-	-	-	-	-	-	28,454
Prepaid expenditures	-	-	-	-	-	-	-	-
Restricted cash and cash equivalents	-	-	860,506	316,191	-	510,195	3,997,563	5,684,455
Total assets	\$ 31,992,912	\$ 1,396,811	\$ 860,506	\$ 390,302	\$ 4,010,496	\$ 510,195	\$ 6,536,142	\$ 45,697,365
Liabilities, deferred inflows of resources and fund balances								
Liabilities:								
Accounts payable	192,697	6,872	3,941	15,139	15,774	-	203,252	437,675
Accrued payroll	12,325	-	-	-	-	-	-	12,325
Due to other funds	246,804	-	-	85,179	1,701	1,363	573,959	909,006
Advance from other funds	-	2,448,824	-	-	-	-	-	2,448,824
Total liabilities	451,826	2,455,696	3,941	100,318	17,475	1,363	777,212	3,807,830
Deferred inflows of resources								
Deferred revenue	262,290	-	-	-	-	-	790,549	1,052,839
Total deferred inflows of resources	262,290	-	-	-	-	-	790,549	1,052,839
Fund balances:								
Nonspendable	2,561,840	-	-	-	-	-	-	2,561,840
Restricted	-	-	847,315	281,810	-	508,832	2,844,032	4,481,989
Committed	10,084,733	-	-	-	3,927,058	-	1,620,197	15,631,988
Assigned	2,523,013	18,500	9,250	8,174	65,963	-	2,297,485	4,922,386
Unassigned	16,109,210	(1,077,385)	-	-	-	-	(1,793,332)	13,238,493
Total fund balances (deficit)	31,278,796	(1,058,885)	856,565	289,984	3,993,021	508,832	4,968,382	40,836,695
Total liabilities, deferred inflows of resources and fund balances	\$ 31,992,912	\$ 1,396,811	\$ 860,506	\$ 390,302	\$ 4,010,496	\$ 510,195	\$ 6,536,142	\$ 45,697,365

Nonspendable = Long-term advance to TownCenter CRA \$2,448,823.50 (in 01 fund) plus prepaid expenses

Restricted = Interlocal Agreements, State and Local Regulations (Harbor CRA 110, Florida Building Code Fund 111, Impact Fees 315), Bond covenants (2013, 2014, 2021 Debt Service Funds), Grant Agreements (305)

Committed = Council resolutions, motions, includes fund balance resolution for 1 yr debt service (\$2.7m) + 3 mos emergency ops x 2 (\$6.7m), Tech Fund balance (125), Oka Half Penny fund balance (129)

Assigned = Contracts, purchase orders, unofficial RR fund (300)

Unassigned = Funds with a negative balance (TC CRA 102), net assets not otherwise categorized.

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

SUMMARY ALL FUNDS	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
Ad Valorem Taxes	\$ 9,333,671	\$ 8,204,967		\$ 9,438,514	\$ 1,128,704
Tax Increment Financing (TIF)	1,310,929	1,313,239		1,313,239	(2,310)
Delinquent Ad Valorem Taxes	5,000	111		3,861	4,889
Sales and Use Taxes	3,230,855	832,760		3,317,673	2,398,095
Licenses and Permits	3,463,479	826,869		3,454,915	2,636,610
Impact Fees	115,500	18,187		104,812	97,313
Intergovernmental	10,059,280	569,681		7,739,181	9,489,598
Charges for services	749,898	166,904		768,740	582,994
Fines and Forfeitures	59,957	8,825		53,718	51,132
Investment Income	60,120	(120,151)		(76,157)	180,271
Contributions	2,500	4,766		4,766	(2,266)
Miscellaneous income	2,701	13,336		15,211	(10,635)
TOTAL REVENUES	28,393,890	11,839,495	-	26,138,473	16,554,395
General Government	4,275,974	853,828	513,313	4,125,481	2,908,832
Public Safety	4,527,264	998,785	1,858,905	4,379,145	1,669,574
Physical Environment	198,821	45,655	5,509	195,643	147,657
Transportation	1,937,012	361,670	44,637	1,812,360	1,530,706
Economic Environment	321,636	34,291	27,750	283,115	259,594
Health & Human Services	101,254	9,230	38,313	48,593	53,711
Culture and Recreation	3,718,780	797,090	117,451	3,615,093	2,804,239
Capital Outlay	16,669,181	888,590	2,340,531	12,337,665	13,440,060
Debt Service	2,669,656	529,575	-	2,677,156	2,140,081
TOTAL EXPENDITURES	34,419,578	4,518,715	4,946,408	29,474,250	24,954,455
Excess (deficiency) of revenues over expenditures	(6,025,688)	7,320,780		(3,335,777)	
Proceeds from issuance of debt	-	-		-	-
Transfers In	6,237,075	1,667,338		6,221,237	4,569,737
Transfers Out	(6,237,075)	(1,667,338)		(6,221,237)	(4,569,737)
Total other financing sources (uses)	0	-	-	-	0
Net change in fund balances	(6,025,688)	7,320,780		(3,335,777)	
Fund Balance, Beginning	33,515,915	33,515,915		33,515,915	
Fund Balance, Ending	27,490,227	40,836,695		30,180,137	

** FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

FUND BALANCE SUMMARY ALL FUNDS	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 PROJECTION
Nonspendable	2,448,824	2,561,840	2,561,840
Restricted	2,467,004	4,481,989	2,960,367
Committed	11,930,294	15,631,988	11,262,957
Assigned	1,000,000	4,922,386	1,000,000
<i>Unassigned</i>	<i>9,867,547</i>	<i>13,238,493</i>	<i>12,394,973</i>
Ending Fund Balance	27,490,227	40,836,695	30,180,137

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
01 GENERAL FUND					
01-31 Ad Valorem Taxes	8,574,910	7,446,206		8,679,753	1,128,704
01-31 Delinquent Ad Valorem Taxes	5,000	111		3,861	4,889
01-31 Sales and Use Taxes	1,608,694	434,218		1,586,613	1,174,476
01-32 Licenses and Permits	2,826,871	622,132		2,825,156	2,204,739
01-32 Impact Fees	-	-		-	-
01-33 Intergovernmental	2,763,870	569,681		2,774,613	2,194,189
01-34 Charges for Services	331,398	124,157		328,963	207,241
01-35 Fines and Forfeitures	59,957	8,825		53,718	51,132
01-36 Investment Income	58,084	(123,065)		(80,702)	181,149
01-36 Contributions	2,500	4,766		4,766	(2,266)
01-36 Miscellaneous Revenue	2,201	13,336		14,836	(11,135)
TOTAL REVENUES	16,233,485	9,100,368	-	16,191,576	7,133,117
01-51 General Government	4,275,974	853,828	513,313	4,125,481	2,908,832
01-52 Public Safety	3,247,402	761,142	1,850,731	3,199,408	635,529
01-53 Physical Environment	198,821	45,655	5,509	195,643	147,657
01-54 Transportation	1,849,512	353,195	44,637	1,729,570	1,451,681
01-55 Economic Environment	14,200	3,613	-	3,613	10,587
01-56 Health & Human Services	101,254	9,230	38,313	48,593	53,711
01-57 Culture and Recreation	3,718,780	797,090	117,451	3,615,093	2,804,239
01-59 Capital Outlay	109,250	11,929	-	93,867	97,321
01-59 Debt Service Principal	78,405	46,556	-	83,310	31,849
01-59 Debt Service Interest	2,511	4,020	-	5,106	(1,509)
TOTAL EXPENDITURES	13,596,109	2,886,258	2,569,953	13,099,683	8,139,897
Excess (deficiency) of revenues over expenditures	2,637,376	6,214,109		3,091,893	
01-38 Proceeds from Issuance of Debt	-	-		-	-
01-38 Transfers In	-	-		-	-
01-58 Transfers Out	(4,608,306)	(1,254,748)		(4,593,087)	(3,353,558)
Total other financing sources (uses)	(4,608,306)	(1,254,748)		(4,593,087)	(3,353,558)
01 Net change in fund balances	(1,970,930)	4,959,361		(1,501,194)	
01 Fund Balance (deficit), Beginning	26,319,435	26,319,435		26,319,435	
01 Fund Balance (deficit), Ending	24,348,505	31,278,796		24,818,241	

** FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

102 TOWN CENTER CRA 1998-2028 OR until Debt Paid 2037 (RESTRICTED; ECON DEV)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
102-31 County TIF	954,620	957,717		957,717	(3,097)
102-31 City TIF (Ad Valorem	402,452	402,452		402,452	-
102-36 Investment Income	1,301	39		1,119	1,262
TOTAL REVENUES	1,358,373	1,360,208		1,361,288	(1,835)
102-55 Economic Environment	151,257	19,844	18,500	142,282	112,913
102-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	151,257	19,844	18,500	142,282	112,913
Excess (deficiency) of revenues over expenditures	1,207,116	1,340,364		1,219,005	
102-38 Transfers In	-	-		-	-
102-58 Transfers Out	(731,418)	(182,855)		(731,489)	(548,563)
Total other financing sources (uses)	(731,418)	(182,855)		(731,489)	(548,563)
102 Net change in fund balances	475,698	1,157,510		487,516	
102 Fund Balance (deficit), Beginning	(2,216,394)	(2,216,394)		(2,216,394)	
102 Fund Balance (deficit), Ending	(1,740,696)	(1,058,885)		(1,728,878)	

**FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

110 HARBOR CRA 2003-2043 (RESTRICTED; ECON DEV)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
110-31 County TIF	356,309	355,522		355,522	787
110-31 City TIF (Ad Valorem)	356,309	356,309		356,309	-
110-36 Investment Income	300	64		289	236
TOTAL REVENUES	712,918	711,895		712,120	1,023
110-55 Economic Environment	156,179	10,835	9,250	137,219	136,094
110-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	156,179	10,835	9,250	137,219	136,094
Excess (deficiency) of revenues over expenditures	556,739	701,060		574,901	
110-38 Transfers In	-	-		-	-
110-58 Transfers Out	(481,057)	(120,738)		(481,057)	(360,319)
Total other financing sources (uses)	(481,057)	(120,738)		(481,057)	(360,319)
110 Net change in fund balances	75,682	580,321		93,843	
110 Fund Balance (deficit), Beginning	276,243	276,243		276,243	
110 Fund Balance (deficit), Ending	351,925	856,565		370,087	

**FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

111 FLORIDA BUILDING CODE FUND (RESTRICTED; PUBLIC SAFETY)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
111-32 Licenses and Permits	636,608	204,737		629,760	431,871
111-36 Investment Income	60	-		45	60
TOTAL REVENUES	636,668	204,737		629,805	431,931
111-52 Public Safety	1,152,362	205,123	8,174	1,072,842	939,065
111-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	1,152,362	205,123	8,174	1,072,842	939,065
Excess (deficiency) of revenues over expenditures	(515,694)	(386)		(443,037)	
111-38 Transfers In	328,507	-		295,425	328,507
111-58 Transfers Out	(63,210)	(20,380)		(62,520)	(42,830)
Total other financing sources (uses)	265,297	(20,380)		232,905	285,677
111 Net change in fund balances	(250,397)	(20,766)		(210,133)	
111 Fund Balance (deficit), Beginning	310,750	310,750		310,750	
111 Fund Balance (deficit), Ending	60,353	289,984		100,617	

**FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

122 PARKING FUND (IN GF; TRANSPORTATION)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
122-34 Charges for Services	418,500	42,747		439,777	375,753
122-36 Investment Income	25	-		19	25
TOTAL REVENUES	418,525	42,747		439,796	375,778
122-54 Transportation	87,500	8,475	-	82,790	79,025
122-59 Capital Outlay	126,000	-	-	94,500	126,000
TOTAL EXPENDITURES	213,500	8,475	-	177,290	205,025
Excess (deficiency) of revenues over expenditures	205,025	34,273		262,506	170,752
122-38 Transfers In	-	-		-	-
122-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	-	-		-	-
122 Net change in fund balances	205,025	34,273		262,506	
122 Fund Balance (deficit), Beginning	-	-		-	
122 Fund Balance (deficit), Ending	205,025	34,273		262,506	

**FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

125 TECH FUND (COMMITTED; IN GF; PUBLIC SAFETY)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
125-36 Investment Income	-	62		62	(62)
TOTAL REVENUES	-	62		62	(62)
125-52 Public Safety	127,500	32,520	-	106,895	94,980
125-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	127,500	32,520	-	106,895	94,980
Excess (deficiency) of revenues over expenditures	(127,500)	(32,458)		(106,833)	
125-38 Transfers In	139,982	33,583		134,909	106,399
125-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	139,982	33,583		134,909	106,399
125 Net change in fund balances	12,482	1,126		28,076	
125 Fund Balance (deficit), Beginning	201,406	201,406		201,406	
125 Fund Balance (deficit), Ending	213,888	202,532		229,483	

**FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

129 OKA 1/2 PENNY 01/01/2019-12/31/2029 (COMMITTED; IN GF; CAPITAL OUTLAYS)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
129-31 Sales and Use Taxes	1,390,761	328,817		1,487,785	1,061,944
129-36 Investment Income	150	1,070		1,183	(920)
TOTAL REVENUES	1,390,911	329,887		1,488,967	1,061,024
129-59 Capital Outlay	3,080,232	64,515	65,963	3,080,232	2,949,754
TOTAL EXPENDITURES	3,080,232	64,515	65,963	3,080,232	2,949,754
Excess (deficiency) of revenues over expenditures	(1,689,321)	265,372		(1,591,265)	
129-38 Transfers In	-	(0)		(0)	0
129-58 Transfers Out	(353,084)	(88,617)		(353,084)	(264,467)
Total other financing sources (uses)	(353,084)	(88,617)		(353,085)	(264,467)
129 Net change in fund balances	(2,042,405)	176,755		(1,944,350)	
129 Fund Balance (deficit), Beginning	3,579,462	3,579,462		3,579,462	
129 Fund Balance (deficit), Ending	1,537,056	3,756,217		1,635,112	

**FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

213 DEBT SERVICE 2013 NOTE (RESTRICTED; DEBT SERVICE)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
213-36 Investment Income	100	55		130	45
TOTAL REVENUES	100	55		130	45
213-59 Debt Service Principal	412,531	-	-	412,531	412,531
213-59 Debt Service Interest	142,713	-	-	142,713	142,713
TOTAL EXPENDITURES	555,245	-	-	555,245	555,245
Excess (deficiency) of revenues over expenditures	(555,145)	55		(555,114)	
213-38 Transfers In	555,245	138,811		555,245	416,434
213-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	555,245	138,811		555,245	416,434
213 Net change in fund balances	100	138,866		130	
213 Fund Balance (deficit), Beginning	93,097	93,097		93,097	
213 Fund Balance (deficit), Ending	93,197	231,963		93,227	

214 DEBT SERVICE 2014 NOTE (RESTRICTED; DEBT SERVICE)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
214-36 Investment Income	100	94		169	6
TOTAL REVENUES	100	94		169	6
214-59 Debt Service Principal	427,021	-	-	427,021	427,021
214-59 Debt Service Interest	304,397	152,199	-	304,397	152,199
TOTAL EXPENDITURES	731,418	152,199	-	731,418	579,220
Excess (deficiency) of revenues over expenditures	(731,318)	(152,104)		(731,249)	
214-38 Transfers In	731,418	182,855		731,489	548,563
214-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	731,418	182,855		731,489	548,563
214 Net change in fund balances	100	30,750		240	
214 Fund Balance (deficit), Beginning	245,566	245,566		245,566	
214 Fund Balance (deficit), Ending	245,666	276,316		245,806	

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

221 DEBT SERVICE 2021 NOTE (RESTRICTED; DEBT SERVICE)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
221-36 Investment Income	-	15		15	(15)
TOTAL REVENUES	-	15		15	(15)
221-59 Debt Service Principal	1,200,000	300,000	-	1,200,000	900,000
221-59 Debt Service Interest	102,077	26,801	-	102,077	75,276
221-51 General Government	-	-	-	-	-
TOTAL EXPENDITURES	1,302,077	326,801	-	1,302,077	975,276
Excess (deficiency) of revenues over expenditures	(1,302,077)	(326,786)		(1,302,062)	
221-38 Transfers In	1,302,077	326,801		1,302,077	975,276
221-58 Transfers Out	-	-		-	-
221-38 Proceeds from issuance of debt	-	-		-	-
Total other financing sources (uses)	1,302,077	326,801		1,302,077	975,276
221 Net change in fund balances	-	15		15	
221 Fund Balance (deficit), Beginning	538	538		538	
221 Fund Balance (deficit), Ending	538	553		553	

300 RENEWAL AND REPLACEMENT FUND (IN GF; CAPITAL OUTLAYS)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
300-36 Investment Income	-	492		492	(492)
TOTAL REVENUES	-	492		492	(492)
300-59 Capital Outlay	2,784,199	189,153	644,961	834,113	1,950,086
TOTAL EXPENDITURES	2,784,199	189,153	644,961	834,113	1,950,086
Excess (deficiency) of revenues over expenditures	(2,784,199)	(188,660)		(833,621)	
300-38 Transfers In	1,410,814	1,050,857		1,433,968	359,957
300-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	1,410,814	1,050,857		1,433,968	359,957
300 Net change in fund balances	(1,373,385)	862,197		600,347	
300 Fund Balance (deficit), Beginning	1,402,960	1,402,960		1,402,960	
300 Fund Balance (deficit), Ending	29,575	2,265,157		2,003,307	

*FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 12/31/2021

305 GRANT AND GF CAPITAL PROJECT FUND (IN GF; CAPITAL OUTLAYS)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
305-33 Intergovernmental	7,295,410	-		4,964,568	7,295,410
TOTAL REVENUES	7,295,410	-		4,964,568	7,295,410
305-59 Capital Outlay	9,067,240	572,346	1,132,500	6,732,693	7,362,394
TOTAL EXPENDITURES	9,067,240	572,346	1,132,500	6,732,693	7,362,394
Excess (deficiency) of revenues over expenditures	(1,771,830)	(572,346)		(1,768,125)	
305-38 Transfers In	1,769,032	(65,569)		1,768,125	1,834,601
305-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	1,769,032	(65,569)		1,768,125	1,834,601
305 Net change in fund balances	(2,798)	(637,915)		0	
305 Fund Balance (deficit), Beginning	(1)	(1)		(1)	
305 Fund Balance (deficit), Ending	(2,799)	(637,915)		(0)	

*FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward

315 IMPACT AND OTHER RESTRICTED FUND (RESTRICTED IN GF; CAPITAL OUTLAYS)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANCES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
315-32 Impact Fees	115,500	18,187		104,812	97,313
315-31 Sales and Use Taxes	231,400	69,725		243,275	161,675
315-36 Investment Income	-	1,022		1,022	(1,022)
315-36 Miscellaneous Revenue	500	-		375	500
TOTAL REVENUES	347,400	88,934		349,484	258,466
315-59 Capital Outlay	1,502,260	50,648	497,107	1,502,260	954,505
TOTAL EXPENDITURES	1,502,260	50,648	497,107	1,502,260	954,505
Excess (deficiency) of revenues over expenditures	(1,154,860)	38,287		(1,152,775)	
315-38 Transfers In	-	(0)		(0)	0
315-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	-	(0)		(0)	0
315 Net change in fund balances	(1,154,860)	38,286		(1,152,776)	
315 Fund Balance (deficit), Beginning	3,302,853	3,302,853		3,302,853	
315 Fund Balance (deficit), Ending	2,147,993	3,341,139		2,150,077	

*FY2022 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.C.

TO: City Council

THRU: Lance Johnson, City Manager
Webb Warren, Deputy City Manager
Krystal Strickland, Finance Director

FROM: Michael Burgess, Public Services Director

DATE: 01/31/2022

SUBJECT: Milling/Resurfacing/Restriping of a Section of Scenic 98 (Matthew Blvd to Cobia Street)

I. BACKGROUND: The City's Public Works and Safety Committee has recommended a Section of Scenic 98 (3550'+/-) as a candidate for milling, re-surfacing, and re-striping.

II. DISCUSSION: City Street to be milled/re-surfaced/re-striped includes:
1. Scenic 98 (Matthew Boulevard to Cobia Street)

H&T and Emerald Coast Striping are currently continuing service providers under contract with the City. Their most recent contract renewals are provided as ATTs 1 & 2 respectively. The quotes for this work are provided as ATT3 (H&T) and ATT4 (Emerald Coast Striping). A map of the project area is included as ATT5.

This project comes at the recommendation of the Public Works/Public Safety Committee from their meeting of February 8, 2022. The draft minutes of this meeting are attached as ATT6.

The contractor will be instructed to begin work either after Spring Break (early May 2022) or during the second week of September so as to cause a minimal amount of disruption to traffic during the Tourist Season.

A. Link to Strategic Goals / Objectives: from Strategic Goals 2026:

6. Effective, efficient and aesthetically pleasing infrastructure.

B. Effect on Budget (EOB): The estimate from our road and asphalt continuing services provider, H&T, to mill and resurface is \$300,300. The estimate from our

road striping continuing services contractor, Emerald Coast Striping is \$25,086. The total \$325,386 is budgeted and we propose to use Gas Tax #1 for this project:

	12254500			
	Parking	30054131	30058585	
	Fund	Gas Tax#1	GF for RR	TOTAL
565000-RR054				
CIP-Renew/Replace Roads	\$ 96,000	\$ 440,000	\$ 482,000	\$ 1,018,000
FY22 Adopted Budget	96,000	440,000	482,000	1,018,000
Budget Transfers/Amendments	-	-	(60,273)	(60,273)
Revised Budget	96,000	440,000	421,727	957,727
Previous Expenses/Encumbrances	-	(54,758)	-	(54,758)
Available Program Budget	96,000	385,242	421,727	902,969
This Agreement +(-)	\$ -	\$ (325,386)	\$ -	\$ (325,386)
FY22 Remaining Program Budget	\$ 96,000	\$ 59,856	\$ 421,727	\$ 577,583

C. Level of Service (LOS): Improved driving surface and nighttime visibility of lane delineation, speed tables, and crosswalks.

III. CONCLUSION: If approved, Public Works will arrange to have this road construction occur after Spring Break but before the end of May.

IV. RECOMMENDED MOTION: I move that the City Manager issue purchase orders to H&T Contractors and Emerald Coast Striping to mill, resurface, and re-stripe that section of Scenic Hwy 98 between Matthew Blvd and Cobia Street for a total of \$325,386.00.

Attachments:

1. ATT1: H&T Contractors, LLC 2021-2022 Misc Asphaltic Services Extension
2. ATT2: Emerald Coast Striping Contract 10.01.21-12.31.22
3. ATT3: Scenic 98, Matthew to Cobia, asphalt
4. ATT4: Scenic 98, Matthew to Cobia, re-striping
5. ATT5: Scenic 98, Project Area FY22

CONTRACT EXTENSION AGREEMENT

This agreement dated the First day of October 2021 is between the City of Destin, Florida ("City"), a Florida municipal corporation, of 4200 Indian Bayou Trail, Destin, Florida, 32541 and H&T Contractors, LLC ("Contractor"). The purpose of this agreement is to extend for fifteen months a contract for services dated December 7, 2017 between the City of Destin and H&T Contractors, LLC to provide miscellaneous asphaltic services for the City. Appendix "A" has been revised for this extension and is attached.

This is the **4th of 4** possible contract extensions.

The following provision amends the contract of the parties and is binding upon them. The Parties mutually agree to amend the jury trial waiver, and the public records provision, as follows:

Jury Trial Waiver:

CONTRACTOR AND CITY AGREE TO WAIVE THEIR RIGHTS TO A TRIAL BY JURY REGARDING ANY LAWSUIT INVOLVING THE INTERPRATION, CONSTRUCTION, ENFORCEMENT, OR GOVERNANCE OF THIS CONTRACT, AND FOR ANY LAWSUIT RELATED IN ANY WAY TO THIS CONTRACT OR FOR THE WORK PERFORMED PURSUANT TO THIS CONTRACT.

Public Records:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THE CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE OFFICE OF THE CITY CLERK, (850) 837-4242, 4200 INDIAN BAYOU TRAIL, DESTIN, FLORIDA 32541, rbailey@cityofdestin.com

Contractor shall comply with Florida Public Records Laws, specifically to:

- Keep and maintain public records that ordinarily and necessarily would be required by the City of Destin in order to perform the service.
- Shall immediately provide the City Clerk for the City with any documents requested by the Clerk in response to a public records request.
- Provide the public with access to public records on the same terms and conditions that the City of Destin would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law.
- Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

- Meet all requirements for retaining public records and transfer, at no cost, to the City of Destin all public records in possession of the Contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City of Destin in a format that is compatible with the information technology systems of the City of Destin.

It is expressly agreed by the parties that this contract is an extension to the Contract dated December 7, 2017 and the original is made a part hereof as though expressly rewritten, incorporated, and included herein.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

Witnesses:

Cheryl Wyran Cheryl Wyran
(Signature)

Heather Bailey Heather Bailey
(Signature)

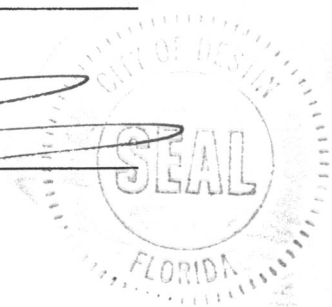
CITY OF DESTIN

By:

Lance A. Johnson
Lance A. Johnson
City Manager

ATTEST:

Key Bailey
Key Bailey
City Clerk



Witnesses:

Misty Shaw
(Signature)

H&T Contractors, LLC

By:

Heather Bailey
(Signature)

Heather Bailey, MGRM

(Name & Title)

ATTEST:

D. Forehand
(Signature)

John B. Irvin, IV
(Signature)

John B. Irvin, IV, CFO

(Name & Title)

City of Destin, FL			
Department of Public Works			
H&T, proposed price adjustments for FY22, Asphaltic Services			
Item Description	Units	Former Contract \$/Unit	Proposed Contract \$/Unit
2" Type SP, 12.5 Asphalt Concrete Superpave (Course)	SY	\$9.50	\$10.50
1.5" Type SP, 12.5 Asphalt Concrete Superpave (Fine)	SY	\$8.50	\$9.30
1" Type SP, 9.5 Asphalt Concrete Overlay (Fine)	SY	\$7.00	\$8.00
Milling of Existing asphalt (1" depth)	SY	\$3.00	\$4.00
Milling of Existing asphalt (2" depth)	SY	\$4.00	\$5.00
8" Graded Aggregate Base, delivered and compacted	SY	\$9.50	\$10.50
6" Graded Aggregate Base, delivered and compacted	SY	\$8.50	\$9.50
4" Graded Aggregate Base, delivered and compacted	SY	\$7.00	\$8.00
Stabilized Base (12")	SY	\$3.50	\$4.50
Stabilized Base (6")	SY	\$3.00	\$4.00
Prime Coat	SY	\$0.75	\$2.25
Tack Coat	SY	\$0.75	\$2.25
Asphalt Cut with abrasive blade	LF	\$4.00	\$5.00
Concrete Cut with abrasive blade	LF	\$4.00	\$5.00
Silt Fence	LF	\$2.00	\$3.00
Straw Waddle	LF	\$3.00	\$4.00
Manhole Adjust	each	\$400.00	\$600.00
Valve Box Adjust	each	\$150.00	\$300.00
Removal of Concrete, over 6"	SY	\$7.50	\$8.50
Removal of Asphalt up to 4" thick	SY	\$6.00	\$7.00
Removal of Asphalt over 4" thick	SY	\$6.00	\$7.00
Fill Dirt provided, delivered, spread and compacted	CY	\$12.00	\$15.00
Clear & Grub	SY	\$0.22	\$0.55
Debris Hauling	CY	\$12.00	\$15.00
Tree Trimming	/hr	\$150.00	\$200.00
Aluminum Pipe Guiderail (FDOT Index 870)	LF	\$150.00	\$250.00
Guardrail	LF	\$125.00	\$225.00
Mobilization	lump	\$2,500.00	\$3,000.00
12" RCP provided, delivered and installed	LF	\$28.00	\$45.00
15" RCP provided, delivered and installed	LF	\$29.00	\$45.00
18" RCP provided, delivered and installed	LF	\$34.00	\$48.00
24" RCP provided, delivered and installed	LF	\$42.00	\$56.00
30" RCP provided, delivered and installed	LF	\$55.00	\$75.00
36" RCP provided, delivered and installed	LF	\$65.00	\$80.00
42" RCP provided, delivered and installed	LF	\$90.00	\$100.00
48" RCP provided, delivered and installed	LF	\$120.00	\$135.00
12" ADS provided, delivered and installed	LF	\$20.00	\$37.00
15" ADS provided, delivered and installed	LF	\$22.00	\$42.00
18" ADS provided, delivered and installed	LF	\$25.00	\$48.00
24" ADS provided, delivered and installed	LF	\$30.00	\$67.00
30" ADS provided, delivered and installed	LF	\$38.00	\$92.00

City of Destin, FL			
Department of Public Works			
H&T, proposed price adjustments for FY22, Asphaltic Services			
Item Description	Units	Former Contract \$/Unit	Proposed Contract \$/Unit
36" ADS provided, delivered and installed	LF	\$47.00	\$101.00
42" ADS provided, delivered and installed	LF	\$85.00	\$117.00
48" ADS provided, delivered and installed	LF	\$95.00	\$150.00
Concrete Headwall or Drainage Structure	CY	\$600.00	\$900.00
Mitered End Section, medium 12-15"	each	\$800.00	\$1,200.00
Mitered End Section, large 18-24"	each	\$4,000.00	\$4,500.00
Concrete Flume (4" thick)	SY	\$48.00	\$65.00
Inlet Apron (4" thick)	SY	\$48.00	\$65.00
Raise existing inlet (assume 3" adjustment)	each	\$1,000.00	\$1,800.00
Lower existing inlet (assume 3" adjustment)	each	\$800.00	\$1,600.00
6" diameter yard inlet, installed maximum 2" depth	each	\$600.00	\$1,200.00
Excavation and Haul Off	CY	\$8.00	\$10.00
Well Points	/day	\$3,500.00	\$4,000.00
Grout (joint)	each	\$500.00	\$1,000.00
Compaction of subgrade, soil and backfill (up to 6")	SY	\$8.00	\$10.00
Swale Installation (grading)	CY	\$10.00	\$20.00
Concrete Collar (any size)	each	\$400.00	\$1,000.00
Rip Rap Rubble (up to 12" stone, 18" thick)	SY	\$200.00	\$400.00
Rip Rap Rubble (up to 24" stone, 36" thick)	SY	\$400.00	\$600.00
6" drain pipe	LF	\$15.00	\$20.00
Type C inlet installed	each	\$2,500.00	\$3,500.00
Concrete Driveway 6" thick, fiber reinforced	SY	\$48.00	\$60.00
Concrete Sidewalk 4" thick installed	SY	\$43.00	\$56.00
Concrete Flat/Ribbon Curb, fiber reinforced (12" wide x 8" deep)	LF	\$15.00	\$20.00
Concrete Type D Curb, fiber reinforced	LF	\$25.00	\$30.00
Concrete Type E Curb & gutter, fiber reinforced	LF	\$18.00	\$22.00
Concrete Type F Curb & gutter, fiber reinforced	LF	\$18.00	\$24.00
Concrete Modified (18") Type F Curb and gutter, fiber reinforced	LF	\$17.00	\$24.00
ADA truncated dome mat installation	SF	\$40.00	\$65.00
Traffic Control	/day	\$1,500.00	\$1,800.00
Bermuda Sod installed	SY	\$5.40	\$6.50
St Augustine installed	SY	\$6.75	\$7.75
Centipede Sod installed	/hr	\$3.30	\$4.50
Irrigation Repair	each	\$75.00	\$150.00
Type C inlet installed (6-10')	each	\$4,000.00	\$6,000.00
Type C inlet installed (10-14')	each	\$6,000.00	\$8,000.00
Type C inlet installed (<6')	each	\$2,500.00	\$3,500.00
Asphalt Reinforcing Fibers (2")	SY	\$1.20	\$2.20
Asphalt Reinforcing Fibers (1.5")	SY	\$0.90	\$1.90

City of Destin, FL			
Department of Public Works			
H&T, proposed price adjustments for FY22, Asphaltic Services			
Item Description	Units	Former Contract \$/Unit	Proposed Contract \$/Unit
Asphalt Reinforcing Fibers (1")	SY	\$0.55	\$1.55



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/9/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Daniels Commercial Insurance, LLC 248 W. Garden St. Pensacola FL 32502		CONTACT NAME: Daniels Commercial Insurance, LLC PHONE (A/C, No, Ext): 850-308-7710 FAX (A/C, No): 850-308-7716 E-MAIL ADDRESS: service@dcinsllc.com		
INSURED H&T Contractors, LLC P.O. Box 9 Freeport FL 32439-0009		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Great American Insurance Company		16691
		INSURER B: Continental Casualty Company		20443
		INSURER C: Valley Forge Insurance Company		20508
		INSURER D: AXIS Surplus Insurance Company		26620
		INSURER E: Transportation Insurance Company		20494
INSURER F:				

COVERAGES

CERTIFICATE NUMBER: 1724178925

REVISION NUMBER:

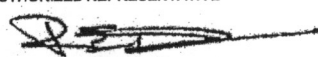
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
D	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC OTHER:	Y		P00100046177901	3/10/2021	3/10/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
							MED EXP (Any one person)	\$ Excluded
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
E	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☒ PIP ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY	Y		6057608694	3/10/2021	3/10/2022	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
							PIP Limit	\$ 10,000
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ DED ☐ RETENTION \$			TUE025584709	3/10/2021	3/10/2022	EACH OCCURRENCE	\$ 1,000,000
							AGGREGATE	\$ 1,000,000
								\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	657608727	3/10/2021	3/10/2022	☒ PER STATUTE ☐ OTHER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
B	Contractor's Equipment Leased/Rented Equipment			6057125674	3/10/2021	3/10/2022	Equipment Floater Max per Item	Schedule on File \$500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: RFB No. 16-07-PS, Miscellaneous Concrete Continuing Services Contract. Certificate holder is an Additional Insured as respects General Liability & Automobile Liability if required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

City of Destin 4200 Indian Bayou Trail Destin FL 32541	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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CONTRACT EXTENSION AGREEMENT

This agreement dated the First day of October 2021 is between the City of Destin, Florida (“City”), a Florida municipal corporation, of 4200 Indian Bayou Trail, Destin, Florida, 32541 and Emerald Coast Striping, LLC (“Contractor”). The purpose of this agreement is to extend for fifteen months a contract for road striping services effective October 1, 2020 between the City of Destin and Emerald Coast Striping, LLC to provide miscellaneous road striping services for the City.

This represents the **1st of 4** possible contract extensions.

The following provision amends the contract of the parties and is binding upon them. The Parties mutually agree that the jury trial waiver, and a public records provision are amended as follows:

Jury Trial Waiver:

CONTRACTOR AND CITY AGREE TO WAIVE THEIR RIGHTS TO A TRIAL BY JURY REGARDING ANY LAWSUIT INVOLVING THE INTERPRATION, CONSTRUCTION, ENFORCEMENT, OR GOVERNANCE OF THIS CONTRACT, AND FOR ANY LAWSUIT RELATED IN ANY WAY TO THIS CONTRACT OR FOR THE WORK PERFORMED PURSUANT TO THIS CONTRACT.

Public Records:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THE CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE OFFICE OF THE CITY CLERK, (850) 837-4242, 4200 INDIAN BAYOU TRAIL, DESTIN, FLORIDA 32541, rbailey@cityofdestin.com

Contractor shall comply with Florida Public Records Laws, specifically to:

- Keep and maintain public records that ordinarily and necessarily would be required by the City of Destin in order to perform the service.
- Shall immediately provide the City Clerk for the City with any documents requested by the Clerk in response to a public records request.
- Provide the public with access to public records on the same terms and conditions that the City of Destin would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law.
- Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

- Meet all requirements for retaining public records and transfer, at no cost, to the City of Destin all public records in possession of the Contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City of Destin in a format that is compatible with the information technology systems of the City of Destin.

It is expressly agreed by the parties that this contract is an extension to the Contract that became effective on October 1, 2020 and the original is made a part hereof as though expressly rewritten, incorporated, and included herein.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

Witnesses:

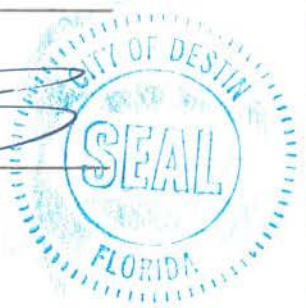
Cheryl Wyren
(Signature)

Zachary Armstrong
(Signature)

City of Destin

By: Lance A. Johnson
Lance A. Johnson
City Manager

ATTEST: Rey Bailey
Rey Bailey
City Clerk



Witnesses:

Stephanie Dodson
(Signature)

Chad Rodgett
(Signature)

Emerald Coast Striping, LLC

By: Eric Bailey
(Signature)

Eric Bailey / OPERATIONS
(Name & Title) **MANAGER**

ATTEST: Faith Cooke
(Signature)

Faith Cooke / office manager
(Name & Title)



EXHIBIT A – BID FORM

PART I Bid submitted by:

Company: Emerald Coast Striping, LLC.

Address: 1901 N. East Avenue

City & State: Panama City, FL Zip Code: 32405

Telephone: (850) 215-4875 Fax: (850) 271-4875

Number of Years in Business: 13 Email: aric@ecstriping.com

PART II Bidding RFB No. 20-10-PS, Miscellaneous Road Striping Continuing Services Contract:

Contractor shall provide proper signs and traffic control measures as per Florida Department of Transportation's Manual on Uniform Traffic Control Devices and the Florida Department of Transportation's Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (aka Florida Green Book), current edition. All construction, methods of measurement, and basis of payment shall be in accordance with Division II and III of the Florida Department of Transportation Standards Specifications for Road and Bridge Construction (current edition), copies of which are available from the Florida Department of Transportation.

SERVICE DESCRIPTION AND SPECIFICATIONS

Item	Description	Unit Price	Unit
Four-inch (4") solid painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.15</u>	Linear Foot
Four-inch (4") skip painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.12</u>	Linear Foot
Six-inch (6") solid painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.30</u>	Linear Foot
Six-inch (6") skip painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.18</u>	Linear Foot
Four-inch (4") solid thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ <u>0.65</u>	Linear Foot
Four-inch (4") skip thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ <u>0.55</u>	Linear Foot
Six-inch (6") solid thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ <u>1.00</u>	Linear Foot

Initials of Bidder: AS

Six-inch (6") skip thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ 0.85	Linear Foot
Stop Bars (24")	Thermoplastic plus reflective beads or equivalent	\$ 4.00	Square Foot
Crosswalks (12")	Thermoplastic plus reflective beads or equivalent	\$ 4.00	Square Foot
Messaging (School, Bike lane graphics, STOP, etc.)	Thermoplastic plus reflective beads or equivalent	\$ 4.00	Square Foot
Raised Pavement Markers	Material plus installation	\$ 5.00	Each

Please list any additional services with their respective costs below.

Item	Description	Unit Price	Unit

SAFETY NOTE

All work associated with this bid must be conducted with safety in mind. It is expected that the contractor will provide all necessary personal protective equipment that will be utilized by their staff while performing work for the City of Destin. In addition, the contractor will ensure that all FDOT, OSHA and other applicable State and Federal workplace safety guidelines are adhered to while working on behalf of the City of Destin.

The contractor will ensure that work vehicles, equipment and trailers are properly outfitted with proper, adequate and working signage, lightbars, arrow boards, etc.

Part III Certifications

In accordance with your request for Bids, instructions and specifications, attached hereto, and subject to all conditions thereof, I (we), the undersigned, hereby propose and agree if this Bid is accepted, to contract with the City of Destin, Florida to construct any items or furnish any service requested herein and deliver

Initials of Bidder: AS

WORK ORDER**MISCELLANEOUS ASPHALTIC CONCRETE CONTINUING SERVICES CONTRACT****CONTRACTOR:** H&T Contractors, LLC.**Date:** 11/23/2021**Work Order Number:****Completion Date:****Calendar Days:****Description of Work:** Scenic 98 From Matthew To Cobia

Item No.	Description	Unit	Unit Price	Quantity	Extension
1	2" Type SP – 12.5 Asphalt Concrete Superpave (Coarse)	SY	\$10.50	14000.00	\$ 147,000.00
2	1 ½" Type SP – 12.5 Asphalt Concrete Superpave (Fine)	SY	\$9.30	0.00	\$ -
3	1" Type SP - 9.5 Asphalt Concrete Overlay (Fine)	SY	\$8.00	0.00	\$ -
4	Milling of existing asphalt (average 1 in depth)	SY	\$4.00	0.00	\$ -
5	Milling of existing asphalt (average 2 in depth)	SY	\$5.00	14000.00	\$ 70,000.00
6	8" Graded Aggregate Base, delivered and compacted (LBR 100 compacted to 98% modified proctor density per AASHTO T-180)	SY	\$10.50	0.00	\$ -
7	6" Graded Aggregate Base, delivered and compacted (LBR 100 compacted to 98% modified proctor density per AASHTO T-180)	SY	\$9.50	0.00	\$ -
8	4" Graded Aggregate Base, delivered and compacted (LBR 100 compacted to 98% modified proctor density per AASHTO T-180)	SY	\$8.00	0.00	\$ -
9	Stabilized Subbase (12") (LBR 40 compacted to 98% modified proctor density per AASHTOT-180)	SY	\$4.50	0.00	\$ -
10	Stabilized Subbase (6") (LBR 40 compacted to 98% modified proctor density per AASHTOT-180)	SY	\$4.00	0.00	\$ -
11	Prime Coat	SY	\$2.25	0.00	\$ -
12	Tack Coat	SY	\$2.25	14000.00	\$ 31,500.00
13	Asphalt Cut with Abrasive Blade	LF	\$5.00	0.00	\$ -
14	Concrete Cut with Abrasive Blade	LF	\$5.00	0.00	\$ -
15	Silt Fence	LF	\$3.00	0.00	\$ -
16	Straw Waddle	LF	\$4.00	0.00	\$ -
17	Manhole Adjustment	EACH	\$600.00	3.00	\$ 1,800.00
18	Valve Box Adjustment	EACH	\$300.00	0.00	\$ -
19	Removal of Concrete over 6 inches	SY	\$8.50	0.00	\$ -
20	Removal of Asphalt up to 4 inches thick	SY	\$7.00	0.00	\$ -
21	Removal of Asphalt over 4 inches	SY	\$7.00	0.00	\$ -
22	Fill Dirt provided, delivered, spread and compacted on grade	CY	\$15.00	0.00	\$ -
23	Clear & Grub	SY	\$0.55	0.00	\$ -
24	Debris Hauling	CY	\$15.00	0.00	\$ -
25	Tree trimming	HR	\$200.00	0.00	\$ -
26	Aluminum Pipe Guiderail (FDOT Index 870)	LF	\$250.00	0.00	\$ -
27	Guardrail (FDOT Index 400)	LF	\$225.00	0.00	\$ -
28	Mobilization	LUMP	\$3,000.00	1.00	\$ 3,000.00
29	12" inch RCP provided, delivered, and installed	LF	\$45.00	0.00	\$ -
30	15" inch RCP provided, delivered, and installed	LF	\$45.00	0.00	\$ -
31	18" inch RCP provided, delivered, and installed	LF	\$48.00	0.00	\$ -
32	24" inch RCP provided, delivered, and installed	LF	\$56.00	0.00	\$ -
33	30" inch RCP provided, delivered, and installed	LF	\$75.00	0.00	\$ -
34	36" inch RCP provided, delivered, and installed	LF	\$80.00	0.00	\$ -
35	42" inch RCP provided, delivered, and installed	LF	\$100.00	0.00	\$ -
36	48" inch RCP provided, delivered, and installed	LF	\$135.00	0.00	\$ -

*Payment shall be made on actual work performed, as measured in field.

WORK ORDER
MISCELLANEOUS ASPHALTIC CONCRETE CONTINUING SERVICES CONTRACT

37	12" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$37.00	0.00	\$ -
38	15" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$42.00	0.00	\$ -
39	18" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$48.00	0.00	\$ -
40	24" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$67.00	0.00	\$ -
41	30" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$92.00	0.00	\$ -
42	36" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$101.00	0.00	\$ -
43	42" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$117.00	0.00	\$ -
44	48" inch ADS Culvert Pipe provided, delivered, and installed	LF	\$150.00	0.00	\$ -
45	Concrete Headwall or Drainage Structure	CY	\$900.00	0.00	\$ -
46	Mitered end section – medium 12 inches to 15 inches	EACH	\$1,200.00	0.00	\$ -
47	Mitered end section – large 18 inches to 24 inches	EACH	\$4,500.00	0.00	\$ -
48	Concrete flume (4 in thick)	SY	\$65.00	0.00	\$ -
49	Inlet Apron (4 in thick)	SY	\$65.00	0.00	\$ -
50	Raise existing inlet (assume 3 in adjustment)	EACH	\$1,800.00	4.00	\$ 7,200.00
51	Lower existing inlet (assume 3 in adjustment)	EACH	\$1,600.00	0.00	\$ -
52	6 in Diameter Yard Inlet, installed, maximum 2 in depth	EACH	\$1,200.00	0.00	\$ -
53	Excavation and Haul Off	CY	\$10.00	0.00	\$ -
54	Well Points	DAY	\$4,000.00	0.00	\$ -
55	Grout (joint)	EACH	\$1,000.00	0.00	\$ -
56	Compaction of Subgrade, Soil, and Backfill (Up to 6" Thick)	SY	\$10.00	0.00	\$ -
57	Swale Installation (grading)	CY	\$20.00	0.00	\$ -
58	Concrete Collar (any size)	EACH	\$1,000.00	0.00	\$ -
59	Rip Rap Rubble (up to 12" stone, 18" thick)	SY	\$400.00	0.00	\$ -
60	Rip Rap Rubble (up to 24" stone, 36" thick)	SY	\$600.00	0.00	\$ -
61	6 inch Drain pipe	LF	\$20.00	0.00	\$ -
62	Type "C" inlet installed (maximum depth 6 ft)	EACH	\$3,500.00	0.00	\$ -
63	Concrete Driveway 6 inches thick-fiber reinforced	SY	\$60.00	0.00	\$ -
64	Concrete Sidewalk – 4 inches thick installed	SY	\$56.00	0.00	\$ -
65	Concrete Flat/Ribbon Curb fiber reinforced (12" wide by 8" deep)	LF	\$20.00	0.00	\$ -
66	Concrete Type "D" Curb fiber reinforced	LF	\$30.00	0.00	\$ -
67	Concrete Type "E" Curb & Gutter fiber reinforced	LF	\$22.00	0.00	\$ -
68	Concrete Type "F" Curb & Gutter fiber reinforced	LF	\$24.00	0.00	\$ -
69	Concrete Modified (18") Type "F" Curb & Gutter fiber reinforced	LF	\$24.00	0.00	\$ -
70	ADA truncated dome mat installation	SF	\$65.00	0.00	\$ -
71	Traffic Control (MOT) cost	DAY	\$1,800.00	0.00	\$ -
72	Bermuda Sod installed	SY	\$6.50	0.00	\$ -
73	St Augustine Sod installed	SY	\$7.75	0.00	\$ -
74	Centipede Sod installed	SY	\$4.50	0.00	\$ -
75	Irrigation Repair	HR	\$150.00	0.00	\$ -
76	Type "C" inlet installed (depth 6-10 ft)	EACH	\$6,000.00	0.00	\$ -
77	Type "C" inlet installed (depth 10 -14 ft)	EACH	\$8,000.00	0.00	\$ -
78	Type "C" inlet installed (maximum depth 6 ft)	EACH	\$3,500.00	0.00	\$ -

Total \$ 260,500.00

Additional Contract Items

Item No.	Description	Unit	Unit Price	Quantity	Extension
79	Asph Reinforcing Fibers for 2" Thick Pvmnt Contractor Provided	SY	\$ 2.20	14,000	\$ 30,800.00
81	Asph Reinforcing Fibers for 1.5" Thick Pvmnt Contractor Provided	SY	\$ 1.90	-	\$ -
83	Asph Reinforcing Fibers for 1" Thick Pvmnt Contractor Provided	SY	\$ 1.55	-	\$ -
				Total	\$ 291,300.00
Contingent Items from Price Sheet		LS	Total	\$ 9,000.00	
				Grand Total	\$ 300,300.00

CONTRACTOR REPRESENTATIVE: _____

DATE _____

*Payment shall be made on actual work performed, as measured in field.

CONTRACTOR: H&T Contractors, LLC.
Work Order Number: Contingent Item Pricing Sheet

Date: 11/23/2021
Completion Date:
Calendar Days:

Description of Work: Scenic 98 From Matthew To Cobia

Item No.	Description	Unit	Unit Price	Quantity	Extension
901	Replace Speed Bumps		\$4,500.00	2.00	\$ 9,000.00
902				0.00	\$ -
903				0.00	\$ -
904				0.00	\$ -
905				0.00	\$ -
906				0.00	\$ -
907				0.00	\$ -
908				0.00	\$ -
909				0.00	\$ -
910				0.00	\$ -
911				0.00	\$ -
912				0.00	\$ -
913				0.00	\$ -
914				0.00	\$ -
915				0.00	\$ -
916				0.00	\$ -
917				0.00	\$ -
918				0.00	\$ -
919				0.00	\$ -
920				0.00	\$ -
				Total	\$ 9,000.00

CONTRACTOR REPRESENTATIVE: _____

DATE _____

DIRECTOR OF PUBLIC SERVICES: _____

DATE _____

* Pricing for items on this list are specific to this work order.

**EMERALD COAST
STRIPING, L.L.C.**

1901 East Ave.
Panama City, FL 32405
Phone (850) 215-4875 Fax (850) 271-4875

Proposal

DATE October 21, 2021
Quotation # Scenic Hwy 98

Proposal To:
City of Destin

Matthew to Cobia

Comments or special instructions:

Please allow two weeks advance notice for scheduling of crews

DESCRIPTION	UNIT	QUANTITY	PRICE	AMOUNT
6" Solid Yellow Thermoplastic with Beads	LF	7597	\$1.00	\$7,597.00
6" Solid White Thermoplastic with Beads	LF	6800	\$1.00	\$6,800.00
12" Solid White Thermoplastic with Beads	SF	1296	\$4.00	\$5,184.00
18" Solid Yellow Thermoplastic with Beads	SF	116	\$4.00	\$464.00
18" Solid White Thermoplastic with Beads	SF	304	\$4.00	\$1,216.00
24" Solid White Thermoplastic with Beads	SF	128	\$4.00	\$512.00
Thermoplastic Yield Bar with Beads	SF	6	\$4.00	\$24.00
Thermoplastic Arrow with Beads	SF	340	\$4.00	\$1,360.00
Thermoplastic Message with Beads	SF	176	\$4.00	\$704.00
Raised Pavement Markers	EA	245	\$5.00	\$1,225.00
			TOTAL	\$25,086.00

If you have any questions concerning this quotation, contact Aric Bailey at (850)867-3750 or by email at aric@ecstriping.com

THANK YOU FOR YOUR BUSINESS!

Scenic 98 Project Area



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: Consent Agenda

AGENDA OUTLINE NUMBER: 3.D.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: February 11, 2022

SUBJECT: Request for final plat approval for Harbor Place Townhomes DO-21-08

I. BACKGROUND: On February 16, 2021, the subject Development Order was issued for the platting and the construction of fifty-four (54) long-term residential townhome units, along with the associated infrastructure. The associated Parcel IDs are 00-2S-22-0310-000E-E170; 00-2S-22-0310-000E-E17B; and 00-2S-22-0310-000E-E17A.

II. DISCUSSION: The applicant is requesting Final Plat Approval for the subject development, as approved by the City Council on November 16, 2020, with the condition that the applicant add an additional 15 parking spaces to the project.

Per **Section 2.19.03, City of Destin Land Development Code**, where proposed major development includes the subdivision or re-subdivision of land and the dedication of right-of-way, final approval of such subdivision or re-subdivision shall be made by the City Council in accordance with this Code and general law. Upon receiving the recommendation of the Technical Review Committee (TRC), the City Council will consider the subdivision for approval.

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with **Comprehensive Plan Policy 1-2.4.1: ROI Future Land Use Element, Policy 3-1.3.4: Provide for the Inclusion of Diverse Housing Types, & Policy 3-1.3.9: Provide for Available Diversity in Housing Type and Tenure.**

A. Link to Strategic Goals / Objectives: 1.) Economic Development and Revitalization

B. Effect on Budget (EOB): There is no anticipated effect on the budget.

C. Level of Service (LOS): The approved traffic analysis states that the project is estimated to generate 37 tentative PM trips. This would have a limited effect on the

surrounding LOS.

III. CONCLUSION: On November 16, 2020, Harbor Place Townhomes (20-17-SP and 20-18-MS) was approved with the condition that the applicant add an additional 15 parking spaces to the project. On February 4, 2021, the applicant provided Staff with revised plans that satisfied the condition mentioned above. Consequently, the Development Order (DO-21-08) was issued on February 16, 2021. To satisfy **Section 2.19.03 of the City of Destin Land Development Code**, the applicant is now requesting Final Plat Approval from the City Council.

IV. RECOMMENDED MOTION: I move that the City Council recommend final plat approval for Harbor Place Townhomes (DO-21-08).

Attachments:

1. Sealed_Plan Set
2. Preliminary Plat
3. Release of Plat Application

SITE CONSTRUCTION PLANS

HARBOR PLACE TOWNHOMES

PARCEL AREA
199,393.76 SQUARE FEET
4.58 ACRES
OPEN SPACE
95,995.21 SQUARE FEET
1.63 ACRES
48.14%

LOCATED IN
UNDIVIDED, TOWNSHIP 2 SOUTH, RANGE 22 WEST,
OKALOOSA COUNTY, FLORIDA

LEGAL DESCRIPTION:

PARCEL 1:
THE WEST 200 FEET OF BLOCK E-17, CALHOUN SUBDIVISION OF ADDITION TO DESTIN, PLAT BOOK 2, PAGE 43-A.

PARCEL 2:
A PORTION OF BLOCK E-17, CALHOUN SUBDIVISION OF ADDITION TO DESTIN, PLAT BOOK 2, PAGE 43-A, DESCRIBED AS:

BEGIN AT A POINT ON THE SOUTH RIGHT-OF-WAY OF AZALEA DRIVE 200' EASTERLY FROM THE NORTHWEST CORNER OF SAID BLOCK E-17; THENCE SOUTHERLY AT RIGHT ANGLES 400 FEET; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF BLOCK E-17 150 FEET; THENCE NORTHERLY AT RIGHT ANGLES 400 FEET TO AZALEA DRIVE; THENCE WESTERLY ALONG AZALEA DRIVE 150 FEET TO THE POINT OF BEGINNING.

THERE IS HEREBY RESERVED FOR THE GRANTORS, THEIR HEIRS AND ASSIGNS, A 50 FOOT EASEMENT ALONG THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED PROPERTY, FOR THE PURPOSE OF INGRESS AND EGRESS TO THE WESTERLY 200 FEET OF BLOCK E-17 AND FOR FUTURE STREET AND UTILITY INSTALLATIONS.

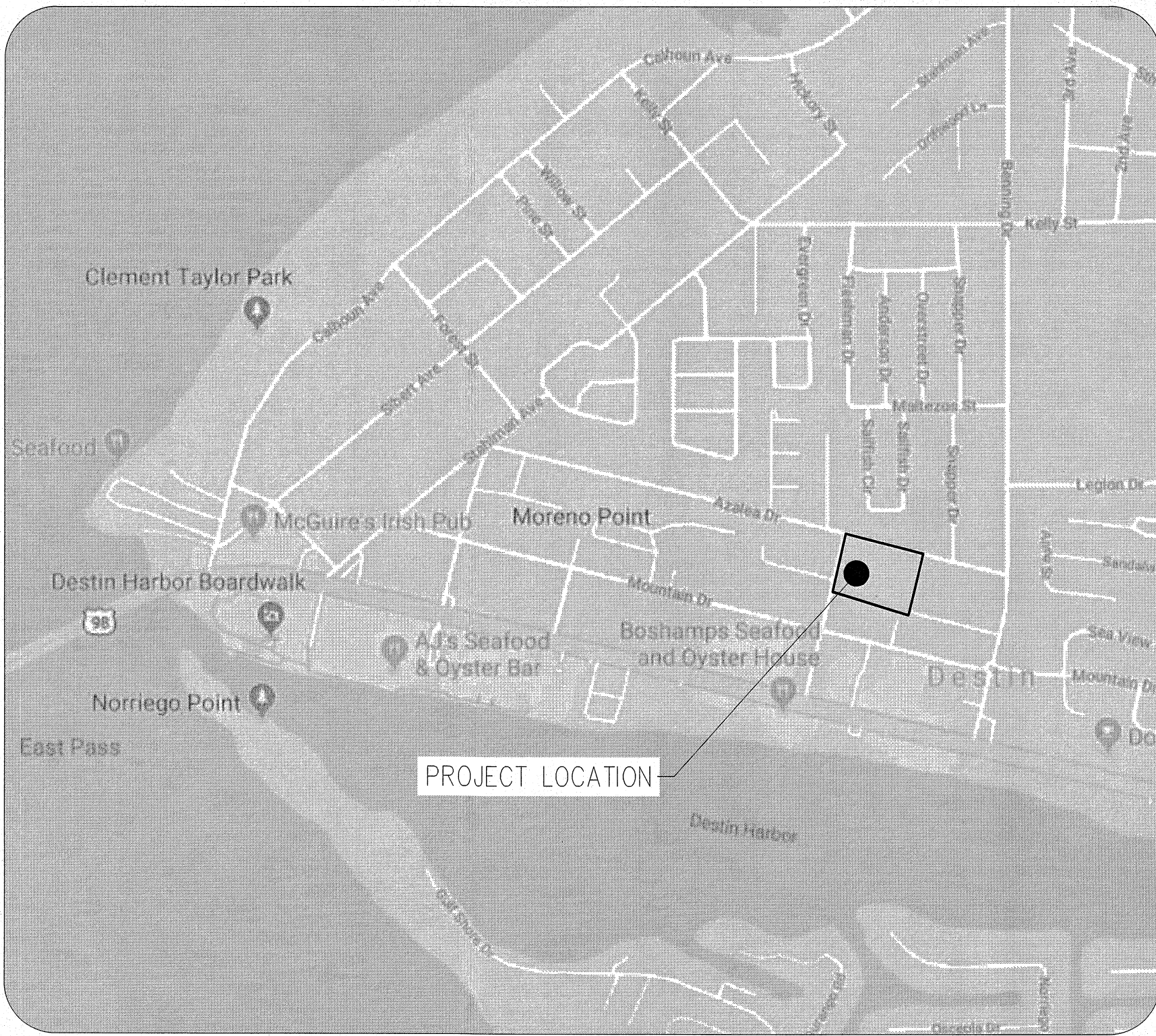
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BEING MORE PARTICULARLY DESCRIBED AS BLOCK E-17, CALHOUN SUBDIVISION OF ADDITION TO DESTIN, PLAT BOOK 2, PAGE 43-A.

PREPARED FOR:
SHANE CANNON
3997 COMMONS DRIVE WEST, SUITE I
DESTIN, FLORIDA 32541
PHONE: (850) 654-6025



VICINITY MAP
NOT TO SCALE

UTILITY COMPANIES

CONTRACTOR SHALL HAVE ALL EXISTING BURIED UTILITIES "LINE SPOTTED" BY CALLING 1-800-432-4770 "CALL SUNSHINE" OR BY CONTACTING LOCAL UTILITY COMPANIES.

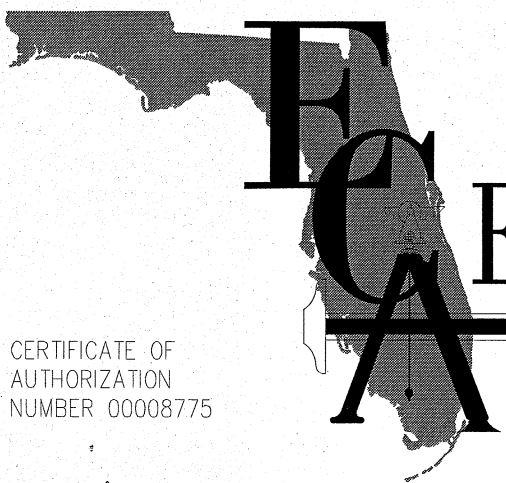
WATER/SEWER: DESTIN WATER USERS, INC.
218 MAIN STREET
DESTIN, FL 32541
PHONE: 850-837-6146

TELEPHONE: CENTURYLINK
411 MARY ESTHER CUT OFF N.W.
FT. WALTON BEACH, FL 32548
PHONE: 850-244-1150

TV CABLE: COX COMMUNICATIONS INC.
34904 EMERALD COAST PARKWAY #136
DESTIN, FL 32541
PHONE: 850-796-1269

ELECTRIC: GULF POWER COMPANY
34854 EMERALD COAST PARKWAY
DESTIN, FL 32541
PHONE: 850-244-4764

GAS: OKALOOSA GAS DISTRICT
14071 EMERALD COAST PARKWAY #F
DESTIN, FL 32541
PHONE: 850-729-4700



PREPARED BY:

www.eca-fl.com

Emerald Coast Associates Inc.

Land Planning • Engineering • Surveying
Since 1979

327 South County Highway 393
Santa Rosa Beach, Florida 32459
PHONE: (850) 267-0473
FAX: (850) 267-0973
www.eca-fl.com

INDEX OF SHEETS

SHEET#	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS AND DEMO PLAN
3	SITE AND GEOMETRY PLAN
4	GRADING PLAN
5	DRAINAGE PLAN
6	UTILITY PLAN
7	GENERAL DETAILS (1 of 2)
8	GENERAL DETAILS (2 of 2)
9	CROSS SECTION (A) DETAILS
10	CROSS SECTION (B) DETAILS
11	CROSS SECTION (C) DETAILS

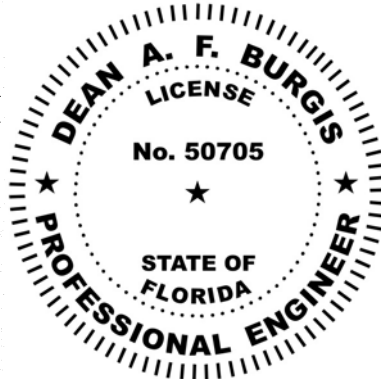
SHEET#	DESCRIPTION
1	LIGHTING PLAN

SHEET#	DESCRIPTION
GS-1	LIFT STATION (NON-CLOG) DETAIL
U-1	UTILITY DETAILS 1
U-2	UTILITY DETAILS 2
U-3	UTILITY DETAILS 3
U-4	UTILITY SPECIFICATIONS 1
U-5	UTILITY SPECIFICATIONS 2

NOTE: NOT RELEASED FOR CONSTRUCTION

DATE PREPARED:
FEBRUARY, 2020

SHEET 1 of 11



This document has been electronically signed and sealed by Dean A. F. Burgis, PE on 02/04/21. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Dean A. F. Burgis
2-4-21
DEAN A. F. BURGIS, REGISTERED P.E.
FLORIDA CERTIFICATE NO. 50705

GENERAL REPORT:

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF BLOCK E-17, CALHOUN SUBDIVISION AS BEING S 76°11'00" E (PER PLAT).
- THIS PARCEL IS LOCATED IN FLOOD ZONE X, NO MINIMUM FLOOR ELEVATION REQUIRED, AS DETERMINED BY SCALE FROM F.E.M.A. MAP NUMBER 12201C0468 H, PANEL 458 OF 494, DATED DECEMBER 6, 2002, OKALOOSA COUNTY, FLORIDA.
- NO ENVIRONMENTAL JURISDICTION LINES HAVE BEEN DETERMINED BY EMERALD COAST ASSOCIATES, INC.
- THE SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE OR TITLE INSURANCE POLICY. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY EMERALD COAST ASSOCIATES INC. NO CERTIFICATION IS GIVEN THAT EASEMENTS, UNDERGROUND ENCROACHMENTS OR OTHER MATTERS OF RECORD DO NOT EXIST.
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- APPARENT USES ARE AS SHOWN.
- NO STRUCTURAL FOUNDATIONS BELOW THE SURFACE OF THE GROUND WERE LOCATED.
- GRAPHIC SYMBOLISM OF CORNER MONUMENTATION, UTILITIES, SIGNS, ETCETERA, ARE EXAGGERATED FOR CLARITY AND ARE NOT TO SCALE. THE CENTER POINT OF WHICH IS ACCURATELY PLOTTED TO SCALE AND/OR DIMENSIONED THERETO.
- NO UNDERGROUND UTILITIES OR UTILITY LINES WERE LOCATED.
- ELEVATIONS SHOWN HEREON ARE PER AS-BUILT DRAWINGS FOR MOUNTAIN DRIVE, DESTIN FLORIDA, ECA JOB NUMBER 11-172.

DESCRIPTION:

PARCEL 1:
THE WEST 200 FEET OF BLOCK E-17, CALHOUN SUBDIVISION OF ADDITION TO DESTIN, PLAT BOOK 2, PAGE 43-A.

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LEGEND:

- # = NUMBER
- LB. = LICENSED BUSINESS
- L.S. = LICENSED SURVEYOR
- P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
- INV. = INVERT
- ELEV. = ELEVATION
- O.R. = OFFICIAL RECORDS
- F.F.E. = FINISHED FLOOR ELEVATION
- ± = MORE OR LESS
- S.F. = SQUARE FEET
- (F) = FIELD MEASUREMENT
- (P) = PLAT DATA
- (D) = DESCRIPTION DATA
- (C) = CALCULATED DATA
- R/W = RIGHT OF WAY
- (TYP.) = TYPICAL
- B.S.L. = BUILDING SETBACK LINE
- = DISTANCE NOT TO SCALE
- E-OHU = EXISTING OVERHEAD UTILITIES
- +18.56 = SPOT ELEVATION AT "DOT"
- 10- = CONTOUR ELEVATION AT 1' INTERVALS
- = FOUND 1/2" CAPPED IRON ROD L.B. #3724
- = SET 1/2" CAPPED IRON ROD L.B. #3724
- ⊗ = FOUND 1/2" CAPPED IRON ROD L.B. #7237
- ⊙ = FOUND 1/2" CAPPED IRON ROD L.B. #3501
- ⊞ = FOUND 4" BY 4" CONCRETE MONUMENT NO IDENTIFICATION
- ⊟ = FOUND 1/2" CAPPED IRON ROD L.B. #3293
- ⊠ = TRAFFIC SIGN
- ⊡ = WATER VALVE
- ⊢ = FIRE HYDRANT
- ⊣ = SEWER MANHOLE
- ⊤ = BENCHMARK
- ⊥ = GUY ANCHOR
- ⊦ = UTILITY POLE
- ⊧ = TELEPHONE BOX
- = ASPHALT
- ⊙ = PINE TREE (DIAMETER SHOWN IN INCHES)
- ⊙ = OAK TREE (DIAMETER SHOWN IN INCHES)
- ⊙ = PALM TREE (DIAMETER SHOWN IN INCHES)

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Santa Rosa Beach, FLORIDA 32459

PH: (850) 267-0473, FAX: (850) 267-0873

CERTIFICATE OF AUTHORIZATION NUMBER 0008775

REQUESTED BY: SHANE CANNON

HARBOR PLACE TOWNHOMES

TOWNSHIP 2 SOUTH, RANGE 22 WEST

OF WALTON COUNTY, FLORIDA

EXISTING CONDITIONS AND DEMO PLAN

DATE	DRAWN	CHECK	REVISION
4-15-20	REVISION PER CITY COMMENTS APRIL 6, 2020	SMH	
5-29-20	REVISION PER CITY COMMENTS MAY 28, 2020	SMH	
6-26-20	REVISION PER DESTIN WATER USERS INC COMMENTS	SMH	
7-17-20	REVISION PER CITY OF DESTIN DEVELOPMENT PROJECT REVIEW REPORT 8-14-20	SMH	
8-26-20	REVISION PER CITY OF DESTIN DEVELOPMENT PROJECT REVIEW REPORT 8-14-20	SMH	
12-11-20	REVISION REMOVED SIDEWALKS ON ONE SIDE OF ACCESS WAS; REVISED SITE DATA TABLE	SMH	
01-13-21	REVISION PER NFWMD COMMENTS JANUARY 29, 2021	SMH	
02-02-21	REVISION PER CITY OF DESTIN COMMENTS FEBRUARY 2, 2021	SMH	
02-03-21	REVISION PER CITY OF DESTIN COMMENTS FEBRUARY 2, 2021	SMH	

DEAN A. F. BURGIS

PROFESSIONAL ENGINEER No. 50705

PROJECT:

18-433

SCALE: 1" = 30'

DRAWN BY: SMH

ORDER: 19-0476

DESIGN BY: SMH

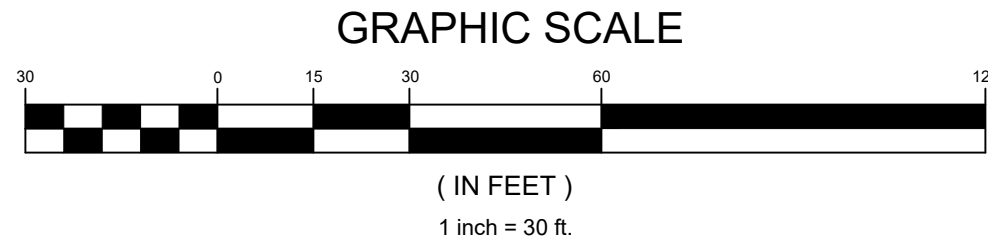
DWG. DATE: 07-18-19

CHECK BY: DAFB

FILE: 18-433-ENG-13.dwg

SHEET

2 of 11



E-WL = EXISTING WATER LINE
 E-SWR = EXISTING SEWER LINE
 = PROPOSED SILT FENCE
 SBL = PROPOSED BUILDING SETBACK LINE
 LSB = PROPOSED LANDSCAPE BUFFER LINE
 P-WL = PROPOSED WATER LINE
 P-SWR = PROPOSED SEWER LINE

 BP = BEGINNING OF PROJECT
 EP = END OF PROJECT
 HP = HIGH POINT
 LP = LOW POINT
 TP = TRANSITION POINT
 EX = EXISTING
 L.F. = LINEAR FEET
 INV. = INVERT
 ELEV. = ELEVATION
 F.F.E. = FINISHED FLOOR ELEVATION
 SQ.FT. = SQUARE FEET
 C.M.P. = CORRUGATED METAL PIPE
 C.P.P. = CORRUGATED PLASTIC PIPE
 R.C.P. = REINFORCED CONCRETE PIPE

 PVC = POLYVINYL CHLORIDE
 C.P.E.P. = CORRUGATED POLYETHYLENE PIPE
 P.C.P.E.P. = PERFORATED CORRUGATED POLYETHYLENE PIPE
 - 30 = PROPOSED CONTOUR ELEVATION AT 1' INTERVALS
 - L = PROPOSED FIRE SERVICE
 - X = PROPOSED SINGLE WATER SERVICE
 - / = PROPOSED SINGLE SEWER SERVICE
 Δ = PROPOSED REDUCER (SEE PLAN FOR SIZE AND TYPE)
 BFP = PROPOSED BACKFLOW PREVENTOR
 - V = GATE VALVE
 - W = WATER METER
 - C = PROPOSED FIRE HYDRANT AND VALVE
 Ⓢ = SEWER GRINDER TANK
 Ⓜ = SEWER MANHOLE
 Ⓢ = STORM DRAINAGE MANHOLE
 * 10.56 = EXISTING SPOT ELEVATION AT "DOT"
 - 18.69 = PROPOSED SPOT ELEVATION AT "DOT"
 - 18.69 F = PROPOSED (BACK OF TYPE "F" CURB) SPOT ELEVATION

 (YY) = DETAIL DESIGNATION
 YY = DETAIL NUMBER
 XX = PAGE NUMBER

 = ASPHALT
 = CONCRETE
 = LIFT STATION
 - W = PROPOSED SINGLE WATER SERVICE

1. CONTRACTOR IS RESPONSIBLE FOR FIELD LOCATING ALL UTILITIES PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH ALL UTILITY COMPANIES AND CONTRACTORS TO ASSURE ALL UNDERGROUND UTILITIES ARE IN PLACE PRIOR TO FINAL DRESSING OF DRAINAGE SWALES.
3. CONTRACTOR IS RESPONSIBLE FOR SETTING AND ESTABLISHING THE LOCATION, ALIGNMENT, ELEVATION, AND GRADING OF THE SITE FEATURES.
4. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRS TO EXISTING STRUCTURES OR UTILITIES AS A RESULT OF PERFORMING THE WORK DESCRIBED HEREIN.
5. UNSUITABLE EXCAVATED MATERIAL DURING DEGRUBBING AND SITE CLEARING SHALL BE DISPOSED OF, OFF SITE.
6. SUITABLE EXCAVATED MATERIAL MAY BE USED ON SITE AS FILL, ONLY FOLLOWING APPROVAL BY THE ENGINEER.
7. ADDITIONAL FILL MATERIAL MUST BE APPROVED BY THE ENGINEER.
8. ALL EXCAVATIONS SHALL COMPLY WITH SECTION 120 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS AND MEET MINIMUM SLOPE REQUIREMENTS.
9. TEMPORARY EROSION CONTROL SHALL BE ACHIEVED BY SILT FENCING, STRAW OR HAY BALES OR TEMPORARY GRASS.
10. PAVEMENT STRIPING AND MARKINGS SHALL BE IN ACCORDANCE WITH F.D.O.T. SPECIFICATION 710 USING THERMOPLASTIC TRAFFIC PAINT IN ACCORDANCE WITH F.D.O.T. SPECIFICATION 711.
11. CLEARING OF NATIVE VEGETATION SHALL BE LIMITED TO 25 PERCENT OF THE TOTAL AREA WITHIN THE SECONDARY WETLAND PROTECTION ZONE FOR THE PURPOSES OF MINIMAL BOARDWALKS, PUBLIC ACCESS FACILITIES &/OR LANDWARD PORTIONS OF DOCKS WHICH ARE OTHERWISE PERMITTED OR EXCEPTED WITHIN THE PRIMARY WETLAND PROTECTION ZONE.
12. PERMANENT EROSION CONTROL SHALL CONSIST OF GRASS SODDING FOR ALL DETENTION AREAS/ SWALES AND GRASS SEEDING FOR ALL OTHER DISTURBED AREAS.
13. COMPACTION OF SUBGRADE BENEATH PARKING AREAS AND BUILDING PADS SHALL BE PERFORMED USING A 10 TON VIBRATORY ROLLER WITH A MINIMUM OF TEN OVERLAPPING PASSES.
14. CONCRETE AND SOILS SHALL BE TESTED BASED ON THE FOLLOWING SCHEDULE:

MATERIAL	TEST	REQUIREMENT	FREQUENCY
CONCRETE	SLUMP	4"+1	EACH 50 CY/DAY
	COMPRESSIVE STRENGTH	3000 P.S.I. AT 28 DAYS	EACH 50 CY/DAY
BASE MATERIAL	DENSITY	98% OF LAB MAX.	1/2,500 SQ. FT.
	LBR	100%	PER MATERIAL CHANGE
SUBGRADE	DENSITY	98% OF LAB MAX.	1/2,500 SQ. FT.
	LBR	40	PER MATERIAL CHANGE

REQUESTED BY: SHANE CANNON

A circular professional engineer seal for the State of Florida. The outer ring contains the text "DEAN A. F. BURGIS" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. Inside this ring, the word "LICENSE" is at the top, "No. 50705" is in the center, and "STATE OF FLORIDA" is at the bottom, with a single star positioned between the license number and the state name.

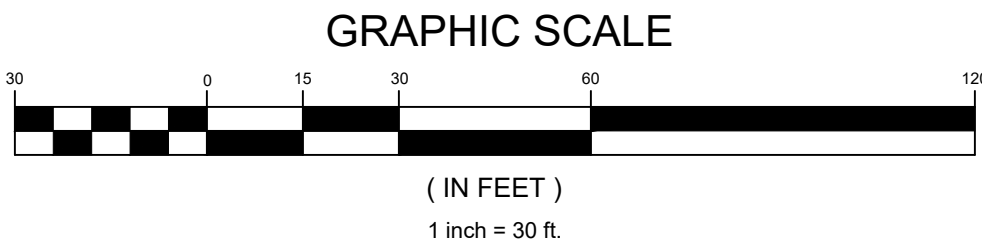
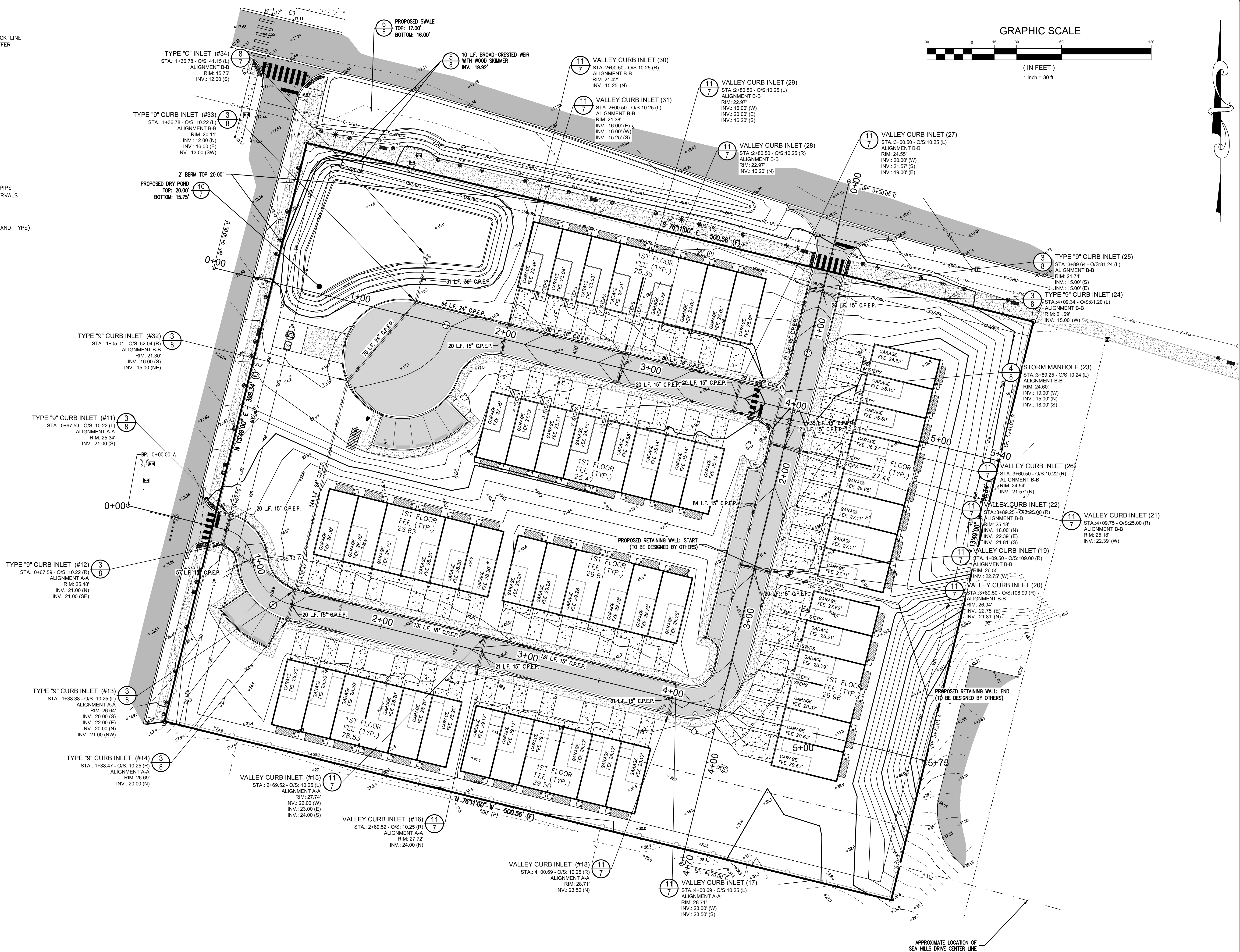
PROJECT:
18-433

WG. DATE: 07-18-19	CHECK BY: DAFB
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PROPOSED LEGEND:

- E-WL = EXISTING WATER LINE
E-SWL = EXISTING SEWER LINE
P-WL = PROPOSED WATER LINE
P-SWL = PROPOSED SEWER LINE
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C.M.P. = CORRUGATED METAL PIPE
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-30- = PROPOSED CONTOUR ELEVATION AT 1' INTERVALS
L = PROPOSED FIRE SERVICE
S = PROPOSED SINGLE WATER SERVICE
SS = PROPOSED SINGLE SEWER SERVICE
R = PROPOSED REDUCER (SEE PLAN FOR SIZE AND TYPE)
BZ = PROPOSED BACKFLOW PREVENTOR
V = GATE VALVE
W = WATER METER
VH = PROPOSED FIRE HYDRANT AND VALVE
SGT = SEWER GRINDER TANK
SMH = SEWER MANHOLE
SDM = STORM DRAINAGE MANHOLE
+10.56 = EXISTING SPOT ELEVATION AT "DOT"
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YY = DETAIL DESIGNATION
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A = ASPHALT
C = CONCRETE
W = WOOD
L = LIFT STATION
W = PROPOSED SINGLE WATER SERVICE



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CERTIFICATE OF AUTHORIZATION
NUMBER 0008775

REQUESTED BY: SHANE CANNON

HARBOR PLACE TOWNHOMES
TOWNSHIP 2 SOUTH, RANGE 22 WEST
OF WALTON COUNTY, FLORIDA

DRAINAGE PLAN

DATE	REVISION	DRAWN	CHECKED	BY
4-15-20	REVISION PER CITY COMMENTS APRIL 6, 2020	SMH		
5-29-20	REVISION PER CITY COMMENTS MAY 28, 2020	SMH		
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12-11-20	REVISION REMOVED SIDEWALKS ON ONE SIDE OF ACCESS WAYS; REVISED SITE DATA TABLE	SMH		
02-02-21	REVISION PER NEMAD COMMENTS JANUARY 29, 2021	SMH		
02-03-21	REVISION PER CITY OF DESTIN COMMENTS FEBRUARY 2, 2021	SMH		

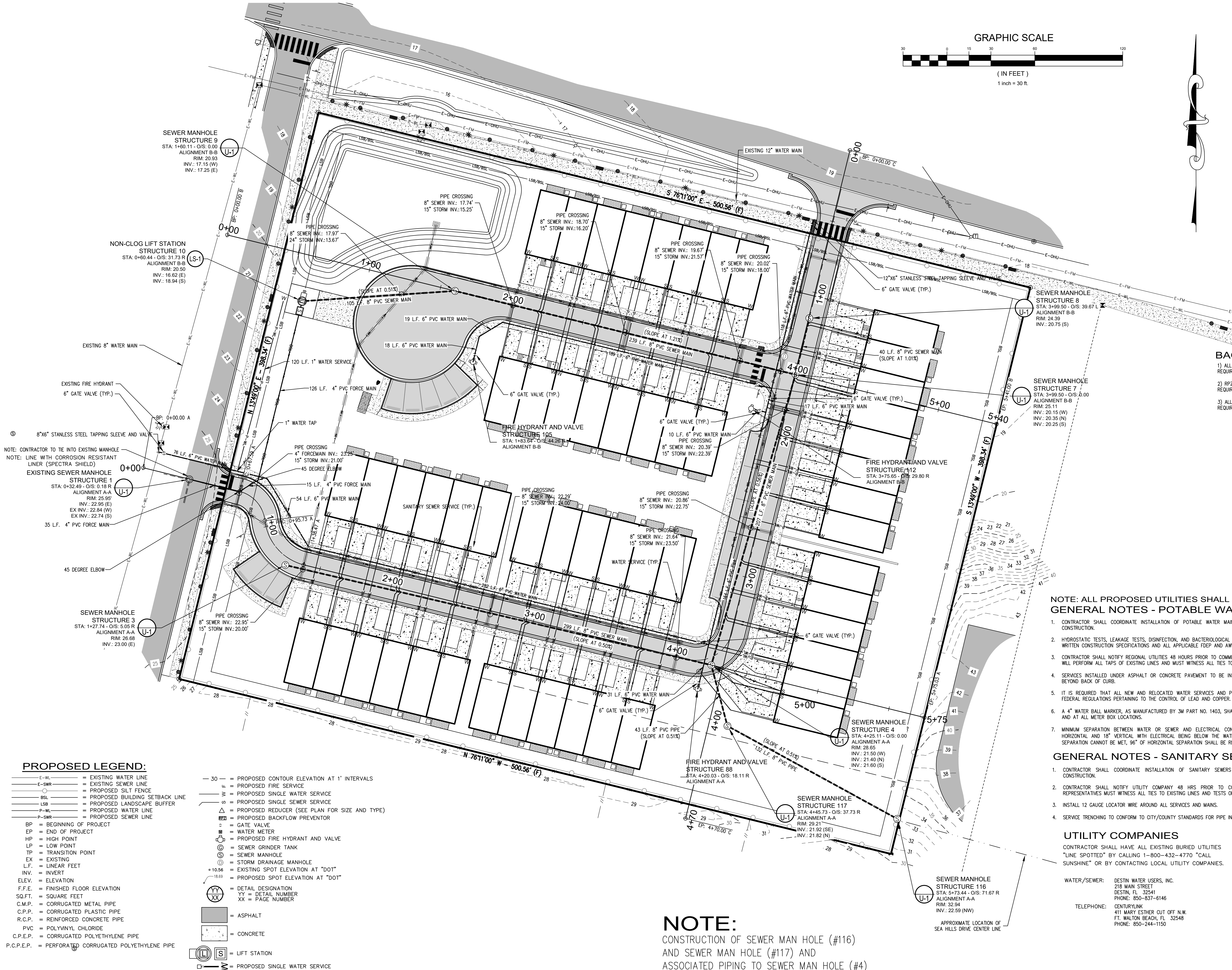
DEAN A. F. BURGIS
LICENSE
No. 50705
STATE OF FLORIDA
PROFESSIONAL ENGINEER

DEAN A. F. BURGIS
PROFESSIONAL ENGINEER No. 50705

PROJECT:
18-433

SCALE: 1" = 30' DRAWN BY: SMH
ORDER: 19-0476 DESIGN BY: SMH
DWG. DATE: 07-18-19 CHECK BY: DAFB
FILE: 18-433_DWG-13.dwg

SHEET
5 of 11



BACKFLOW PREVENTERS

1) ALL WATER SERVICE LINES SHALL BE REQUIRED TO HAVE A BACKFLOW DEVICE.

2) RP2 TYPE BACKFLOW PREVENTERS ARE REQUIRED FOR ALL HIGH HAZARD WATER USES.

3) ALL BACKFLOW PREVENTERS SHALL BE OF THE TYPE REQUIRED BY FDEP, AWWA AND NFPA CODES.

NOTE: ALL PROPOSED UTILITIES SHALL BE PLACED UNDERGROUND.

GENERAL NOTES - POTABLE WATER CONSTRUCTION

- CONTRACTOR SHALL COORDINATE INSTALLATION OF POTABLE WATER MAINS WITH ALL OTHER UTILITIES PRIOR TO COMMENCING CONSTRUCTION.
- HYDROSTATIC TESTS, LEAKAGE TESTS, DISINFECTION, AND BACTERIOLOGICAL TESTS SHALL BE PERFORMED IN ACCORDANCE WITH THE WRITTEN CONSTRUCTION SPECIFICATIONS AND ALL APPLICABLE FDEP AND AWWA REQUIREMENTS.
- CONTRACTOR SHALL NOTIFY REGIONAL UTILITIES 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION. UTILITY REPRESENTATIVES WILL PERFORM ALL TAPS OF EXISTING LINES AND MUST WITNESS ALL TIES TO EXISTING LINES AND TESTS OF NEW LINES.
- SERVICES INSTALLED UNDER ASPHALT OR CONCRETE PAVEMENT TO BE INSTALLED IN 2" SCH. 40 PVC CASING EXENDING 4'-0" BEYOND BACK OF CURB.
- IT IS REQUIRED THAT ALL NEW AND RELOCATED WATER SERVICES AND PLUMBING SHALL BE IN CONFORMANCE WITH STATE AND FEDERAL REGULATIONS PERTAINING TO THE CONTROL OF LEAD AND COPPER.
- A 4" WATER BALL MARKER, AS MANUFACTURED BY 3M PART NO. 1403, SHALL BE PLACED AT ALL INLINE VALVES ALONG WATERMAIN AND AT ALL METER BOX LOCATIONS.
- MINIMUM SEPARATION BETWEEN WATER OR SEWER AND ELECTRICAL CONDUITS OR ELECTRICAL LINES SHALL BE 72" MINIMUM HORIZONTAL AND 18" VERTICAL WITH ELECTRICAL BEING BELOW THE WATER AND SEWER LINES. IN CASES WHERE 18" VERTICAL SEPARATION CANNOT BE MET, 96" OF HORIZONTAL SEPARATION SHALL BE REQUIRED.

GENERAL NOTES - SANITARY SEWER CONSTRUCTION

- CONTRACTOR SHALL COORDINATE INSTALLATION OF SANITARY SEWERS WITH ALL OTHER UTILITIES PRIOR TO COMMENCING CONSTRUCTION.
- CONTRACTOR SHALL NOTIFY UTILITY COMPANY 48 HRS PRIOR TO COMMENCEMENT OF CONSTRUCTION. UTILITY COMPANY REPRESENTATIVES MUST WITNESS ALL TIES TO EXISTING LINES AND TESTS OF NEW LINES.
- INSTALL 12 GAUGE LOCATOR WIRE AROUND ALL SERVICES AND MAINS.
- SERVICE TRENCHING TO CONFORM TO CITY/COUNTY STANDARDS FOR PIPE INSTALLATION.

UTILITY COMPANIES

CONTRACTOR SHALL HAVE ALL EXISTING BURIED UTILITIES "LINE SPOTTED" BY CALLING 1-800-432-4770 "CALL SUNSHINE" OR BY CONTACTING LOCAL UTILITY COMPANIES.

WATER/SEWER:	DESTIN WATER USERS, INC. 218 MAIN STREET DESTIN, FL 32541 PHONE: 850-837-6146	TV CABLE:	COX COMMUNICATIONS INC. 34804 EMERALD COAST PARKWAY #136 DESTIN, FL 32541 PHONE: 850-796-1269
TELEPHONE:	CENTURYLINK 411 MARY ESTHER CUT OFF N.W. FT. WALTON BEACH, FL 32541 PHONE: 850-244-1150	ELECTRIC:	GULF POWER COMPANY 34854 EMERALD COAST PARKWAY DESTIN, FL 32541 PHONE: 850-244-4764
		GAS:	OKALOOSA GAS DISTRICT 14071 EMERALD COAST PARKWAY #F DESTIN, FL 32541 PHONE: 850-729-4700

NOTE:

CONSTRUCTION OF SEWER MAN HOLE (#116) AND SEWER MAN HOLE (#117) AND ASSOCIATED PIPING TO SEWER MAN HOLE (#4) TO BE FUNDED BY DESTIN WATER USERS, INC.

REQUESTED BY: SHANE CANNON

HARBOR PLACE TOWNHOMES

TOWNSHIP 2 SOUTH, RANGE 22 WEST
OF WALTON COUNTY, FLORIDA

UTILITY PLAN

DATE	REVISION	DRAWN	CHECK	BY
4-15-20	REVISION PER CITY COMMENTS APRIL 5, 2020	SMH		
5-28-20	REVISION PER CITY COMMENTS MAY 28, 2020	SMH		
6-26-20	REVISION PER DESTIN WATER USERS INC COMMENTS	SMH		
7-17-20	REVISION PER CITY OF DESTIN (DEVELOPMENT PROJECT REVIEW REPORT 8-14-20)	SMH		
8-26-20	REVISION PER CITY OF DESTIN (DEVELOPMENT PROJECT REVIEW REPORT 8-14-20)	SMH		
12-11-21	REVISION PER NFWMA COMMENTS JANUARY 29, 2021	SMH		
02-02-21	REVISION PER NFWMA COMMENTS JANUARY 29, 2021	SMH		
02-03-21	REVISION PER CITY OF DESTIN COMMENTS FEBRUARY 2, 2021	SMH		

DEAN A. F. BURGIS

PROFESSIONAL ENGINEER No. 50705

STATE OF FLORIDA

PROJECT:

18-433

SCALE: 1" = 30'

DRAWN BY: SMH

ORDER: 19-0476

DESIGN BY: SMH

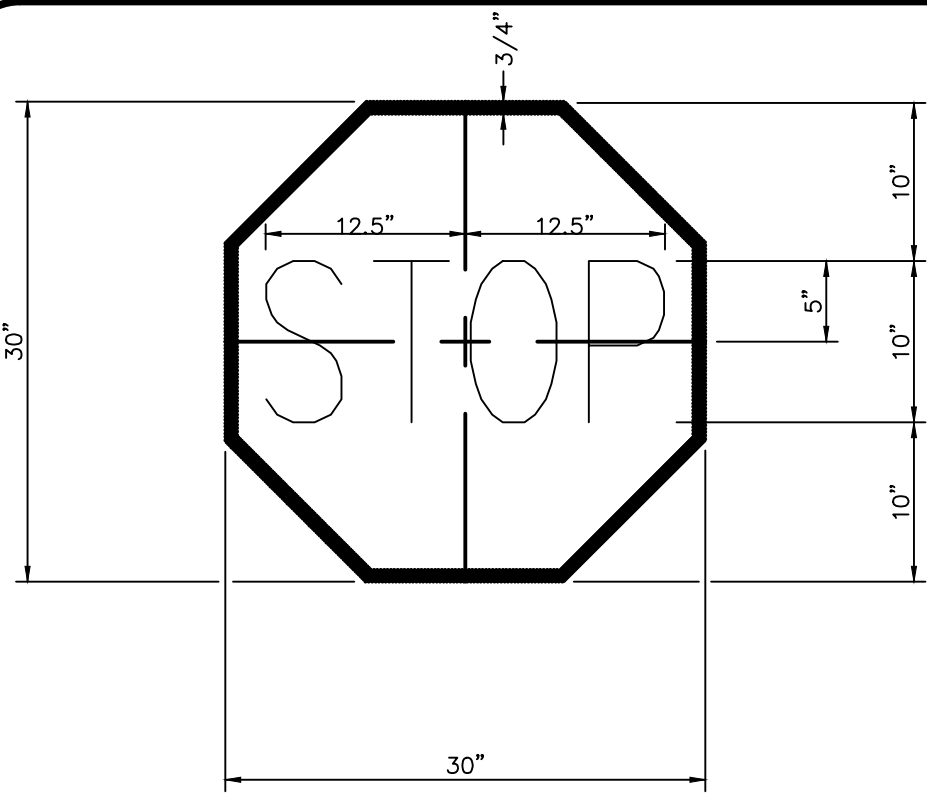
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CHECK BY: DAFB

FILE: 18-433_20C-13.dwg

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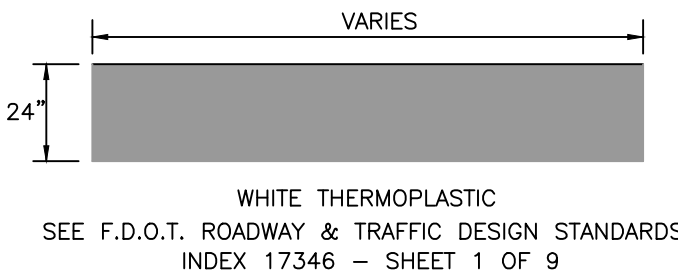
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NOTE:
SIGN DESIGNATION: R1-1 (REFL.)
RECTORIZATION: LEGEND, BORDER (REFL.)
BACKGROUND
SIGN COLORS: LEGEND, BORDER (WHITE)
BACKGROUND (RED)

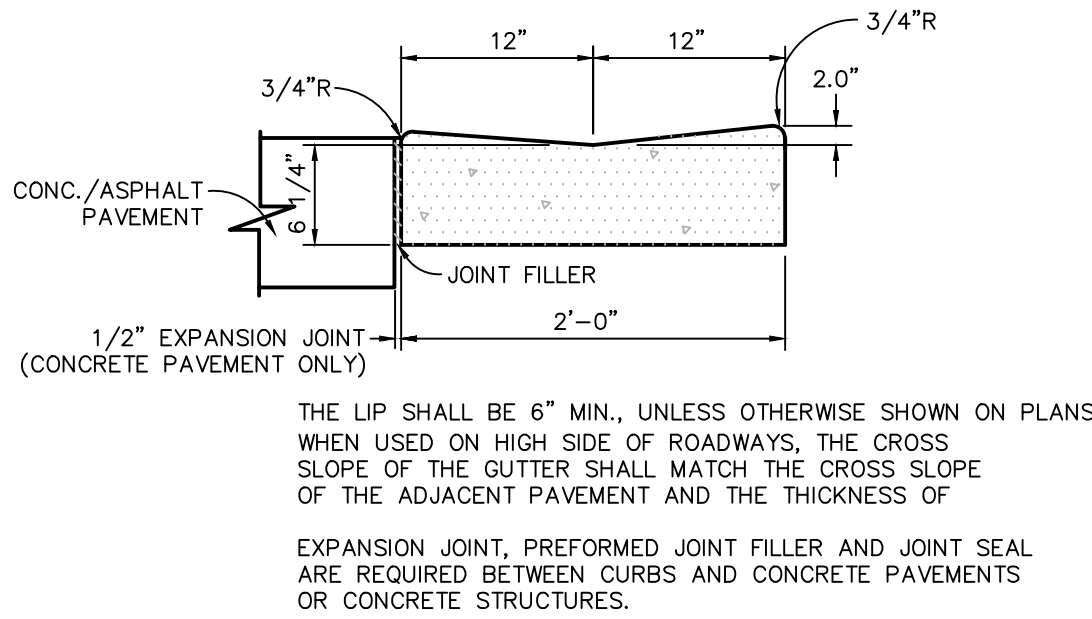
1 STOP SIGN DETAIL

(NOT TO SCALE)



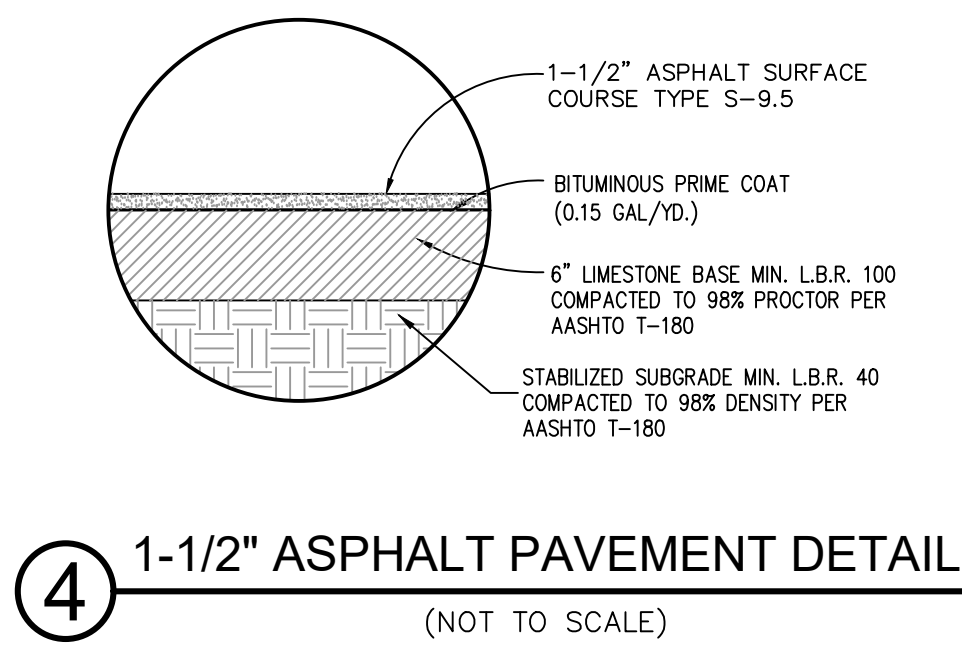
2 PAVEMENT STOP BAR DETAIL

(NOT TO SCALE)



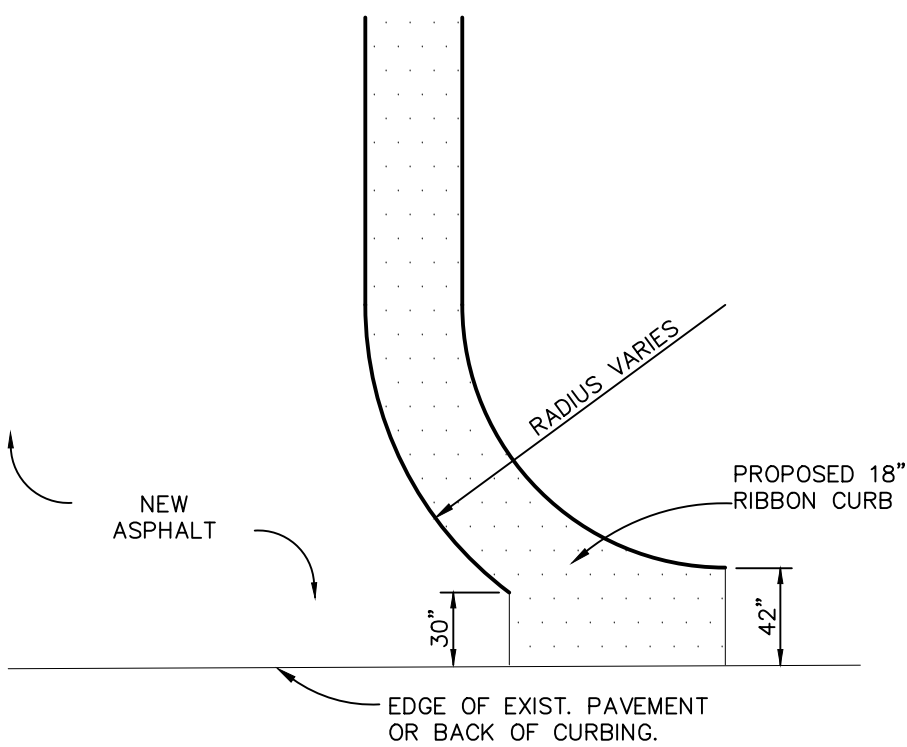
3 24" CONCRETE VALLEY GUTTER

(NOT TO SCALE)



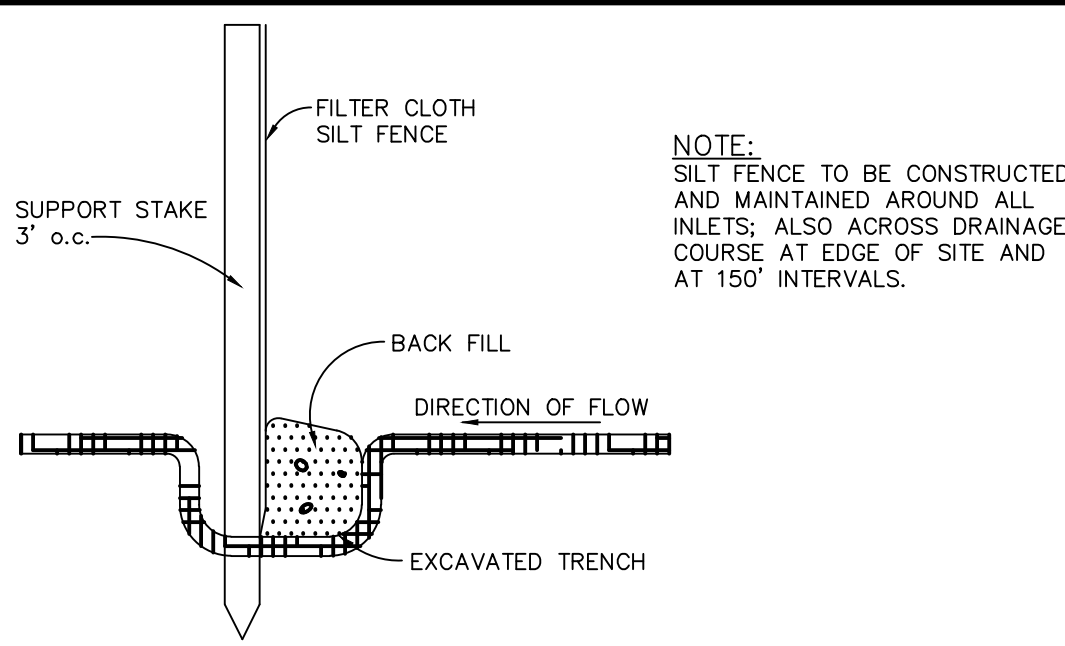
4 1-1/2" ASPHALT PAVEMENT DETAIL

(NOT TO SCALE)



5 PROPOSED CURB TRANSITION DETAIL

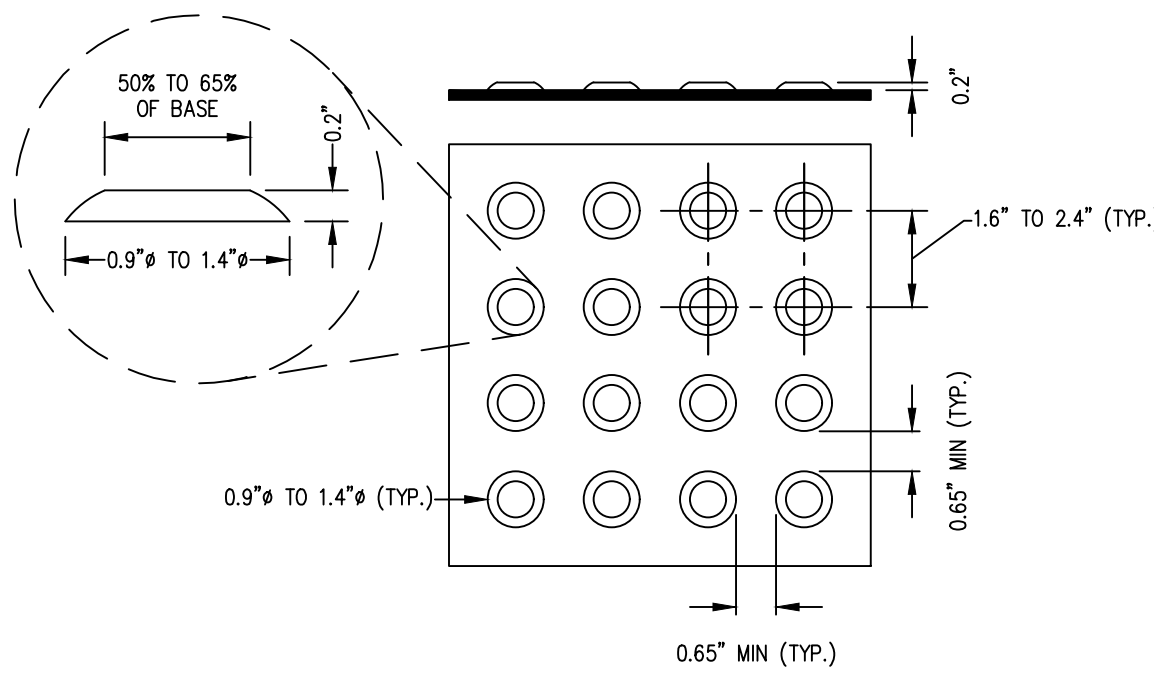
(NOT TO SCALE)



NOTE:
SILT FENCE: SILT FENCE TO BE CONSTRUCTED AND MAINTAINED AROUND ALL INLETS, ALSO ACROSS DRAINAGE COURSE AT EDGE OF SITE AND AT 150' INTERVALS.
1. EROSION PROTECTION: SOIL EROSION SEDIMENTATION MUST BE CONTROLLED AND RETAINED ON SITE DURING CONSTRUCTION, THEREFORE, EROSION PROTECTION, SUCH AS STAKED BALED HAY AND SILT FENCE BARRIERS, MUST BE INSTALLED PRIOR TO START OF CONSTRUCTION.
2. SILT FENCE BARRIER SHALL BE INSTALLED AS SHOWN ON PLANS, AND IN ALL AREAS SUBJECT TO SOIL EROSION SEDIMENTATION.
3. STORMWATER DETENTION AREAS SHALL BE SOODED.
4. GRADES AT CURBS ARE AT FLOWLINE.

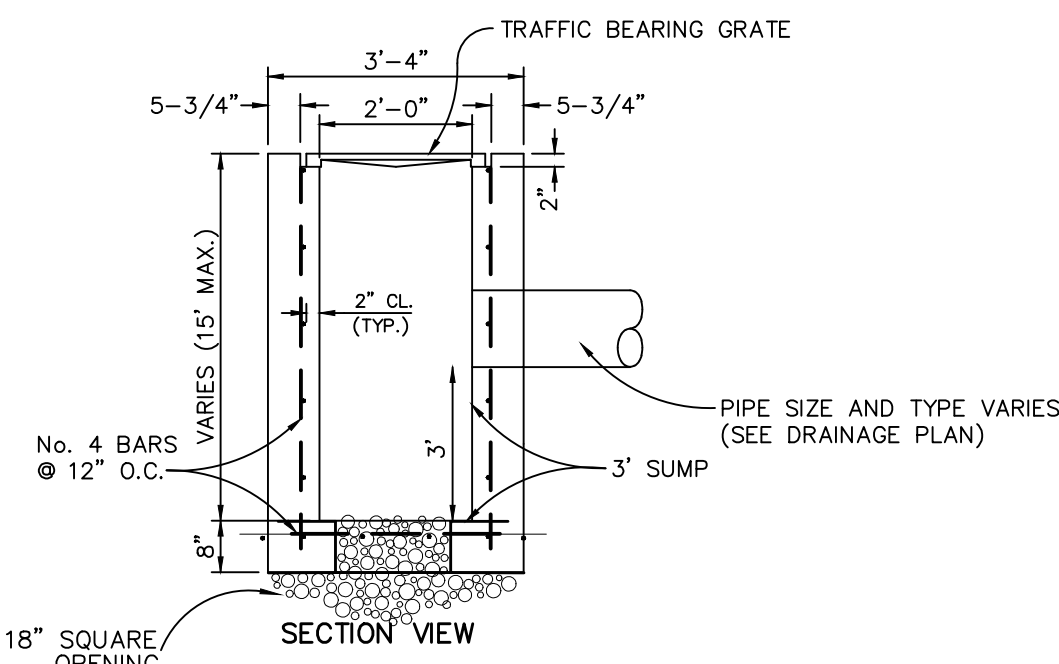
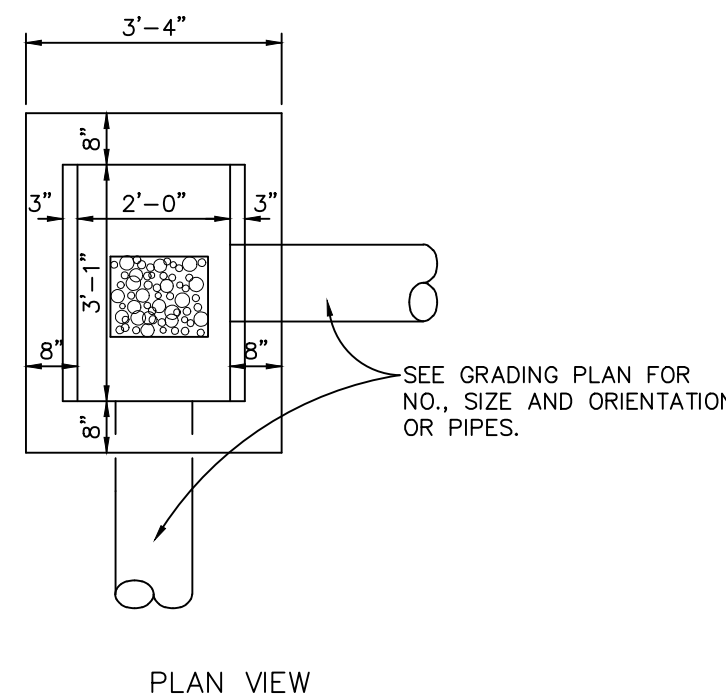
6 SILT FENCE

(NOT TO SCALE)



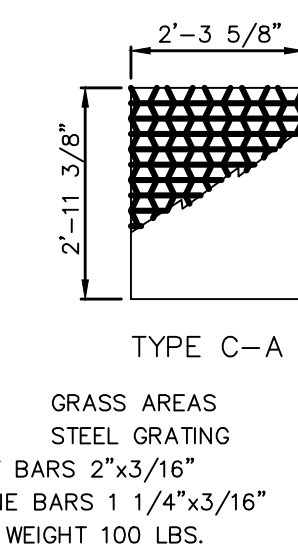
7 DETECTABLE WARNING SURFACE TRUNCATED DOME

(NOT TO SCALE)

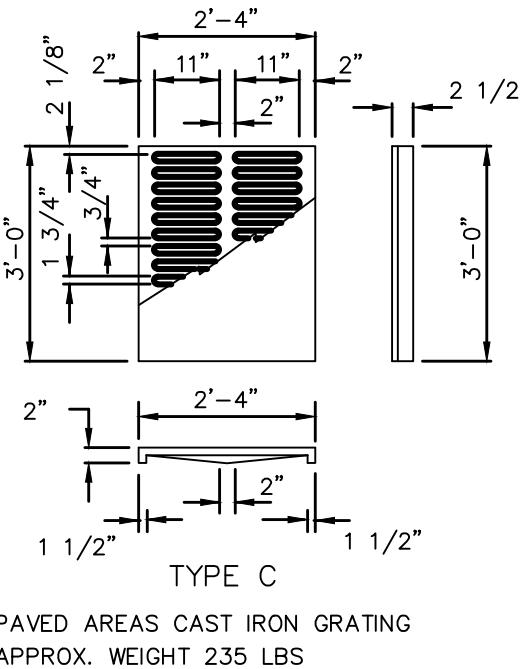


8 TYPE "C" CATCH BASIN DETAIL

(NOT TO SCALE)
(F.D.O.T. INDEX No. 232)

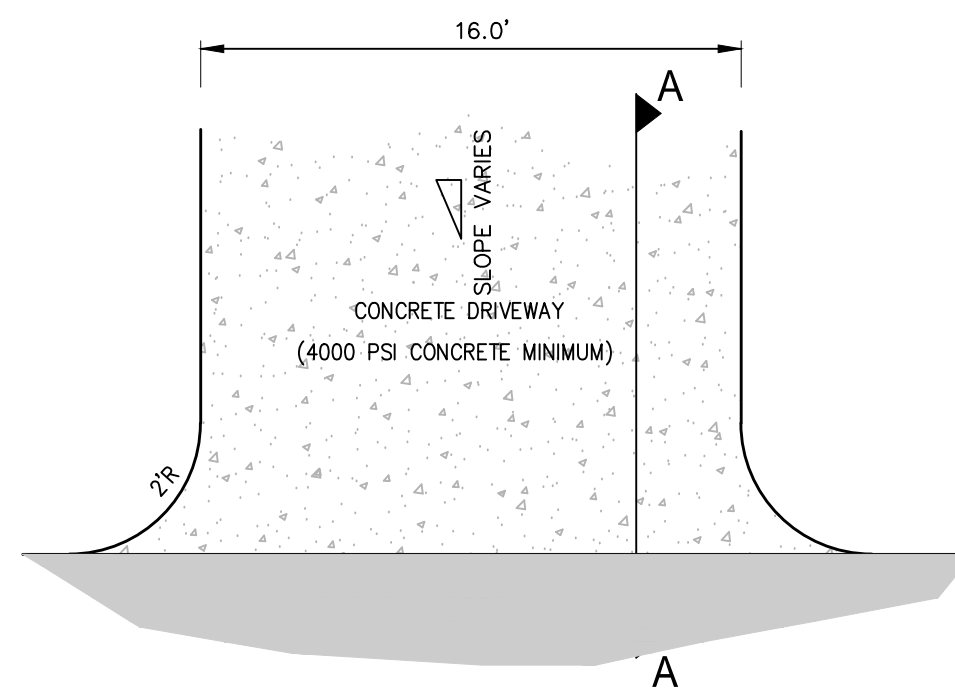


GRASS AREAS
STEEL GRATING
STRAIGHT BARS 2"x3/16"
RETICULINE BARS 1 1/4"x3/16"
APPROX. WEIGHT 100 LBS.



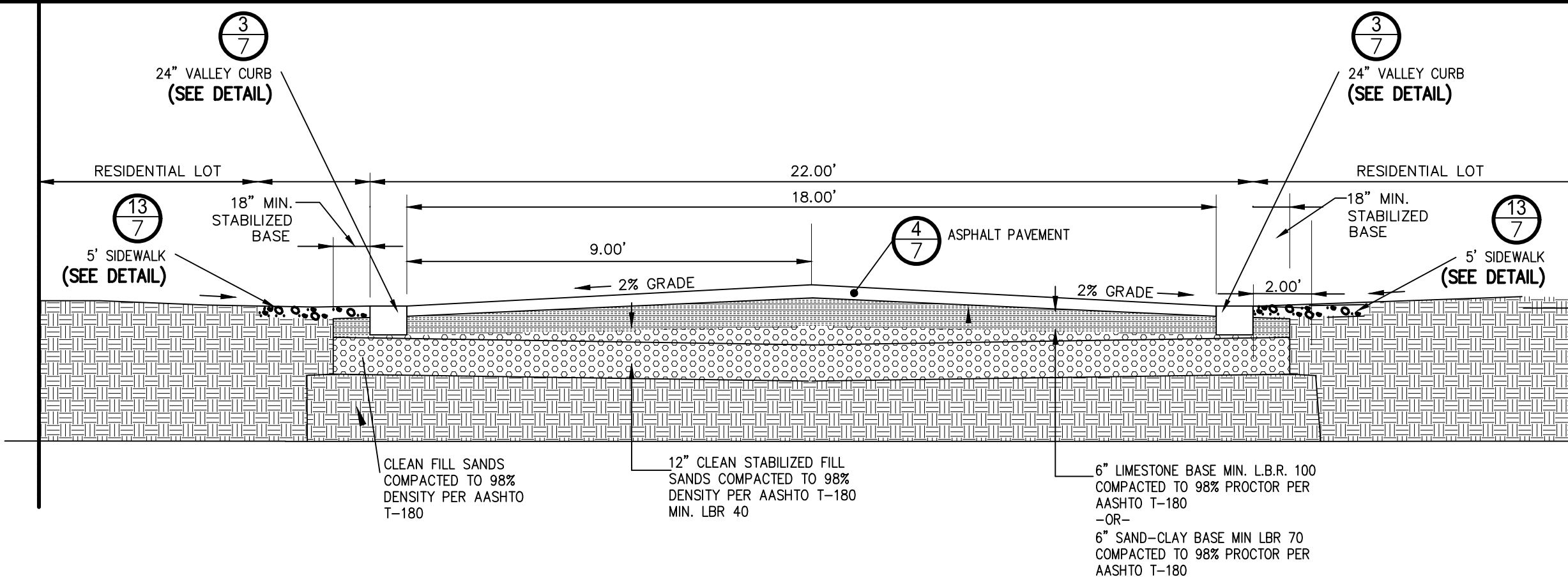
11 VALLEY CURB GUTTER INLET DETAIL

(NOT TO SCALE)



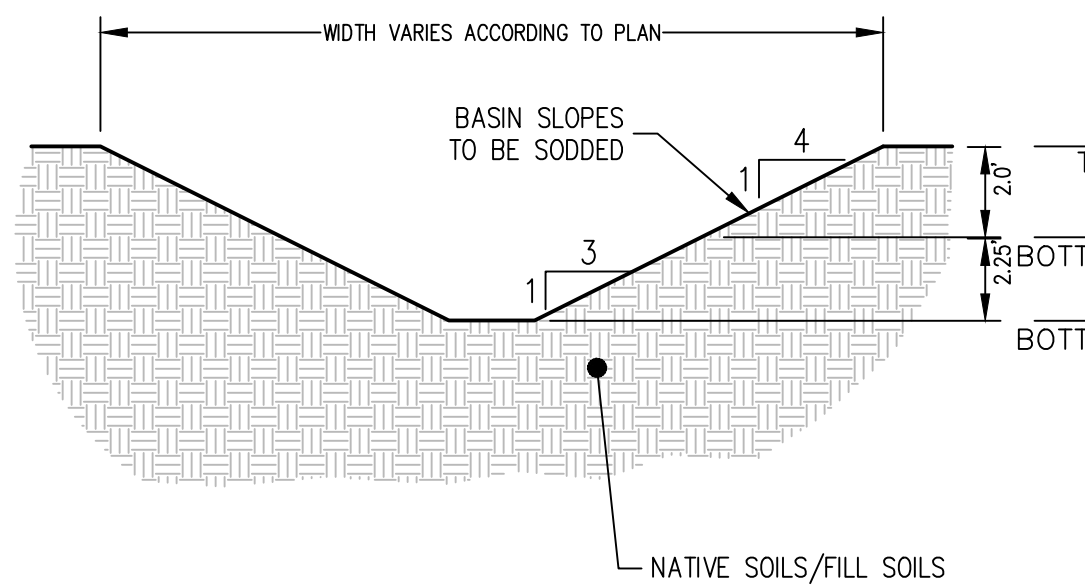
12 TYPICAL DRIVEWAY SECTION

(NOT TO SCALE)



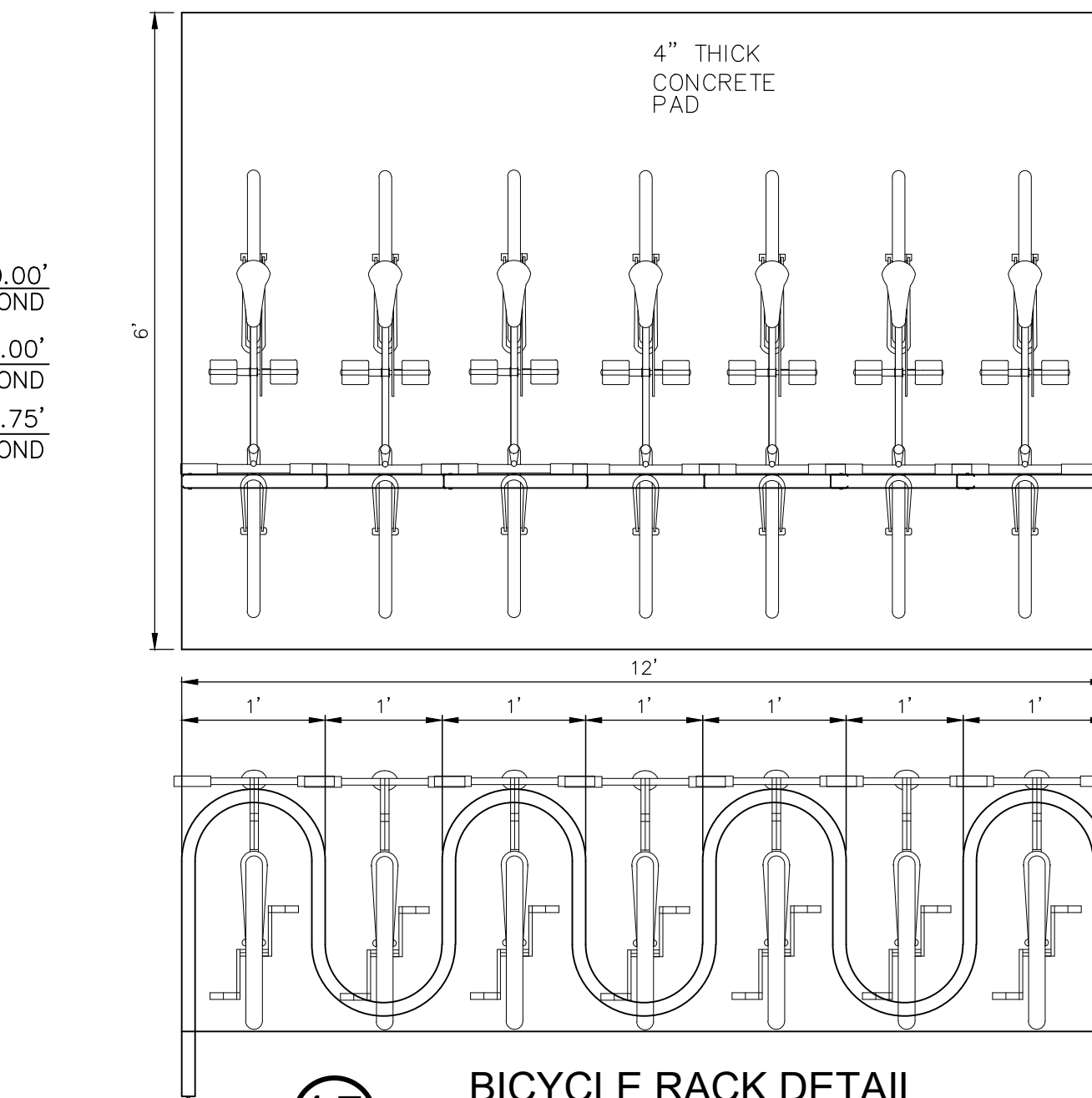
9 TYPICAL ROADWAY CROSS SECTION (CROWNED ROADWAY)

(NOT TO SCALE)



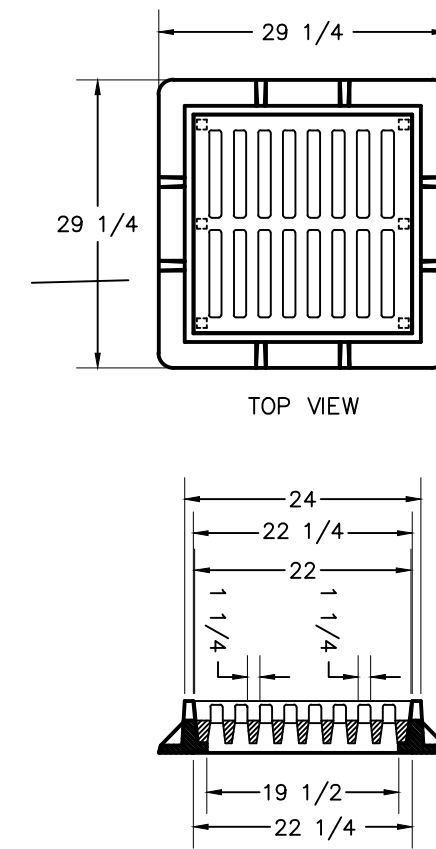
10 RETENTION AREA DETAIL

(NOT TO SCALE)



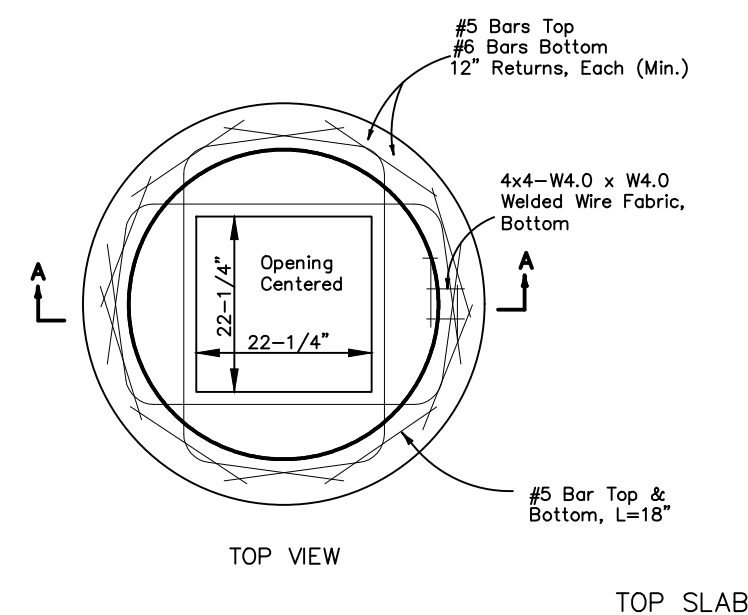
15 BICYCLE RACK DETAIL

(NOT TO SCALE)



NOTE:
1- MATERIAL: ASTM-A48 CLASS 30B GRAY IRON.
2- GRATE WEIGHT IS 120 LBS. APP.
3- FRAME WEIGHT IS 190 LBS. APP.

FRAME AND GRATE

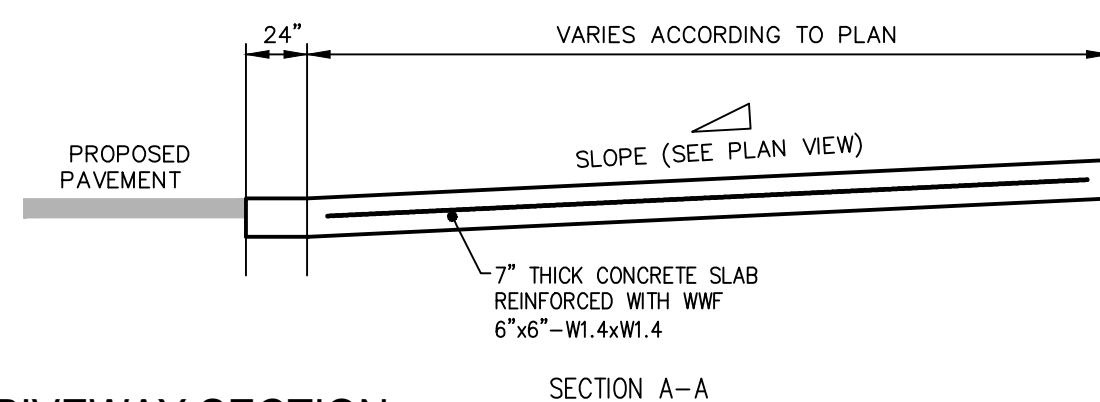


GENERAL NOTES

- For structure bottoms see F.D.O.T. Index No. 200. For supplemental details see F.D.O.T. Index No. 201. 4. All steel in slab tops shall have 1-1/4" minimum cover unless otherwise shown. Tops shall be either cast-in-place or precast concrete. riser wall.
- For Alternate B applications, top slab openings shall be placed such that 2 edges of inlet frame will be located directly above bottom wall or
- When used on a structure with dimensions larger than those detailed above and risers are not applied, the top slab shall be constructed using F.D.O.T. Index 200 with the slab opening adjust to 24"x30". The "Special Top Slab" on Index 200 is not permitted.
- Frame may be adjusted with one to six courses of brick.
- Inlet and grate detail shown in U.S. Foundry USF 5105 Valley gutter inlet frame and 6148 grate. Grates with approximately equal openings will be permitted that satisfy AASHTO H-20 loading. Grates shall be reversible, right or left.

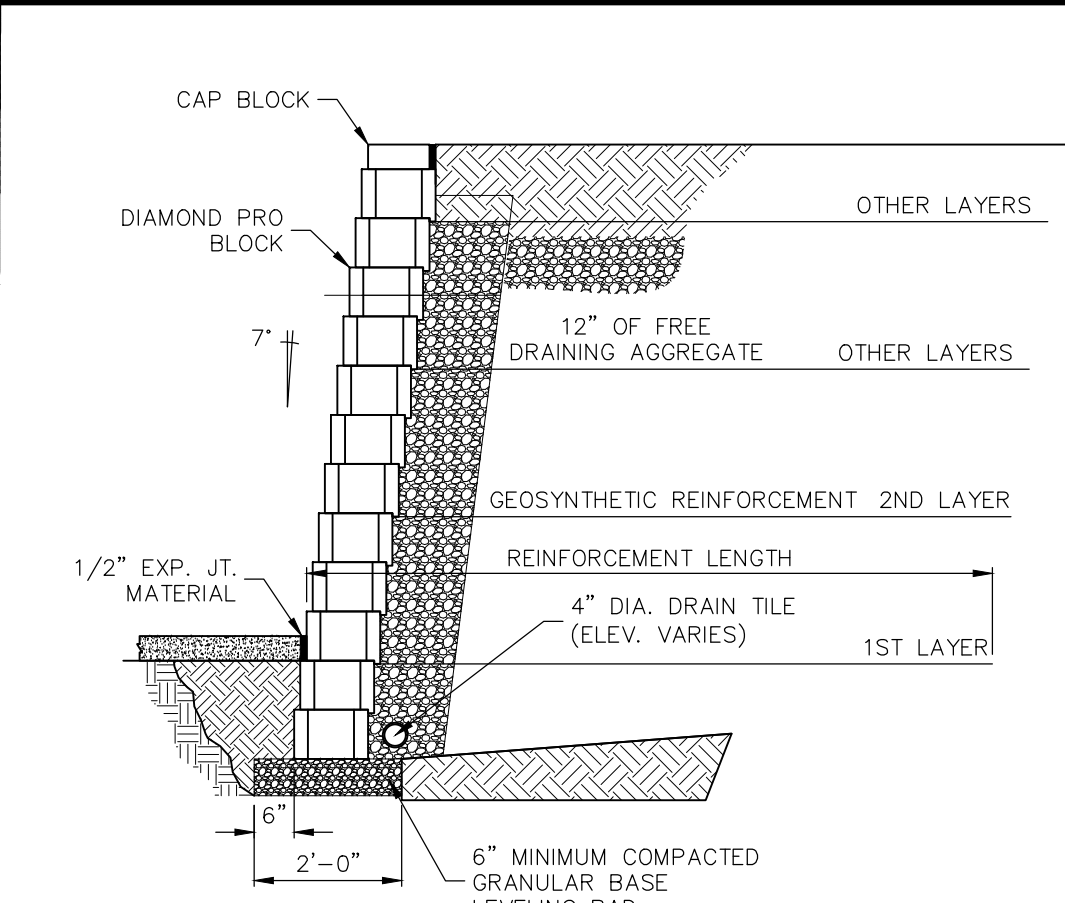
11 VALLEY CURB GUTTER INLET DETAIL

(NOT TO SCALE)



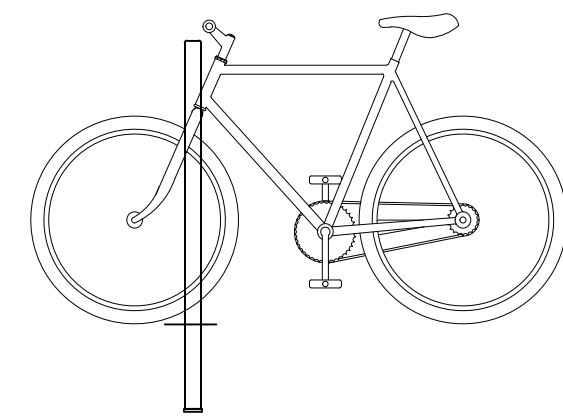
13 TYPICAL SIDEWALK SECTION

(NOT TO SCALE)



14 ANCHOR DIAMOND PRO WALL DETAIL

(NOT TO SCALE)



BIKE RACK CO.
WAVE STYLE 7-BIKE RACK
1.9" OD (STANDARD DUTY)
CUSTOMER SUPPORT:
(800)689-9078

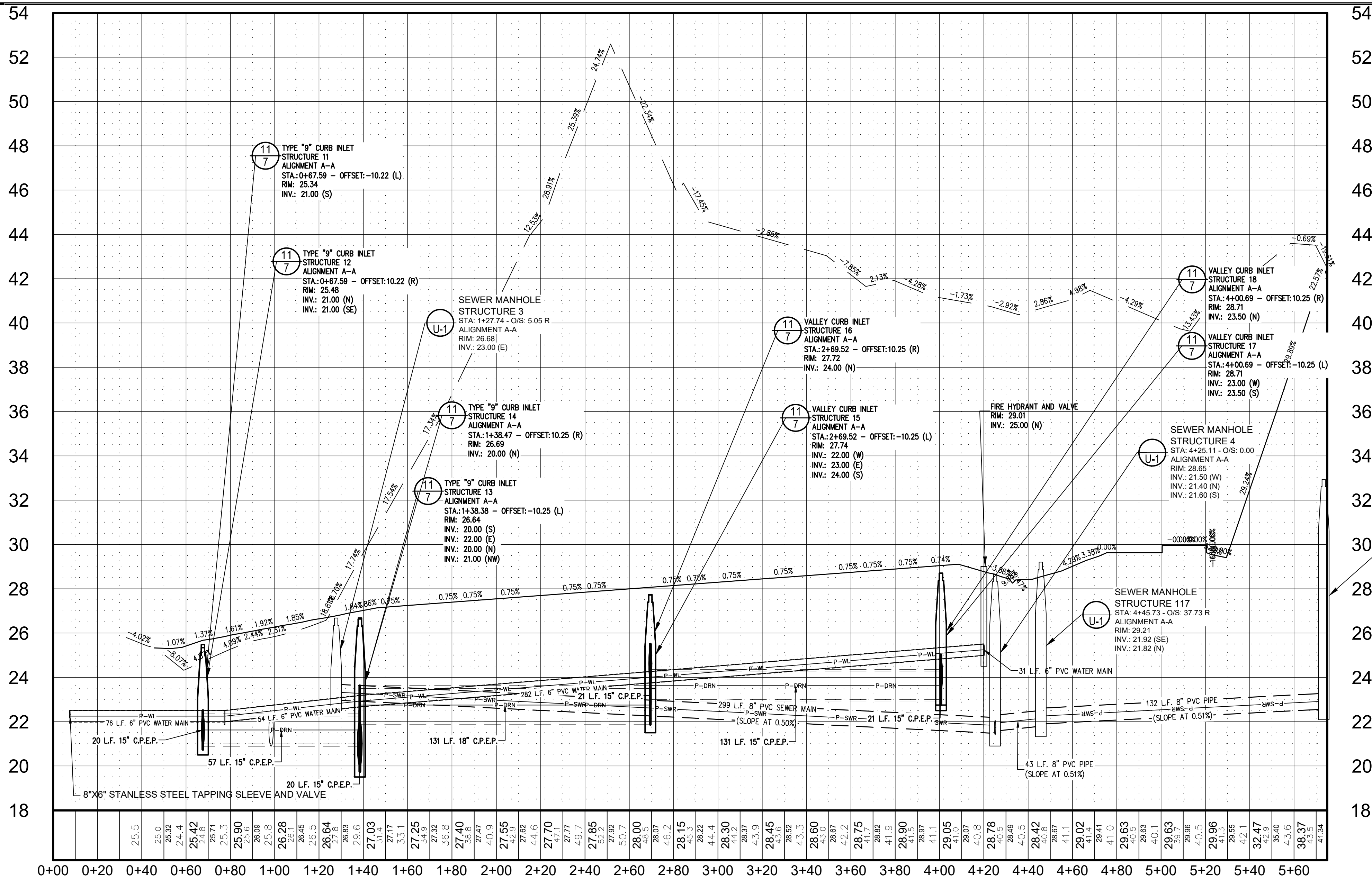
www.eca-fl.com
Emerald Coast Associates Inc.
Land Planning • Engineering • Surveying
Since 1979
327 South Co. Hwy 303
Santa Rosa Beach, FLORIDA 32459
PH: (850) 207-0473, FAX: (850) 207-0875
CERTIFICATE OF AUTHORIZATION NUMBER 000875

REQUESTED BY: SHANE CANNON
HARBOR PLACE TOWNHOMES
TOWNSHIP 2 SOUTH, RANGE 22 WEST
OF WALTON COUNTY, FLORIDA
GENERAL DETAILS (1 of 2)

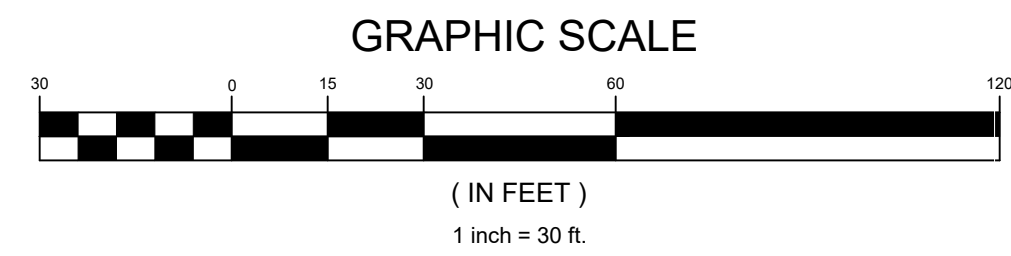
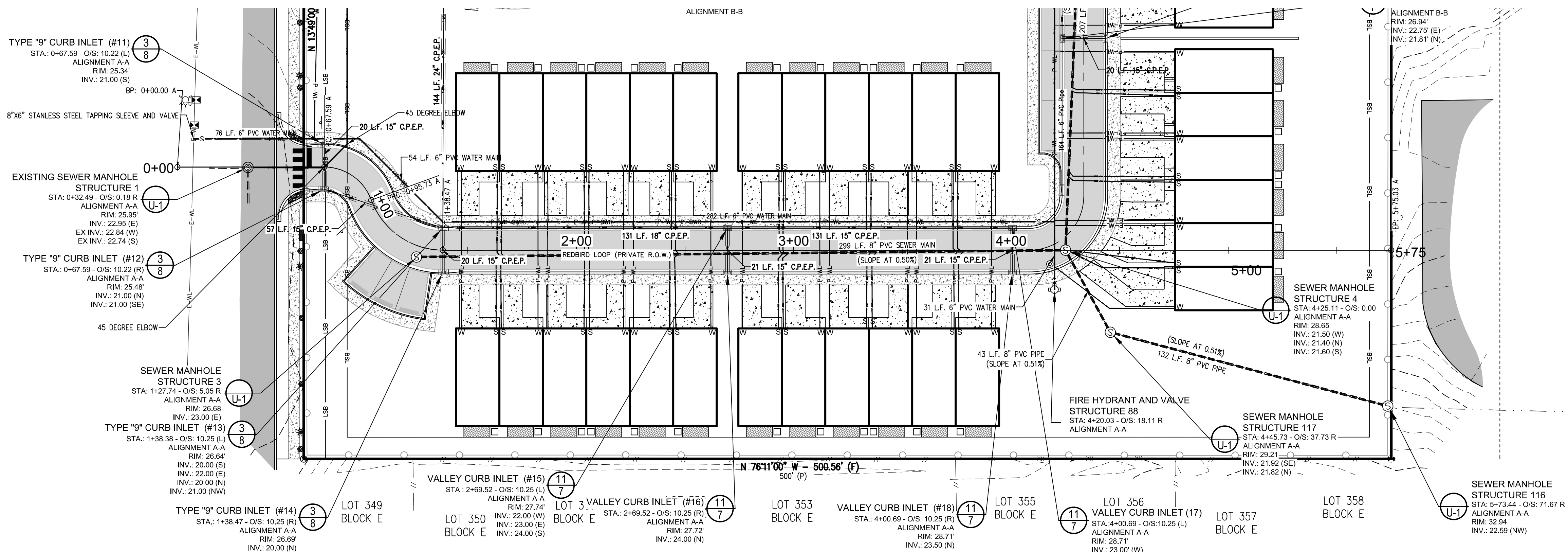
DATE	REVISION	DRAWN	CHECK
4-15-20	REVISION PER CITY COMMENTS APRIL 6, 2020	SMH	SMH
5-29-20	REVISION PER CITY COMMENTS MAY 28, 2020	SMH	SMH
6-26-20	REVISION PER CITY COMMENTS JUNE 26, 2020	SMH	SMH
7-17-20	REVISION PER CITY COMMENTS JULY 17, 2020	SMH	SMH
8-26-20	REVISION PER CITY COMMENTS AUGUST 26, 2020	SMH	SMH
12-11-20	REVISION PER CITY COMMENTS DECEMBER 11, 2020	SMH	SMH
01-13-21	REVISION PER CITY COMMENTS JANUARY 13, 2021	SMH	SMH
02-02-21	REVISION PER CITY COMMENTS FEBRUARY 2, 2021	SMH	SMH
02-03-21	REVISION PER CITY COMMENTS FEBRUARY 3, 2021	SMH	SMH

DEAN A. F. BURGIS
LICENSE
No. 50705
STATE OF FLORIDA
PROFESSIONAL ENGINEER

PROJECT:
18-433
SCALE: N.T.S.
DRAWN BY: SMH
ORDER: 19-0476
DESIGN BY: SMH
DWG. DATE: 07-18-19
CHECK BY: DAFB
FILE: 18-433-2902-13.dwg
SHEET
7 of 11



REDBIRD LOOP ALIGNMENT A-A



www.eca-fl.com

Emerald Coast Associates Inc.

Land Planning • Engineering • Surveying

Since 1979

327 South Co. Hwy 393
Santa Rosa Beach, FLORIDA 32459
PH: (850) 267-0473, FAX: (850) 267-0873

CERTIFICATE OF AUTHORIZATION
NUMBER: 00008775

REQUESTED BY: SHANE CANNON

HARBOR PLACE TOWNHOMES

TOWNSHIP 2 SOUTH, RANGE 22 WEST
OF WALTON COUNTY, FLORIDA

**CROSS SECTION
(A) DETAILS**

DATE	REVISION	CHECK	BY
4-15-20	REVISION PER CITY COMMENTS APRIL 6, 2020	SMH	SMH
5-29-20	REVISION PER CITY COMMENTS MAY 28, 2020	SMH	SMH
6-26-20	REVISION PER DESTIN WATER USERS INC COMMENTS	SMH	SMH
7-17-20	REVISION PER DESTIN WATER USERS INC COMMENTS	SMH	SMH
8-26-20	REVISION PER CITY OF DESTIN DEVELOPMENT PROJECT REVIEW REPORT 8-14-20	SMH	SMH
12-11-20	REVISION REMOVED SIDEWALKS ON ONE SIDE OF ACCESS WAYS; REVISED SITE DATA TABLE	SMH	SMH
01-13-21	REVISION PER NIPMAD COMMENTS JANUARY 29, 2021	SMH	SMH
02-02-21	REVISION PER CITY OF DESTIN COMMENTS FEBRUARY 2, 2021	SMH	SMH
02-03-21	REVISION PER CITY OF DESTIN COMMENTS FEBRUARY 2, 2021	SMH	SMH

DEAN A. F. BURGIS

LICENSE No. 50705

STATE OF FLORIDA

PROFESSIONAL ENGINEER

DEAN A. F. BURGIS
PROFESSIONAL ENGINEER No. 50705

PROJECT: **18-433**

SCALE: 1" = 20'

ORDER: 19-0476

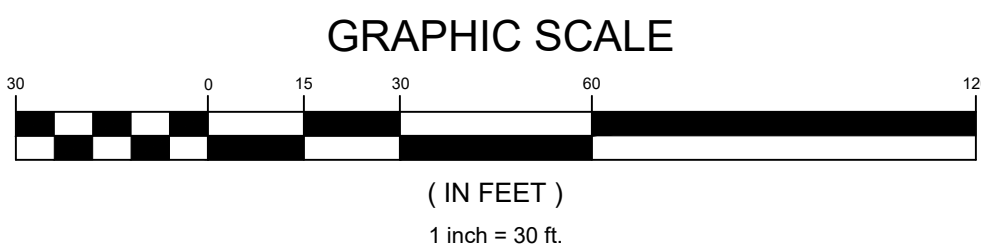
DWG. DATE: 07-18-19

FILE: 18-433_2NC-13.dwg

DRAWN BY: SMH

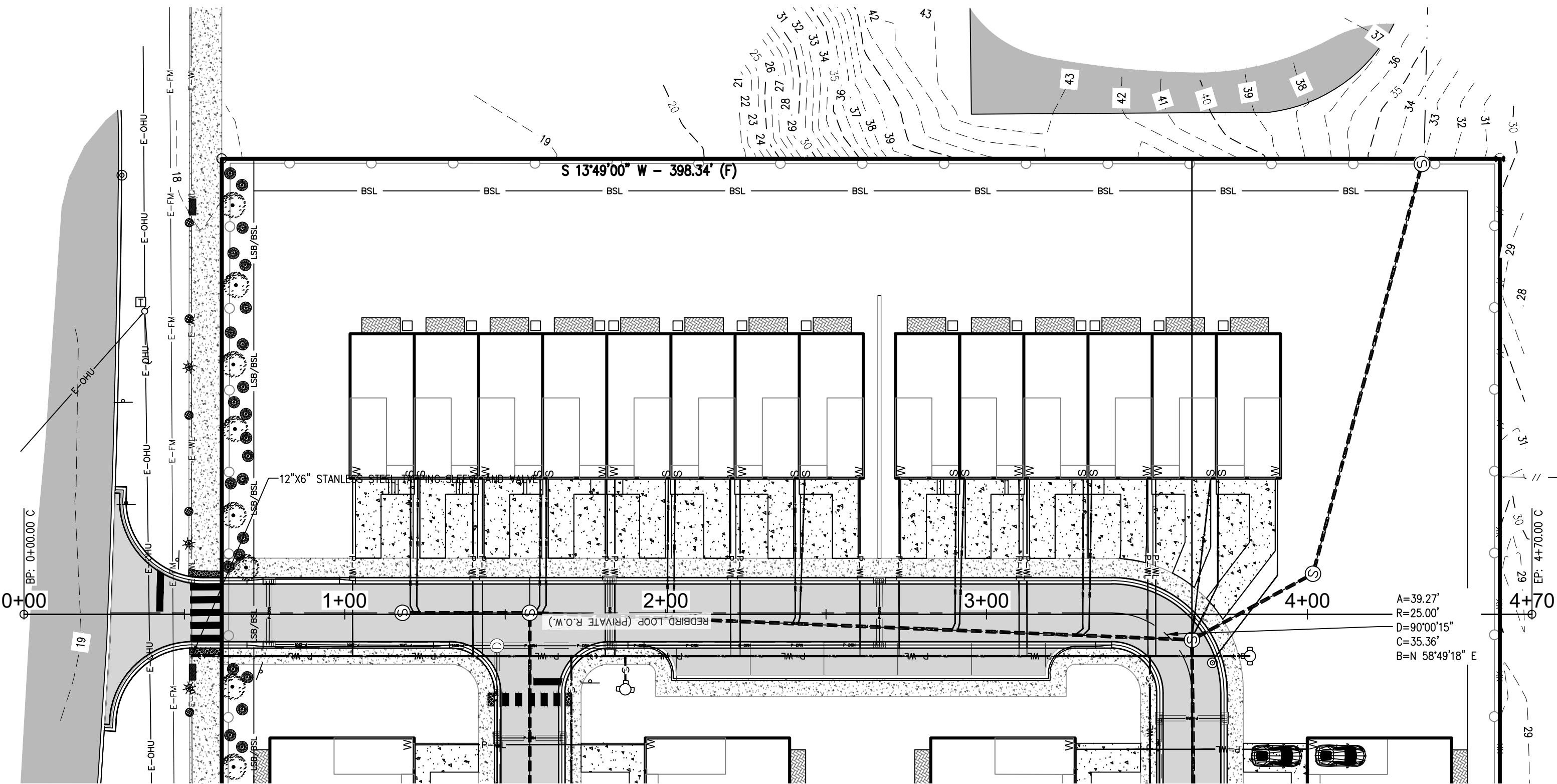
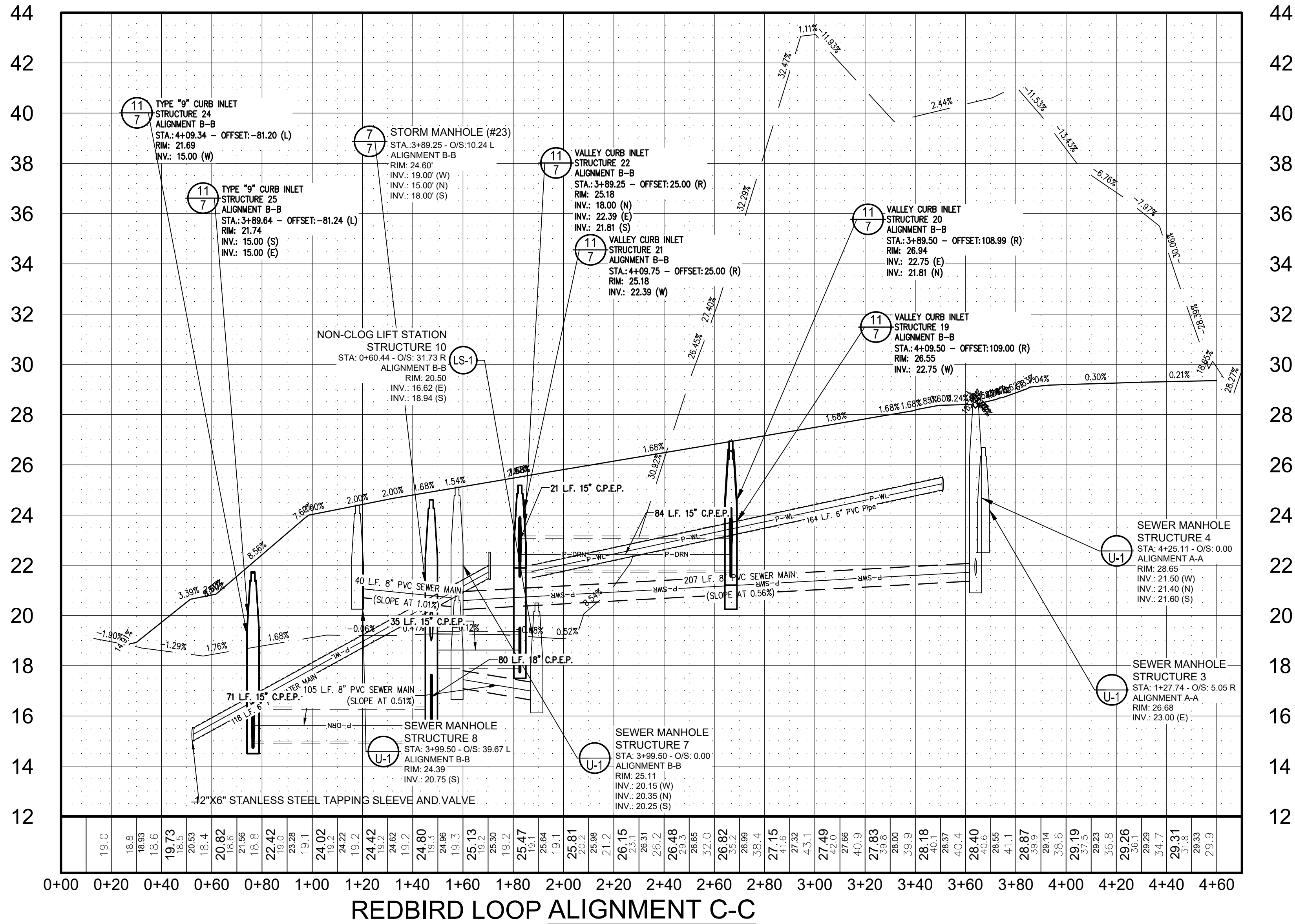
DESIGN BY: SMH

CHECK BY: DAFB



PROJECT:	
18-433	
SCALE: 1" = 20'	DRAWN BY: SMH
ORDER: 19-0476	DESIGN BY: SMH
DWG. DATE: 07-18-19	CHECK BY: DAF
FILE: 18-433_ENG-13.dwg	
SHEET	
10 of 11	

THESE PLANS AND THE IDEAS AND CONCEPTS CONTAINED HEREIN INCLUDING DIGITAL INFORMATION ARE THE PROPERTY OF ECA, INC. AND ARE NOT TO BE REPRODUCED, COPIED, MODIFIED, OR CHANGED IN ANY FORM OR MANNER WITHOUT THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ECA, INC.





 = ASPHALT
 = CONCRETE
 = LIFT STATION
 = PROPOSED SINGLE WATER SERVICE

LIGHTING PLAN

A circular professional engineer seal for Dean A. F. Burgis. The outer ring contains the text "DEAN A. F. BURGIS" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. Inside this ring, the word "LICENSE" is at the top, "No. 50705" is in the center, and "STATE OF FLORIDA" is at the bottom, also separated by two stars. The seal is surrounded by a series of short radial lines.

SHEET
1 of 1

THESE PLANS AND THE IDEAS AND CONCEPTS CONTAINED HEREIN INCLUDING DIGITAL INFORMATION ARE THE PROPERTY OF ECA, INC. AND ARE NOT TO BE REPRODUCED, COPIED, MODIFIED, OR CHANGED IN ANY FORM OR MANNER WITHOUT THE EXPRESS WRITTEN PERMISSION AND CONSENT OF ECA, INC.

705

3

NUMBER 0008775

PH: (630) 267-0479, FAX: (630) 267-0371

LEGEND:

- # = NUMBER
L.B. = LICENSED BUSINESS
L.S. = LICENSED SURVEYOR
O.R. = OFFICIAL RECORDS
P.L.S. = PROFESSIONAL LAND SURVEYOR
F.K.A. = FORMERLY KNOWN AS
A.I.C.P. = AMERICAN INSTITUTE OF CERTIFIED PLANNERS
INC. = INCORPORATED
PRM = PERMANENT REFERENCE MONUMENT
P = PLAT DATA
F = FIELD DATA
N = NORTH
S = SOUTH
E = EAST
W = WEST
□ = SET 4" BY 4" CONCRETE MONUMENT WITH STAINLESS STEEL DISK STAMPED "L.B. #3724, PRM"

GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOTICE:

ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE REFERENCED TO THE NORTH LINE OF BLOCK E-17, CALHOUN SUBDIVISION AS BEING S 76°11'00" E. (PER PLAT)
- THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- THIS PLAT HAS BEEN PREPARED FROM A PREVIOUS BOUNDARY SURVEY OF THE SUBJECT PROPERTY PREPARED BY THIS FIRM, WHICH MEETS STANDARDS OF PRACTICE FOR SURVEYS, AS DEFINED IN RULE 5J-17.051 AND 5J-17.052, FLORIDA ADMINISTRATIVE CODE.
- PURSUANT TO CHAPTER 177.091(28), ALL PLATTED UTILITY EASEMENTS SHOWN HEREON SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES.
- GRAPHIC SYMBOLISM OF CORNER MONUMENTATION, UTILITIES, SIGNS, ETCETERA, ARE EXAGGERATED FOR CLARITY AND ARE NOT TO SCALE, THE CENTER POINT OF WHICH IS ACCURATELY PLOTTED TO SCALE AND/OR DIMENSIONED THERETO.

DESCRIPTION:

PARCEL 1:
BLOCK E-17, ACCORDING TO PLAT OF SECOND REVISION OF THE CALHOUNS SUBDIVISION OF ADDITION TO THE TOWN OF DESTIN, OKALOOSA COUNTY, FLORIDA, AS PER PLAT DRAWN BY J.W. COOK AND FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF OKALOOSA COUNTY, FLORIDA, IN PLAT BOOK 2, PAGE 43-A, LESS AND EXCEPT THAT CERTAIN PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 1036, PAGE 122 AND OFFICIAL RECORDS BOOK 1036, PAGE 121 ALL OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

PARCEL 2:
A PORTION OF BLOCK E-17, CALHOUNS SUBDIVISION OF ADDITION TO DESTIN, PLAT BOOK 2, PAGE 43-A, DESCRIBED AS: BEGIN AT A POINT ON THE SOUTH RIGHT OF WAY OF AZALEA DRIVE, 200' EASTERLY FROM THE NORTHWEST CORNER OF SAID BLOCK E-17; THENCE SOUTHERLY AT RIGHT ANGLES 400 FEET; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF BLOCK E-17 150 FEET; THENCE NORTHERLY AT RIGHT ANGLES 400 FEET TO AZALEA DRIVE; THENCE WESTERLY ALONG AZALEA DRIVE 150 FEET TO THE POINT OF BEGINNING.

PARCEL 3:
A PORTION OF BLOCK E-17, CALHOUNS SUBDIVISION OF ADDITION TO DESTIN, PLAT BOOK 2, PAGE 43-A, DESCRIBED AS: BEGIN AT A POINT ON THE SOUTH RIGHT-OF-WAY OF AZALEA DRIVE 350' EASTERLY FROM THE NORTHWEST CORNER OF SAID BLOCK E-17; THENCE SOUTHERLY AT RIGHT ANGLES 400 FEET; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF BLOCK E-17 150 FEET; THENCE NORTHERLY ALONG THE EASTERLY BOUNDARY OF BLOCK E-17 400 FEET TO AZALEA DRIVE; THENCE WESTERLY ALONG AZALEA DRIVE 150 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SURVEYED, THAT THE PLAT WAS MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS SHOWN AND THAT THIS PLAT COMPLIES WITH ALL THE SURVEY REQUIREMENTS OF CHAPTER 177, PART I, OF THE FLORIDA STATUTES.

DARYL E.W. BURGIS, P.L.S.,
EMERALD COAST ASSOCIATES, INC.,
327 COUNTY HIGHWAY 393 SOUTH
SANTA ROSA BEACH, FLORIDA 32459

FLORIDA REGISTRATION NO. 4980
L.B. NO. 3724

PREPARED BY:

Emerald Coast Associates Inc.

Land Planning • Engineering • Surveying
Since 1979

327 County Highway 393 South
Santa Rosa Beach, Florida 32459
PHONE: (850) 267-0473
FAX: (850) 267-0973
www.eca-fl.com

OKALOOSA COUNTY TAX COLLECTOR CERTIFICATE:

I, BEN ANDERSON, DO HEREBY CERTIFY THAT TAXES HAVE BEEN PAID ON THE PROPERTIES DESCRIBED HERE THROUGH TAX YEAR _____ TO THE BEST OF MY KNOWLEDGE AND BELIEF, AS OF THIS _____ DAY OF _____, 2020.

BEN ANDERSON, OKALOOSA COUNTY TAX COLLECTOR

OKALOOSA COUNTY CLERK'S CERTIFICATE

I, J. D. PEACOCK II, CLERK OF THE CIRCUIT COURT OF OKALOOSA COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THE _____ DAY OF _____, 2020, IN PLAT BOOK _____, AT PAGE _____.

J. D. PEACOCK II, CLERK OF THE CIRCUIT COURT, OKALOOSA COUNTY, FLORIDA

HARBOR PLACE TOWNHOMES

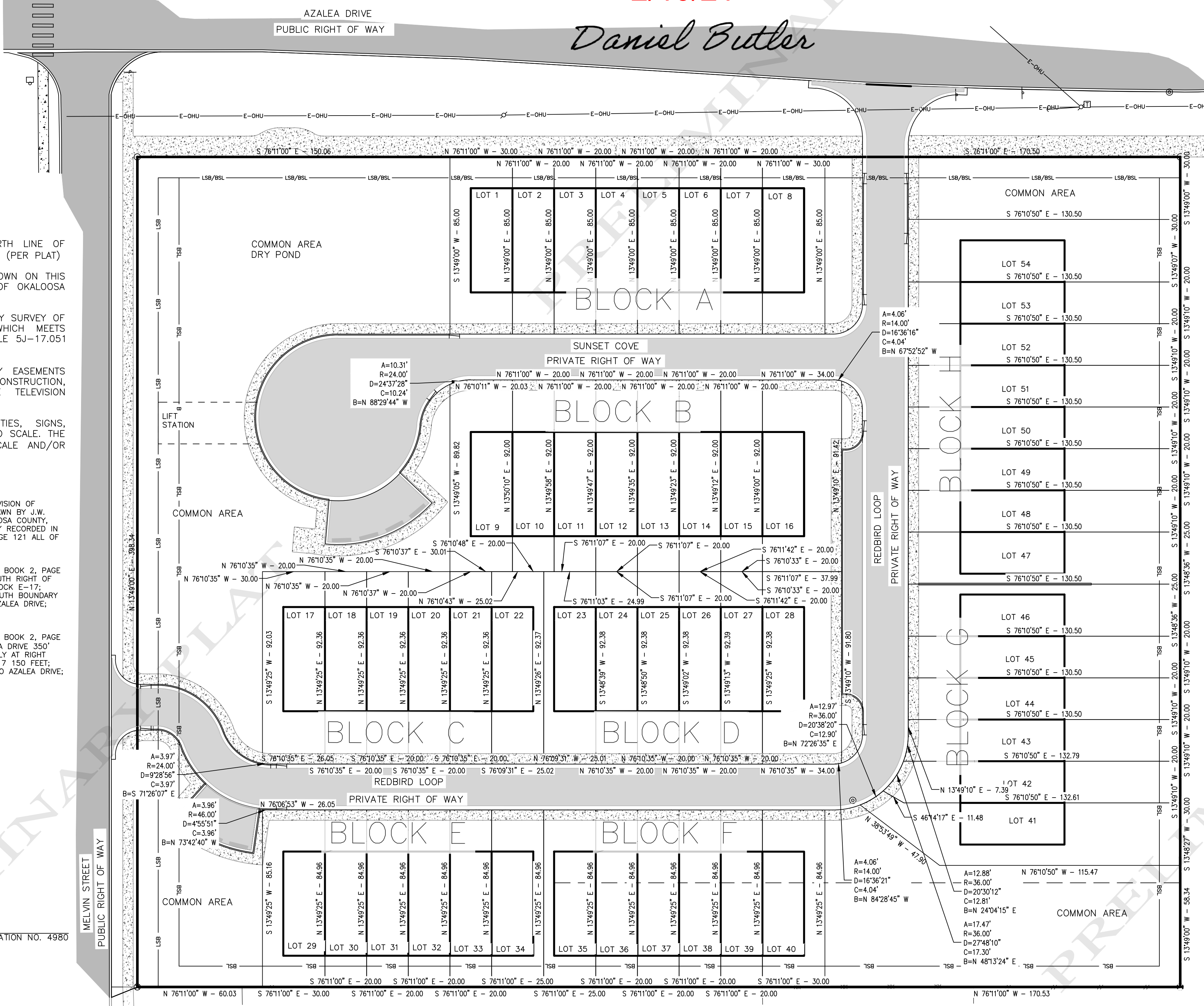
UNSECTIONALIZED, TOWNSHIP 2, RANGE 22 A REPLAT OF BLOCK E-17, CALHOUN SUBDIVISION OF ADDITION TO DESTIN AS RECORDED IN PLAT BOOK 2, PAGE 43-A; PUBLIC RECORD OF OKALOOSA COUNTY, FLORIDA

APPROVED PRELIMINARY PLAT

EXHIBIT B

2/10/21

Daniel Butler



DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT WILDCAT Mnt. LLC, A FLORIDA LIMITED LIABILITY COMPANY, UNDER LAWS OF THE STATE OF FLORIDA AND AS OWNER OF THE LANDS HEREON PLATTED AS HARBOR PLACE TOWNHOMES, DOES DECLARE THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT AND IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 177.081 (3) THIS DEDICATION SHALL NOT CREATE ANY RIGHTS OF THE PUBLIC IN THE PROPERTY SHOWN ON THE PLAT; AND DOES HEREBY REQUEST THAT SAID PLAT OF HARBOR PLACE TOWNHOMES BE RECORDED IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

THE DEVELOPER HAS EXECUTED THIS DEDICATION THIS _____ DAY OF _____, 2020.

WITNESS _____
SHANE CANNON, MANAGING MEMBER

WITNESS _____

ACKNOWLEDGMENT TO DEDICATION:

STATE OF FLORIDA
COUNTY OF OKALOOSA

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED, SHANE CANNON KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN THE FOREGOING DEDICATION AND WHO ACKNOWLEDGED BEFORE ME THAT HE EXECUTED THE SAME FOR THE PURPOSES SET FORTH. GIVEN UNDER MY HAND AND SEAL THIS DAY OF _____, 2020.

NOTARY PUBLIC

My commission expires _____

JOINDER AND CONSENT TO DEDICATION:

_____, THE HOLDER OF A MORTGAGE ON THE HEREON DESCRIBED PROPERTY, AS RECORDED IN OFFICIAL RECORD BOOK _____, AT PAGE _____ OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA, DO HEREBY CONSENT TO AND JOIN IN THE DEDICATION AND PLATTING AS SET FORTH HEREON.

SIGNATURE

PRINT NAME

TITLE

ACKNOWLEDGMENT TO JOINDER AND CONSENT DEDICATION:

STATE OF FLORIDA
COUNTY OF OKALOOSA

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED, _____ KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN THE FOREGOING ACKNOWLEDGEMENT AND CONSENT TO DEDICATION AND WHO ACKNOWLEDGED BEFORE ME THAT HE EXECUTED THE SAME FOR THE PURPOSES SET FORTH. GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC

My commission expires _____

TITLE OPINION:

IT IS THE OPINION OF THE UNDERSIGNED ATTORNEY AT LAW, THAT TITLE TO THE LAND DESCRIBED HEREON IS IN THE NAME OF THE DEDICATORS AS SHOWN HEREON, AND THERE ARE NO UNSATISFIED MORTGAGES ON THE LAND, EXCEPT AS SHOWN.

PRINT NAME _____ FLORIDA BAR NUMBER _____

SIGNATURE _____ DATE _____

COMMUNITY DEVELOPMENT DEPARTMENT APPROVAL:

THIS CERTIFIES THAT THIS PLAT WAS PRESENTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT, CITY OF DESTIN, FLORIDA AND APPROVED BY THEM ON THE _____ DAY OF _____, 2020.

PRINT NAME, COMMUNITY DEVELOPMENT DIRECTOR _____ SIGNATURE, COMMUNITY DEVELOPMENT DIRECTOR _____

PUBLIC SERVICES DEPARTMENT APPROVAL:

THIS IS TO CERTIFY THAT THIS PLAT WAS PRESENTED TO THE PUBLIC SERVICES DEPARTMENT, CITY OF DESTIN, FLORIDA AND WAS APPROVED BY THEM ON THE _____ DAY OF _____, 2020.

PRINT NAME, PUBLIC SERVICES DIRECTOR _____ SIGNATURE, PUBLIC SERVICES DIRECTOR _____

CITY OF DESTIN APPROVAL:

THE CITY OF DESTIN, HAVING EXAMINED THE WRITTEN PLAT ON THE _____ DAY OF _____, 2020, DOES HEREBY APPROVE THE PLAT FOR RECORDING.

GARY JARVIS, MAYOR

REY BAILEY, CITY CLERK

CITY SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAT WAS REVIEWED BY THE CITY SURVEYOR OF THE CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA AND MEETS THE REQUIREMENTS OF CHAPTER 177 PART I, OF THE FLORIDA STATUTES AND WAS APPROVED BY HIM ON THE _____ DAY OF _____, 2020.

ERIC B. STUART, CITY SURVEYOR
FLORIDA REGISTRATION NO. 6707

**HARBOR PLACE
TOWNHOMES**

SHEET 1 OF 1



City of Destin

Community Development Department:

Planning Division

City Hall Annex

4100 Indian Bayou Trail

Destin, Florida 32541

Phone (850) 654-1119 • Fax (850) 460-2171

RELEASE OF PLAT APPLICATION

Applicant to fill in all black blank spaces, City Staff to fill in all red blank spaces

_____ - _____ - SP _____ - _____ - MS
(project number assigned by planning staff) (project number assigned by planning staff)

All applications must be emailed or shared with planning@cityofdestin.com.

SUBDIVISION / PUD NAME:

HARBOR PLACE TOWNHOMES

I. CONTACT INFORMATION:

A. Owner(s):

SHANE CANNON

Mailing Address:

3997 COMMONS DRIVE WEST, SUITE 1

Business Phone:

850-654-6025

Cell:

850-865-5980

Email:

SHANE@BAIARDCANNON.COM

B. Authorized Agent (if applicable):

Mailing Address:

Business Phone:

Cell:

Email:

1. The plat for the above project may be released for recording because **ONE** of the following has been met in accordance to Destin Land Development Code (LDC) **Article 7, Section 7.08.10:**

a. _____ The developer may secure any necessary permits and install all improvements as shown on the approved construction drawings and certified by the developer's engineer. All conditions of the applicable Final Development Order shall also be met and all applicable fees associated with the development are paid. **(SEE ATTACHED ENGINEER'S CERTIFICATION)**

b. _____ The developer may post a performance bond accountable to the City Council and in accordance with Article 2, Section 2.20.00 of the LDC *Guarantees and sureties* to cover the full

cost of improvements as estimated by the developer's engineer and approved by the city engineer. Such bond shall be released upon satisfactory installation of all improvements approved in the development plan and specifications. All conditions of the applicable Final Development Order shall also be met and all applicable fees associated with the development are paid. **(SEE ATTACHED PERFORMANCE BOND)**

c. _____ The developer may sell or lease lots on contract and construct buildings provided that he agrees that all monies received from sale, lease, or other transfer shall be placed in escrow or other satisfactory account until such time as improvements are completed and approved by the city engineer. No deeds shall be issued or recorded until such approval has been obtained. All conditions of the applicable Final Development Order shall also be met and all applicable fees associated with the development are paid. **(SEE ATTACHED AGREEMENT)**

d. _____ The developer may post a letter of credit acceptable to the City Council for an amount necessary to complete all improvements required in the approval plans and in accordance with Article 2, Section 2.20.00 of the LDC *Guarantees and sureties*. Such letter of credit shall be released on satisfactory installation of all improvements. All conditions of the applicable Final Development Order shall also be met and all applicable fees associated with the development are paid. **(SEE ATTACHED LETTER OF CREDIT)**

e. _____ The developer may post with the City Council proof that a development loan has been approved by a recognized and approved lending institution, such development loan to be sufficient to cover the cost of improvements required in the approved plans, and the lender is bound to advance the funds as the work is completed, thereby providing for correction if the developer defaults. All conditions of the applicable Final Development Order shall also be met and all applicable fees associated with the development are paid.

(SEE ATTACHED DEVELOPMENT LOAN APPROVAL)

2. Based on all previous stated requirements being fulfilled, the City Clerk is authorized to release the three (3) Mylar copies of the plat on file in City Hall to the developer for recording:

City Staff Use Only	
_____	_____
Public Services Director	Community Development Director
_____	_____
Date	Date

City Manager	

Date	

INSTRUCTIONS AND REQUIREMENTS TO THE DEVELOPER/OWNER

The three (3) Mylar copies of the plat for the above project have been released to you for recording into the public records of Okaloosa County. Once recorded, you are required to return to the City of Destin, Community Development Department the following items:

1. One (1) copy of the recorded Property Owners' Association documents (if applicable)
2. One (1) full-size (24" x 36") Mylar copy of the recorded plat

This application must be filled out completely and must be signed by the owner or his designated agent. If the applicant is different than the owner of the subject property, then an agent affidavit is required from the owner of the property. The agent affidavit must be completely filled out and submitted with this application. If the property has multiple owners, then all owners or their designated agents must sign this application.

I HAVE READ THE INFORMATION IN THIS APPLICATION AND HAVE FILLED IN ALL ANSWERS CORRECTLY TO THE BEST OF MY ABILITY.

APPLICANT:

SIGNATURE: Shane Cannon DATE: 1-27-22

PRINTED NAME: Shane Cannon, Mng Mgr.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: Consent Agenda

AGENDA OUTLINE NUMBER: 3.E.

TO: City Council

THRU: Lance Johnson, City Manager
Webb Warren, Deputy City Manager
Krystal Strickland, Finance Director

FROM: Michael Burgess, Public Services Director

DATE: 02/08/2022

SUBJECT: Re-Striping of Azalea Drive, authorization to issue a Purchase Order

I. BACKGROUND: The Pavement Markings (long lines - double yellow and edge lines) on Azalea Drive are faded. In addition, there are no reflective pavement markers along the 3400+/- feet of roadway. Staff has inspected the road and recommends that it be re-stripped.

II. DISCUSSION: The City's contract with Emerald Coast Striping is included as ATT1. The quote to re-stripe Azalea Drive and install Raised Reflective Pavement Markers as ATT2. Photos of the existing striping are included as ATT3.

A. Link to Strategic Goals / Objectives: from Strategic Goals 2026:

6. Effective, efficient, and aesthetically pleasing infrastructure

B. Effect on Budget (EOB): The estimate to re-stripe Azalea Drive from our road striping continuing services contractor, Emerald Coast Striping, is \$15,591. This amount is available in the current year budget. We propose to use Gax Tax #1 for this project.

	12254500			
	Parking	30054131	30058585	
	Fund	Gas Tax#1	GF for RR	TOTAL
565000-RR054	\$ 96,000	\$ 440,000	\$ 482,000	\$ 1,018,000
CIP-Renew/Replace Roads				
FY22 Adopted Budget	96,000	440,000	482,000	1,018,000
Budget Transfers/Amendments	-	-	(60,273)	(60,273)
Revised Budget	96,000	440,000	421,727	957,727
Previous Expenses/Encumbrances	-	(380,144)	-	(380,144)
Available Program Budget	96,000	59,856	421,727	577,583
This Agreement +(-)	\$ -	\$ (15,591)	\$ -	\$ (15,591)
FY22 Remaining Program Budget	\$ 96,000	\$ 44,265	\$ 421,727	\$ 561,992

C. Level of Service (LOS): Increased day- and night-time lane visibility.

III. CONCLUSION: The long lines on Azalea Drive are very faded and lack raised reflective pavement markers. This item allows for the re-striping and installation of the RPMs.

IV. RECOMMENDED MOTION: I move that the City Manager be authorized to issue a purchase order to Emerald Coast Striping for the re-striping of Azalea Drive in the amount of \$15,591.00.

Attachments:

1. ATT1: Emerald Coast Striping
Contract 10.01.21-12.31.22
2. ATT2: Azalea Dr Proposal 2-9-22
3. ATT3: Azalea Drive Striping photos
021422

CONTRACT EXTENSION AGREEMENT

This agreement dated the First day of October 2021 is between the City of Destin, Florida (“City”), a Florida municipal corporation, of 4200 Indian Bayou Trail, Destin, Florida, 32541 and Emerald Coast Striping, LLC (“Contractor”). The purpose of this agreement is to extend for fifteen months a contract for road striping services effective October 1, 2020 between the City of Destin and Emerald Coast Striping, LLC to provide miscellaneous road striping services for the City.

This represents the **1st of 4** possible contract extensions.

The following provision amends the contract of the parties and is binding upon them. The Parties mutually agree that the jury trial waiver, and a public records provision are amended as follows:

Jury Trial Waiver:

CONTRACTOR AND CITY AGREE TO WAIVE THEIR RIGHTS TO A TRIAL BY JURY REGARDING ANY LAWSUIT INVOLVING THE INTERPRATION, CONSTRUCTION, ENFORCEMENT, OR GOVERNANCE OF THIS CONTRACT, AND FOR ANY LAWSUIT RELATED IN ANY WAY TO THIS CONTRACT OR FOR THE WORK PERFORMED PURSUANT TO THIS CONTRACT.

Public Records:

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THE CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT THE OFFICE OF THE CITY CLERK, (850) 837-4242, 4200 INDIAN BAYOU TRAIL, DESTIN, FLORIDA 32541, rbailey@cityofdestin.com

Contractor shall comply with Florida Public Records Laws, specifically to:

- Keep and maintain public records that ordinarily and necessarily would be required by the City of Destin in order to perform the service.
- Shall immediately provide the City Clerk for the City with any documents requested by the Clerk in response to a public records request.
- Provide the public with access to public records on the same terms and conditions that the City of Destin would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law.
- Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

- Meet all requirements for retaining public records and transfer, at no cost, to the City of Destin all public records in possession of the Contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City of Destin in a format that is compatible with the information technology systems of the City of Destin.

It is expressly agreed by the parties that this contract is an extension to the Contract that became effective on October 1, 2020 and the original is made a part hereof as though expressly rewritten, incorporated, and included herein.

It is understood that final authorization for this Agreement must be made by the Destin City Council, and that either party may cancel this contract extension with 30 days written notice.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the day and year first above written.

Witnesses:

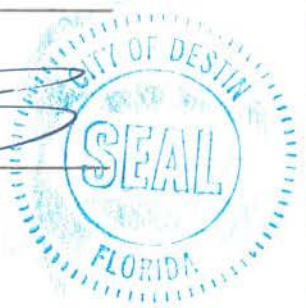
Cheryl Wyren
(Signature)

Zachary Armstrong
(Signature)

City of Destin

By: Lance A. Johnson
Lance A. Johnson
City Manager

ATTEST: Rey Bailey
Rey Bailey
City Clerk



Witnesses:

Stephanie Dodson
(Signature)

Chad Rodgett
(Signature)

Emerald Coast Striping, LLC

By: Eric Bailey
(Signature)

Eric Bailey / OPERATIONS
(Name & Title) MANAGER

ATTEST: Faith Cooke
(Signature)

Faith Cooke / office manager
(Name & Title)



EXHIBIT A – BID FORM

PART I Bid submitted by:

Company: Emerald Coast Striping, LLC.

Address: 1901 N. East Avenue

City & State: Panama City, FL Zip Code: 32405

Telephone: (850) 215-4875 Fax: (850) 271-4875

Number of Years in Business: 13 Email: aric@ecstriping.com

PART II Bidding RFB No. 20-10-PS, Miscellaneous Road Striping Continuing Services Contract:

Contractor shall provide proper signs and traffic control measures as per Florida Department of Transportation's Manual on Uniform Traffic Control Devices and the Florida Department of Transportation's Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (aka Florida Green Book), current edition. All construction, methods of measurement, and basis of payment shall be in accordance with Division II and III of the Florida Department of Transportation Standards Specifications for Road and Bridge Construction (current edition), copies of which are available from the Florida Department of Transportation.

SERVICE DESCRIPTION AND SPECIFICATIONS

Item	Description	Unit Price	Unit
Four-inch (4") solid painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.15</u>	Linear Foot
Four-inch (4") skip painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.12</u>	Linear Foot
Six-inch (6") solid painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.30</u>	Linear Foot
Six-inch (6") skip painted traffic stripe	Traffic Paint – white or yellow	\$ <u>0.18</u>	Linear Foot
Four-inch (4") solid thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ <u>0.65</u>	Linear Foot
Four-inch (4") skip thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ <u>0.55</u>	Linear Foot
Six-inch (6") solid thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ <u>1.00</u>	Linear Foot

Initials of Bidder: AS

Six-inch (6") skip thermoplastic stripe	Thermoplastic plus reflective beads, white or yellow	\$ 0.85	Linear Foot
Stop Bars (24")	Thermoplastic plus reflective beads or equivalent	\$ 4.00	Square Foot
Crosswalks (12")	Thermoplastic plus reflective beads or equivalent	\$ 4.00	Square Foot
Messaging (School, Bike lane graphics, STOP, etc.)	Thermoplastic plus reflective beads or equivalent	\$ 4.00	Square Foot
Raised Pavement Markers	Material plus installation	\$ 5.00	Each

Please list any additional services with their respective costs below.

Item	Description	Unit Price	Unit

SAFETY NOTE

All work associated with this bid must be conducted with safety in mind. It is expected that the contractor will provide all necessary personal protective equipment that will be utilized by their staff while performing work for the City of Destin. In addition, the contractor will ensure that all FDOT, OSHA and other applicable State and Federal workplace safety guidelines are adhered to while working on behalf of the City of Destin.

The contractor will ensure that work vehicles, equipment and trailers are properly outfitted with proper, adequate and working signage, lightbars, arrow boards, etc.

Part III Certifications

In accordance with your request for Bids, instructions and specifications, attached hereto, and subject to all conditions thereof, I (we), the undersigned, hereby propose and agree if this Bid is accepted, to contract with the City of Destin, Florida to construct any items or furnish any service requested herein and deliver

Initials of Bidder: AS

**EMERALD COAST
STRIPING, L.L.C.**

1901 East Ave.
Panama City, FL 32405
Phone (850) 215-4875 Fax (850) 271-4875

Proposal To:
City of Destin

Proposal

DATE February 9, 2022
Quotation # Azalea Rd
Stahlman Ave to Benning Dr
(No Side Streets)
Destin, FL

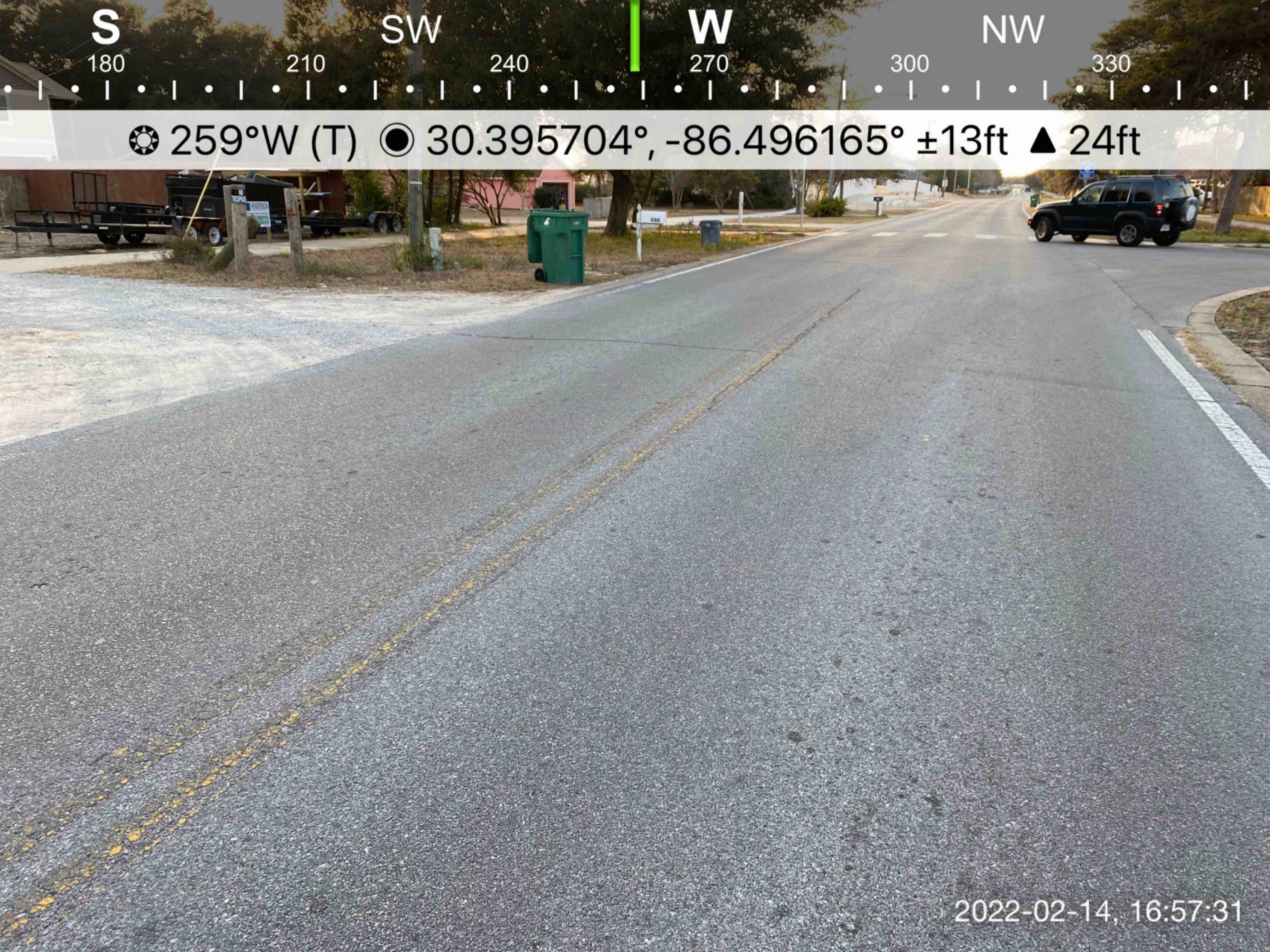
Comments or special instructions:

All Maintenance of Traffic to be provided by General Contractor.
ECS requires a daily minimum of \$1,500 to be called out.
Thermoplastic quantities do not include temporary paint unless otherwise noted.
Any striping performed on concrete will have a primer applied prior.
Any Reduction in Scope to the quantities shown below may adjust the below listed Unit prices
This is a unit price bid, any additions will be paid at the unit prices given.
By accepting this proposal, you accept all terms with it.
Please allow two weeks advance notice for scheduling of crews

DESCRIPTION	UNIT	QUANTITY	PRICE	AMOUNT
Base Bid Plan				
6" White Solid Thermoplastic Striping	LF	6858	\$1.00	\$6,858.00
6" Yellow Solid Thermoplastic Striping	LF	6825	\$1.00	\$6,825.00
12" White Solid Thermoplastic Striping	SF	90	\$4.00	\$360.00
24" White Solid Thermoplastic Striping	SF	172	\$4.00	\$688.00
Reflective Pavement Marker	EA	172	\$5.00	\$860.00
TOTAL				\$ 15,591.00

If you have any questions concerning this quotation, contact Alex Ross at (251)223-2974 or by email at ARoss@ECStriping.com

THANK YOU FOR YOUR BUSINESS!



S

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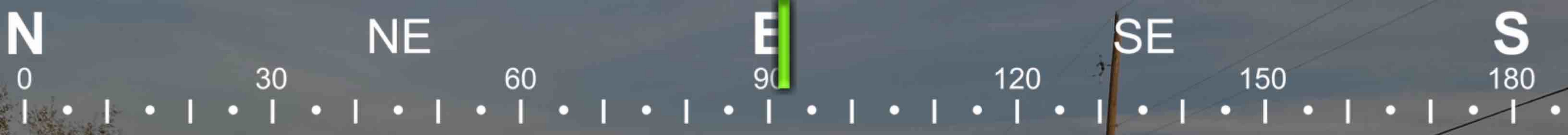
270

300

330

☀ 259°W (T) ● 30.395704°, -86.496165° ±13ft ▲ 24ft

2022-02-14, 16:57:31



☀ 92°E (T) ● 30.396117°, -86.498125° ±16ft ▲ 23ft



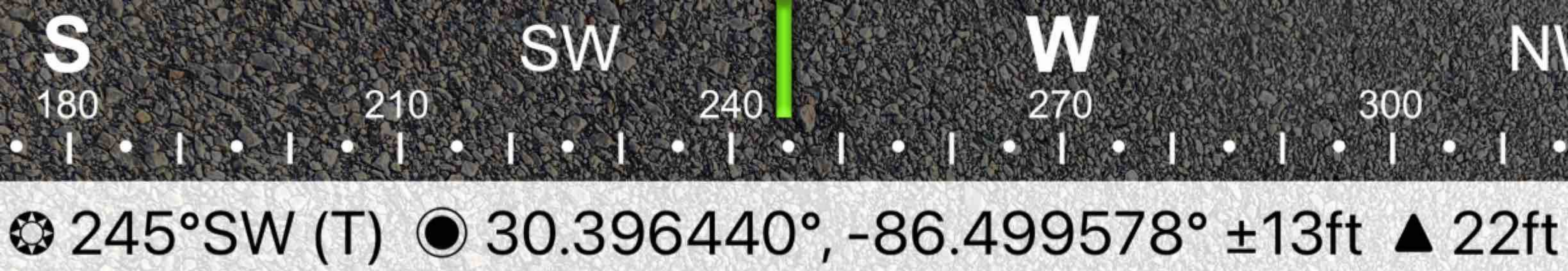
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☀ 348°N (T) ● 30.396423°, -86.499567° ±13ft ▲ 23ft



2022-02-14, 16:59:29



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.F.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Noell Bell, Chief Building Official
Kimberly Kopp, Land Use Attorney

DATE: February 15, 2022

SUBJECT: Bert Harris Settlement Agreement for 71 Tarpon Street

I. BACKGROUND: Pursuant to prior City Council directive related to settlement of Bert Harris claims for maximum occupancy in short-term rentals, a proposed settlement agreement is attached for consideration by the City Council.

II. DISCUSSION: The structure at issue will be fully fire-sprinkled and was designed in accordance with the Florida Building Code 2020. The City Building Official recommends a maximum occupancy of 28 for these 4,556 (heated and cooled) square foot, eight bedroom structure.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: Staff recommends approval of the proposed settlement agreement.

IV. RECOMMENDED MOTION: Approval of consent agenda.

Or, I move to approve the attached proposed settlement agreement for 71 Tarpon Street.

Attachments:

1. 71 Tarpon Settlement Agt - For
2.22.22
2. 71 Tarpon Notice of Bert Harris Claim

**THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:**

Kimberly Romano Kopp, Esq.
Romano Kopp Law, P.A.
P.O. Box 445
Destin, Florida 32541

For Recording Purposes Only

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into this 22nd day of February, 2022, ("Effective Date") by and between, Lightening Properties, LLC ("**Owners**") and the City of Destin ("**City**"), collectively referred to as the "Parties."

RECITALS

WHEREAS, on January 22, 2019, the City enacted Ordinance 18-29-CC, the Short-Term Rental Occupancy Ordinance ("Ordinance"), which limits the occupancy of short-term rental homes to two (2) people per bedroom plus an additional four (4) persons or a total of twenty-four (24) persons, whichever is less; and

WHEREAS, Owners own the real property and improvements located at 71 Tarpon Street, Destin, FL, 32541, as more particularly described in the attached Exhibit "A" (the "Property"); and

WHEREAS, on October 18, 2021, Owner filed a claim with the City, pursuant to the provisions of §70.001, Florida Statutes, the Bert J. Harris, Jr., Private Property Rights Protection Act (the "Harris Act"), alleging that the Property had been inordinately burdened by the adoption of the Ordinance, (the "Claim"); and

WHEREAS, the Harris Act provides for the City to have the ability to enter into a settlement agreement which would have the effect of a modification or variance to the application of a regulation or ordinance as it would otherwise apply to the subject real property, provided the relief granted protects the public interest served by the regulations at issue and is the appropriate relief necessary to prevent the governmental regulatory effort from inordinately burdening the real property; and

WHEREAS, the City has determined that the modifications to the effect of the Ordinance effected by this Agreement protect the public interest served by the Ordinance and are the appropriate relief necessary to prevent the regulatory effect of the Ordinance from inordinately burdening the Property; and

WHEREAS, the Parties now desire to settle and finally resolve all disputes between and among them concerning the Claim.

NOW, THEREFORE, the Parties hereby agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated herein by reference.

2. **Occupancy Allowable Under Ordinance.**

(a) Owner is hereby granted a variance from the provisions of the Ordinance so that the Owner shall have the right to apply under the Ordinance for a maximum occupancy of twenty-eight (28) overnight guests at the eight (8) bedroom vacation rental property noted above and the City shall grant such occupancy. The right shall continue in perpetuity, regardless of any future changes in ownership, provided that this right shall expire permanently if the Property were to be voluntarily remodeled or voluntarily rebuilt in such a manner as to change the number of bedrooms that existed at the date of the Claim.

3. **Development in Accordance with Code.** Notwithstanding any provisions contained herein, the Owner shall at any time have the right and option to remodel, develop, or use the Property in accordance with the applicable ordinances of the City of Destin in effect at the time of application therefor, and this variance shall not be construed as making the Property in any way non-conforming.

4. **Entire Agreement.** The Parties acknowledge that this Agreement constitutes the entire agreement between them regarding the settlement of their dispute and any prior statements, whether oral or written, are merged herein. This Agreement may not be modified or amended without a written instrument signed by the party against whom enforcement is sought.

5. **Duration of Agreement.** This Agreement shall be perpetual and deemed to run with the land, and shall be binding upon and the benefits shall inure to the parties hereto and their respective heirs, devisees, personal representatives, successors and assigns.

6. **Authority.** The signatories to this Agreement are expressly authorized to resolve their dispute as set forth herein and by their signatures here represent and affirm their authority to execute this Agreement.

7. **Governing Law.** The law of the State of Florida shall apply to this Agreement. Any dispute regarding this Agreement shall be litigated exclusively in the courts of Okaloosa County, Florida. The parties expressly consent to such agreed jurisdiction and venue, and waive any objections thereto.

8. **Notices.** Any notice required or permitted to be given hereunder shall be in writing and shall be (i) delivered by hand, (ii) delivered by reputable national or local courier (such as United Parcel

Service or Federal Express), (iii) mailed by United States registered or certified mail, return receipt requested and postage prepaid, or (iv) sent by facsimile transmission provided a confirmation of such facsimile transmission is sent the same day by one of the methods of delivery in (i), (ii), or (iii) above. Any notice shall be addressed to each party at its address as set forth below. Any such notice shall be considered given on the date of such hand delivery, deposit with such courier for same day or next business day delivery, upon receipt of return receipt of certified mail, or receipt of facsimile transmissions, as the case may be, and the time period (if any is provided herein) in which to respond to such notice shall commence on the date of receipt. Rejection or other refusal to accept or inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice. By giving to the other party at least ten (10) days' notice thereof, any party shall have the right from time to time to change the addresses thereof and to specify up to two (2) additional addresses within the United States of America to which copies of notices to it shall be sent. Notice may be given on behalf of any party by such party's counsel. In the event the subject property owner changes, notices shall be addressed to the current owner as indicated in the records of the Okaloosa County Property Appraiser. Otherwise, notices shall be sent as follows:

Each notice shall be addressed as follows:

To City: City of Destin, Florida
 Attn: Mayor
 4200 Indian Bayou Trail
 Destin, Florida 32541

With a copy to: City Land Use Attorney
 Romano Kopp Law, PA
 PO Box 445
 Destin, Florida 32541
 Attn: Kimberly Romano Kopp, Esq.

To Owner: Lightning Properties, LLC
 Attn: Claire Nuckles
 86 Camp Creek Point
 Inlet Beach, Florida 32461

With a copy to: Najmy Thompson, PL
 1401 8th Avenue West
 Bradenton, Florida 34205
 Attention: Aaron M. Thomas, Esq.

9. **Attorney's Fees.** In the event of any action, whether pre-suit, mediation, litigation or appellate proceeding to enforce the terms and conditions of this Agreement, each party to the action shall pay its own attorney's fees and costs incurred therein.

OWNERS:
LIGHTENING PROPERTIES, LLC, a Florida limited liability company

Signature of Witness #1

By: Claire Nuckles, its Managing Member

Print or type name

Date

Signature of Witness # 2

Print or type name

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by (check one) ☐ physical presence or ☐ remote online notarization this _____ day of _____ 2022, by Claire Nuckles, as Managing Member of Lightning Properties, LLC, a Florida limited liability company, they are personally known to me or who have produced _____ as identification and who did not take an oath.

Signature of Notary

(NOTARY SEAL)

Print or type name

CITY OF DESTIN

By: _____
Gary Jarvis, Mayor

Date: _____

ATTEST:

Rey Bailey, City Clerk

Date: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by (check one) ☐ physical presence or ☐ remote online notarization this _____ day of _____ 2022, by _____ and _____, who are personally known to me or who have produced _____ as identification and who did not (did) take an oath.

Signature of Notary

(NOTARY SEAL)

Print or Type Name

Approved as to form and legality for use and reliance
by the City of Destin, Florida, only.

Kimberly Romano Kopp, Esq.
City Land Use Attorney

Exhibit "A"

Legal Description of Property

LOT 15, BLOCK 3, CRYSTAL BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED IN
PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

OTHER OFFICES

Lakewood Ranch (941) 907 - 3999

Sarasota (941) 907 - 3999

New York (212) 220 - 6616

WWW.NAJMYTHOMPSON.COM

October 18, 2021
Via Federal Express

City of Destin
c/o Mayor Gary Jarvis
4200 Indian Bayou Trail
Destin, FL 32541

Re: 71 Tarpon St., Destin, FL 32541 (Lot 15, Block 3 of Crystal Beach)
Bert J. Harris Claim, §70.001, *Fla. Stat.*, July 1, 2012

Dear Mayor Jarvis,

This firm represents Lightening Properties, LLC, a Florida limited liability company, owner of the property described as 71 Tarpon St., Destin, FL 32541 (Lot 15, Block 3 of Crystal Beach) (the "Property"). The proposed single-family home on this Property will be used as a short-term rental property within the City of Destin.

The "before" condition of the Property is a proposed single-family home consisting of eight (8) bedrooms able to accommodate twenty-eight (28) guests as part of the authorized and approved short-term rental use of this Property and others within the City.

By the City of Destin's passage on January 22, 2019 of Ordinance 18-29-CC and application of Ordinance 18-29-CC to the Property on August 30, 2021 (when the City of Destin denied my client's request for a variance, a copy of such denial is attached hereto as Exhibit A), this Property is now restricted to an occupancy of twenty (20) guests.

The Florida Legislature has passed Section 70.001, *Fla. Stat.*, known as the "Bert J. Harris Jr. Private Property Rights Protection Act as Amended."

Chapter 70.001, *Fla. Stat.*, "inter alia", created a separate and district cause of action which provides for relief or payment of compensation when a new law, rule, regulation or ordinance of the state or a political entity in the state, as applied, unfairly affects real property. "When a specific action of a governmental entity has inordinately burdened an existing use of real property or a vested right to a specific use of real property, the property owner of that real property is entitled to relief, which may include compensation for the actual loss to the fair market value of the real property caused by the action of government, as provided in this section." *Fla Stat.* §70.001(2).

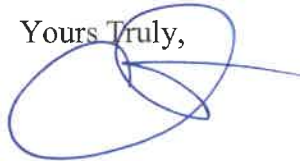
The owner of the Property asserts that its existing use of the Property and/or its vested right to a specific use of the Property has been inordinately burdened by the City of Destin's adoption of Ordinance 18-29-CC and application of Ordinance 18-29-CC to the Property by restricting its occupancy to only two (2) persons per bedroom plus four (4).

To that end, this letter should serve as a formal, written claim pursuant to §70.001, *Fla. Stat.*, the Bert J. Harris Jr. Private Property Rights Protection Act as Amended. Attached to this letter is a bona fide, valid appraisal that supports the claim and demonstrates the loss in value to the Property. This appraisal establishes the loss in value of the Property, as a result of the application of the occupancy limitation of Ordinance 18-29-CC, to be Six-Hundred Twenty Thousand and 00/100 Dollars (\$620,000.00).

Pursuant to §70.001(4)(c), *Fla. Stat.*, the City Destin has ninety (90) days to respond to this claim with a written settlement offer. You should consult your counsel as to any other obligations and settlement opportunities contained within this statute.

PLEASE BE GOVERNED ACCORDINGLY.

Yours Truly,



Aaron M. Thomas
Firm Principal

Enclosure: Appraisal

cc: Lightning Properties, LLC, a Florida limited liability company

AMT/kl



ROMANO KOPP LAW, P.A.

P.O. Box 445
Destin, Florida 32541
Phone: (407) 430-7070
Email: kkopp@romanokopplaw.com
www.romanokopplaw.com

August 30, 2021

Najmy Thompson
Attn: Aaron Thomas, Esq.
1401 8th Avenue West
Bradenton, FL 34205

Re: *Maximum Occupancy Restriction Variance Request*
71 Tarpon St., Destin, FL 32541 and
73 Tarpon St., Destin, FL 32541

Dear Mr. Thomas:

I have received and reviewed your clients' formal written requests for a variance for the properties located at 71 Tarpon Street and 73 Tarpon Street, Destin, FL 32541 (the "**Properties**"). The variance requests cannot be processed because such request is not authorized by City codes.

You have requested a maximum occupancy of twenty-eight at both of the Properties. Pursuant to Section 13-117(a) of the City of Destin Code of Ordinances, the maximum overnight occupancy of a short-term rental **cannot exceed the total of twenty-four (24) persons** per short-term rental.

Additionally, Section 13-117(f) of the City of Destin Code of Ordinances states that the owner (or authorized agent) of a short-term rental that either (a) has a pending development order application as of the effective date of this ordinance (January 22, 2019), or (b) has a structure that has been used as a short-term rental as of the effective date of this ordinance (January 22, 2019), may apply for the status of grandfathered for a period of five (4) years, as to occupancy limitations, and may cap its occupancy based upon the criteria and procedures set forth herein. As stated in your letter, your client's plans and permit application(s) were submitted on August 6, 2021, Permit/Application number: BLDR-000278-2021, which is after the date required by the Code to obtain grandfathered status.

Further, Section 13-118 states that rental agreements with prospective occupants for short-term rental units that were pre-existing as of the enactment of Ordinance 18-29-CC, (hereinafter "pre-existing agreements") are exempt from the provisions of this ordinance for a period of one (1) year. All bookings made subsequent to the enactment of this ordinance are subject to the provisions of this ordinance. Your client has not met the requirement of a pre-existing agreement necessary to exempt the property from the provisions of Ordinance 18-29-CC for one year.

Please contact me with any further questions or concerns.

Sincerely,

/s/ Kimberly R. Kopp

Kimberly Romano Kopp
City Land Use Attorney

Kimberly Romano Kopp, Esq.
Board Certified in City, County & Local Government Law

APPRAISAL REPORT



**PROPERTY: AN APPROXIMATE +/-4,556 SQUARE FOOT HEATED AND COOLED
RESORT RESIDENTIAL PROPERTY, ALONG WITH ASSOCIATED SITE IMPROVEMENTS
INCLUDING A SWIMMING POOL, POOL DECK, PATIOS, BALCONIES AND PARKING,
ALL OF WHICH IS SITED ON AN APPROXIMATE 0.17-ACRE SITE**

LOT 15 TARPON STREET, DESTIN, OKALOOSA COUNTY, FL

EQUIVALUE
APPRAISAL

EQUIVALUE APPRAISAL, LLC
PROFESSIONAL APPRAISAL AND VALUATION SERVICES
PO Box 5326
DESTIN, FLORIDA 32540
PHONE (850) 424-6119

Jason P. Shirey, MAI, CCIM, CPM

State-Certified General Real Estate Appraiser, RZ3186 (FL)

Direct Phone (850) 543-5953 (Mobile)

EquiValue Appraisal File No.: 210-189B

APPRAISAL REPORT

Of Resort Residential Property

+/-0.17-Acre of Residential-Zoned Land

To Be Improved with one resort residential structure,
Containing an aggregate +/-4,556 SF of Heated and Cooled Livable Area,
Along with Associated Site Improvements Including a Swimming Pool, Pool Deck,
Patios, Balconies and Parking

Location

Lot 15 Tarpon Street,
Destin, Okaloosa County, FL
32541

Property Owner

Lightening Properties, LLC

Effective Date

August 30, 2021 (Retrospective)

Report Date

October 14, 2021

Client / Intended User

Mr. Aaron Thomas
Najmy Thompson, PL
1401 8th Avenue
Bradenton, FL 34205

Prepared by:

Jason P. Shirey, MAI, CCIM, Cert Gen RZ3186



Phone 850 424 6119 Fax 888 774 4503

EquiValue Appraisal, LLC File #: 210-189B

October 14, 2021

Mr. Aaron Thomas
Najmy Thompson, PL
1401 8th Avenue
Bradenton, FL 34205



Re: Diminution in Value Appraisal of an approximate +/-4,556 HVAC Square Foot Multi-Story Resort Residential Property, 'As Complete', whose postal address is Lot 15 Tarpon Street, Destin, Okaloosa County, FL 32541. EquiValue Appraisal File No. 210-189A.

Dear Client:

At your request and authorization, we have prepared an appraisal for the above-referenced resort residential property. A copy of the pertinent engagement document has been included in the addenda to this report if applicable.

This letter of transmittal is *not* an appraisal report, but merely serves to transmit the attached appraisal report and convey the final conclusion of value. The accompanying research, analyses and conclusions, and appraisal report following this letter of transmittal has been compiled in accordance with USPAP Standards Rule 2-2(a) for a written appraisal report.

The purpose of this appraisal is to determine if there is a Diminution in Value as result of recently-implemented and applied City of Destin Ordinance No. 18-29-CC, and if so, to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of said Ordinance.

This Ordinance was applied August 30, 2021, and the implementation and application of this ordinance limits the occupancy of the subject property to 20 guests. Prior to the implementation and application of this Ordinance, the designed occupancy of the subject property was 28 guests. Therefore, as a result of the implementation and application of this ordinance, the maximum occupancy of the subject has been reduced by 8 guests, or approximately -28.57%.

We are therefore opining on the difference in market value of the subject before and after the implementation and application of City of Destin Ordinance No. 18-29-CC, which affected the subject property on August 30, 2021.

The values reported are predicated upon market conditions prevailing as of the effective date of the appraisal. In the context of the scope of work, the appraisal is considered to render a credible opinion of value, specific to the client, intended use and intended user.

October 14, 2021

Page 2

The intended use of this appraisal is for internal decision making purposes by the stated Client and their advisors. This appraisal is intended for the use of the client and client's advisors.

We have completed the requisite inspections, research, and analyses necessary to appraise the 100% fee simple interest in the subject property, 'As Complete' as of August 30, 2021, both prior to implementation and application of Ordinance No. 18-29-CC and after, in order to evaluate the potential Diminution in value.

Please reference the Scope section of this report for information regarding the scope of research and analysis for this appraisal, including property identification, inspection, highest and best use analysis and valuation methodology.

I certify that I have no present or contemplated future interest in the property beyond this opinion of value. The reported value(s) in this appraisal have not been based on a requested minimum valuation, a specific valuation, and have been prepared in compliance with the Uniform Standards of Professional Appraisal Practice.

Your attention is directed to the Limiting Conditions and Assumptions section following the reconciliation and appraisal certification in this report. Acceptance of this report constitutes an agreement with these conditions and assumptions.

This appraisal is subject to the following Hypothetical Condition(s):

- The subject property was not in existence as of the date of value. Therefore, valuation of the subject as a completed structure as of the date of value is by definition a hypothetical condition.

This appraisal is subject to the following Extraordinary Assumption(s):

- None.

This appraisal utilized the preceding hypothetical condition, the use of which may have affected the assignment results.

Our opinion of value was formed based on our experience in the field of real property valuation, as well as the research and analysis set forth in this appraisal.

I am of the opinion that as a result of the implemented and applied City of Destin Ordinance 18-29-CC that the market value of the subject property is negatively impacted.

The implemented and applied Ordinance reduces the maximum occupancy of the subject property, and therefore the subject's associated income generation potential.

October 14, 2021

Page 2

The subject property is a resort-residential property specifically utilized for income generation purposes. Therefore, a reduction in scheduled income due the subject correlates to a reduction in associated value.

The Dimunition in Value to the subject is represented by the difference between the 'Before' and the 'After' value conclusions.

In this case, this is represented by the difference between the opined value prior to implementation and application of the Ordinance (ie. the 'Before Ordinance' value of \$2,200,000) and the value after implementation and application of the Ordinance (ie. the 'After Ordinance' value of \$1,580,000).

Per this calculation, with supporting documentation as to the rationale of these values provided within this report, the opinion of Dimunition in Value to the subject as a result of implementation and application of City of Destin Ordinance 18-29-CC is opined to be \$620,000.

Therefore,

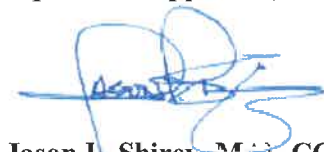
**Dimunition in Market Value
As A Result of Implementation and Application of
City of Destin Ordinance 18-29-CC:**

**Six Hundred Twenty Thousand Dollars
(\$620,000)**

The estimated market exposure period necessary for the subject to have achieved this value is estimated to be 9-12 months.

It was a pleasure assisting you with this matter. If you have any questions concerning the following analysis, or if we can be of further assistance, please do not hesitate to call.

Respectfully submitted,
EquiValue Appraisal, LLC.



Jason I. Shirey, MAI, CCIM
Cert Gen RZ3186

INTRODUCTION

QUALIFICATIONS OF THE APPRAISER



Qualifications of
Jason P. Shirey, MAI, CCIM, MS-RECM

State-Certified General Real Estate Appraiser No. RZ 3186 (FL)
State-Certified General Contractor No. CGC 062478 (FL)
Licensed Real Estate Broker No. BK 3168469 (FL)

MAI : Designated Member of the Appraisal Institute
Appraisal Institute, Chicago, Illinois.

CCIM : Designated Certified Commercial Investment Member
CCIM Institute, Chicago, Illinois.

M.S. RECM : Master of Science, Real Estate and Construction Management
University of Denver - Denver, Colorado.

B.S. BCN : Bachelor of Science, Building Construction Management
University of Florida – Gainesville, Florida.

Business Affiliations and Work Experience, Past / Present

EquiValue Appraisal and Consulting Services

Principal and Founder; Real Estate Appraiser, Real Estate Broker, Certified General Contractor

Marsh Appraisal Corporation - Real Estate Appraisal and Valuation Services, Fort Walton Beach, Florida

Registered Trainee Appraiser / State Certified Real Estate Appraiser

Plantation Coast Properties, LLC – Fort Walton Beach, Florida

Principal; Real Estate Investments and Property Management

Alcon Associates, Inc. – Commercial General Contractors / Construction Managers; Pensacola, Florida

Florida Division Manager

National Construction Enterprises, LLC – General Contractor / Construction Managers; Savannah, Georgia

Vice President of Operations, Savannah-Hilton Head Division

Acoustics and Specialties, Inc. – General Contractors; Memphis, Tennessee

Senior Estimator / Project Manager of Healthcare Construction

Brasfield and Gorrie General Contractor Inc. – General Contractors and Construction Managers; Orlando, Florida

Construction Estimator / Project Manager

United States Air Force Reserve

Reserve Pilot, Boeing C-17 Globemaster III



Jason P. Shirey, MAI, CCIM, MS-RECM (Continued)

Professional / Continuing Education

Litigation Appraising - Specialized Topics and Applications <i>Appraisal Institute</i>	Income Property Management <i>Institute of Real Estate Management / University of Denver</i>
Uniform Standards of Professional Appraisal Practice 7 Hour Update, <i>Appraisal Institute</i>	Certified Commercial Investment Member Core Concepts <i>CCIM Institute Comprehensive Exam</i>
Advanced Income Capitalization <i>Appraisal Institute</i>	Appraising from Blueprints and Specifications <i>Appraisal Institute</i>
Advanced Sales Comparison Approach and Principles In Highest and Best Use <i>Appraisal Institute</i>	Florida Building Code Update Florida Workplace Safety and OSHA Update <i>Universal Inspection Service</i>
User Decision Analysis for Commercial Real Estate <i>CCIM Institute Course CI-103</i>	Uniform Standards of Professional Appraisal Practice 15 Hour Update, <i>Appraisal Institute</i>
Advanced Cost Approach <i>Appraisal Institute</i>	Business Practices and Ethics for Appraisers <i>Appraisal Institute Course #420</i>
Real Estate Taxation, Planning and Consequences <i>University of Denver, Burns School of Real Estate</i>	Basic Income Capitalization <i>Appraisal Institute</i>
Advanced Real Estate Feasibility Analysis <i>Urban Land Institute / University of Denver</i>	Advanced Valuation and Report Writing <i>Appraisal Institute Course #540</i>
Real Estate Securities and Syndications <i>University of Denver, Burns School of Real Estate</i>	Real Estate Investment Finance <i>University of Denver, Burns School of Real Estate</i>
Legal Issues In Real Estate and Construction Management <i>University of Denver, Burns School of Real Estate</i>	Computer Applications for Real Estate Analysis <i>University of Denver, Burns School of Real Estate</i>
Income Property Investment <i>Urban Land Institute / University of Denver</i>	Risk Management and Insurance for Investment Real Estate <i>University of Denver, Burns School of Real Estate</i>
Argus Financial Analysis <i>University of Denver, Burns School of Real Estate</i>	Indoor Air Quality and Mold Contamination Remediation <i>National Association of Mold Professionals, 2004</i>
Residential Real Estate Appraiser Course ABII <i>Ed Klopfer Schools of Real Estate</i>	Real Estate Trainee Appraiser Course ABI <i>Ed Klopfer Schools of Real Estate</i>
Real Estate Salesperson Pre-Licensing Course <i>Ed Klopfer Schools of Real Estate</i>	Uniform Standards of Professional Appraisal Practice 15 Hour Update, <i>Appraisal Institute</i>

EQUIVALUE

A P P R A I S A L

Jason P. Shirey, MAI, CCIM, MS-RECM (Continued)

Appraiser Experience - Property Types

Affordable Housing
Agricultural Land
Aircraft Hangars
Antenna Towers
Apartments
Automobile Dealerships
Hotels and Motels
Bank Buildings
Bowling Alleys
Broadcast Facilities
Campgrounds / Recreational Vehicle Parks
Car Washes
Churches
Coastal Land
Condominium Units:
 Assemblages, Complexes, Conversions
Condominium Projects:
 Pre-development, Insurable Replacement Cost
Convenience Stores
Day Care Centers
Development Appraisals
Distribution Facilities
Golf Clubs and Country Clubs
Health Clubs
High-End Residential
Hobby Farms
Home Sites (Lots)
Home Sites (Land - Large Tracts)
Hotel - Resorts
Industrial Land
Industrial Improvements
Light Industrial Properties
Manufacturing Facilities
Marinas / Docks / Boat Storage Facilities
Medical Offices
Mixed Use Developments
Mobile Home Parks
Multifamily Land
Multifamily Developments
Nurseries
Office Buildings
Office Condominiums
Office-Warehouse Facilities
Outdoor Signs
Parking Facilities
Replacement Cost Appraisals
Retail Stores (Anchor Tenant / Owner Occupied)
Retail Strip Centers (Multiple Tenant)
Restaurants (All types)
Self-Storage Facilities
Subdivisions (Commercial)
Subdivisions (Residential)
Single Family Residences
Sustainable Development (Green Buildings)
Urban Land (Vacant and Interim Use)
Warehouses
Yacht Clubs

Previous Client List (Partial)

Access Bank and Mortgage
Alternative Funding Corporation
BanCorp South
Bank of America
Bank of Bonifay
Bank of Pensacola
BankTrust
Beach Community Bank
CB Richard Ellis
CCB Community Bank
Colonial Bank
Community Bank
Compass Bank
Cotton and Gates
Crystal Beach Development
DestinFirst Bank
First Capital Bank
First City Bank
First Gulf Bank
First National Bank and Trust
Florida Coastal Mortgage
Guaranty Federal Bank
GulfSouth Private Bank
Jay Odom
Kevin Helmich, P.A.
Legendary, Inc.
LNK Development
M & F Bank
People's First Community Bank
Premier Community Bank
Regions Bank
Renasant Bank
Sunbird Condominium Owner's Association
Suntrust Bank
The Plaza Owner's Association
Tranquil Harbor Owner's Association
Trustmark National Bank
Vanguard Bank
Villas on the Gulf Condominium Owner's Association
Vision Bank
Wachovia Bank
Whitney Bank

Assignment Purposes

Acquisition
Disposition
Assessment Appeal
Development Feasibility
Estate Planning
Financing (Institutional and Private)
Investment Analysis
Portfolio Analysis
Marital Dissolution
Relocation
Mediation, Arbitration, Dispute Resolution



Jason P. Shirey, MAI, CCIM, MS-RECM (Continued)

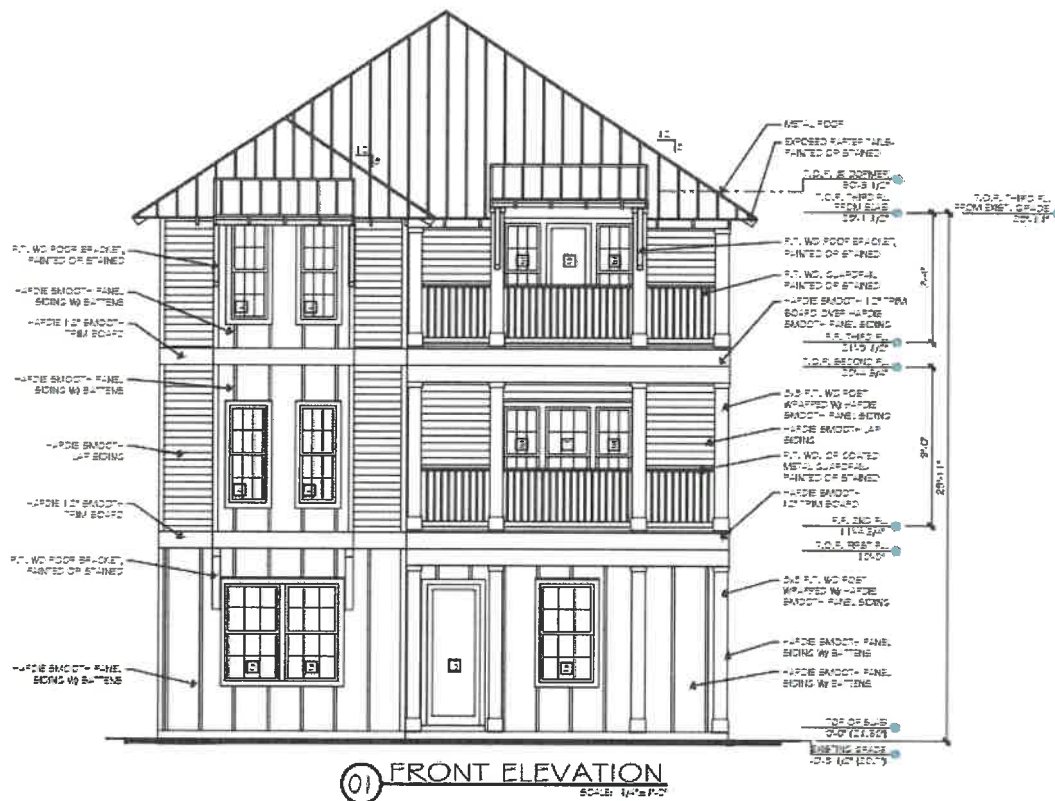
Assignment Types	Primary Market Area	
Appraisal Review	Okaloosa County	Destin
Buyer Brokerage		Fort Walton Beach
Complex Valuation		Crestview
Construction Progress / Draw Request Inspection		Mary Esther
Demographic Analysis		Niceville
Detrimental Conditions Valuation and Consulting		Bluewater Bay
Eminent Domain Valuation and Consulting		
Estate Valuation		
Feasibility Studies		
Fee Appraisals Including Full and Fractional Interests	Walton County	Miramar Beach
Foreclosure / REO Appraisal - Assessment		Panama City Beach
Highest and Best Use Analysis		Rosemary Beach
Insurance		Santa Rosa Beach
Litigation Support		Blue Mountain Beach
Market Studies		Freeport
Portfolio Valuation and Analysis		Defuniak Springs
Relocation Appraisal		Inlet Beach
Rent Analysis / Studies		Seacrest Beach
Retrospective Valuation	Santa Rosa County	
Site Location Services		Navarre
Valuation and Consultation for Financial Reporting		Navarre Beach
	Bay County	Gulf Breeze
		Panama City
		Panama City Beach
		Springfield

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Subject Photograph(s)

Additional photographs can be referenced in the Property Description Section of the Appraisal Report.



View of Front Elevation

Summary of Salient Facts and Conclusions

GENERAL	
EquiValue Appraisal File No:	210-189B
Subject:	An approximate 4,556 HVAC SF / 5,098 Gross SF Resort Residential Rental Property located along the south side of John Avenue and the east side of Tarpon Street, approximately +/-800 feet north of the Beaches of the Gulf of Mexico, having the assigned postal address of Lot 15 Tarpon Street in Destin, Okaloosa County, Florida. The subject site is comprised of +/-0.17 acres of Crystal Beach Neighborhood-zoned land (a residentially-oriented zoning designation) which is to be improved with one rental residential structure, along with associated site improvements which include a swimming pool, pool deck, patios, balconies, and parking. According to reviewed plans and specifications, the improvement is considered to feature a very good quality of construction and is in very good condition. The configuration of the structure was specifically designed and outfitted to accommodate 28 overnight (sleeping) guests and features the following characteristics (in aggregate), • 8 Full Bedrooms • 9.5 Bathrooms • Kitchen, Dining Area, 2 Each Living Areas • Swimming Pool, Patios and Balconies • Surface parking. The use of the subject property is as a beach proximate, resort residential rental property and this is the use represented in the valuation of the subject property, as of the effective date of this appraisal.

In the 'Before' condition, occupancy of the subject was specifically designed for 28 guests with sleeping accommodations as follows:

Bedroom #1 – King Bed (Sleeps 2)
Bedroom #2 – King Bed (Sleeps 2)
Bedroom #3 – King Bed (Sleeps 2)
Bedroom #4 – 2 Sets Full Over Full Bunk Beds (Sleeps 8)
Bedroom #5 – King Bed (Sleeps 2)
Bedroom #6 – King Bed (Sleeps 2)
Bedroom #7 – 2 Sets Full Over Full Bunk Beds (Sleeps 8)
Bedroom #8 – King Bed (Sleeps 2)

TOTAL – Sleeping Accommodations for 28 Persons.

In the 'After' condition and taking into account the City of Destin Ordinance 18-29-CC which was implemented and applied to the subject property on August 30, 2021, the occupancy of the subject is limited to 20 Guests as calculated by having a total of 8 bedrooms at 2 guests per bedroom, plus 4 additional guests.

Owner:	Lightening Properties, LLC 86 Camp Creek Point Inlet Beach, FL 32461
Legal Description:	Lot 15, Block 3, Crystal Beach Subdivision
Tax Identification:	00-2S-22-0580-0003-0150
Date of Report:	October 14, 2021
Date of Value:	August 30, 2021
Property Rights Appraised:	Fee Simple
Intended Use:	The intended use of this appraisal is for internal decision making purposes by the client, and for Bert Harris Act computation of damages.
Intended User(s):	The intended user of this report is the property owner, the property owner advisors, courts and local government and regulatory agencies.

Appraisal Purpose: Market Value Opinion 'As Complete' in the 'Before Ordinance' and 'After Ordinance' conditions, and subsequent evaluation of Diminution in Value.

2020 Assessed Value: **\$321,300**

We note the above assessed value does not represent the subject in the appraised configuration.

Despite the intention of the property appraiser to value property at market value on a yearly basis, it is the appraiser's opinion that assessed value has no direct correlation to fair market value in the subject market area. It is noted that as the subject was just recently extensively renovated.

2020 Taxes: **\$3,989.97 (Paid)**

We note the above taxes do not represent the subject in the appraised configuration.

According to the Okaloosa County Tax Collector, taxes for 2020 have been paid in full and no prior year delinquent taxes remain owing.

Sale History: The subject last transferred on June 14, 2013 with an adjacent parcel for the reported consideration of \$459,000 via warranty deed per ORB/P 3103/2605 from Derek and Jacqueline Garcia to Lightning Properties, LLC (Grantee). This transaction appears to be arm's length and nominally consistent with the then market.

There have been no other transfers of the subject property in the preceding 3 years.

Listing History: We were unable to locate any active listing for sale of the subject property in the prior 12 months. We are unaware of any intention by the current owner to market the subject for sale.

It is our understanding that the property owner plans to retain the subject property for short-term rental purposes and income generation potential.

PROPERTY	
Land Area:	Total: +/-0.17-Acre Usable: +/-0.17-Acre Excess: 0.00 Acres
Zoning/ Future Land Use:	CBN – Crystal Beach Neighborhood by the City of Destin
Highest and Best Use ‘As Is’:	Utilizing the subject as a resort-residential rental property at maximum designed occupancy is estimated to be the highest and best use of the subject ‘As Complete’.
	It is noted that occupancy limitations imposed on the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC, which limits occupancy of the subject property to a lesser number than that for which the subject was specifically constructed, is anticipated to have a negative impact on the market value / return on investment of the subject property to the owner.
VALUE CONCLUSIONS	
Land Value:	Not Utilized
Cost Approach:	Not Utilized
Improved Sales Comparison Approach:	Not Utilized
Income Approach:	\$2,200,000 – Before Implementation and Application of Ordinance 18-29-CC \$1,580,000 – After Implementation and Application of Ordinance 18-29-CC \$620,000 – Diminution in Value as a Result of Implementation and Application of Ordinance 18-29-CC

Appraisal Scope of Work

In accordance with the 2020-2021 Uniform Standards of Professional Appraisal Practice, it is the appraiser's responsibility to develop and report a scope of work that results in credible results that are appropriate for the appraisal problem and intended user(s).

This process should meet the expectations of parties who are regularly intended users for similar assignments and be consistent with what an appraiser's peers actions would be in performing the same or a similar assignment.

Therefore, the appraiser must identify and consider:

- the client and intended users;
- the intended use of the report;
- the type and definition of value;
- the effective date of value;
- assignment conditions;
- typical client expectations; and
- typical appraisal work by peers for similar assignments.

This appraisal is prepared for the Client, Najmy Thompson, PL.

The intended use of this appraisal is for internal decision making purposes by the client, the client's advisors, and for Bert Harris Act computation of damages.

The intended user of this report is the property owner, the property owner's advisors, courts and local government and regulatory agencies.

SCOPE OF WORK

Report Type:

This is a written Appraisal Report, which is intended to comply with the reporting requirements established by Standards Rule 2-2(a) of the 2020-2021 edition of the USPAP for a written Appraisal Report. It presents summary discussions of the data, reasoning, and analyses utilized in the appraisal process to develop the appraiser's opinion of value.

Supporting documentation not provided with the report concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in the report. The appraiser is not responsible for the unauthorized use of this report.

Property Identification:	The subject was identified by the legal description and the assessor's parcel number, provided plans and appraiser inspection.
Inspection:	An inspection of the site and improvements was made, and photographs were taken.
Market Area and Analysis of Market Conditions:	A complete analysis of market conditions was made. The appraisers physically inspected the micro and/or macro market environments which influence the subject property.
Highest and Best Use Analysis:	A complete analysis of highest and best use for the subject property in 'As Complete' condition was made.

Valuation Analyses

Land Valuation and Cost Approach:	An opinion of value for the subject property in 'as if vacant' condition and subsequent application of the cost approach has not been provided. The purpose of this appraisal is to evaluate the impact to the value of the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and corresponding associated income generation potential. Thus, the cost to acquire land and construct a replacement property is meaningless to the purpose of the assignment and was not applied.
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Sales Comparison Approach:	The improved sales comparison approach was not utilized in this appraisal assignment. The purpose of this appraisal is to evaluate the impact to the value to the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and associated income generation potential. As this ordinance was just recently implemented and applied, an adequate number of improved sales which sold after the Ordinance implementation and application date were not available from which to derive an opinion of market value from this approach. As sales which occurred prior to this Ordinance will reflect market transactions without this restriction, they are not considered valid indicators of value for the subject in the restricted condition. Therefore this approach could not be applied due to lack of sufficient comparable data.
Income Approach:	The income approach was applied for the subject in both the 'Before Ordinance' and 'After Ordinance' scenarios.
Hypothetical Conditions:	None.
Extraordinary Assumptions:	None.
Exposure Time (Market Value):	Exposure Time may be defined as: the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market. The estimate of exposure time is presented in consideration of the exposure periods for comparable sales utilized in this appraisal, marketing time information available from nationally published sources including the CB Richard Ellis National Market Survey and the opinions of market participants. <i>It is estimated that the exposure time necessary for the subject to have achieved the opinion of value is 9-12 months.</i>

Definition of Value, Property Rights Appraised, and Intended Use

Purpose of the Appraisal:

The purpose of an appraisal is the stated reason and scope of the appraisal assignment. It is established by the client, and points to the information that the client needs to answer specific questions pertaining to real property. The purpose of the appraisal establishes the foundation for the final value conclusion, which does not change to accommodate the use of the appraisal.¹

The purpose of this appraisal is to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of City of Destin Ordinance No. 18-29-CC.

This Ordinance was implemented and applied to the subject property August 30, 2021, and the incorporation and application of this ordinance limits the occupancy of the subject property to 20 guests. Prior to the implementation and application of this Ordinance, the designed occupancy of the subject property was 28 guests. Therefore, as a result of the ordinance, the maximum occupancy of the subject has been reduced by 8 guests, or approximately -28.57%.

We are therefore opining on the difference in market value of the subject before and after the implementation and application of City of Destin Ordinance No. 18-29-CC, which affected the subject property on August 30, 2021.

Intended Use of the Appraisal and Intended User:

The intended use of an appraisal is the manner in which a client will employ the information contained in the appraisal report. The intended use or function of an appraisal is determined by the client's needs. Because an appraisal may provide a basis for a decision concerning real property, the intended use of the appraisal depends on the decision that the client wishes to make.²

The intended use of this appraisal is for internal decision making purposes by the client, and for Bert Harris Act computation of damages. The intended user of this report is the client / property owner, advisors, courts and local government and regulatory agencies.

Property Rights Appraised

Real property is said to have value as a result of the "bundle of rights" that are inherent to property ownership. Regardless of the type of ownership, the owner of real property is said to have an interest in that property. The following definitions are for the three most

¹ The Appraisal of Real Estate, Twelfth Edition

² The Appraisal of Real Estate, Twelfth Edition

commonly-valuated interests as defined by the Dictionary of Real Estate Appraisal, Fourth Edition.

Fee Simple Interest:

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Leased Fee Interest:

An ownership interest held by a landlord with the rights of use and occupancy conveyed by lease to others. The rights of the lessor (the leased fee owner) and the lessee are specified by contract terms contained within the lease.

Leasehold Interest:

The interest held by the lessee (the tenant or renter) through a lease transferring the rights of use and occupancy for a stated term under certain conditions. See also negative leasehold; positive leasehold.

The subject property is being appraised 'fee simple', taking into account market conditions at the effective date of the report. Given the valuation of the subject as being a resort-rental property which is occupied on a short term or seasonal basis, fee simple basis is considered to be the appropriate valuation standard.

Date of Value Opinion

Value opinions are presented as of a specific date, taking into account market conditions at that time. The effective date of an appraisal is the date at which the analyses, opinions, and advice in an appraisal, review, or consulting service apply. (USPAP, 2020-2021 edition.)

The date of the value opinion can be current, in the past (retrospective), or forecast into the future (prospective).

The following presents definitions regarding the date of the opinion of value, as provided by the text The Appraisal of Real Estate, Twelfth Edition:

Date of Value Opinion:

The date for which an opinion of value is valid.

Current Value:

In accounting, synonymous with market value.

Retrospective Value Opinion:

An opinion of value that is likely to have applied as of a specified historic date. A retrospective value opinion is most frequently sought in connection with appraisals for estate tax, condemnation, inheritance tax, and similar purposes.

Prospective Value Opinion:

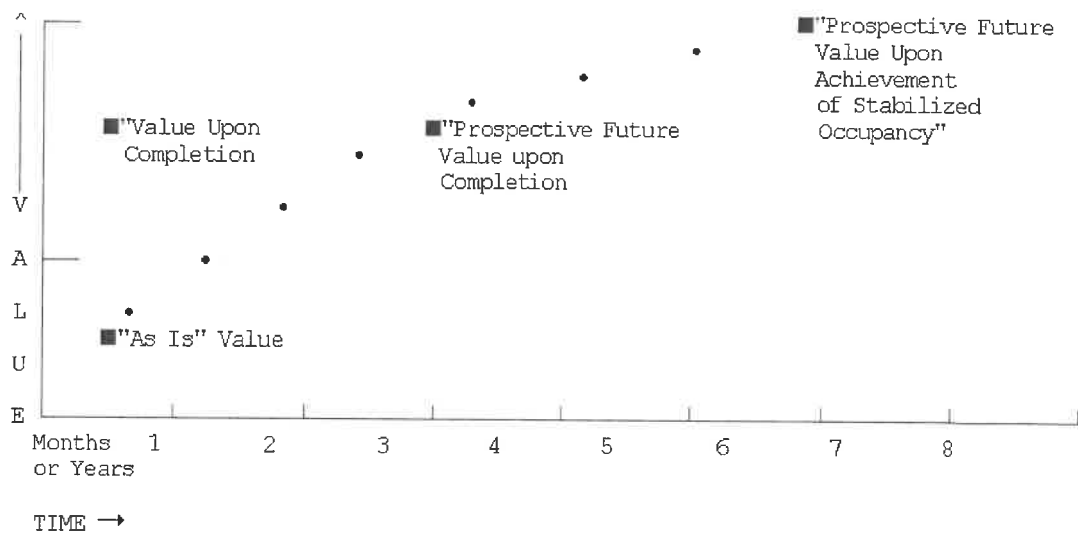
A forecast of the value expected at a specified future date. A prospective value

opinion is most frequently sought in connection with real estate projects that are proposed, under construction, or under conversion to a new use, or those that have not achieved sellout or a stabilized level of long-term occupancy at the time the appraisal report is written.

In a prospective appraisal, the appraiser analyzes market trends to provide support for forecasted income and expense or sell-out opinions, absorption periods, capitalization rates, and discount rates as of the effective date of the appraisal. This appraisal report was prepared taking into account market conditions present as of the date of the report. The appraiser(s) can not be held responsible for unforeseen events that alter market conditions prior to the effective date of the appraisal.

The following graph presents a graphical depiction of the above-described date of value opinions and their associated position within a potential overall development time scenario.

Value Creation Continuum¹



The preceding exhibit graphically displays the creation of value in a real estate development project over time, assuming a zero inflation environment for clarity of presentation.

¹

Code of Federal Regulations, Title 12, as amended by the Federal Home Loan Bank Board.

Basis of the Subject Value Opinion

The four time differential values on the preceding graph which may be considered in the appraisal of proposed developments are defined as follows:

- (1) **"As Is"** means an estimate of the market value of a property in the condition observed upon inspection and as it physically and legally exists without hypothetical conditions, assumptions, or qualifications as of the date of appraisal.
- (2) **"Value as Complete" or "Value Upon Completion"** means the market value of a property with all proposed construction, conversion, or rehabilitation hypothetically completed, or under other specified hypothetical conditions as of the date of appraisal. With regard to properties wherein anticipated market conditions indicate that stabilized occupancy is not likely as of the date of completion, this estimate of value shall reflect the market value of the property as if complete and prepared for occupancy by tenants.
- (3) **"Prospective Future Value Upon Completion"** means the prospective future value of a property on the date that construction is completed, based upon market conditions forecast to exist as of that completion date.
- (4) **"Prospective Future Value Upon Achievement of Stabilized Occupancy"** means the prospective future value of a property at a point in time when all improvements have been physically constructed and the property has been leased to its optimum level of long term occupancy.

The purpose of this appraisal is to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of City of Destin Ordinance No. 18-29-CC.

The following are the pertinent dates to the valuation, viewing, and appraisal reporting of the subject property:

Effective Date of Value Opinion: August 30, 2021

Date of Viewing: August 1, 2021

Date of Appraisal Report: October 14, 2021

Date of Photographs: August 1, 2021

Definition of Value

The definition of “Market Value”, as defined by the Office of the Comptroller of Currency (OCC) under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions, the Board of Governors of the Federal Reserve System (FRS) and the Federal Deposit Insurance Corporation in compliance with Title XI of FIRREA, as well as by the Uniform Standards of Appraisal Practice as promulgated by the Appraisal Foundation, is as follows.

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby,

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interest;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Policy Statement of the Appraisal Institute

It is improper to base a conclusion or opinion of value upon the premise the racial, ethnic, or religious homogeneity of the inhabitants of an area or of a property is necessary for maximum value.

Racial, religious, and ethnic factors are deemed unreliable predictors of value trends or price variance.

It is improper to base a conclusion or opinion of value, or a conclusion with respect to neighborhood trends, upon stereotyped, biased presumptions relating to the effective age or remaining life of the property being appraised or the life expectancy of the neighborhood in which it is located.

FACTUAL DESCRIPTIONS

Property Description

Summary of Site Characteristics and Improvements

SITE	
Information Sources:	Deed, assessment records, inspection, owner
Total Site Size:	+/-0.17-Acre
Usable Site Size:	+/-0.17-Acre
Excess Land:	0.00 acres
Corner Lot:	The subject site is located proximate to the corner of John Avenue and Tarpon Street, and the subject is a platted lot within the Crystal Beach Subdivision.
Visibility:	The subject site benefits from good visibility from John Avenue, which is near the northern boundary and Tarpon Street, which parallels the western boundary of the subject property. The subject site is considered to have good visibility for the subject market area.
Shape:	Rectangular/Functional. See aerial photograph / property appraiser map for a visual depiction of the site shape and parcel.
Road Frontage/Access:	The subject features direct access from Tarpon Street.
Waterfront Proximity:	The subject is located approximately +/-800' north of the Beaches of the Gulf of Mexico and benefits from distant Gulf views from the 2nd and 3rd floors. In addition, there is a public beach access directly south of subject across Scenic Highway 98 at the intersection of Tarpon Street and Scenic Highway 98. The subject property is well-positioned as a resort rental property which would take capitalize on proximity to beaches.
Drainage:	Drainage appears adequate for the subject property. Drainage on the subject site is scheduled to meet current standards for storm water retention.
Potential For Environmental Contamination:	The appraisers have not observed, nor are qualified to detect, the existence of potentially hazardous material or underground storage tanks which may be present on or near the subject site.

The appraisers recommend that an environmental survey be attained to assure the environmental stability of the subject property. This appraisal assumes no subsoil contamination of the subject site.

Utilities:

Electricity: Electricity is provided by Gulf Power, Inc. Standard service capacity exists at the subject property with adequate capacity to service the subject existing improvements.

Sewer: Public sewer is provided and is on site.

Water: Public water is provided and is on site.

Natural Gas: Natural Gas service is provided and is on site.

Adequacy: Utility service is considered adequate for the subject improvements and at least standard for the subject market area.

Site Improvements:

Site improvements planned for the subject include surface and paved parking area, utilities, landscaping, fencing, a swimming pool with pool deck area.

Landscaping:

The subject is to feature very good quality landscaping with various plantings and grassy areas with irrigation.

Site Utility:

Good

Flood Zone:

The subject is located in an area mapped by the Federal Emergency Management Agency (FEMA). The subject property appears to be located in Flood Zone 'X' (CBRS Area) as noted by the following FEMA Map Number:
FEMA Map Number: 12091C0493H 12/06/2002

Easements:

We were not provided with a survey for the subject property. Our review of the appropriate maps and public records for the subject property indicated that standard utility easements exist. Our viewing did not indicate that any of these easements would adversely affect the value opinion of the subject contained herein. This appraisal assumes no easements, encroachments, or private deed restrictions which would adversely affect the value of the subject property.

Encroachments:

We were not provided with a survey for the subject property. Our review of the appropriate maps and public records for the subject property did not reveal any encroachments on the

subject site. Our viewing did not indicate any encroachments that would adversely affect the value opinion of the subject contained herein. This appraisal assumes no easements, encroachments, or private deed restrictions which would adversely affect the value of the subject property.

In 'As Complete' condition the subject property is improved with one resort rental residential structure, along with associated site improvements which include a swimming pool, pool deck, patios, balconies and parking.

IMPROVEMENTS – AS IS	
Summary:	Very good Quality Resort Rental Residence
Architectural Style:	Modern Multi-Story Residential 'Resort Style' Single Family Home
Building Class (Marshall Valuation)	Class D, Wood Frame
Construction:	Wood Frame / Hardi Board Exterior
Quality:	Very Good Quality Resort Residential Dwelling
Actual / Effective Age:	New
Condition:	Very Good
Remaining Useful Life:	55 Years
Areas & Ratios:	Bedrooms: 8 Baths: 9.5 Total Gross Building Area: 5,098 Square Feet Total HVAC Building Area: 4,556 Square Feet

The subject features 8 bedrooms and 8.0 bathrooms. Per instituted City of Destin Ordinance, the maximum number of guests will be calculated at the rate of 2 guests per bedroom based on the Property Appraiser's residential profile of the property, plus 4 additional guests. Therefore, the subject in the 'after ordinance' condition will be limited to 20 total guests. See Excerpt below.

Sec. 13-117. – Maximum occupancy based on site capacity/Grandfathering.

(a) The maximum overnight occupancy of a short-term rental shall be stated in the short-term rental registration form, and shall be limited to the lesser occupancy of the following two options:

i. Two (2) persons for each bedroom, plus four (4) additional persons. The number of bedrooms shall be based upon the Property Appraiser's residential profile of the property, and other documents of record, as needed. In no case shall the maximum total occupancy for any dwelling unit exceed the occupancy limits permitted by the Florida Fire Prevention Code or Florida Building Code.

or

ii. A total of twenty-four (24) persons per short-term rental. In the event that there is more than one building or dwelling on one platted lot, the maximum occupancy shall be capped at twenty-four (24) occupants per lot or structure, whichever is less.

FOUNDATION, FRAME & EXTERIOR	
Foundation:	Concrete, Concrete Block Stemwall, Concrete Slab
Frame:	Wood Frame
Exterior:	Hardi Board
Roof/Cover:	Metal, Sloped

INTERIOR	
Notes Regarding Interior Finish:	Interior finishes to the subject are of very good quality and include, but are not limited to, custom cabinetry, stone or solid surface countertops, custom backsplashes, stainless steel appliances, and very good quality bathroom and kitchen fixtures. Very good quality flooring and appurtenances. The subject features a finish superior to most resort residences in the existing Destin / Crystal Beach market.
Interior Finish:	Very Good Quality.
Ceilings & Ceiling Height:	Finished Ceilings throughout, generally 10'-0"-12'-0" height
Floor Cover:	Porcelain/Ceramic tile and Hardwood. Very good level of floor finish.
Doors:	Very good Quality and condition solid core / six-panel doors with lever style handles throughout. Glass windows and doors are good quality insulated double pane impact resistant.

Additional Amenities: The subject property has a very good level of finish with good design and outdoor living areas including a swimming pool with travertine paved pool deck, full outdoor kitchen and covered outdoor patios and covered and open balconies.

MECHANICAL SYSTEMS

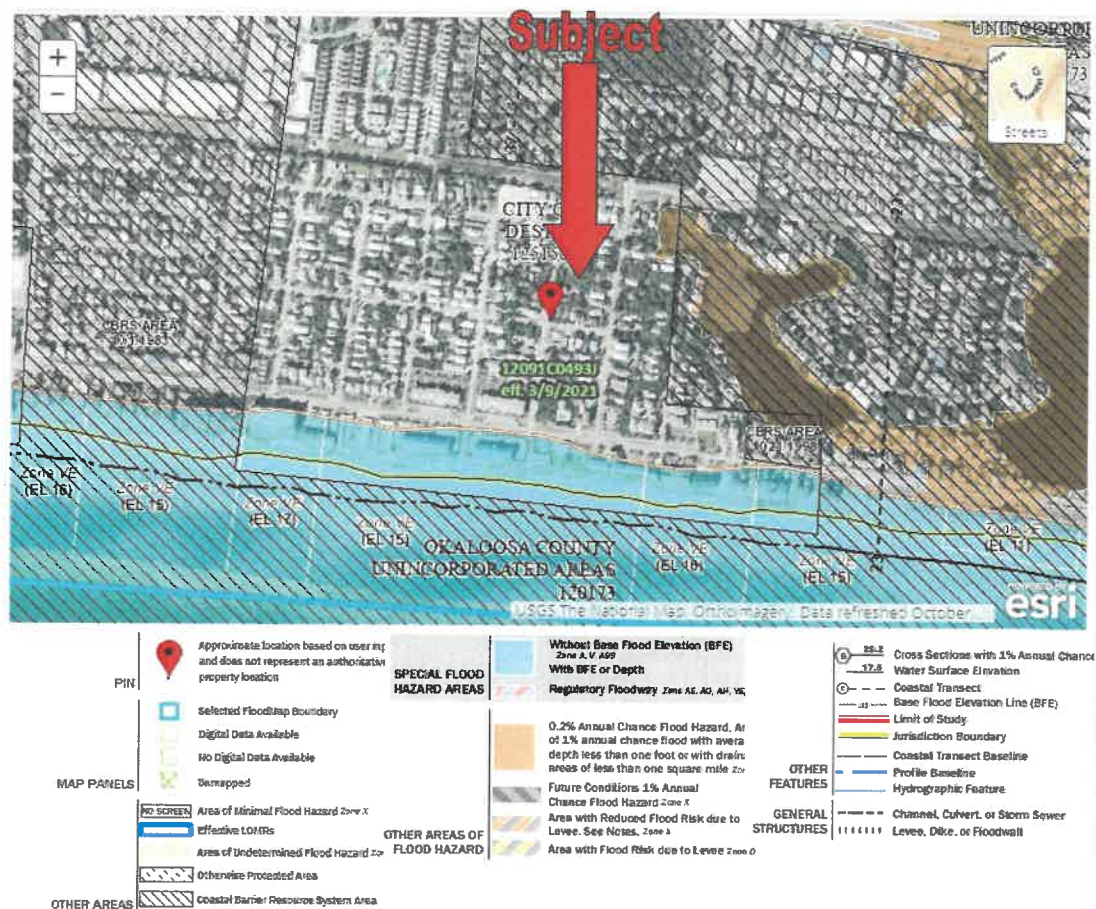
Heating / Cooling:	Multiple Individual HVAC systems.
Hot Water:	Adequate for property.
Electrical:	Adequate for property.
Plumbing:	Adequate for property with 8 Full Bathrooms.

The subject was specifically designed as a resort rental property with planned occupancy / sleeping accommodations for 28 persons.

Regional/Area Maps



Flood Map



Flood Zone Descriptions

“A 100-year flood is a flood that has a 1-percent chance of being equaled or exceeded in any given year. A base flood may also be referred to as a 100-year storm and the area inundated during the base flood is sometimes called the 100-year flood plain.

The term "100-year flood" is misleading. It is not the flood that will occur once every 100 years. Rather, it is the flood elevation that has a 1- percent chance of being equaled or exceeded each year. Thus, the 100-year flood could occur more than once in a relatively short period of time. The 100-year flood, which is the standard used by most Federal and state agencies, is used by the National Flood Insurance Program (NFIP) as the standard for floodplain management and to determine the need for flood insurance. A structure located within a special flood hazard area shown on an NFIP map has a 26 percent chance of suffering flood damage during the term of a 30-year mortgage.

Zone AE and A1-A30

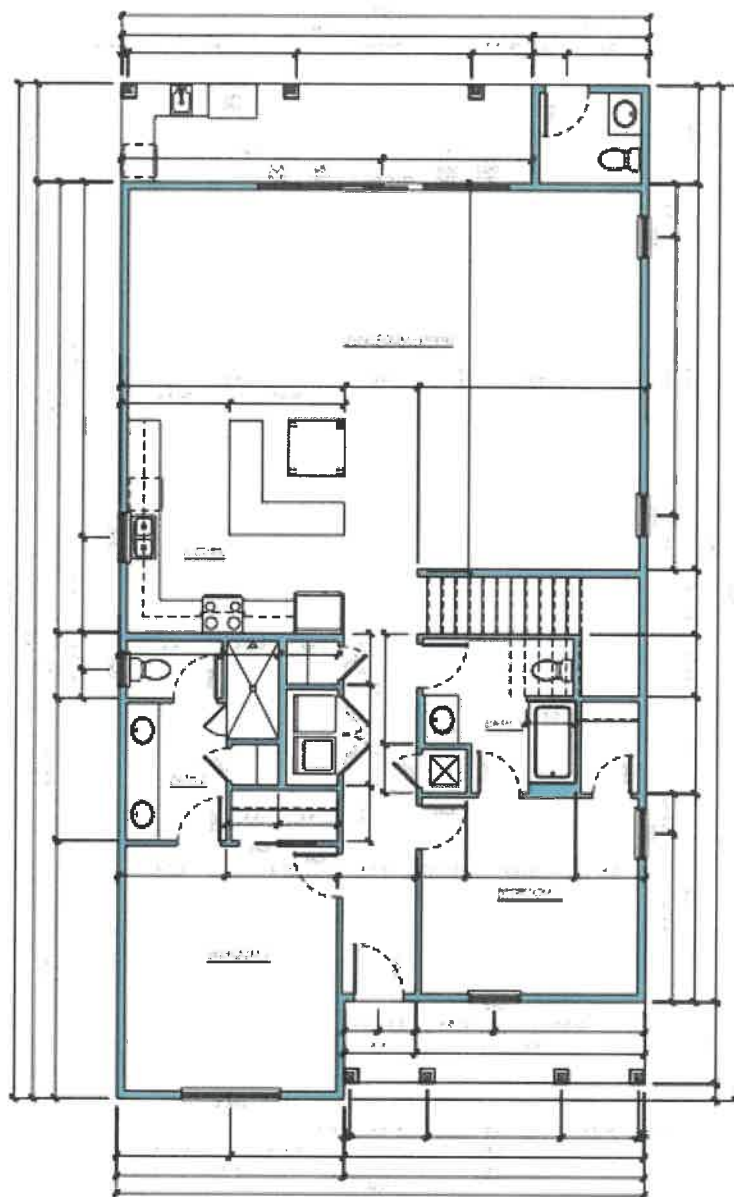
Zones AE and A1-A30 are the flood insurance rate zones that correspond to the 100-year floodplains that are determined in the Flood Insurance Study by detailed methods. In most instances, Base Flood Elevations derived from the detailed hydraulic analyses are shown at selected intervals within this zone. Mandatory flood insurance purchase requirements apply.

Zone VE

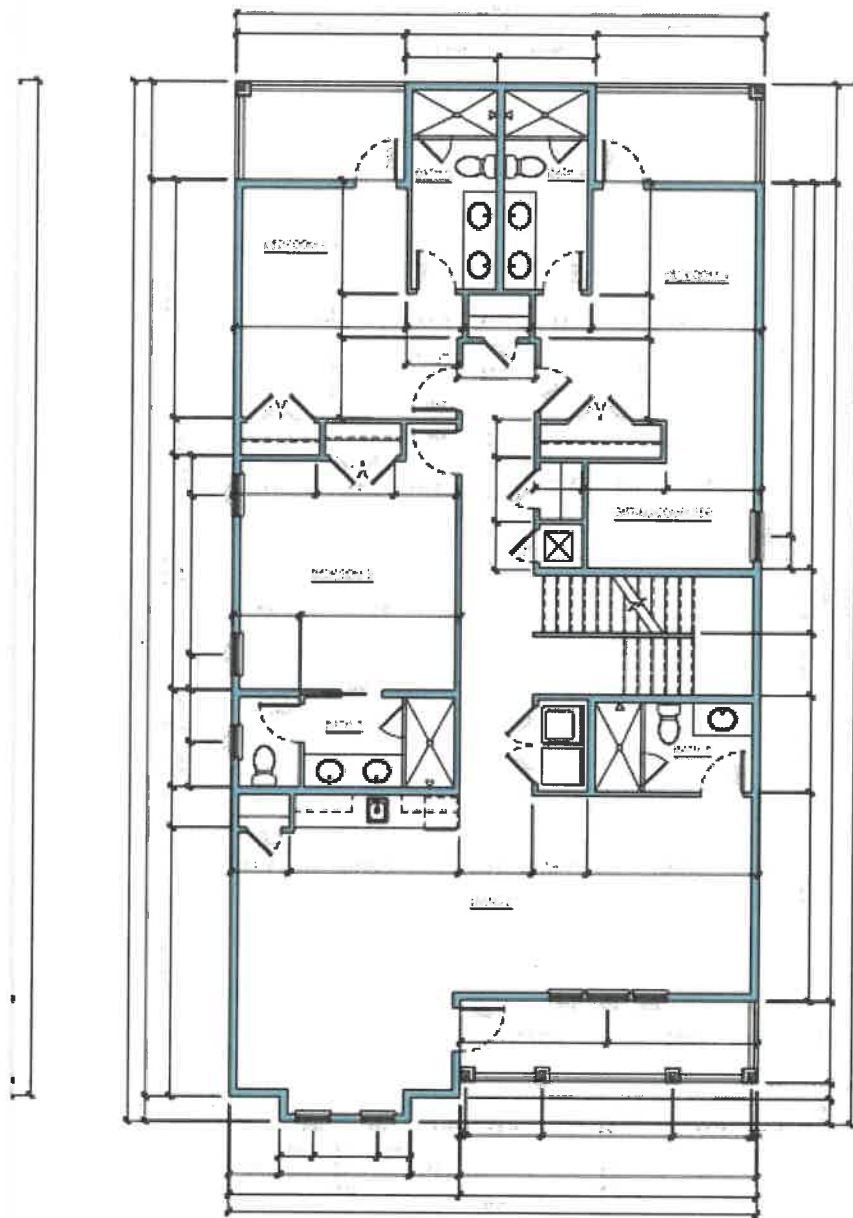
Zone VE is the flood insurance rate zone that corresponds to the 100-year coastal floodplains that have additional hazards associated with storm waves. BFEs derived from the detailed hydraulic analyses are shown at selected intervals within this zone. Mandatory flood insurance purchase requirements apply.

Zones B, C, and X are the flood insurance rate zones that correspond to areas outside the 100-year floodplains, areas of 100-year sheet flow flooding where average depths are less than 1 foot, areas of 100-year stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 100-year flood by levees. No BFEs or depths are shown within this zone.”

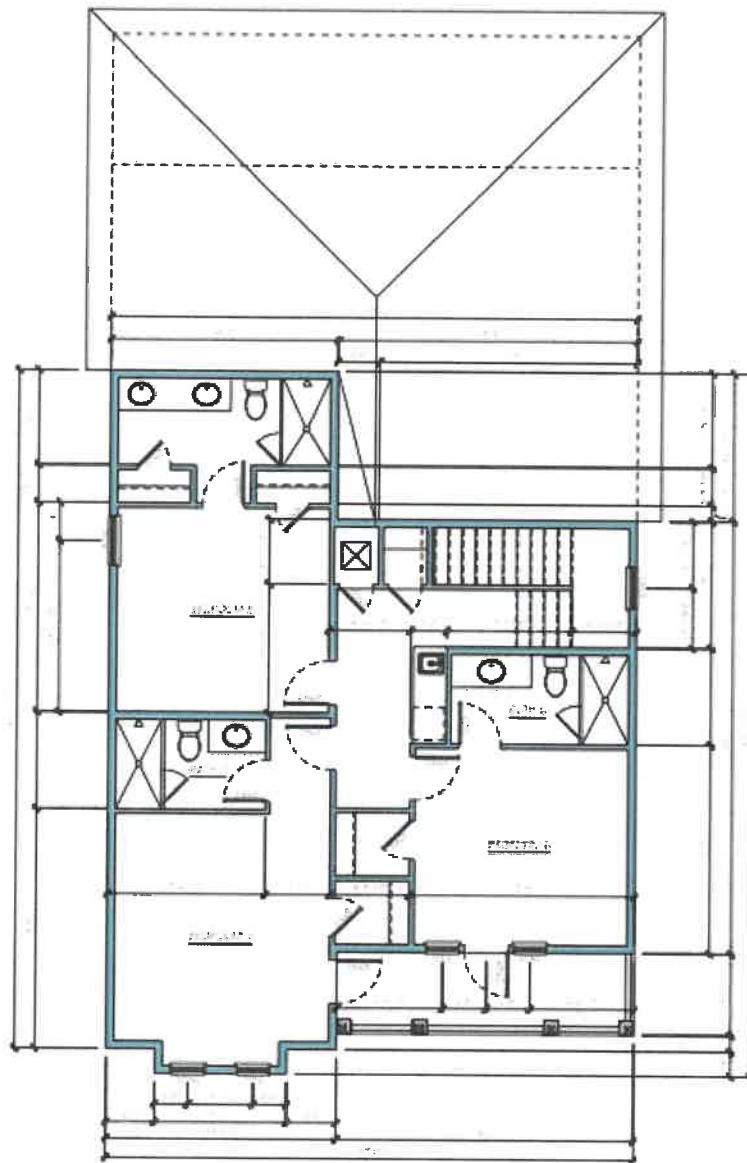
Building Floor Plan



LEVEL ONE FLOOR PLAN
Scale: 1/8"=1'-0"



LEVEL TWO FLOOR PLAN
S.D. 10/10/10



LEVEL THREE FLOOR PLAN
SCALE: 1/8"=1'-0"

SQ.FT. CALCULATIONS

	LEVEL 1	LEVEL 2	LEVEL 3	TOTAL
AC AREA	1706	1768	1028	4502
#POIN FOR C/BALCONY	50	50	50	150
#POIN FOR C/BALCONY	120	120	120	360
OVERALL TOTAL	1876	1938	1198	5012

Aerial Photograph



Subject property outlined in blue above

Subject Photographs



Tarpon Street Viewing South



Subject Site at Intersection of Tarpon Street and John Avenue



Subject Site – Improvements Not Yet Constructed



Subject Site – Improvements Not Yet Constructed

Zoning

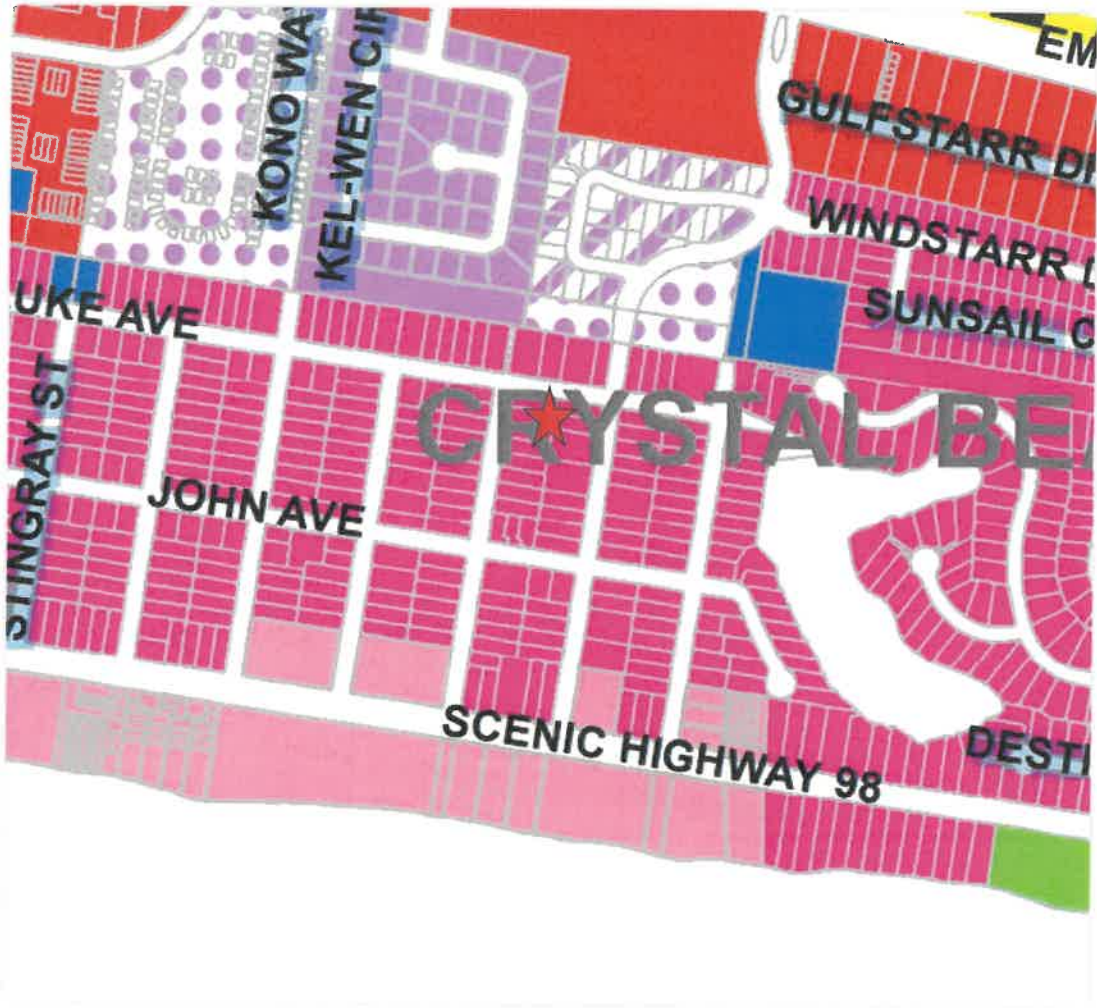
The subject property is located within the Crystal Beach Neighborhood land use designation, as governed by the City of Destin.

Use of the subject for various residential, short term seasonal rental, guest house and other varied uses are legally permissible by the zoning in place.

Therefore, use of the subject as a seasonal rental property is considered legal, conforming. It is noted that the zoning category description within the land development code does not provide for any outlined maximum occupancies for the subject property or other similar properties. We therefore ascertain that prior to implementation and application of City of Destin Ordinance 18-29-CC occupancy of the subject for the planned number of sleeping guests of 28 was legally permissible.

	Community Development Department Planning Division 4200 Indian Bayou Trail, Destin, FL 32541 Phone (850) 337-3123 • Fax (850) 837-7949 www.cityofdestin.com/index.aspx?nid=91	ZONING DISTRICT FACTSHEET												
The purpose and intent of establishing zoning districts is to ensure that all development is consistent with the goals, objectives and policies of the Comprehensive Plan, by establishing a series of zoning districts that indicate what uses are allowed and site development regulations that control the use of land in each district. All development within each zoning district shall be consistent with the purposes stated for each district. (LDC 7.12.05)														
CRYSTAL BEACH NEIGHBORHOOD (CBN)														
Purpose and intent: The Crystal Beach Neighborhood zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as permanent or seasonal single-family detached or multi-family attached residential dwelling units. Very limited supportive non-residential uses are allowed and are strictly limited to: places of worship, parks, playgrounds, community buildings and similar public service facilities serving the residents of the area, childcare centers and other ancillary neighborhood commercial uses which are approved as part of a planned unit development (PUD) for the exclusive use of the residents of the PUD. It is the intent of the CBN zoning district to specifically not allow the following uses to be located in the district: commercial hotels, motels, bed and breakfast establishments, or other commercial transient living accommodations.														
Table 7-2: Table of Allowable Uses (excerpt from LDC 7.12.06)														
PERMITTED USES:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Permanent or long-term residential uses</td> </tr> <tr><td>Single family detached dwelling</td></tr> <tr><td>Guest house¹</td></tr> <tr><td>Accessory dwelling</td></tr> <tr><td>Single room occupancy housing</td></tr> <tr><td>Miniature, historical sites, zoos & parks¹⁰</td></tr> <tr><td>Religious organizations</td></tr> <tr> <td style="text-align: center;">Seasonal or short-term residential uses</td> </tr> <tr><td>Single family detached dwelling</td></tr> <tr> <td style="text-align: center;">Other residential uses</td> </tr> <tr><td>Community residential home, small (1-6)</td></tr> <tr><td>Family day care home</td></tr> </table>		Permanent or long-term residential uses	Single family detached dwelling	Guest house ¹	Accessory dwelling	Single room occupancy housing	Miniature, historical sites, zoos & parks ¹⁰	Religious organizations	Seasonal or short-term residential uses	Single family detached dwelling	Other residential uses	Community residential home, small (1-6)	Family day care home
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CONDITIONAL USES:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Other residential uses</td> </tr> <tr><td>Permanent or long-term Multi-family attached dwelling</td></tr> <tr><td>Seasonal or short-term Multi-family attached dwelling</td></tr> <tr><td>Community residential home, large (7-14)</td></tr> <tr><td>Child day care services</td></tr> </table>		Other residential uses	Permanent or long-term Multi-family attached dwelling	Seasonal or short-term Multi-family attached dwelling	Community residential home, large (7-14)	Child day care services							
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Community residential home, large (7-14)														
Child day care services														
ACCESSORY USES:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses and structures including home occupations and off-site businesses</td> </tr> </table>		Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses and structures including home occupations and off-site businesses											
Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses and structures including home occupations and off-site businesses														
Footnotes:														
1	Guest houses are permitted only if the owner of the subject property occupies the primary dwelling as his/her main residence. However, guest houses shall not be rented out separately from the main residence. (refer to LDC section 7.12.04.31)													
10	Zoos are only allowed in the Industrial zoning district													

Zoning Map



Residential	
	BE - Bay Estates
	CBN - Crystal Beach Neighborhood
	HDR - High Density Residential
	LDR-H - Low Density Residential - Harbor
	LDR-HI - Low Density Residential - Holiday Isle
	LDR-V - Low Density Residential - Village
	MDR-HI - Med. Density Residential - Holiday Isle
	MDR-V - Medium Density Residential - Village

Assessment and Taxes

Tax Structure, Overview

Florida Law requires that the just value of all property be determined each year. The Supreme Court of Florida has declared "just value" to be legally synonymous to "full cash value" and "fair market value." The fair market value of real property is the amount for which it could sell on the open market, and assumes the present use is the highest and best use. The property appraiser analyzes these market transactions annually to determine fair market value as of January 1 of each year.

The property appraiser is responsible for identifying, locating, and fairly valuing all property, both real and personal, within the county for tax purposes. The "market" value of real property is based on the current real estate market, and is determined by market participants. The property appraiser has the legal responsibility to study the transactions of market participants and appraise real property accordingly.

At least once every three years, the county property appraiser or a staff appraiser will visit and inspect each property. Additionally, individual property values may be adjusted between visits in light of sales activity or other factors affecting real estate values in the subject neighborhood. Sales of similar properties are typically used as strong indicators of value in the real estate market.

Each August, the Property Appraiser sends a "Notice of Proposed Taxes," to all property owners to notify them of the taxable value of their property. Taxable value is the assessed value less any exemptions. The TRIM notice also gives information on proposed millage rates and taxes as estimated by community taxing authorities, and when and where these taxing authorities will hold public meetings to discuss tentative budgets to set your millage tax rates.

The property appraiser only assesses all property in the county and is neither a taxing authority nor a tax collector. Three separate government entities, each having unique and distinct roles, determine the tax bill of any property in their jurisdiction.

The following is a summary of the process:

First the property appraiser annually appraises all property in their respective county at the market value as of January 1 each year.

Second, each taxing authority within the county sets their own millage rate based on the amount of tax dollars necessary to fund their annual budget.

Finally, the tax collector takes the amount of taxes due in order to bill and collect all taxes levied within the county.

Tax Collector Card

BEN ANDERSON 2020 Paid Real Estate
Okaloosa County Tax Collector

Make your payment at OkaloosaTax.com. Echeck is **FREE!**
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

ACCOUNT NUMBER	ESCROW CD	MILLAGE CD	ALTERNATE KEY	PROPERTY ADDRESS
002522058000030140		DEDF	1002884	4576 JOHN, DESTIN, 32541
LIGHTENING PROPERTIES LLC 86 CAMP CREEK POINT INLET BEACH, FL 32461		4576 JOHN CRYSTAL BEACH LOTS 14 & 15 BLK 3		

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
OKALOOSA COUNTY BD OF CO COMMS	0.0573	598,997	0	598,997	34.32
CAPITAL OUTLAY	1.7422	598,997	0	598,997	2,341.57
GENERAL	0.0313	598,997	0	598,997	18.75
COUNTY PUBLIC HEALTH UNIT	2.2480	780,416	0	780,416	1,754.37
SCHOOL LOCAL	3.7870	780,416	0	780,416	2,955.44
SCHOOL STATE	0.0311	598,997	0	598,997	18.63
NORTHWEST WATER DISTRICT	1.6150	598,997	0	598,997	967.38
CITY OF DESTIN	1.0090	598,997	0	598,997	599.00
DESTIN FIRE DISTRICT					

EXEMPTIONS APPLIED:

TOTAL MILLAGE	AD VALOREM TAXES
12.5119	\$8,589.46

Receive future tax bills by email. Visit OkaloosaTax.com and register for BillExpress today!

QUICKLY AND SECURELY PAY YOUR TAXES ONLINE AT
OkaloosaTax.com
E-check is **FREE!**

USING YOUR SMARTPHONE CAMERA SCAN TO PAY ONLINE

RECEIVE YOUR FUTURE TAX NOTICES BY EMAIL. SIGN UP FOR:

BillExpress™

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
NON-AD VALOREM ASSESSMENTS		
COMBINED TAXES AND ASSESSMENTS		\$8,589.46

IF POSTMARKED BY: Jan 31, 2021
PLEASE PAY ONLY ONE AMOUNT \$0.00

BEN ANDERSON 2020 Paid Real Estate
Okaloosa County Tax Collector

Make your payment at OkaloosaTax.com. Echeck is **FREE!**
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

ACCOUNT NUMBER	PROPERTY ADDRESS
002522058000030140	4576 JOHN, DESTIN, 32541
ALTERNATE KEY	FROM TO MARCH 31ST TAXES CAN BE PAID WITH CASH, CHECK, CREDIT/DEBIT CARDS OR E-CHECK
1002884	

4576 JOHN
DESTIN 32541

LIGHTENING PROPERTIES LLC
86 CAMP CREEK POINT
INLET BEACH, FL 32461

PAY ONLINE
OkaloosaTax.com

PAY BY MAIL
P.O. BOX 1390
NICEVILLE, FL 32588

PAY ONLY ONE AMOUNT

☐ Jan 31, 2021 \$0.00

☐

☐

☐

☐

Paid Lightning Properties 01/07/2021 Receipt # 0-20065969 Echeck \$8,417.67

RETAIN THIS PORTION FOR YOUR RECORDS
AFTER MARCH 31ST TAXES MUST BE PAID BY CASH, CASHIER'S CHECK OR MONEY ORDER
PLEASE MAKE CHECKS PAYABLE TO OCTC, MAIL PAYMENTS TO P.O. BOX 1390, NICEVILLE, FL 32588

ANALYSIS OF DATA AND OPINIONS OF THE APPRAISERS

Market Area Summary / Neighborhood Information

The subject property is located in the Destin-Miramar Beach market area, which is bounded by the Destin Harbor / East Pass to the West, US Highway 98 to the North, the Gulf of Mexico to the South and the intersection of US Highway 98 / Scenic Gulf Drive to the East. The approximate neighborhood boundaries are outlined in the photo below.



This is a resort area driven primarily by proximity to area beaches and resort activities. The predominant property type in the area is of second home and seasonal vacation properties with far fewer full-time residents than seasonal occupants.

Many second home and resort area property owners rent their properties on a seasonal basis to either offset costs of ownership or in the pursuit of income generation potential, and the seasonal income attributed to a property is often a significant factor contemplated by purchasers in the market when evaluating a purchase decision.

We have witnessed a trend for increased rental demand of larger resort residences which can accommodate larger groups for family reunions, large family vacations, etc.

This has led to the construction of larger and larger seasonal resort rental homes to serve this need. These larger properties often witness more robust demand and income generation potential than smaller properties with less sleeping capacity where vacationing groups would otherwise be required to split between several locations.

In summary, the subject is sited directly in an area that is geared toward seasonal rental operations, be it solely for the purpose of income generation potential or as an offset to the costs of personal use. The ability to rent a property seasonally remains a significant motivator for market participants and weighs heavily in their buy-sell decision making process. A restriction that negatively impacts the ability to seasonally rent a resort property is estimated to have a significant negative impact on the value of this asset class.

Highest and Best Use

The definition of “highest and best use” is presented unabridged in the definitions section of this report. However, in brief, highest and best use refers to the reasonably probable and legal use of vacant land or an improved property, which is legally permissible, physically possible, appropriately supported, financially feasible, and that results in the highest value, i.e. maximally productive.³

Objective analysis and interpretation of market data leads to an informed opinion of that use. However, the estimate of highest and best use should not be interpreted as a provable fact. A typical highest and best analysis evaluation process and pertinent questions which aid in the elimination of possible alternatives are presented below.

1. **Permissible Use.** What uses are permitted by zoning and other legal restrictions? What are the land use controls that will govern the site? Uses that are *legally permissible* are those allowed under current or likely zoning and those that could meet building codes. In addition, local communities may have restrictions on public utility loads, traffic creation, access restrictions, and so on, all of which must be considered when selecting legally permissible uses
2. **Physically Possible Use.** To what use is the site physically adaptable? What is an appropriate improvement given architectural / engineer study? Unless prohibited by soil or subsoil problems or land size constraints, it is *physically possible* to place most potential improvements on the site. Usually this test, if performed first or second, will not significantly reduce the number of potential uses.
3. **Feasible Use.** Which possible and permissible use will produce any net return to the owner of the site? Should the land be developed, and if so, what kind of improvement should be built? If an improvement should be constructed, what is the type and characteristics of an ideal improvement? Uses that are considered economically or financially feasible are those that potentially would logically produce net operating income and net resale price levels high enough to adequately support construction of the potential improvement and provide the investor with a reasonable profit. Implicit to this analysis is that riskier projects require higher profit levels to induce potential developers to undertake the burden of coordination of land, labor and capital.
4. **Maximally Productive Use.** The final test is to determine of the financially feasible options, which of these would result in the highest land value or values as

³ The Appraisal of Real Estate, Twelfth Edition

improved. Among the feasible uses which use will produce the highest net return, (i.e., the highest present worth)? If there are existing improvements on the property should they be maintained in their current state or should they be altered to more closely resemble the ideal improvement?

Although these criteria are generally evaluated sequentially, the resulting conclusion of highest and best use should be identical regardless of the order of application of the above tests.

Implied within this definition is that the estimation of the highest and best use for a particular property results from the appraisers' judgment and analytical skill with respect to the market for that particular property.

However, the highest and best use of a specific parcel of land is not just a matter of subjective opinion; rather, highest and best use is indicated by supply and demand forces within the market where the property is located, availability of capital, supply of alternative investments, need for additional products or services within a community, and other factors.

Highest and Best Use ‘As Complete’

The highest and best use ‘As Complete’ recognizes among all reasonable, alternative uses, the use that yields the highest present land value after payments are made for labor, capital, and entrepreneurial coordination.⁴

We have evaluated the most probable uses for the subject property, ‘As Complete’, given the current market for resort residential rental property and recent development activity in the subject market area.

Legally Permissible

The subject property is located within the Crystal Beach Neighborhood land use designation, as governed by the City of Destin. Use of the subject for various residential, short term seasonal rental, guest house and other varied uses are legally permissible by the zoning in place.

Therefore, use of the subject as a seasonal rental property is considered legal, conforming. It is noted that the zoning category description within the land development code does not provide for any outlined maximum occupancies for the subject property or other similar properties. We therefore ascertain that prior to implementation and application of City of Destin Ordinance 18-29-CC occupancy of the subject for the planned number of sleeping guests of 28 was legally permissible. After implementation and application of City Ordinance 18-29-CC, the subject will be limited to a total of 20 sleeping guests.

Therefore, use of the subject as a resort residential property is legally permissible. Use of the subject prior to Ordinance implementation and application for occupancy by up to 28 guests was permitted, however after implementation and application of the Ordinance occupancy is limited to 20 guests.

Physically Possible

The subject property is generally level, well-drained, and at or level with the existing road grade of John Avenue and Tarpon Street and is scheduled to feature sufficient parking and site improvements to operate in the designed capacity for 28 occupants.

The subject represents a well-constructed resort residential property with one improvement configured to provide multiple bedrooms, bathrooms, an in ground pool, living areas and kitchen, etc. The subject has been specifically configured for occupancy as a resort rental property, and features all necessary components for operation as intended, with a designed occupancy of 28 overnight guests.

⁴ The Appraisal Of Real Estate, Twelfth Edition

Therefore, use of the subject as a resort residential rental property for 28 sleeping guests is physically possible.

Financially Feasible

Demand for resort residential properties in the subject market area has improved in the previous 24-48 month period, with a number of increased transactions. Most market participants would describe the market for similar properties as robust.

As described in the market analysis section of this report, the predominant property type in the market area is of second home and seasonal vacation properties with limited full-time residents.

Many property owners rent their properties on a seasonal basis to offset costs of ownership or for income generation potential, and the income a property can generate is often a significant factor contemplated by purchasers in the market. This can be done with or without the assistance of a professional property manager.

We have witnessed a trend for increased rental demand of resort residences which can accommodate larger groups for family reunions, large family vacations, etc. This has led to the construction and renovation of seasonal resort rental homes to serve this need.

Reference the subject, the property was specifically designed to house up to 28 sleeping guests. Similar properties in the market achieve sufficient income to provide an adequate return on investment to be definitively financially feasible, however this financial feasibility is directly linked to occupancy.

The recently-implemented and applied City of Destin Ordinance 18-29-CC serves to reduce occupancy of the subject to no more than 20 persons, a net reduction in occupancy of -28.57%.

This no doubt will impact the income generation potential of the property and associated net income, as now the improvement which was designed for 28 guests will be limited to 20; But, the predominant costs of ownership remain the same.

This ordinance inevitably lowers net income to the property owner- a situation that has no result other than to reduce the value of the asset in its respective marketplace where income generation potential is valued by prospective purchasers.

Therefore, use of the subject as a resort rental property is considered to be financially feasible. However, it is noted that the reduction in permissible occupancy by Ordinance 18-29-CC is estimated to impact the financial performance and associated market value of the subject property negatively.

Maximally Productive

Given the legally permissible, physically possible, and financially feasible uses of the subject property we are of the opinion that the maximally productive use of the subject property 'As Complete' is for continued resort rental use at the occupancy for which it was specifically designed (ie. 28 guests).

This use will certainly bring the highest net return to the land. While operation in a reduced occupancy capacity (as dictated by City of Destin Ordinance 18-29-CC) is still possible, the impact to the income generation potential is significant, as the occupancy has now been reduced by -28.57% based on number of persons.

This ordinance inevitably reduces gross and net income to the property owner, resulting in a reduced financial benefit of ownership and negative impact to market value.

Valuation Methodology - Overview

The appraisal analysis is based on analytical techniques that may encompass anticipation of costs to be incurred, and benefits to be derived in the future; however, the subject is appraised as described in this report, including only those assumptions also described in this report.

This appraisal analysis has been conducted, and the appraisal report was prepared in conformance with the requirements of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).

The valuation process is a systematic procedure an appraiser follows to provide answers to a client's questions about real property value.¹ Three basic approaches may be used to arrive at an estimate of market value. They are:

1. The Cost Approach
2. The Income Approach
3. The Sales Comparison Approach

Land Valuation Methodology

Land Valuation is generally a component of the Cost Approach in appraisal of an improved property. In most appraisal analyses, separate land valuation is conducted utilizing the Sales Comparison Approach.

Cost Approach Methodology

The cost approach is a reliable methodology for new, nearly new or special-use buildings. In the cost approach, value is estimated as the current cost of reproducing or replacing the existing or proposed improvements and site improvements (including direct and indirect costs as well as an appropriate entrepreneurial incentive or profit), and then deducting the loss in value from depreciation due to physical, functional, and external sources.⁵

The depreciated replacement or reproduction cost of the improvements is then added to the value of the site resulting in a value indication of the fee simple interest in the property.

The Cost Approach is summarized as follows:

$$\begin{array}{r} \text{Cost New} \\ - \text{Depreciation} \\ + \text{Entrepreneurial Incentive} \\ + \text{Land Value} \\ \hline = \text{Value} \end{array}$$

⁵ The Appraisal of Real Estate, Twelfth Edition

Sales Comparison Approach Methodology

The sales comparison approach is premised on the "Principle of Substitution" which indicates an informed purchaser would pay no more for a property than the cost of acquiring an equally desirable substitute property possessing the same or similar utility.

This approach is applicable when an active market provides sufficient quantities of reliable data which can be verified from authoritative sources. The Sales Comparison Approach is most reliable in an active market or if an opinion of value is related to properties for which there are comparable sales available- and heavy emphasis is generally placed on this sales comparison approach when these market conditions are present.

The Sales Comparison Approach compares sales of similar properties with the subject property. Each comparable sale is adjusted for its inferior or superior characteristics. The values derived from the adjusted comparable sales form a range of value for the subject. By process of correlation and analysis, a final indicated value is derived.

Income Approach Methodology

The Income Approach converts the anticipated flow of future benefits (income) to a present value estimate through a capitalization and/or a discounting process.

The income approach is recognized as a reliable approach for estimating the value of "income producing" property to an investor. The income approach consists of methods, techniques, and mathematical procedures that an appraiser utilizes to analyze a property's capacity to generate income and convert income into an indication of present value either by capitalizing the current income at a market capitalization rate, or discounting the future cash flows into a present value estimate using an appropriate yield (discount) rate. The appraisal process emulates the actions of the market, and the income approach is most applicable when the probable buyer would be an investor or prospective owner occupant. Two techniques associated with the income approach are direct capitalization and discounted cash flow analysis.

Final Reconciliation Process

In the appraisal process for improved property, typically more than one approach to value is applied, resulting in two or more value indications that must be evaluated for relevancy, applicability and reliability, and a final point value or range of value is chosen.

Resolving the differences among various value indications is called reconciliation.⁶

The appraisal process concludes with the Final Reconciliation of the values derived from the approaches applied to arrive at a single estimate or range of market value opinions. Different properties require different means of analysis and lend themselves to one

⁶ The Appraisal of Real Estate, Twelfth Edition

approach over the others. As such, in the reconciliation appropriate weight is given to the most applicable and/or reliable indications of value to arrive at a conclusion.

Reconciliation is not a mathematical process. Rather, at this point in the valuation process the appraiser must reevaluate all pertinent data in the analysis for appropriateness, accuracy, and quality of evidence.

The appraiser then weighs the relative significance, applicability, and defensibility of each value indication and relies most heavily on the approach that is most appropriate to the nature of the appraisal problem.

Valuation Methodology Utilized in this Assignment

Valuation Analyses

Purpose of Assignment: The purpose of this appraisal is to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of City of Destin Ordinance No. 18-29-CC.

This Ordinance was implemented and applied to the subject property on August 30, 2021, and the application of this ordinance limits the occupancy of the subject property to 20 guests. Prior to the implementation and application of this Ordinance, the designed occupancy of the subject property was 28 guests. Therefore, as a result of the ordinance, the maximum occupancy of the subject has been reduced by 8 guests, or approximately -28.57%.

We are therefore opining on the difference in market value of the subject before and after the implementation and application of City of Destin Ordinance No. 18-29-CC, which was applied on August 30, 2021.

Land Valuation and Cost Approach:

An opinion of value for the subject property in 'as if vacant' condition and subsequent application of the cost approach has not been provided. The purpose of this appraisal is to evaluate the impact to the value of the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and corresponding associated income generation potential. Thus, the cost to acquire land and construct a replacement property is meaningless to the purpose of the assignment and was not applied.

Sales Comparison Approach: The improved sales comparison approach was not utilized in this appraisal assignment. The purpose of this appraisal is to evaluate the impact to the value to the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and associated income generation potential. As this ordinance was just recently implemented and applied, an adequate number of improved sales which sold after the Ordinance implementation and application date were not available from which to derive an opinion of market value from this approach. As sales which occurred prior to this Ordinance will reflect market transactions without this restriction, they are not considered valid indicators of value for the subject in the restricted condition. Therefore this approach could not be applied due to lack of sufficient comparable data.

Income Approach: The income approach was applied for the subject in both the 'Before Ordinance' and 'After Ordinance' scenarios.

Income Approach

The Income Approach to value is based on the principle of anticipation, i.e. the value of property correlates to the present worth of the future rights to benefits to be received by the owner. Income approach analysis considers the property from an investor's point of view, the basic premise being that the amount and quality of the income stream are the basis for value of the property.

The income approach is applied by projecting a net income stream through analysis of the subject historical data, comparable property's income and expense information, and historical income expense information for similar properties in the subject market area.

The estimated net income is then converted to a value indication utilizing either the process of direct capitalization analysis, discounted cash flow (DCF) analysis (yield capitalization), or a combination of these methods.

Discounted Cash Flow Analysis (Yield Analysis)

Discounted Cash Flow (DCF) analysis is the procedure in which a discount rate is applied to a series of projected income streams and a reversion. The analyst specifies the quantity, variability, timing, and duration of the income streams as well as the quantity and timing of the reversion and discounts each to its present value at a specified yield rate. DCF analysis can be applied with any yield capitalization technique and may be performed on either a lease-by-lease or aggregate basis.⁷

Applicability: DCF (Yield) analysis is generally used when the net income of the property is forecast to be variable, when the property is of a sufficient size and investment value to cause market participants to evaluate purchase decisions based on DCF, or when specifically requested by the client in an assignment.

Given the nature of the subject property, a discounted cash flow analysis was not employed in this appraisal analysis, as market participants typically do not utilize DCF methodology when evaluating purchase decisions for properties such as the subject.

Direct Capitalization

Conversion of a net income to a present value dollar estimate is called capitalization. Direct capitalization is a method used to convert an estimate of a single year's income expectancy into an indication of value in one direct step, either by dividing the income estimate by an appropriate rate or by multiplying the income estimate by an appropriate factor. This technique employs capitalization rates and multipliers extracted from sales. Only the first year's income is considered. Yield and value change are implied, but not identified.

⁷ The Dictionary of Real Estate Appraisal, Fourth Edition

Applicability: Direct Capitalization analysis is generally appropriate for small to medium sized income-producing properties, in stable markets, single tenant or multi-user-oriented properties, or those with a forecast stable income stream.

Direct Capitalization is utilized in this appraisal given the subject market environment, the character of the subject property in the local market, and the tendency for market participants to use direct capitalization analysis when evaluating investment thresholds and financial benefits for similar property.

The steps involved in capitalizing the subject's net operating income are as follows:

- Develop the subject's Potential Gross Income (PGI) through analysis of the subject's actual historic income and an analysis of competitive current market income rates.
- Estimate and deduct vacancy and collection losses to develop the Effective Gross Income (EGI).
- Develop and subtract operating expenses to derive the Net Operating Income (NOI).
- Develop the appropriate capitalization rate (R_o).
- Divide the net operating income by the capitalization rate for an estimate of value through the income approach.

The reliability of a value found by this approach depends on an appraiser's ability to forecast and support income forecasts and to apply the appropriate income capitalization technique to arrive at the value estimate. When estimating market value, the income forecast must be considered by the appraiser to be typical and the income capitalization techniques must reflect the way investors usually estimate value.

Valuation of a Fee Simple Interest by the Income Approach

When estimating the value of the fee simple interest by the income approach, the annual operating income is forecast assuming market levels. The term "market levels" means that the income and expenses are set at levels considered suitable for the subject property after comparing it to similar properties under current market conditions. Rental rates are projected based on expected market rents and vacancy, and collection loss is based on what is typical in the market for properties renting at the market rate.

Estimate of Potential Gross Income (PGI)

Potential Gross Income is the total income attributable to real property at full occupancy before vacancy and operating expenses are deducted.

Potential Gross Income includes the sum of potential rental income, other income, and expense recoveries.

We again mention that the subject property is a resort residential property that was specifically designed for income generation potential based on a sleeping occupancy load of 28 persons. This is the basis of the ‘Before Ordinance’ valuation scenario.

As a result of the implementation and application of City of Destin Ordinance 18-29-CC, the subject is now limited to a maximum sleeping occupancy of 20 persons, or a reduction of approximately -28.57%. This is the basis of the ‘After Ordinance’ valuation scenario.

We now seek to formulate an opinion of probable annual gross income due the subject in the ‘Before Ordinance’ configuration with a sleeping occupancy of 28 guests and in the ‘After Ordinance’ configuration with a sleeping occupancy of 20 guests.

Market Rent Based on Occupancy

The appraiser has researched the local market area in order to derive potential subject market rents based on the respective occupancy levels in the ‘before’ and ‘after’ configurations.

We will present a table of comparable gross rental income for comparable resort residential properties for both the ‘before’ and ‘after’ occupancy categories.

The following table outlines comparable rentals of residential resort rental homes in the subject market area with a sleeping capacity of 24-36 or more guests (before ordinance), then for 12-20 guests (after ordinance).

COMPARABLE RENTAL SCHEDULE, SLEEPING OCCUPANCY APPROXIMATELY 28 PERSONS 'Before Ordinance' Dataset					
Address	Sleeping Capacity	HVAC SF	Year Built	Annual Gross Income	Gross Income Per Sleeping Occupant
4488 Ocean View Drive	24	3,885	2018	\$163,393	\$6,808
2825 Scenic Highway 98	24	5,000	2016 (Eff)	\$220,000	\$9,167
3 Magnolia Drive	26	3,290	2017	\$251,696	\$9,681
3487 Scenic Highway 98	32	6,600	2016	\$305,393	\$9,544
3463 Scenic Highway 98	32	6,153	2015	\$380,000	\$11,875
42 Miami Street	34	7,424	2016	\$463,852	\$13,643
3561 Scenic Highway 98	36	6,531	2018	\$305,890	\$8,497
<i>SUBJECT FORECAST REVENUE</i>	24	4,874	2017	\$204,000	\$8,500
Comparable Statistics*					
Minimum	24	3,290	2015	\$163,393	\$6,808
Maximum	36	7,424	2018	\$463,852	\$13,643
Average	29	5,470	2017	\$298,603	\$9,888
Median	29	5,577	2017	\$305,393	\$9,544

The array of comparable rentals above exhibited a range of income per guest per year of between \$6,808 and \$13,643 per occupant. In consideration of the data above, we consider that an appropriate conclusion of gross annual rent per sleeping occupant is supported at \$8,000 per sleeping space, which is within the range of comparable rental data presented.

CONCLUSION OF POTENTIAL GROSS ANNUAL RENT, SUBJECT SLEEPING OCCUPANCY OF 28 PERSONS 'Before Ordinance'			
Address	Sleeping Capacity	HVAC SF	Calculated Conclusion of Annual Gross Income
Subject Property	28	4,556	\$224,000
		\$8,000	

COMPARABLE RENTAL SCHEDULE, SLEEPING OCCUPANCY OF APPROXIMATELY 20 PERSONS 'After Ordinance' Dataset					
Address	Sleeping Capacity	HVAC SF	Year Built	Annual Gross Income	Gross Income Per Sleeping Occupant
3167 Scenic Highway 98	12	1,854	1990	\$95,000	\$7,917
4835 Ocean Boulevard	14	3,546	2000	\$126,000	\$9,000
87 Cobia Street	16	1,560	1964	\$101,563	\$6,348
70 Pompano Street	16	1,914	1979	\$106,286	\$6,643
83 Sunfish Street	16	2,450	1996	\$96,000	\$6,000
4443 Clipper Cove	16	2,244	1993	\$102,429	\$6,402
91 Barracuda Street	18	3,320	2007	\$139,577	\$7,754
4735 Ocean Boulevard	18	4,263	2003	\$157,980	\$8,777
Minimum	12	1,560	1964	\$95,000	\$6,000
Maximum	18	4,263	2007	\$157,980	\$9,000
Average	16	2,644	1964	\$115,604	\$7,355
Median	16	2,347	1995	\$104,358	\$7,199

The array of comparable rentals above exhibited a range of income per guest per year of between \$6,000 and \$9,000 per occupant. In consideration of the data above, we consider that an appropriate conclusion of gross annual rent per sleeping occupant is supported at the upper end of the range, given the fact that the subject is of new construction and features a very good construction quality and level of interior finish. We therefore estimate an annual rent of \$8,750 per sleeping space is supported.

CONCLUSION OF POTENTIAL GROSS ANNUAL RENT, SUBJECT SLEEPING OCCUPANCY OF 20 PERSONS 'After Ordinance'			
Address	Sleeping Capacity	HVAC SF	Calculated Conclusion of Annual Gross Income
Subject Property	20	4,556	\$175,000
			\$8,750

In the preceding section of the report we derived an opinion of probable gross annual rent due the subject in both the 'Before Ordinance' (\$224,000) and 'After Ordinance' (\$175,000) conditions. The result was a decrease in annual income as a result of the reduced sleeping capacity of -21.88% commensurate with the decrease in occupancy from 28 to 20 persons or -28.57%.

We now seek to evaluate the expenses pertinent to the subject in order to forecast Net Operating Income in both the Before and After scenarios.

Estimation of Operating Expenses

Vacancy and Collection Loss

As we forecast income based on comparable rentals with reported gross income figures, there is no need to deduct a vacancy and collection loss allocation, as the figures utilized already take into account a vacant and credit loss deduction.

Taxes

The property taxes for the subject property are estimated at the rate of \$15,000 annually. This cost is stable regardless of the occupancy of the subject in the 'before' and 'after' conditions.

Insurance

The insurance costs (Building) for the subject are estimated to be a rounded \$7,500 annually, which is consistent with other similar properties in the market area. This cost is stable regardless of the occupancy of the subject in the 'before' and 'after' conditions.

Utilities (Power, Water/Sewer/Garbage, Cable and Internet)

The owner pays all utilities, including power, water/sewer/garbage, cable and internet, for the subject property. We estimate an annual cost of \$14,000 for the subject in the 'before' condition, and at the rounded rate of \$13,000 in the 'after' condition. It is noted that regardless of the occupancy of the subject, the costs of electricity remain relatively constant, and the costs of cable and internet are the same regardless of the number of occupants. Only the expenses of water, gas and to a nominal degree electricity are variable with occupancy.

Repairs/Maintenance

We have included a repairs/maintenance allowance as a percentage of EGI at 5.0% in the before configuration which equates to \$11,200 annually. With regard to the after configuration, noting that routine maintenance is likely not significantly impacted by differences in occupancy between 28 and 20 persons, but the annual income is reduced, we must increase our maintenance in the 'after' configuration as this expense is calculated as a % of EGI. In the 'after' condition we estimate maintenance at the rate of 6.0% of EGI. While we do recognize that 'wear and tear' is somewhat linked to occupancy, the fact that the entire house area is subject to use by 28 guests just as it is with 20 guests, this cost is somewhat fixed.

Management

We estimate management costs based on the costs of a third party manager who would typically charge between 15% and 25% of collected rents for the management service. We will utilize a rate on the lower end of this scale for both value scenarios, or a rate of 15% of EGI.

Income and Expense Statement

The table below recaps our projected income stream and breaks down each expense item. Expenses are totaled, and the net operating income is displayed for both the 'before' and 'after' ordinance conditions.

"Before" Condition

Income Capitalization Analysis - 'Before Ordinance Limiting Occupancy'				
Unit	Income	Method	Units/SF	Annual
Annual Income 'Before Ordinance' - 28 Guests	\$224,000.00	\$/Year	1	\$224,000
		Potential Gross Income:		\$224,000
		Vacancy & Collection Loss Included		\$0
		Effective Gross Income (EGI):		\$224,000
Expense	Amount (% or \$)	Method		Annual
Taxes	\$15,000	\$/Year		\$15,000
Insurance	\$7,500	\$/Year		\$7,500
Utilities	\$14,000	\$/Year		\$14,000
Repairs/Maintenance	5.0%	% of EGI		\$11,200
Management	15%	% of EGI		\$33,600
		Total Expenses:		\$81,300
		Expense Ratio (Expenses/EGI):		36.29%
		Net Operating Income (NOI):		\$142,700

"After" Condition

Income Capitalization Analysis - 'After Ordinance Limiting Occupancy'					
Unit	Income	Method	Units/SF	Annual	% of PGI
Annual Income 'After Ordinance' - 20 Guests	\$175,000.00	\$/Year	1	\$175,000	100.0%
		Potential Gross Income:		\$175,000	100.0%
		Vacancy & Collection Loss Included		\$0	
		Effective Gross Income (EGI):		\$175,000	100.0%
Expense	Amount (% or \$)	Method		Annual	\$/SF
Taxes	\$15,000	\$/Year		\$15,000	\$3.29
Insurance	\$7,500	\$/Year		\$7,500	\$1.65
Utilities	\$13,000	\$/Year		\$13,000	\$2.85
Repairs/Maintenance	6.0%	% of EGI		\$10,500	\$2.30
Management	15%	% of EGI		\$26,250	\$5.76
		Total Expenses:		\$72,250	\$15.86
		Expense Ratio (Expenses/EGI):		41.29%	
		Net Operating Income (NOI):		\$102,750	\$22.55

Capitalization Rate Derivation

The capitalization rate is the factor that converts the stabilized net operating income (NOI) to a present value. It is the ratio of net income to value or sale price.

$$\text{NOI} \div \text{Sale Price} = \text{Capitalization Rate}$$

For example, if a property sells for \$500,000, and has a stabilized NOI of \$50,000, the indicated capitalization rate is 10%.

Four methods are generally recognized for estimating an appropriate capitalization rate for use in direct capitalization analysis. These four methods are:

1. Market-Extracted Capitalization Rate Data
2. Band of Investment Method Calculation
3. Debt Coverage Method Calculation
4. Nationally-Published Capitalization Rate Data

Market Extracted Capitalization Rate Data

The market-extraction method of estimating capitalization rates involves finding comparable sales of property similar to the subject, and extracting a market rate from the net operating income and sales price of the comparable property.

We present the following examples of market-extracted capitalization rates for Resort Residential properties, based on similar sales in the local and broader markets.

- 3463 Scenic Highway 98 is a resort rental property that sold in February of 2016 for \$3,615,000. Net Operating Income was reported to be \$222,125, therefore indicating a capitalization rate of 6.14%.
- 925 Scenic Gulf Drive in Miramar Beach is a resort rental property that sold in November of 2018 for \$1,900,000. Net Operating Income based on forecast income and expenses was reported to be \$130,000, therefore indicating a capitalization rate of 6.84%.
- 917 Scenic Gulf Drive in Miramar Beach is a resort rental property that sold in August of 2018 for \$1,925,000. Net Operating Income based on forecast income and expenses was reported to be \$135,000, therefore indicating a capitalization rate of 7.00%.
- 1850 Scenic Gulf Drive in Miramar Beach is a resort rental property that sold in September of 2015 for \$2,205,000. Net Operating Income at the time of sale was reported to be \$133,200, therefore indicating a capitalization rate of 6.03%.

Based on the above information, and taking into consideration the overall market appeal and the very young age of the subject, we consider that a market extracted rate of 6.50% would be applicable for the subject property.

Band of Investment Method Analysis

This technique utilizes lender and real estate investor investment criteria to develop, or synthesize a capitalization rate. As most income producing properties are purchased with debt plus equity capital, the return on investment portion of the overall capitalization rate must satisfy the market returns of both the investor and the lender. The lender must receive a competitive interest rate, and the investor must anticipate receiving a competitive equity yield.

There are four key inputs necessary for this method:

1. The loan-to-value ratio (M)
2. The mortgage interest rate (i)
3. The loan term (n)
4. The equity cap rate or equity dividend rate (R_E)

The mortgage variables are used to build the mortgage constant (R_M), which is the total amount of the payments made in one year, expressed as a percentage of the original loan amount.

$$\text{Payments} \times 12 / \text{Original Loan Amount} = \text{Mortgage Constant } (R_M)$$

The equity cap rate is the annual return to the investor, expressed as a percent of the original amount invested. The annual return to the investor is also known as the equity dividend rate; it is the profit remaining after debt service and all other expenses.

$$\text{After Debt Service Profit} / \text{Equity Investment} = \text{Equity Cap Rate } (R_E)$$

Note that the equity cap rate is not the same (usually, that is) as the equity yield rate. The equity yield rate reflects the total return to the investor over the life of the investment. Factors such as appreciation and mortgage pay down affect and usually increase this return to a point higher than the equity dividend rate. In markets where substantial appreciation is expected, investors will often accept a low or even negative equity dividend rate, anticipating a compensating payoff when the property is eventually sold. In markets where little appreciation is expected, much more weight is given to the annual equity dividend.

Formula:

$$\begin{aligned} R_M \times M &= \text{rate} \\ R_E \times (1-M) &= \text{rate} \\ &= \text{Cap Rate } (R_o) \end{aligned}$$

A survey of local lenders indicated that competitive fixed rate loans for properties similar to the subject as investment property are typically available at a rate of between 4.50% and 6.00% on a 30 year amortization schedule with a 50-70% loan to value.

Thus, we will use a rate of 5.75% in our calculations, with a 70% loan to value and a 30 year amortization term for our analysis of the band of investment and debt coverage ratio analyses.

The debt capitalization rate (or mortgage constant) for a typical loan made at 5.75% for 30 years is 0.070028743.

Equity dividend (capitalization) rates in the local market range from 4-9%. We estimate an equity dividend rate of 6.00% in the local market for property such as the subject.

Debt Coverage Ratio Method Analysis

This technique develops a capitalization rate based on typical mortgage terms. There are four variables necessary for this method:

1. The loan-to-value ratio (M)
2. The mortgage interest rate (i)
3. The loan term (n)
4. The debt coverage ratio (DCR)

Items 1 through 3 are discussed above under the Band of Investment section. In this method it is also used to develop the mortgage constant (R_M). The debt coverage ratio is the factor by which income exceeds debt on an annual basis.

Formula:

Debt Coverage Ratio x Loan to Value Ratio x Mortgage Constant = R_o
 or: $DCR \times M \times R_M = R_o$

We have researched mortgage rates and terms typical for the subject within the market area as noted above. The table below details the Band of Investment and Debt Coverage Ratio Analyses calculations.

Capitalization Rate Calculations				
Capitalization Rate Variables				
Mortgage Interest Rate	5.75%			
Loan Term (Years)	30			
Loan To Value Ratio	70.0%			
Debt Coverage Ratio	1.25			
Equity Dividend Rate	6.00%			
Band of Investment Analysis				
Mortgage Constant	0.070028743	x	Loan Ratio	Contributions
			70.0%	= 4.90%
Equity Dividend Rate	6.00%	x	Equity Ratio	
			30.0%	= 1.80%
Band of Investment Capitalization Rate				6.70%
Debt Coverage Ratio Analysis				
Debt Coverage Ratio x Loan to Value Ratio x Mortgage Constant				
	1.25 x 0.7 x 0.0700287427732263		=	6.13%
Debt Coverage Ratio Capitalization Rate				6.13%

The Band of Investment capitalization rate analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.70%.

The Debt Coverage Ratio Analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.13%.

National Survey Data

RealtyRates.com Investor Survey

RealtyRates does not track capitalization rates for resort residential property such as the subject, however they do track rates for lodging facilities, a property type that is similar in use to the subject, being a facility for short term rental on a seasonal basis where all services are included in the rental rate. We therefore look to this property category in realty rates for an indication of an applicable capitalization rate for the subject.

The *Realty Rates Investor Survey*, dated 2nd Quarter 2021, indicates going-in capitalization rates for Lodging Facilities – All Types ranged from 4.55% to 16.06% with an average of 9.88%. In consideration of the excellent quality and condition of the subject property, as well as the resort location, we would estimate an applicable capitalization rate would be below the national average indicated by the survey data and within the lower quartile of exhibited rates, or a rate of between 4.55% and 7.42%.

RealtyRates.com INVESTOR SURVEY - 2nd Quarter 2021*						
LODGING FACILITIES -ALL TYPES						
Item	Input					OAR
Minimum						
Spread Over 10-Year Treasury	1.34%	DCR Technique	1.00	0.040238	0.60	3.22
Debt Coverage Ratio	1.00	Band of Investment Technique				
Interest Rate	2.60%	Mortgage	80%	0.040238	0.032191	
Amortization	40	Equity	20%	0.078750	0.015750	
Mortgage Constant	0.040238	OAR				4.79
Loan-to-Value Ratio	80%	Surveyed Rates				4.55
Equity Dividend Rate	7.88%					
Maximum						
Spread Over 10-Year Treasury	10.80%	DCR Technique	2.85	0.144484	0.50	20.59
Debt Coverage Ratio	2.85	Band of Investment Technique				
Interest Rate	12.06%	Mortgage	50%	0.144484	0.072242	
Amortization	75	Equity	50%	0.193598	0.096799	
Mortgage Constant	0.144484	OAR				16.90
Loan-to-Value Ratio	50%	Surveyed Rates				16.06
Equity Dividend Rate	19.36%					
Average						
Spread Over 10-Year Treasury	3.93%	DCR Technique	1.53	0.074520	0.67	7.62
Debt Coverage Ratio	1.53	Band of Investment Technique				
Interest Rate	5.19%	Mortgage	67%	0.074520	0.049748	
Amortization	23	Equity	33%	0.141916	0.047176	
Mortgage Constant	0.074520	OAR				9.69
Loan-to-Value Ratio	66.8%	Surveyed Rates				9.88
Equity Dividend Rate	14.2%					

Capitalization Rate Summary and Conclusion

We consider that a market extracted rate of 6.50% would be applicable for the subject property based on market-extracted capitalization rate indications.

The Band of Investment capitalization rate analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.70%.

The Debt Coverage Ratio Analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.13%.

National Market Indicators as reported by realty rates for a related property type indicate an appropriate capitalization rate of between 4.55% and 7.42% for the subject property.

Capitalization Rate Conclusion:

It is the opinion of the appraiser that a **6.50% capitalization rate** should be employed in this analysis.

On the following page we present the direct capitalization analysis for both the 'Before' and 'After' Ordinance 18-29-CC value scenarios.

Capitalization to Value

“Before” Condition

Income Capitalization Analysis - 'Before Ordinance Limiting Occupancy'				
Unit	Income	Method	Units/SF	Annual
Annual Income 'Before Ordinance' - 28 Guests	\$224,000.00	\$/Year	1	\$224,000
		Potential Gross Income:		\$224,000
		Vacancy & Collection Loss	Included	\$0
		Effective Gross Income (EGI):		\$224,000
Expense	Amount (% or \$)	Method		Annual
Taxes	\$15,000	\$/Year		\$15,000
Insurance	\$7,500	\$/Year		\$7,500
Utilities	\$14,000	\$/Year		\$14,000
Repairs/Maintenance	5.0%	% of EGI		\$11,200
Management	15%	% of EGI		\$33,600
		Total Expenses:		\$81,300
		Expense Ratio (Expenses/EGI):		36.29%
		Net Operating Income (NOI):		\$142,700
		Capitalization Rate:		6.50%
		Value (NOI/Cap Rate):		\$2,195,385
		Rounded:		\$2,200,000

“After” Condition

Income Capitalization Analysis - 'After Ordinance Limiting Occupancy'				
Unit	Income	Method	Units/SF	Annual
Annual Income 'After Ordinance' - 20 Guests	\$175,000.00	\$/Year	1	\$175,000
		Potential Gross Income:		\$175,000
		Vacancy & Collection Loss	Included	\$0
		Effective Gross Income (EGI):		\$175,000
Expense	Amount (% or \$)	Method		Annual
Taxes	\$15,000	\$/Year		\$15,000
Insurance	\$7,500	\$/Year		\$7,500
Utilities	\$13,000	\$/Year		\$13,000
Repairs/Maintenance	6.0%	% of EGI		\$10,500
Management	15%	% of EGI		\$26,250
		Total Expenses:		\$72,250
		Expense Ratio (Expenses/EGI):		41.29%
		Net Operating Income (NOI):		\$102,750
		Capitalization Rate:		6.50%
		Value (NOI/Cap Rate):		\$1,580,769
		Rounded:		\$1,580,000

Conclusion of Diminution in Value

In the ‘before ordinance’ configuration direct capitalization of the net operating income to the subject property revealed a value opinion of \$2,200,000 based on an occupancy of 28 sleeping guests.

In the ‘after ordinance’ configuration direct capitalization of the net operating income to the subject property revealed a value opinion of \$1,580,000 based on an occupancy of 20 sleeping guests.

The Diminution in Value is represented by the difference between the 'before' and 'after' value conclusions, or in this case the difference between \$2,200,000 and \$1,580,000 or \$620,000.

As an augmenting check to this value opinion, we consider a discounted cash flow analysis of the lost income to the subject as a result of the reduced occupancy, for the remaining term of the economic life of the improvement.

As presented in the preceding income analyses, the difference in annual Net Operating Income between the 'before' scenario at \$142,700 and the 'after' scenario at \$102,750, calculates to \$39,950 annually.

This is the annual net income loss as a result of the implemented and applied restriction on occupancy by virtue of City of Destin Ordinance 18-29-CC, and will continue for the remainder of the economic life of the structure and the site is redeveloped.

As of the date of value, the subject is new construction.

The published economic life of improvements similar to the subject is 55 years per Marshall Valuation Service. Therefore, the remaining economic life for the subject structure as of the date of value 55 years.

If we consider that City of Destin Ordinance 18-29-CC serves to reduce occupancy to the subject, thereby reducing annual income in the amount of \$39,950 annually, presumably for the remaining economic life of the improvement, we can calculate the present value of this financial loss over time as a check to the Diminution in value calculation via direct capitalization analysis presented preceding.

If we discount the annual loss of \$39,950 for a period of 55 years, at a discount rate of 6% annually, the present value of the future loss of income is calculated to be \$638,822 which provides additional support for our opinion of Diminution in Value via direct capitalization analysis of \$620,000.

Therefore, our opinion of Diminution in value for the subject property is opined to be \$620,000 consistent with our calculation via direct capitalization analysis:

Six Hundred Twenty Thousand Dollars
\$620,000

Certification

The appraiser has no present or prospective interest in the subject property of this appraisal and no personal interest of bias with respect to the parties involved in this appraisal. I have the appropriate education and experience to conduct this appraisal.

The appraiser will not divulge the analytical findings or conclusions to anyone other than the client or designee, except as may be required by the Appraisal Institute or by a court of law with power of subpoena.

I certify, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property which is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property which is the subject of this report or to the parties involved with this assignment.
- The engagement in this assignment was not contingent upon developing or reporting predetermined results.
- The compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.

***Certification
(Continued)***

- The signatory appraiser has not performed any services, as an appraiser or in any other capacity, regarding the subject property within the 3 years prior to acceptance of this appraisal assignment.

This appraisal has been conducted, and the appraisal report prepared in conformance with the requirements of Title XI of the Financial Institutions Reform, Recover, and Enforcement Act of 1989 (FIRREA, 12 U.S.C. 3331 et seq.). This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

No person other than the undersigned made a significant professional contribution to the research and analysis in this appraisal unless specifically noted above.

Respectfully submitted,
EquiValue Appraisal, LLC.

A handwritten signature in blue ink, appearing to read 'Jason P. Shirey', with a stylized flourish extending from the end.

Jason P. Shirey, MAI, CCIM
Cert Gen RZ3186

Limiting Conditions and Assumptions

1. Unless otherwise noted in the body of the report, we assumed that title to the property or properties appraised is clear and marketable and that there are no recorded or unrecorded matters or exceptions that would adversely affect marketability or value. We are not aware of any title defects nor were we advised of any unless such is specifically noted in the report. We did not examine a title report and make no representations relative to the condition thereof. Documents dealing with liens, encumbrances, easements, deed restrictions, clouds and other conditions that may affect the quality of title were not reviewed. Insurance against financial loss resulting in claims that may arise out of defects in the subject property's title should be sought from a qualified title company that issues or insures title to real property.
2. We assume that improvements are constructed or will be constructed according to approved architectural plans and specifications and in conformance with recommendations contained in or based upon any soils report(s).
3. Unless otherwise noted in the body of this report, we assumed: that any existing improvements on the property or properties being appraised are structurally sound, seismically safe and code conforming; that all building systems (mechanical/electrical, HVAC, elevator, plumbing, etc.) are, or will be upon completion, in good working order with no major deferred maintenance or repair required; that the roof and exterior are in good condition and free from intrusion by the elements; that the property or properties have been engineered in such a manner that it or they will withstand any known elements such as windstorm, hurricane, tornado, flooding, earthquake, or similar natural occurrences; and, that the improvements, as currently constituted, conform to all applicable local, state, and federal building codes and ordinances. We are not engineers and are not competent to judge matters of an engineering nature. We did not retain independent structural, mechanical, electrical, or civil engineers in connection with this appraisal and, therefore, make no representations relative to the condition of improvements. Unless otherwise noted in the body of this report no problems were brought to our attention by ownership or management. We were not furnished any engineering studies by the owners or by the party requesting this appraisal. If questions in these areas are critical to the decision process of the reader, the advice of competent engineering consultants should be obtained and relied upon. It is specifically assumed that any knowledgeable and prudent purchaser would, as a precondition to closing a sale, obtain a satisfactory engineering report relative to the structural integrity of the property and the integrity of the building systems. Structural problems and/or building system problems may not be visually detectable. If engineering consultants retained should report negative factors of a material nature, or if such are later discovered, relative to the condition of the improvements, such information could have a substantial negative impact on the conclusions reported in this appraisal. Accordingly, if engineering consultants report negative findings, we reserve the right to amend the appraisal conclusions reported herein.
4. All furnishings, equipment and business operations, except as specifically stated and typically considered as part of real property, have been disregarded with only real property being considered in the appraisal. Any existing or proposed improvements, on- or off-site, as well as any alterations or repairs considered, are assumed to be completed

in a workmanlike manner according to standard practices based upon information submitted. This report may be subject to amendment upon re-inspection of the subject property subsequent to repairs, modifications, alterations and completed new construction. Any estimate of Market Value is as of the date indicated; based upon the information, conditions and projected levels of operation.

5. We assume that all factual data furnished by the client, property owner, owner's representative, or persons designated by the client or owner to supply said data are accurate and correct unless otherwise noted in the appraisal report. We have no reason to believe that any of the data furnished contain any material error. Information and data referred to in this paragraph include, without being limited to, numerical street addresses, lot and block numbers, Assessor's Parcel Numbers, land dimensions, square footage area of the land, dimensions of the improvements, gross building areas, net rentable areas, usable areas, unit count, room count, rent schedules, income data, historical operating expenses, budgets, and related data. Any material error in any of the above data could have a substantial impact on the conclusions reported. Thus, we reserve the right to amend our conclusions if errors are revealed. Accordingly, the client-addressee should carefully review all assumptions, data, relevant calculations, and conclusions within 30 days after the date of delivery of this report and should immediately notify us of any questions or errors.
6. The date of value to which any of the conclusions and opinions expressed in this report apply, is set forth in the Letter of Transmittal. Further, that the dollar amount of any value opinion herein rendered is based upon the purchasing power of the American Dollar on that date. This appraisal is based on market conditions existing as of the date of this appraisal. Under the terms of the engagement, we will have no obligation to revise this report to reflect events or conditions which occur subsequent to the date of the appraisal. However, we will be available to discuss the necessity for revision resulting from changes in economics or market factors affecting the subject.
7. We assume no private deed restrictions, limiting the use of the subject property in any way.
8. Unless otherwise noted in the body of the report, we assume that there are no mineral deposits or subsurface rights of value involved in this appraisal, whether they be gas, liquid, or solid. Nor are the rights associated with extraction or exploration of such elements considered unless otherwise stated in this appraisal report. Unless otherwise stated we also assumed that there are no air or development rights of value that may be transferred.
9. We are not aware of any contemplated public initiatives, governmental development controls, or rent controls that would significantly affect the value of the subject.
10. The estimate of Market Value, which may be defined within the body of this report, is subject to change with market fluctuations over time. Market value is highly related to exposure, time promotion effort, terms, motivation, and conclusions surrounding the offering. The value estimate(s) consider the productivity and relative attractiveness of the property, both physically and economically, on the open market.
11. Unless specifically set forth in the body of the report, nothing contained herein shall be construed to represent any direct or indirect recommendation to buy, sell, or hold the

properties at the value stated. Such decisions involve substantial investment strategy questions and must be specifically addressed in consultation form.

12. Unless otherwise noted in the body of this report, we assume that no changes in the present zoning ordinances or regulations governing use, density, or shape are being considered. The property is appraised assuming that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report is based, unless otherwise stated.
13. This study may not be duplicated in whole or in part without our written consent, nor may this report or copies hereof be transmitted to third parties without said consent. Exempt from this restriction is duplication for the internal use of the client-addressee and/or transmission to attorneys, accountants, or advisors of the client-addressee. Also exempt from this restriction is transmission of the report to any court, governmental authority, or regulatory agency having jurisdiction over the party/parties for whom this appraisal was prepared, provided that this report and/or its contents shall not be published, in whole or in part, in any public document without our written consent. Finally, this report shall not be advertised to the public or otherwise used to induce a third party to purchase the property or to make a "sale" or "offer for sale" of any "security", as such terms are defined and used in this Securities Act of 1933, as amended. Any third party, not covered by the exemptions herein, who may possess this report, is advised that they should rely on their own independently secured advice for any decision in connection with this property. We shall have no accountability or responsibility to any such third party.
14. Any value estimate provided in the report applies to the entire property, and any pro ration or division of the title into fractional interests will invalidate the value estimate, unless such pro ration or division of interests has been set forth in the report.
15. Any distribution of the total valuation in this report between land and improvement applies only under the existing program of utilization. Component values for land and/or buildings are not intended to be used in conjunction with any other property or appraisal and are invalid if so used.
16. The maps, plats, sketches, graphs, photographs, and exhibits included in this report are for illustration purposes only and are to be used only to assist in visualizing matters discussed within this report. Except as specifically stated, data relative to size or areas of the subject and comparable properties was obtained from sources deemed accurate and reliable. None of the exhibits are to be removed, reproduced, or used apart from this report.
17. No opinion is intended to be expressed on matters that may require legal expertise or specialized investigation or knowledge beyond that which is customarily employed by real estate appraisers. Values and opinions expressed presume that environmental and other governmental restrictions/conditions by applicable agencies have been met, including but not limited to seismic hazards, flight patters, decibel levels/noise envelopes, fire hazards, hillside ordinances, density, allowable uses, building codes, permits, licenses, etc. No survey, engineering study or architectural analysis was provided to us unless otherwise stated within the body of this report. If we were not supplied with a

termite inspection, survey or occupancy permit, no responsibility or representation is assumed or made for any costs associated with obtaining same or for any deficiencies discovered before or after they are obtained. No representation or warranty is made concerning obtaining these items. We assume no responsibility for any costs or consequences arising due to the need, or the lack of need, for flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazard Insurance.

18. Acceptance and/or use of this report constitutes full acceptance of the Assumptions and Limiting Conditions and extraordinary assumptions set forth in this report. It is the responsibility of the Client, or client's designees, to read in full, comprehend and thus become aware of the aforementioned assumptions and limiting conditions. We assume no responsibility for any situation arising out of the Client's failure to become familiar with and understand the same. The Client is advised to retain experts in areas that fall outside the scope of the real estate appraisal/consulting profession if so desired.
19. We assume that the subject property will be under prudent and competent management and ownership; neither inefficient nor super-efficient.
20. We assume that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal reports.
21. No survey of the boundaries of the property was undertaken. All areas and dimensions furnished are presumed correct. It is further assumed that no encroachments to the realty exists.
22. All value opinions expressed herein are as of the date of value. In some cases, facts or opinions are expressed in the present tense. All opinions are expressed as of the date of value, unless specifically noted.
23. The Americans with Disabilities Act (ADA) became effective January 26, 1992. Notwithstanding any discussion of possible readily achievable barrier removal construction items in this report, we did not perform a specific compliance survey and analysis of this property to determine whether it is in conformance with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the ADA. If so, the fact could have a negative effect on the value estimated herein. Since we have no specific information relating to this issue, nor are we qualified to make such an assessment, the effect of any possible non-compliance was not considered in estimating the value of the subject property.
24. The value estimate rendered in this report is predicated on the assumption that there is no hazardous material on or in the property that would cause a loss of value. We were not provided with an Environmental Assessment Report. Further, we are not qualified to determine the existence or extent of environmental hazards. If there are any concerns pertaining to environmental hazards for this property, we recommend that a qualified engineer perform an assessment.

ADDENDA

Parcel Map



Property Appraiser Card



Okaloosa County Property Appraiser

Log In 

Layers Map Search Sales Search Sales List Condo List Results **Report** Sales Results Property Type Search Property Type Results More








Parcel Summary

Parcel ID Location Address Neighborhood Brief Tax Description Property Use Code Sec/Twp/Rng Tax District Millage Rate Acreage Homestead Acreage (GIS) Fire District	00-25-22-0580-0000-0150 71 TARPON ST DESTIN 32541 N/A DESTIN EAST (1000000.00) CRYSTAL BEACH LOT 15 BLK 3 <i>*This Description above is not to be used on legal documents</i> VACANT (000000) 00-25-22 Destin IDistrict 10 12.5119 0.000 N 0.17 N/A
--	--

[View Map](#)

Owner Information

Primary Owner
[Lightening Properties LLC](#)
 80 Camp Creek Point
 Inlet Beach, FL 32461

Valuation

	2021 Preliminary Values
Building Value	\$0
Excess Features Value	\$0
Land Value	\$321,300
Land Agricultural Value	\$0
Agricultural (Market) Value	\$0
Just (Market) Value	\$321,300
Assessed Value	\$321,300
Exempt Value	\$0
Taxable Value	\$321,300
Cap Ex/Potability Amount	\$0

Just (Market) Value description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

2021 TRIM Notice

[Click Here to View the 2021 TRIM Notice PDF.](#)

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Depth
000000	VAC RES	1.00	LT	80	0

Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	06/14/2013	\$459,000	WD	2303	2303	Unqualified PV	Improved	GARCIA DEREK J & JACQUELINE L	LIGHTENING PROPERTIES LLC

Warranty Deed

FILE # 2864817 RCD: 06/27/2013 @ 04:10 PM, BK: 3103 PG: 2605 RECORDING:
\$6.00 RECORDING ARTICLE V: \$4.00 DEED DOCSTAMP \$3213.00 DEPUTY CLERK
PDUNN DON W. HOWARD, CLERK OF COURTS, OKALOOSA COUNTY FL

Prepared by:
Sara Brown
H & S Title and Escrow, Inc.
151 Regions Way, Bldg. 1, Ste. A
Destin, Florida 32541

File Number: HS13-0221

D.S. on Deed \$ 3213.00
S on Mort \$ _____
Int. Tax on Mort \$ _____

General Warranty Deed

Made this June 14, 2013 A.D. By Derek J. Garcia and Jacqueline L. Garcia, husband and wife, 67 Lake Point Drive, Miramar Beach, FL 32550, hereinafter called the grantor, in Lightning Properties, LLC, a Florida limited liability company, whose post office address is: 15500 Emerald Coast Parkway, Unit 402, Destin, FL 32541, hereinafter called the grantee.

(Wherever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okaloosa County, Florida, viz:

Lots 14 and 15, Block 3, Crystal Beach, according to the plat thereof, recorded in Plat Book 1, Page 17, of the Public Records of Okaloosa County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 002522058000030140

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2012.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written

Signed, sealed and delivered in our presence:

Wanda K. Greer
Witness Printed Name Wanda K. Greer

Sara Brown
Witness Printed Name SARA BROWN

State of Florida
County of Okaloosa

Derek J. Garcia (Seal)
Derek J. Garcia
Address: 67 Lake Point Drive, Miramar Beach, FL 32550

Jacqueline L. Garcia (Seal)
Jacqueline L. Garcia
Address: 67 Lake Point Drive, Miramar Beach, FL 32550

The foregoing instrument was acknowledged before me this 14th day of June, 2013, by Derek J. Garcia and Jacqueline L. Garcia, husband and wife, who I have personally known to me or who has produced _____ as identification.



Sara Brown
Notary Public
Print Name: _____
My Commission Expires: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.G.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Noell Bell, Chief Building Official
Kimberly Kopp, Land Use Attorney

DATE: February 15, 2022

SUBJECT: Bert Harris Settlement Agreement for 73 Tarpon Street

I. BACKGROUND: Pursuant to prior City Council directive related to settlement of Bert Harris claims for maximum occupancy in short-term rentals, a proposed settlement agreement is attached for consideration by the City Council.

II. DISCUSSION: The structure at issue will be fully fire-sprinkled and was designed in accordance with the Florida Building Code 2020. The City Building Official recommends a maximum occupancy of 28 for these 4,556 (heated and cooled) square foot, eight bedroom structure.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: Staff recommends approval of the proposed Bert Harris settlement agreement.

IV. RECOMMENDED MOTION: Approval of consent agenda.
Or, I move to approve the attached proposed settlement agreement for 73 Tarpon Street.

Attachments:

1. 73 Tarpon Agt for 2.22.22
2. BJH Claim Letter - 73 Tarpon (Lot 14)
10-18-2021

**THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:**

Kimberly Romano Kopp, Esq.
Romano Kopp Law, P.A.
P.O. Box 445
Destin, Florida 32541

For Recording Purposes Only

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into this 22nd day of February, 2022, ("Effective Date") by and between, Lightening Properties, LLC ("**Owners**") and the City of Destin ("**City**"), collectively referred to as the "Parties."

RECITALS

WHEREAS, on January 22, 2019, the City enacted Ordinance 18-29-CC, the Short-Term Rental Occupancy Ordinance ("Ordinance"), which limits the occupancy of short-term rental homes to two (2) people per bedroom plus an additional four (4) persons or a total of twenty-four (24) persons, whichever is less; and

WHEREAS, Owners own the real property and improvements located at 73 Tarpon Street, Destin, FL, 32541, as more particularly described in the attached Exhibit "A" (the "Property"); and

WHEREAS, on October 18, 2021, Owner filed a claim with the City, pursuant to the provisions of §70.001, Florida Statutes, the Bert J. Harris, Jr., Private Property Rights Protection Act (the "Harris Act"), alleging that the Property had been inordinately burdened by the adoption of the Ordinance, (the "Claim"); and

WHEREAS, the Harris Act provides for the City to have the ability to enter into a settlement agreement which would have the effect of a modification or variance to the application of a regulation or ordinance as it would otherwise apply to the subject real property, provided the relief granted protects the public interest served by the regulations at issue and is the appropriate relief necessary to prevent the governmental regulatory effort from inordinately burdening the real property; and

WHEREAS, the City has determined that the modifications to the effect of the Ordinance effected by this Agreement protect the public interest served by the Ordinance and are the appropriate relief necessary to prevent the regulatory effect of the Ordinance from inordinately burdening the Property; and

WHEREAS, the Parties now desire to settle and finally resolve all disputes between and among them concerning the Claim.

NOW, THEREFORE, the Parties hereby agree as follows:

1. **Recitals.** The above recitals are true and correct and are incorporated herein by reference.

2. **Occupancy Allowable Under Ordinance.**

(a) Owner is hereby granted a variance from the provisions of the Ordinance so that the Owner shall have the right to apply under the Ordinance for a maximum occupancy of twenty-eight (28) overnight guests at the eight (8) bedroom vacation rental property noted above and the City shall grant such occupancy. The right shall continue in perpetuity, regardless of any future changes in ownership, provided that this right shall expire permanently if the Property were to be voluntarily remodeled or voluntarily rebuilt in such a manner as to change the number of bedrooms that existed at the date of the Claim.

3. **Development in Accordance with Code.** Notwithstanding any provisions contained herein, the Owner shall at any time have the right and option to remodel, develop, or use the Property in accordance with the applicable ordinances of the City of Destin in effect at the time of application therefor, and this variance shall not be construed as making the Property in any way non-conforming.

4. **Entire Agreement.** The Parties acknowledge that this Agreement constitutes the entire agreement between them regarding the settlement of their dispute and any prior statements, whether oral or written, are merged herein. This Agreement may not be modified or amended without a written instrument signed by the party against whom enforcement is sought.

5. **Duration of Agreement.** This Agreement shall be perpetual and deemed to run with the land, and shall be binding upon and the benefits shall inure to the parties hereto and their respective heirs, devisees, personal representatives, successors and assigns.

6. **Authority.** The signatories to this Agreement are expressly authorized to resolve their dispute as set forth herein and by their signatures here represent and affirm their authority to execute this Agreement.

7. **Governing Law.** The law of the State of Florida shall apply to this Agreement. Any dispute regarding this Agreement shall be litigated exclusively in the courts of Okaloosa County, Florida. The parties expressly consent to such agreed jurisdiction and venue, and waive any objections thereto.

8. **Notices.** Any notice required or permitted to be given hereunder shall be in writing and shall be (i) delivered by hand, (ii) delivered by reputable national or local courier (such as United Parcel

Service or Federal Express), (iii) mailed by United States registered or certified mail, return receipt requested and postage prepaid, or (iv) sent by facsimile transmission provided a confirmation of such facsimile transmission is sent the same day by one of the methods of delivery in (i), (ii), or (iii) above. Any notice shall be addressed to each party at its address as set forth below. Any such notice shall be considered given on the date of such hand delivery, deposit with such courier for same day or next business day delivery, upon receipt of return receipt of certified mail, or receipt of facsimile transmissions, as the case may be, and the time period (if any is provided herein) in which to respond to such notice shall commence on the date of receipt. Rejection or other refusal to accept or inability to deliver because of changed address of which no notice was given shall be deemed to be receipt of the notice. By giving to the other party at least ten (10) days' notice thereof, any party shall have the right from time to time to change the addresses thereof and to specify up to two (2) additional addresses within the United States of America to which copies of notices to it shall be sent. Notice may be given on behalf of any party by such party's counsel. In the event the subject property owner changes, notices shall be addressed to the current owner as indicated in the records of the Okaloosa County Property Appraiser. Otherwise, notices shall be sent as follows:

Each notice shall be addressed as follows:

To City: City of Destin, Florida
 Attn: ??
 4200 Indian Bayou Trail
 Destin, Florida 32541

With a copy to: City Land Use Attorney
 Romano Kopp Law, PA
 PO Box 445
 Destin, Florida 32541
 Attn: Kimberly Romano Kopp, Esq.

To Owner: Lightning Properties, LLC
 Attn: Claire Nuckles
 86 Camp Creek Point
 Inlet Beach, Florida 32461

With a copy to: Najmy Thompson, PL
 1401 8th Avenue West
 Bradenton, Florida 34205
 Attention: Aaron M. Thomas, Esq.

9. **Attorney's Fees.** In the event of any action, whether pre-suit, mediation, litigation or appellate proceeding to enforce the terms and conditions of this Agreement, each party to the action shall pay its own attorney's fees and costs incurred therein.

OWNERS:
LIGHTENING PROPERTIES, LLC, a Florida limited liability company

Signature of Witness #1

By: Claire Nuckles, its Managing Member

Print or type name

Date

Signature of Witness # 2

Print or type name

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by (check one) ☐ physical presence or ☐ remote online notarization this _____ day of _____ 2022, by Claire Nuckles, as Managing Member of Lightning Properties, LLC, a Florida limited liability company, they are personally known to me or who have produced _____ as identification and who did not take an oath.

Signature of Notary

(NOTARY SEAL)

Print or type name

CITY OF DESTIN

By: _____
Gary Jarvis, Mayor

Date: _____

ATTEST:

Rey Bailey, City Clerk

Date: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by (check one) ☐ physical presence or ☐ remote online notarization this _____ day of _____ 2022, by _____ and _____, who are personally known to me or who have produced _____ as identification and who did not (did) take an oath.

Signature of Notary

(NOTARY SEAL)

Print or Type Name

Approved as to form and legality for use and reliance
by the City of Destin, Florida, only.

Kimberly Romano Kopp, Esq.
City Land Use Attorney

Exhibit "A"

Legal Description of Property

LOT 14, BLOCK 3, CRYSTAL BEACH, ACCORDING TO THE PLAT THEREOF, RECORDED IN
PLAT BOOK 1, PAGE 17, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.



1401 8th Avenue West
Bradenton, FL 34205

PHONE (941) 748 - 2216
FAX (941) 748 - 2218

OTHER OFFICES

Lakewood Ranch (941) 907 - 3999
Sarasota (941) 907 - 3999
New York (212) 220 - 6616

WWW.NAJMYTHOMPSON.COM

October 18, 2021
Via Federal Express

City of Destin
c/o Mayor Gary Jarvis
4200 Indian Bayou Trail
Destin, FL 32541

Re: 73 Tarpon St., Destin, FL 32541 (Lot 14, Block 3 of Crystal Beach)
Bert J. Harris Claim, §70.001, *Fla. Stat.*, July 1, 2012

Dear Mayor Jarvis,

This firm represents Lightening Properties, LLC, a Florida limited liability company, owner of the property described as 73 Tarpon St., Destin, FL 32541 (Lot 14, Block 3 of Crystal Beach) (the "Property"). The proposed single-family home on this Property will be used as a short-term rental property within the City of Destin.

The "before" condition of the Property is a proposed single-family home consisting of eight (8) bedrooms able to accommodate twenty-eight (28) guests as part of the authorized and approved short-term rental use of this Property and others within the City.

By the City of Destin's passage on January 22, 2019 of Ordinance 18-29-CC and application of Ordinance 18-29-CC to the Property on August 30, 2021 (when the City of Destin denied my client's request for a variance, a copy of such denial is attached hereto as Exhibit A), this Property is now restricted to an occupancy of twenty (20) guests.

The Florida Legislature has passed Section 70.001, *Fla. Stat.*, known as the "Bert J. Harris Jr. Private Property Rights Protection Act as Amended."

Chapter 70.001, *Fla. Stat.*, "*inter alia*", created a separate and district cause of action which provides for relief or payment of compensation when a new law, rule, regulation or ordinance of the state or a political entity in the state, as applied, unfairly affects real property. "When a specific action of a governmental entity has inordinately burdened an existing use of real property or a vested right to a specific use of real property, the property owner of that real property is entitled to relief, which may include compensation for the actual loss to the fair market value of the real property caused by the action of government, as provided in this section." *Fla Stat.* §70.001(2).

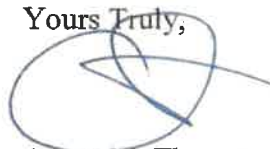
The owner of the Property asserts that its existing use of the Property and/or its vested right to a specific use of the Property has been inordinately burdened by the City of Destin's adoption of Ordinance 18-29-CC and application of Ordinance 18-29-CC to the Property by restricting its occupancy to only two (2) persons per bedroom plus four (4).

To that end, this letter should serve as a formal, written claim pursuant to §70.001, *Fla. Stat.*, the Bert J. Harris Jr. Private Property Rights Protection Act as Amended. Attached to this letter is a bona fide, valid appraisal that supports the claim and demonstrates the loss in value to the Property. This appraisal establishes the loss in value of the Property, as a result of the application of the occupancy limitation of Ordinance 18-29-CC, to be Six-Hundred Twenty Thousand and 00/100 Dollars (\$620,000.00).

Pursuant to §70.001(4)(c), *Fla. Stat.*, the City Destin has ninety (90) days to respond to this claim with a written settlement offer. You should consult your counsel as to any other obligations and settlement opportunities contained within this statute.

PLEASE BE GOVERNED ACCORDINGLY.

Yours Truly,

A handwritten signature in blue ink, appearing to read 'A. Thomas', is written over a circular blue stamp or seal.

Aaron M. Thomas
Firm Principal

Enclosure: Appraisal

cc: Lightening Properties, LLC, a Florida limited liability company

AMT/cls



ROMANO KOPP LAW, P.A.

P.O. Box 445
Destin, Florida 32541
Phone: (407) 430-7070
Email: kkopp@romanokopplaw.com
www.romanokopplaw.com

August 30, 2021

Najmy Thompson
Attn: Aaron Thomas, Esq.
1401 8th Avenue West
Bradenton, FL 34205

Re: *Maximum Occupancy Restriction Variance Request*
71 Tarpon St., Destin, FL 32541 and
73 Tarpon St., Destin, FL 32541

Dear Mr. Thomas:

I have received and reviewed your clients' formal written requests for a variance for the properties located at 71 Tarpon Street and 73 Tarpon Street, Destin, FL 32541 (the "Properties"). The variance requests cannot be processed because such request is not authorized by City codes.

You have requested a maximum occupancy of twenty-eight at both of the Properties. Pursuant to Section 13-117(a) of the City of Destin Code of Ordinances, the maximum overnight occupancy of a short-term rental **cannot exceed the total of twenty-four (24) persons** per short-term rental.

Additionally, Section 13-117(f) of the City of Destin Code of Ordinances states that the owner (or authorized agent) of a short-term rental that either (a) has a pending development order application as of the effective date of this ordinance (January 22, 2019), or (b) has a structure that has been used as a short-term rental as of the effective date of this ordinance (January 22, 2019), may apply for the status of grandfathered for a period of five (4) years, as to occupancy limitations, and may cap its occupancy based upon the criteria and procedures set forth herein. As stated in your letter, your client's plans and permit application(s) were submitted on August 6, 2021, Permit/Application number: BLDR-000278-2021, which is after the date required by the Code to obtain grandfathered status.

Further, Section 13-118 states that rental agreements with prospective occupants for short-term rental units that were pre-existing as of the enactment of Ordinance 18-29-CC, (hereinafter "pre-existing agreements") are exempt from the provisions of this ordinance for a period of one (1) year. All bookings made subsequent to the enactment of this ordinance are subject to the provisions of this ordinance. Your client has not met the requirement of a pre-existing agreement necessary to exempt the property from the provisions of Ordinance 18-29-CC for one year.

Please contact me with any further questions or concerns.

Sincerely,

/s/ Kimberly R. Kopp

Kimberly Romano Kopp
City Land Use Attorney

Kimberly Romano Kopp, Esq.
Board Certified in City, County & Local Government Law

Architectural drawing of the front elevation of a two-story house. The drawing includes a gabled roof, a central entrance with a small porch, and a large window on the right side. The drawing is labeled "01 FRONT ELEVATION" at the bottom. Various dimensions and material specifications are noted around the drawing.

Dimensions and Notes:

- Overall height: 24'0"
- Overall width: 36'0"
- Roof pitch: 12/12
- Notes include: "METAL ROOF", "BRICK", "WOOD", "CONCRETE", "GLASS", "IRON", "STEEL", "COPPER", "ZINC", "ALUMINUM", "BRASS", "SILVER", "GOLD", "PLATINUM", "DIAMOND", "JEWELRY", "WATCHES", "CLOCK", "TELEPHONE", "RADIO", "TELEVISION", "COMPUTER", "FURNITURE", "APPLIANCES", "ELECTRICAL", "PLUMBING", "MECHANICAL", "HVAC", "HEATING", "COOLING", "LIGHTING", "SOUND", "ENTERTAINMENT", "SPORTS", "TOYS", "GAMES", "BOOKS", "MAGAZINES", "NEWSPAPERS", "PERIODICALS", "CDs", "DVDs", "MP3s", "MP4s", "MP5s", "MP6s", "MP7s", "MP8s", "MP9s", "MP10s", "MP11s", "MP12s", "MP13s", "MP14s", "MP15s", "MP16s", "MP17s", "MP18s", "MP19s", "MP20s", "MP21s", "MP22s", "MP23s", "MP24s", "MP25s", "MP26s", "MP27s", "MP28s", "MP29s", "MP30s", "MP31s", "MP32s", "MP33s", "MP34s", "MP35s", "MP36s", "MP37s", "MP38s", "MP39s", "MP40s", "MP41s", "MP42s", "MP43s", "MP44s", "MP45s", "MP46s", "MP47s", "MP48s", "MP49s", "MP50s", "MP51s", "MP52s", "MP53s", "MP54s", "MP55s", "MP56s", "MP57s", "MP58s", "MP59s", "MP60s", "MP61s", "MP62s", "MP63s", "MP64s", "MP65s", "MP66s", "MP67s", "MP68s", "MP69s", "MP70s", "MP71s", "MP72s", "MP73s", "MP74s", "MP75s", "MP76s", "MP77s", "MP78s", "MP79s", "MP80s", "MP81s", "MP82s", "MP83s", "MP84s", "MP85s", "MP86s", "MP87s", "MP88s", "MP89s", "MP90s", "MP91s", "MP92s", "MP93s", "MP94s", "MP95s", "MP96s", "MP97s", "MP98s", "MP99s", "MP100s".

LOT 14 TARPON STREET, DESTIN, OKALOOSA COUNTY, FL

EQUIVALUE

APPRAISAL

EQUIVALUE APPRAISAL, LLC
PROFESSIONAL APPRAISAL AND VALUATION SERVICES
PO Box 5326
DESTIN, FLORIDA 32540
PHONE (850) 424-6119

Jason P. Shirey, MAI, CCIM, CPM
State-Certified General Real Estate Appraiser, RZ3186 (FL)
Direct Phone (850) 543-5953 (Mobile)
EquiValue Appraisal File No.: 210-189A

APPRAISAL REPORT

Of Resort Residential Property

+/-0.17-Acre of Residential-Zoned Land

To Be Improved with one resort residential structure,

Containing an aggregate +/-4,556 SF of Heated and Cooled Livable Area,

Along with Associated Site Improvements Including a Swimming Pool, Pool Deck,
Patios, Balconies and Parking

Location

Lot 14 Tarpon Street,
Destin, Okaloosa County, FL
32541

Property Owner

Lightening Properties, LLC

Effective Date

August 30, 2021 (Retrospective)

Report Date

October 14, 2021

Client / Intended User

Mr. Aaron Thomas
Najmy Thompson, PL
1401 8th Avenue
Bradenton, FL 34205

Prepared by:

Jason P. Shirey, MAI, CCIM, Cert Gen RZ3186



Phone 850 424 6119 Fax 888 774 4503

EquiValue Appraisal, LLC File #: 210-189A

October 14, 2021

Mr. Aaron Thomas
Najmy Thompson, PL
1401 8th Avenue
Bradenton, FL 34205



Re: Diminution in Value Appraisal of an approximate +/-4,556 HVAC Square Foot Multi-Story Resort Residential Property, 'As Complete', whose postal address is Lot 14 Tarpon Street, Destin, Okaloosa County, FL 32541. EquiValue Appraisal File No. 210-189A.

Dear Client:

At your request and authorization, we have prepared an appraisal for the above-referenced resort residential property. A copy of the pertinent engagement document has been included in the addenda to this report if applicable.

This letter of transmittal is *not* an appraisal report, but merely serves to transmit the attached appraisal report and convey the final conclusion of value. The accompanying research, analyses and conclusions, and appraisal report following this letter of transmittal has been compiled in accordance with USPAP Standards Rule 2-2(a) for a written appraisal report.

The purpose of this appraisal is to determine if there is a Diminution in Value as result of recently-implemented and applied City of Destin Ordinance No. 18-29-CC, and if so, to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of said Ordinance.

This Ordinance was applied August 30, 2021, and the implementation and application of this ordinance limits the occupancy of the subject property to 20 guests. Prior to the implementation and application of this Ordinance, the designed occupancy of the subject property was 28 guests. Therefore, as a result of the implementation and application of this ordinance, the maximum occupancy of the subject has been reduced by 8 guests, or approximately -28.57%.

We are therefore opining on the difference in market value of the subject before and after the implementation and application of City of Destin Ordinance No. 18-29-CC, which affected the subject property on August 30, 2021.

The values reported are predicated upon market conditions prevailing as of the effective date of the appraisal. In the context of the scope of work, the appraisal is considered to render a credible opinion of value, specific to the client, intended use and intended user.

October 14, 2021

Page 2

The intended use of this appraisal is for internal decision making purposes by the stated Client and their advisors. This appraisal is intended for the use of the client and client's advisors.

We have completed the requisite inspections, research, and analyses necessary to appraise the 100% fee simple interest in the subject property, 'As Complete' as of August 30, 2021, both prior to implementation and application of Ordinance No. 18-29-CC and after, in order to evaluate the potential Diminution in value.

Please reference the Scope section of this report for information regarding the scope of research and analysis for this appraisal, including property identification, inspection, highest and best use analysis and valuation methodology.

I certify that I have no present or contemplated future interest in the property beyond this opinion of value. The reported value(s) in this appraisal have not been based on a requested minimum valuation, a specific valuation, and have been prepared in compliance with the Uniform Standards of Professional Appraisal Practice.

Your attention is directed to the Limiting Conditions and Assumptions section following the reconciliation and appraisal certification in this report. Acceptance of this report constitutes an agreement with these conditions and assumptions.

This appraisal is subject to the following Hypothetical Condition(s):

- The subject property was not in existence as of the date of value. Therefore, valuation of the subject as a completed structure as of the date of value is by definition a hypothetical condition.

This appraisal is subject to the following Extraordinary Assumption(s):

- None.

This appraisal utilized the preceding hypothetical condition, the use of which may have affected the assignment results.

Our opinion of value was formed based on our experience in the field of real property valuation, as well as the research and analysis set forth in this appraisal.

I am of the opinion that as a result of the implemented and applied City of Destin Ordinance 18-29-CC that the market value of the subject property is negatively impacted.

The implemented and applied Ordinance reduces the maximum occupancy of the subject property, and therefore the subject's associated income generation potential.

October 14, 2021

Page 2

The subject property is a resort-residential property specifically utilized for income generation purposes. Therefore, a reduction in scheduled income due the subject correlates to a reduction in associated value.

The Dimunition in Value to the subject is represented by the difference between the 'Before' and the 'After' value conclusions.

In this case, this is represented by the difference between the opined value prior to implementation and application of the Ordinance (ie. the 'Before Ordinance' value of \$2,200,000) and the value after implementation and application of the Ordinance (ie. the 'After Ordinance' value of \$1,580,000).

Per this calculation, with supporting documentation as to the rationale of these values provided within this report, the opinion of Dimunition in Value to the subject as a result of implementation and application of City of Destin Ordinance 18-29-CC is opined to be \$620,000.

Therefore,

**Dimunition in Market Value
As A Result of Implementation and Application of
City of Destin Ordinance 18-29-CC:**

**Six Hundred Twenty Thousand Dollars
(\$620,000)**

The estimated market exposure period necessary for the subject to have achieved this value is estimated to be 9-12 months.

It was a pleasure assisting you with this matter. If you have any questions concerning the following analysis, or if we can be of further assistance, please do not hesitate to call.

Respectfully submitted,
EquiValue Appraisal, LLC.



Jason L. Shirey, MAI, CCIM
Cert Gen RZ3186

INTRODUCTION

QUALIFICATIONS OF THE APPRAISER



Qualifications of
Jason P. Shirey, MAI, CCIM, MS-RECM

State-Certified General Real Estate Appraiser No. RZ 3186 (FL)

State-Certified General Contractor No. CGC 062478 (FL)

Licensed Real Estate Broker No. BK 3168469 (FL)

MAI : Designated Member of the Appraisal Institute
Appraisal Institute, Chicago, Illinois.

CCIM : Designated Certified Commercial Investment Member
CCIM Institute, Chicago, Illinois.

M.S. RECM : Master of Science, Real Estate and Construction Management
University of Denver - Denver, Colorado.

B.S. BCN : Bachelor of Science, Building Construction Management
University of Florida – Gainesville, Florida.

Business Affiliations and Work Experience, Past / Present

EquiValue Appraisal and Consulting Services

Principal and Founder; Real Estate Appraiser, Real Estate Broker, Certified General Contractor

Marsh Appraisal Corporation - Real Estate Appraisal and Valuation Services, Fort Walton Beach, Florida

Registered Trainee Appraiser / State Certified Real Estate Appraiser

Plantation Coast Properties, LLC – Fort Walton Beach, Florida

Principal; Real Estate Investments and Property Management

Alcon Associates, Inc. – Commercial General Contractors / Construction Managers; Pensacola, Florida

Florida Division Manager

National Construction Enterprises, LLC – General Contractor / Construction Managers; Savannah, Georgia

Vice President of Operations, Savannah-Hilton Head Division

Acoustics and Specialties, Inc. – General Contractors; Memphis, Tennessee

Senior Estimator / Project Manager of Healthcare Construction

Brasfield and Gorrie General Contractor Inc. – General Contractors and Construction Managers; Orlando, Florida

Construction Estimator / Project Manager

United States Air Force Reserve

Reserve Pilot, Boeing C-17 Globemaster III



Jason P. Shirey, MAI, CCIM, MS-RECM (Continued)

Professional / Continuing Education

Litigation Appraising - Specialized Topics and Applications <i>Appraisal Institute</i>	Income Property Management <i>Institute of Real Estate Management / University of Denver</i>
Uniform Standards of Professional Appraisal Practice 7 Hour Update, <i>Appraisal Institute</i>	Certified Commercial Investment Member Core Concepts <i>CCIM Institute Comprehensive Exam</i>
Advanced Income Capitalization <i>Appraisal Institute</i>	Appraising from Blueprints and Specifications <i>Appraisal Institute</i>
Advanced Sales Comparison Approach and Principles In Highest and Best Use <i>Appraisal Institute</i>	Florida Building Code Update Florida Workplace Safety and OSHA Update <i>Universal Inspection Service</i>
User Decision Analysis for Commercial Real Estate <i>CCIM Institute Course CI-103</i>	Uniform Standards of Professional Appraisal Practice 15 Hour Update, <i>Appraisal Institute</i>
Advanced Cost Approach <i>Appraisal Institute</i>	Business Practices and Ethics for Appraisers <i>Appraisal Institute Course #420</i>
Real Estate Taxation, Planning and Consequences <i>University of Denver, Burns School of Real Estate</i>	Basic Income Capitalization <i>Appraisal Institute</i>
Advanced Real Estate Feasibility Analysis <i>Urban Land Institute / University of Denver</i>	Advanced Valuation and Report Writing <i>Appraisal Institute Course #540</i>
Real Estate Securities and Syndications <i>University of Denver, Burns School of Real Estate</i>	Real Estate Investment Finance <i>University of Denver, Burns School of Real Estate</i>
Legal Issues In Real Estate and Construction Management <i>University of Denver, Burns School of Real Estate</i>	Computer Applications for Real Estate Analysis <i>University of Denver, Burns School of Real Estate</i>
Income Property Investment <i>Urban Land Institute / University of Denver</i>	Risk Management and Insurance for Investment Real Estate <i>University of Denver, Burns School of Real Estate</i>
Argus Financial Analysis <i>University of Denver, Burns School of Real Estate</i>	Indoor Air Quality and Mold Contamination Remediation <i>National Association of Mold Professionals, 2004</i>
Residential Real Estate Appraiser Course ABII <i>Ed Klopfer Schools of Real Estate</i>	Real Estate Trainee Appraiser Course ABI <i>Ed Klopfer Schools of Real Estate</i>
Real Estate Salesperson Pre-Licensing Course <i>Ed Klopfer Schools of Real Estate</i>	Uniform Standards of Professional Appraisal Practice 15 Hour Update, <i>Appraisal Institute</i>



Jason P. Shirey, MAI, CCIM, MS-RECM (Continued)

Appraiser Experience - Property Types

Affordable Housing
 Agricultural Land
 Aircraft Hangars
 Antenna Towers
 Apartments
 Automobile Dealerships
 Hotels and Motels
 Bank Buildings
 Bowling Alleys
 Broadcast Facilities
 Campgrounds / Recreational Vehicle Parks
 Car Washes
 Churches
 Coastal Land
 Condominium Units:
 Assemblages, Complexes, Conversions
 Condominium Projects:
 Pre-development, Insurable Replacement Cost
 Convenience Stores
 Day Care Centers
 Development Appraisals
 Distribution Facilities
 Golf Clubs and Country Clubs
 Health Clubs
 High-End Residential
 Hobby Farms
 Home Sites (Lots)
 Home Sites (Land - Large Tracts)
 Hotel - Resorts
 Industrial Land
 Industrial Improvements
 Light Industrial Properties
 Manufacturing Facilities
 Marinas / Docks / Boat Storage Facilities
 Medical Offices
 Mixed Use Developments
 Mobile Home Parks
 Multifamily Land
 Multifamily Developments
 Nurseries
 Office Buildings
 Office Condominiums
 Office-Warehouse Facilities
 Outdoor Signs
 Parking Facilities
 Replacement Cost Appraisals
 Retail Stores (Anchor Tenant / Owner Occupied)
 Retail Strip Centers (Multiple Tenant)
 Restaurants (All types)
 Self-Storage Facilities
 Subdivisions (Commercial)
 Subdivisions (Residential)
 Single Family Residences
 Sustainable Development (Green Buildings)
 Urban Land (Vacant and Interim Use)
 Warehouses
 Yacht Clubs

Previous Client List (Partial)

Access Bank and Mortgage
 Alternative Funding Corporation
 BanCorp South
 Bank of America
 Bank of Bonifay
 Bank of Pensacola
 BankTrust
 Beach Community Bank
 CB Richard Ellis
 CCB Community Bank
 Colonial Bank
 Community Bank
 Compass Bank
 Cotton and Gates
 Crystal Beach Development
 DestinFirst Bank
 First Capital Bank
 First City Bank
 First Gulf Bank
 First National Bank and Trust
 Florida Coastal Mortgage
 Guaranty Federal Bank
 GulfSouth Private Bank
 Jay Odom
 Kevin Helmich, P.A.
 Legendary, Inc.
 LNK Development
 M & F Bank
 People's First Community Bank
 Premier Community Bank
 Regions Bank
 Renasant Bank
 Sunbird Condominium Owner's Association
 Suntrust Bank
 The Plaza Owner's Association
 Tranquil Harbor Owner's Association
 Trustmark National Bank
 Vanguard Bank
 Villas on the Gulf Condominium Owner's Association
 Vision Bank
 Wachovia Bank
 Whitney Bank

Assignment Purposes

Acquisition
 Disposition
 Assessment Appeal
 Development Feasibility
 Estate Planning
 Financing (Institutional and Private)
 Investment Analysis
 Portfolio Analysis
 Marital Dissolution
 Relocation
 Mediation, Arbitration, Dispute Resolution



Jason P. Shirey, MAI, CCIM, MS-RECM (Continued)

Assignment Types	Primary Market Area
Appraisal Review	Okaloosa County
Buyer Brokerage	Destin
Complex Valuation	Fort Walton Beach
Construction Progress / Draw Request Inspection	Crestview
Demographic Analysis	Mary Esther
Detrimental Conditions Valuation and Consulting	Niceville
Eminent Domain Valuation and Consulting	Bluewater Bay
Estate Valuation	
Feasibility Studies	Walton County
Fec Appraisals Including Full and Fractional Interests	Miramar Beach
Foreclosure / REO Appraisal - Assessment	Panama City Beach
Highest and Best Use Analysis	Rosemary Beach
Insurance	Santa Rosa Beach
Litigation Support	Blue Mountain Beach
Market Studies	Freeport
Portfolio Valuation and Analysis	Defuniak Springs
Relocation Appraisal	Inlet Beach
Rent Analysis / Studies	Seacrest Beach
Retrospective Valuation	
Site Location Services	Santa Rosa County
Valuation and Consultation for Financial Reporting	Navarre
	Navarre Beach
	Gulf Breeze
	Bay County
	Panama City
	Panama City Beach
	Springfield

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Summary of Salient Facts and Conclusions

GENERAL	
EquiValue Appraisal File No:	210-189A
Subject:	An approximate 4,556 HVAC SF / 5,098 Gross SF Resort Residential Rental Property located along the south side of John Avenue and the east side of Tarpon Street, approximately +/-800 feet north of the Beaches of the Gulf of Mexico, having the assigned postal address of Lot 14 Tarpon Street in Destin, Okaloosa County, Florida. The subject site is comprised of +/-0.17 acres of Crystal Beach Neighborhood-zoned land (a residentially-oriented zoning designation) which is to be improved with one rental residential structure, along with associated site improvements which include a swimming pool, pool deck, patios, balconies, and parking. According to reviewed plans and specifications, the improvement is considered to feature a very good quality of construction and is in very good condition. The configuration of the structure was specifically designed and outfitted to accommodate 28 overnight (sleeping) guests and features the following characteristics (in aggregate), • 8 Full Bedrooms • 9.5 Bathrooms • Kitchen, Dining Area, 2 Each Living Areas • Swimming Pool, Patios and Balconies • Surface parking. The use of the subject property is as a beach proximate, resort residential rental property and this is the use represented in the valuation of the subject property, as of the effective date of this appraisal.

In the 'Before' condition, occupancy of the subject was specifically designed for 28 guests with sleeping accommodations as follows:

Bedroom #1 – King Bed (Sleeps 2)
Bedroom #2 – King Bed (Sleeps 2)
Bedroom #3 – King Bed (Sleeps 2)
Bedroom #4 – 2 Sets Full Over Full Bunk Beds (Sleeps 8)
Bedroom #5 – King Bed (Sleeps 2)
Bedroom #6 – King Bed (Sleeps 2)
Bedroom #7 – 2 Sets Full Over Full Bunk Beds (Sleeps 8)
Bedroom #8 – King Bed (Sleeps 2)

TOTAL – Sleeping Accommodations for 28 Persons.

In the 'After' condition and taking into account the City of Destin Ordinance 18-29-CC which was implemented and applied to the subject property on August 30, 2021, the occupancy of the subject is limited to 20 Guests as calculated by having a total of 8 bedrooms at 2 guests per bedroom, plus 4 additional guests.

Owner:	Lightening Properties, LLC 86 Camp Creek Point Inlet Beach, FL 32461
Legal Description:	Lot 14, Block 3, Crystal Beach Subdivision
Tax Identification:	00-2S-22-0580-0003-0140
Date of Report:	October 14, 2021
Date of Value:	August 30, 2021
Property Rights Appraised:	Fee Simple
Intended Use:	The intended use of this appraisal is for internal decision making purposes by the client, and for Bert Harris Act computation of damages.
Intended User(s):	The intended user of this report is the property owner, the property owner advisors, courts and local government and regulatory agencies.

Appraisal Purpose:	Market Value Opinion 'As Complete' in the 'Before Ordinance' and 'After Ordinance' conditions, and subsequent evaluation of Dimunition in Value.
2020 Assessed Value:	\$499,832 We note the above assessed value does not represent the subject in the appraised configuration. Despite the intention of the property appraiser to value property at market value on a yearly basis, it is the appraiser's opinion that assessed value has no direct correlation to fair market value in the subject market area. It is noted that as the subject was just recently extensively renovated.
2020 Taxes:	\$8,589.46 (Paid) We note the above taxes do not represent the subject in the appraised configuration. According to the Okaloosa County Tax Collector, taxes for 2020 have been paid in full and no prior year delinquent taxes remain owing.
Sale History:	The subject last transferred on June 14, 2013 with an adjacent parcel for the reported consideration of \$459,000 via warranty deed per ORB/P 3103/2605 from Derek and Jacqueline Garcia to Lightning Proptrties, LLC (Grantee). This transaction appears to be arm's length and nominally consistent with the then market. There have been no other transfers of the subject property in the preceding 3 years.
Listing History:	We were unable to locate any active listing for sale of the subject property in the prior 12 months. We are unaware of any intention by the current owner to market the subject for sale. It is our understanding that the property owner plans to retain the subject property for short-term rental purposes and income generation potential.

PROPERTY	
Land Area:	Total: +/-0.17-Acre Usable: +/-0.17-Acre Excess: 0.00 Acres
Zoning/ Future Land Use:	CBN – Crystal Beach Neighborhood by the City of Destin
Highest and Best Use 'As Is':	Utilizing the subject as a resort-residential rental property at maximum designed occupancy is estimated to be the highest and best use of the subject 'As Complete'. It is noted that occupancy limitations imposed on the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC, which limits occupancy of the subject property to a lesser number than that for which the subject was specifically constructed, is anticipated to have a negative impact on the market value / return on investment of the subject property to the owner.
VALUE CONCLUSIONS	
Land Value:	Not Utilized
Cost Approach:	Not Utilized
Improved Sales Comparison Approach:	Not Utilized
Income Approach:	\$2,200,000 – Before Implementation and Application of Ordinance 18-29-CC \$1,580,000 – After Implementation and Application of Ordinance 18-29-CC \$620,000 – Diminution in Value as a Result of Implementation and Application of Ordinance 18-29-CC

Appraisal Scope of Work

In accordance with the 2020-2021 Uniform Standards of Professional Appraisal Practice, it is the appraiser's responsibility to develop and report a scope of work that results in credible results that are appropriate for the appraisal problem and intended user(s).

This process should meet the expectations of parties who are regularly intended users for similar assignments and be consistent with what an appraiser's peers actions would be in performing the same or a similar assignment.

Therefore, the appraiser must identify and consider:

- the client and intended users;
- the intended use of the report;
- the type and definition of value;
- the effective date of value;
- assignment conditions;
- typical client expectations; and
- typical appraisal work by peers for similar assignments.

This appraisal is prepared for the Client, Najmy Thompson, PL.

The intended use of this appraisal is for internal decision making purposes by the client, the client's advisors, and for Bert Harris Act computation of damages.

The intended user of this report is the property owner, the property owner's advisors, courts and local government and regulatory agencies.

SCOPE OF WORK

Report Type:

This is a written Appraisal Report, which is intended to comply with the reporting requirements established by Standards Rule 2-2(a) of the 2020-2021 edition of the USPAP for a written Appraisal Report. It presents summary discussions of the data, reasoning, and analyses utilized in the appraisal process to develop the appraiser's opinion of value.

Supporting documentation not provided with the report concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in the report. The appraiser is not responsible for the unauthorized use of this report.

Property Identification:	The subject was identified by the legal description and the assessor's parcel number, provided plans and appraiser inspection.
Inspection:	An inspection of the site and improvements was made, and photographs were taken.
Market Area and Analysis of Market Conditions:	A complete analysis of market conditions was made. The appraisers physically inspected the micro and/or macro market environments which influence the subject property.
Highest and Best Use Analysis:	A complete analysis of highest and best use for the subject property in 'As Complete' condition was made.

Valuation Analyses

Land Valuation and Cost Approach:	An opinion of value for the subject property in 'as if vacant' condition and subsequent application of the cost approach has not been provided. The purpose of this appraisal is to evaluate the impact to the value of the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and corresponding associated income generation potential. Thus, the cost to acquire land and construct a replacement property is meaningless to the purpose of the assignment and was not applied.
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Sales Comparison Approach:	The improved sales comparison approach was not utilized in this appraisal assignment. The purpose of this appraisal is to evaluate the impact to the value to the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and associated income generation potential. As this ordinance was just recently implemented and applied, an adequate number of improved sales which sold after the Ordinance implementation and application date were not available from which to derive an opinion of market value from this approach. As sales which occurred prior to this Ordinance will reflect market transactions without this restriction, they are not considered valid indicators of value for the subject in the restricted condition. Therefore this approach could not be applied due to lack of sufficient comparable data.
Income Approach:	The income approach was applied for the subject in both the 'Before Ordinance' and 'After Ordinance' scenarios.
Hypothetical Conditions:	None.
Extraordinary Assumptions:	None.
Exposure Time (Market Value):	Exposure Time may be defined as: the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective opinion based on an analysis of past events assuming a competitive and open market. The estimate of exposure time is presented in consideration of the exposure periods for comparable sales utilized in this appraisal, marketing time information available from nationally published sources including the CB Richard Ellis National Market Survey and the opinions of market participants. <i>It is estimated that the exposure time necessary for the subject to have achieved the opinion of value is 9-12 months.</i>

Definition of Value, Property Rights Appraised, and Intended Use

Purpose of the Appraisal:

The purpose of an appraisal is the stated reason and scope of the appraisal assignment. It is established by the client, and points to the information that the client needs to answer specific questions pertaining to real property. The purpose of the appraisal establishes the foundation for the final value conclusion, which does not change to accommodate the use of the appraisal.¹

The purpose of this appraisal is to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of City of Destin Ordinance No. 18-29-CC.

This Ordinance was implemented and applied to the subject property August 30, 2021, and the incorporation and application of this ordinance limits the occupancy of the subject property to 20 guests. Prior to the implementation and application of this Ordinance, the designed occupancy of the subject property was 28 guests. Therefore, as a result of the ordinance, the maximum occupancy of the subject has been reduced by 8 guests, or approximately -28.57%.

We are therefore opining on the difference in market value of the subject before and after the implementation and application of City of Destin Ordinance No. 18-29-CC, which affected the subject property on August 30, 2021.

Intended Use of the Appraisal and Intended User:

The intended use of an appraisal is the manner in which a client will employ the information contained in the appraisal report. The intended use or function of an appraisal is determined by the client's needs. Because an appraisal may provide a basis for a decision concerning real property, the intended use of the appraisal depends on the decision that the client wishes to make.²

The intended use of this appraisal is for internal decision making purposes by the client, and for Bert Harris Act computation of damages. The intended user of this report is the client / property owner, advisors, courts and local government and regulatory agencies.

Property Rights Appraised

Real property is said to have value as a result of the "bundle of rights" that are inherent to property ownership. Regardless of the type of ownership, the owner of real property is said to have an interest in that property. The following definitions are for the three most

¹ The Appraisal of Real Estate, Twelfth Edition

² The Appraisal of Real Estate, Twelfth Edition

commonly-valuated interests as defined by the Dictionary of Real Estate Appraisal, Fourth Edition.

Fee Simple Interest:

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

Leased Fee Interest:

An ownership interest held by a landlord with the rights of use and occupancy conveyed by lease to others. The rights of the lessor (the leased fee owner) and the lessee are specified by contract terms contained within the lease.

Leasehold Interest:

The interest held by the lessee (the tenant or renter) through a lease transferring the rights of use and occupancy for a stated term under certain conditions. See also negative leasehold; positive leasehold.

The subject property is being appraised 'fee simple', taking into account market conditions at the effective date of the report. Given the valuation of the subject as being a resort-rental property which is occupied on a short term or seasonal basis, fee simple basis is considered to be the appropriate valuation standard.

Date of Value Opinion

Value opinions are presented as of a specific date, taking into account market conditions at that time. The effective date of an appraisal is the date at which the analyses, opinions, and advice in an appraisal, review, or consulting service apply. (USPAP, 2020-2021 edition.)

The date of the value opinion can be current, in the past (retrospective), or forecast into the future (prospective).

The following presents definitions regarding the date of the opinion of value, as provided by the text The Appraisal of Real Estate, Twelfth Edition:

Date of Value Opinion:

The date for which an opinion of value is valid.

Current Value:

In accounting, synonymous with market value.

Retrospective Value Opinion:

An opinion of value that is likely to have applied as of a specified historic date. A retrospective value opinion is most frequently sought in connection with appraisals for estate tax, condemnation, inheritance tax, and similar purposes.

Prospective Value Opinion:

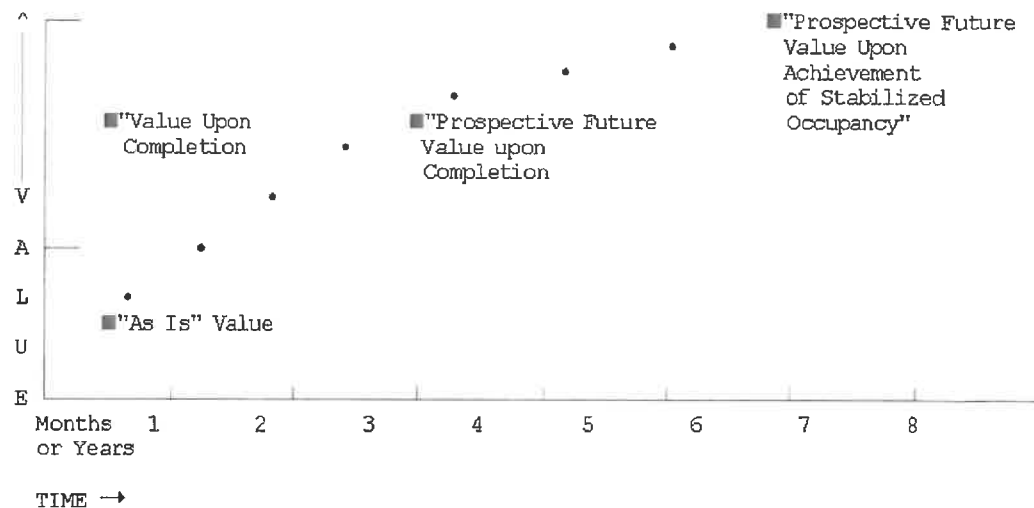
A forecast of the value expected at a specified future date. A prospective value

opinion is most frequently sought in connection with real estate projects that are proposed, under construction, or under conversion to a new use, or those that have not achieved sellout or a stabilized level of long-term occupancy at the time the appraisal report is written.

In a prospective appraisal, the appraiser analyzes market trends to provide support for forecasted income and expense or sell-out opinions, absorption periods, capitalization rates, and discount rates as of the effective date of the appraisal. This appraisal report was prepared taking into account market conditions present as of the date of the report. The appraiser(s) can not be held responsible for unforeseen events that alter market conditions prior to the effective date of the appraisal.

The following graph presents a graphical depiction of the above-described date of value opinions and their associated position within a potential overall development time scenario.

Value Creation Continuum¹



The preceding exhibit graphically displays the creation of value in a real estate development project over time, assuming a zero inflation environment for clarity of presentation.

¹

Code of Federal Regulations, Title 12, as amended by the Federal Home Loan Bank Board.

Basis of the Subject Value Opinion

The four time differential values on the preceding graph which may be considered in the appraisal of proposed developments are defined as follows:

- (1) **"As Is"** means an estimate of the market value of a property in the condition observed upon inspection and as it physically and legally exists without hypothetical conditions, assumptions, or qualifications as of the date of appraisal.
- (2) **"Value as Complete" or "Value Upon Completion"** means the market value of a property with all proposed construction, conversion, or rehabilitation hypothetically completed, or under other specified hypothetical conditions as of the date of appraisal. With regard to properties wherein anticipated market conditions indicate that stabilized occupancy is not likely as of the date of completion, this estimate of value shall reflect the market value of the property as if complete and prepared for occupancy by tenants.
- (3) **"Prospective Future Value Upon Completion"** means the prospective future value of a property on the date that construction is completed, based upon market conditions forecast to exist as of that completion date.
- (4) **"Prospective Future Value Upon Achievement of Stabilized Occupancy"** means the prospective future value of a property at a point in time when all improvements have been physically constructed and the property has been leased to its optimum level of long term occupancy.

The purpose of this appraisal is to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of City of Destin Ordinance No. 18-29-CC.

The following are the pertinent dates to the valuation, viewing, and appraisal reporting of the subject property:

Effective Date of Value Opinion: August 30, 2021

Date of Viewing: August 1, 2021

Date of Appraisal Report: October 14, 2021

Date of Photographs: August 1, 2021

Definition of Value

The definition of “Market Value”, as defined by the Office of the Comptroller of Currency (OCC) under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions, the Board of Governors of the Federal Reserve System (FRS) and the Federal Deposit Insurance Corporation in compliance with Title XI of FIRREA, as well as by the Uniform Standards of Appraisal Practice as promulgated by the Appraisal Foundation, is as follows.

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby,

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interest;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Policy Statement of the Appraisal Institute

It is improper to base a conclusion or opinion of value upon the premise the racial, ethnic, or religious homogeneity of the inhabitants of an area or of a property is necessary for maximum value.

Racial, religious, and ethnic factors are deemed unreliable predictors of value trends or price variance.

It is improper to base a conclusion or opinion of value, or a conclusion with respect to neighborhood trends, upon stereotyped, biased presumptions relating to the effective age or remaining life of the property being appraised or the life expectancy of the neighborhood in which it is located.

FACTUAL DESCRIPTIONS

Property Description

Summary of Site Characteristics and Improvements

SITE

Information Sources:	Deed, assessment records, inspection, owner
Total Site Size:	+/-0.17-Acre
Usable Site Size:	+/-0.17-Acre
Excess Land:	0.00 acres
Corner Lot:	The subject site is located at the corner of John Avenue and Tarpon Street, and the subject is a platted lot within the Crystal Beach Subdivision.
Visibility:	The subject site benefits from good visibility from John Avenue, which parallels the northern boundary and Tarpon Street, which parallels the western boundary of the subject property. The subject site is considered to have good visibility for the subject market area.
Shape:	Rectangular/Functional. See aerial photograph / property appraiser map for a visual depiction of the site shape and parcel.
Road Frontage/Access:	The subject features direct access from John Avenue and Tarpon Street.
Waterfront Proximity:	The subject is located approximately +/-800' north of the Beaches of the Gulf of Mexico and benefits from distant Gulf views from the 2nd and 3rd floors. In addition, there is a public beach access directly south of subject across Scenic Highway 98 at the intersection of Tarpon Street and Scenic Highway 98. The subject property is well-positioned as a resort rental property which would take capitalize on proximity to beaches.
Drainage:	Drainage appears adequate for the subject property. Drainage on the subject site is scheduled to meet current standards for storm water retention.
Potential For Environmental Contamination:	The appraisers have not observed, nor are qualified to detect, the existence of potentially hazardous material or underground storage tanks which may be present on or near the subject site.

The appraisers recommend that an environmental survey be attained to assure the environmental stability of the subject property. This appraisal assumes no subsoil contamination of the subject site.

Utilities:

Electricity: Electricity is provided by Gulf Power, Inc. Standard service capacity exists at the subject property with adequate capacity to service the subject existing improvements.

Sewer: Public sewer is provided and is on site.

Water: Public water is provided and is on site.

Natural Gas: Natural Gas service is provided and is on site.

Adequacy: Utility service is considered adequate for the subject improvements and at least standard for the subject market area.

Site Improvements:

Site improvements planned for the subject include surface and paved parking area, utilities, landscaping, fencing, a swimming pool with pool deck area.

Landscaping:

The subject is to feature very good quality landscaping with various plantings and grassy areas with irrigation.

Site Utility:

Good

Flood Zone:

The subject is located in an area mapped by the Federal Emergency Management Agency (FEMA). The subject property appears to be located in Flood Zone 'X' (CBRS Area) as noted by the following FEMA Map Number:
FEMA Map Number: 12091C0493H 12/06/2002

Easements:

We were not provided with a survey for the subject property. Our review of the appropriate maps and public records for the subject property indicated that standard utility easements exist. Our viewing did not indicate that any of these easements would adversely affect the value opinion of the subject contained herein. This appraisal assumes no easements, encroachments, or private deed restrictions which would adversely affect the value of the subject property.

Encroachments:

We were not provided with a survey for the subject property. Our review of the appropriate maps and public records for the subject property did not reveal any encroachments on the

subject site. Our viewing did not indicate any encroachments that would adversely affect the value opinion of the subject contained herein. This appraisal assumes no easements, encroachments, or private deed restrictions which would adversely affect the value of the subject property.

In 'As Complete' condition the subject property is improved with one resort rental residential structure, along with associated site improvements which include a swimming pool, pool deck, patios, balconies and parking.

IMPROVEMENTS – AS IS	
Summary:	Very good Quality Resort Rental Residence
Architectural Style:	Modern Multi-Story Residential 'Resort Style' Single Family Home
Building Class (Marshall Valuation)	Class D, Wood Frame
Construction:	Wood Frame / Hardi Board Exterior
Quality:	Very Good Quality Resort Residential Dwelling
Actual / Effective Age:	New
Condition:	Very Good
Remaining Useful Life:	55 Years
Areas & Ratios:	Bedrooms: 8 Baths: 9.5 Total Gross Building Area: 5,098 Square Feet Total HVAC Building Area: 4,556 Square Feet

The subject features 8 bedrooms and 8.0 bathrooms. Per instituted City of Destin Ordinance, the maximum number of guests will be calculated at the rate of 2 guests per bedroom based on the Property Appraiser's residential profile of the property, plus 4 additional guests. Therefore, the subject in the 'after ordinance' condition will be limited to 20 total guests. See Excerpt below.

Sec. 13-117. – Maximum occupancy based on site capacity/Grandfathering.

(a) The maximum overnight occupancy of a short-term rental shall be stated in the short-term rental registration form, and shall be limited to the lesser occupancy of the following two options:

i. Two (2) persons for each bedroom, plus four (4) additional persons. The number of bedrooms shall be based upon the Property Appraiser's residential profile of the property, and other documents of record, as needed. In no case shall the maximum total occupancy for any dwelling unit exceed the occupancy limits permitted by the Florida Fire Prevention Code or Florida Building Code.

or

ii. A total of twenty-four (24) persons per short-term rental. In the event that there is more than one building or dwelling on one platted lot, the maximum occupancy shall be capped at twenty-four (24) occupants per lot or structure, whichever is less.

FOUNDATION, FRAME & EXTERIOR

Foundation:	Concrete, Concrete Block Stemwall, Concrete Slab
Frame:	Wood Frame
Exterior:	Hardi Board
Roof/Cover:	Metal, Sloped

INTERIOR

Notes Regarding Interior Finish:	Interior finishes to the subject are of very good quality and include, but are not limited to, custom cabinetry, stone or solid surface countertops, custom backsplashes, stainless steel appliances, and very good quality bathroom and kitchen fixtures. Very good quality flooring and appurtenances. The subject features a finish superior to most resort residences in the existing Destin / Crystal Beach market.
Interior Finish:	Very Good Quality.
Ceilings & Ceiling Height:	Finished Ceilings throughout, generally 10'-0"-12'-0" height
Floor Cover:	Porcelain/Ceramic tile and Hardwood. Very good level of floor finish.
Doors:	Very good Quality and condition solid core / six-panel doors with lever style handles throughout. Glass windows and doors are good quality insulated double pane impact resistant.

Additional Amenities: The subject property has a very good level of finish with good design and outdoor living areas including a swimming pool with travertine paved pool deck, full outdoor kitchen and covered outdoor patios and covered and open balconies.

MECHANICAL SYSTEMS

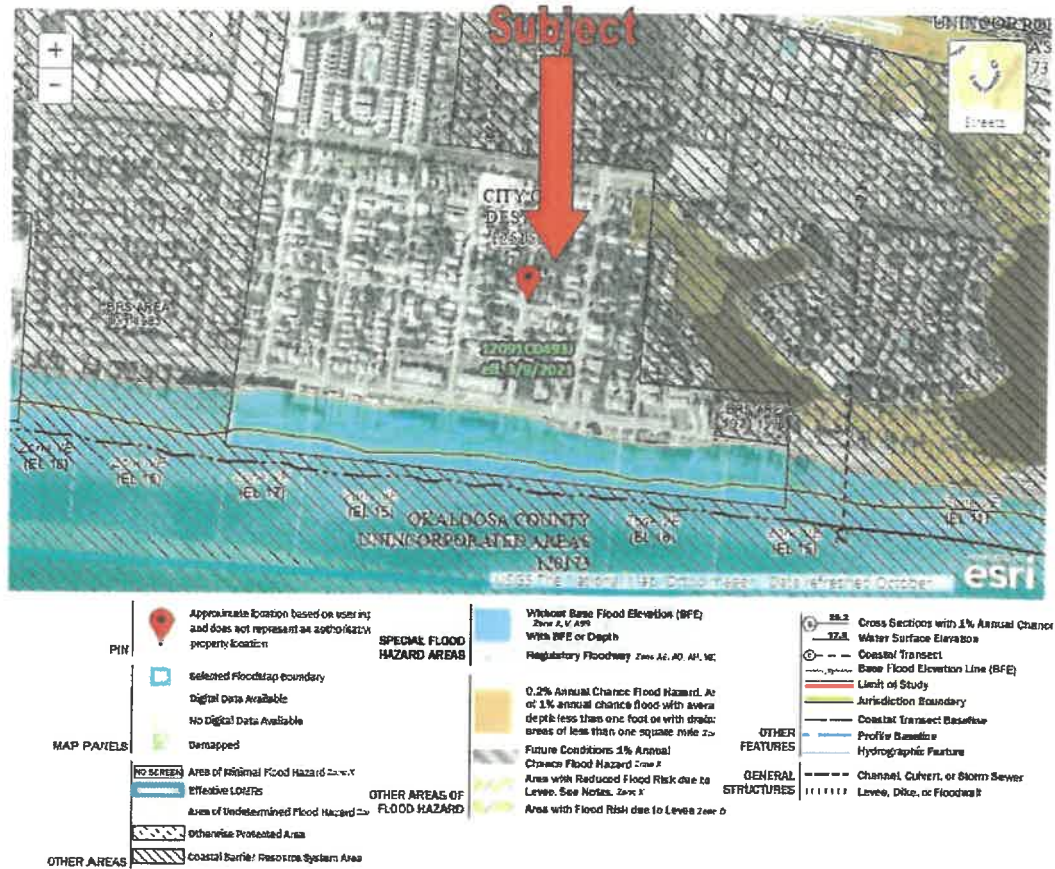
Heating / Cooling:	Multiple Individual HVAC systems.
Hot Water:	Adequate for property.
Electrical:	Adequate for property.
Plumbing:	Adequate for property with 8 Full Bathrooms.

The subject was specifically designed as a resort rental property with planned occupancy / sleeping accommodations for 28 persons.

Regional/Area Maps



Flood Map



Flood Zone Descriptions

"A 100-year flood is a flood that has a 1-percent chance of being equaled or exceeded in any given year. A base flood may also be referred to as a 100-year storm and the area inundated during the base flood is sometimes called the 100-year flood plain.

The term "100-year flood" is misleading. It is not the flood that will occur once every 100 years. Rather, it is the flood elevation that has a 1- percent chance of being equaled or exceeded each year. Thus, the 100-year flood could occur more than once in a relatively short period of time. The 100-year flood, which is the standard used by most Federal and state agencies, is used by the National Flood Insurance Program (NFIP) as the standard for floodplain management and to determine the need for flood insurance. A structure located within a special flood hazard area shown on an NFIP map has a 26 percent chance of suffering flood damage during the term of a 30-year mortgage.

Zone AE and A1-A30

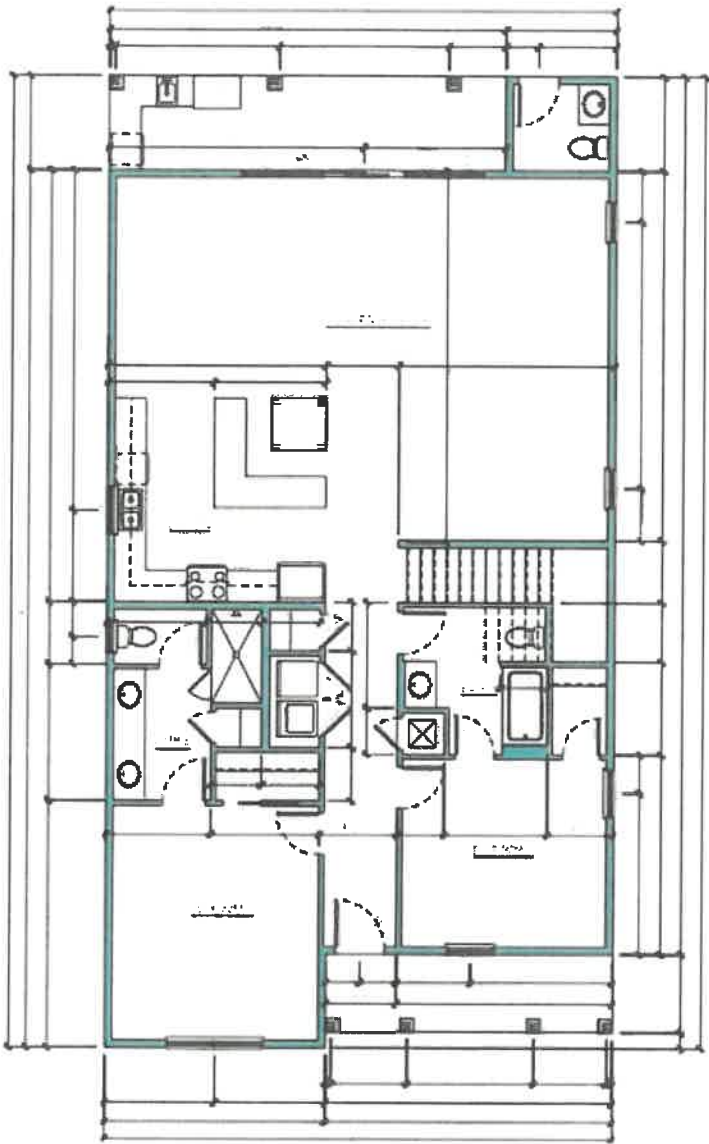
Zones AE and A1-A30 are the flood insurance rate zones that correspond to the 100-year floodplains that are determined in the Flood Insurance Study by detailed methods. In most instances, Base Flood Elevations derived from the detailed hydraulic analyses are shown at selected intervals within this zone. Mandatory flood insurance purchase requirements apply.

Zone VE

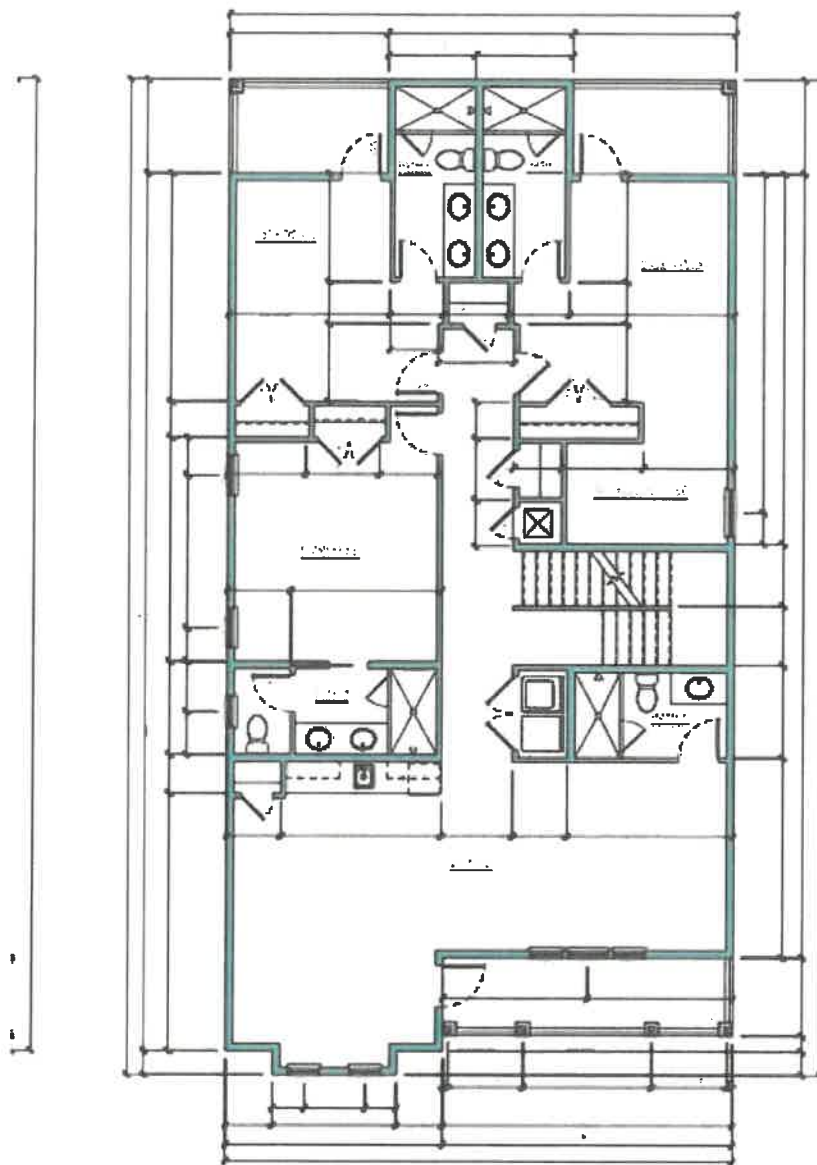
Zone VE is the flood insurance rate zone that corresponds to the 100-year coastal floodplains that have additional hazards associated with storm waves. BFEs derived from the detailed hydraulic analyses are shown at selected intervals within this zone. Mandatory flood insurance purchase requirements apply.

Zones B, C, and X are the flood insurance rate zones that correspond to areas outside the 100-year floodplains, areas of 100-year sheet flow flooding where average depths are less than 1 foot, areas of 100-year stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 100-year flood by levees. No BFEs or depths are shown within this zone."

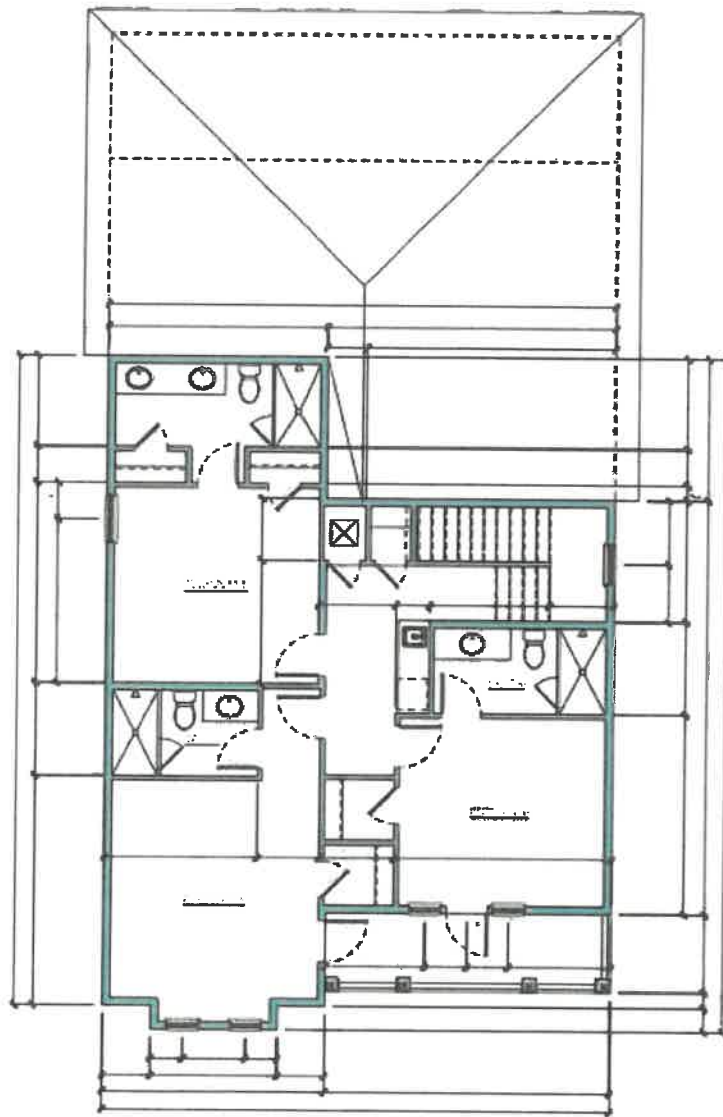
Building Floor Plan



LEVEL ONE FLOOR PLAN
SCALE: 1/8" = 1'-0"



LEVEL TWO FLOOR PLAN
6/2/20 10:10:10



LEVEL THREE FLOOR PLAN
SCALE: 1/8"=1'-0"

SQ.FT. CALCULATIONS

	LEVEL 1	LEVEL 2	LEVEL 3	TOTAL
FOOTPRINT	1740	1740	1740	5220
MECHANICAL ROOMS - GRAY	50	50	50	150
MECHANICAL ROOMS - BLUE	150	150	150	450
OVERALL TOTAL	1940	1940	1940	5820

Aerial Photograph



Subject property outlined in blue above

Subject Photographs



Tarpon Street Viewing South



Subject Site at Intersection of Tarpon Street and John Avenue



Subject Site – Improvements Not Yet Constructed



Subject Site – Improvements Not Yet Constructed

Zoning

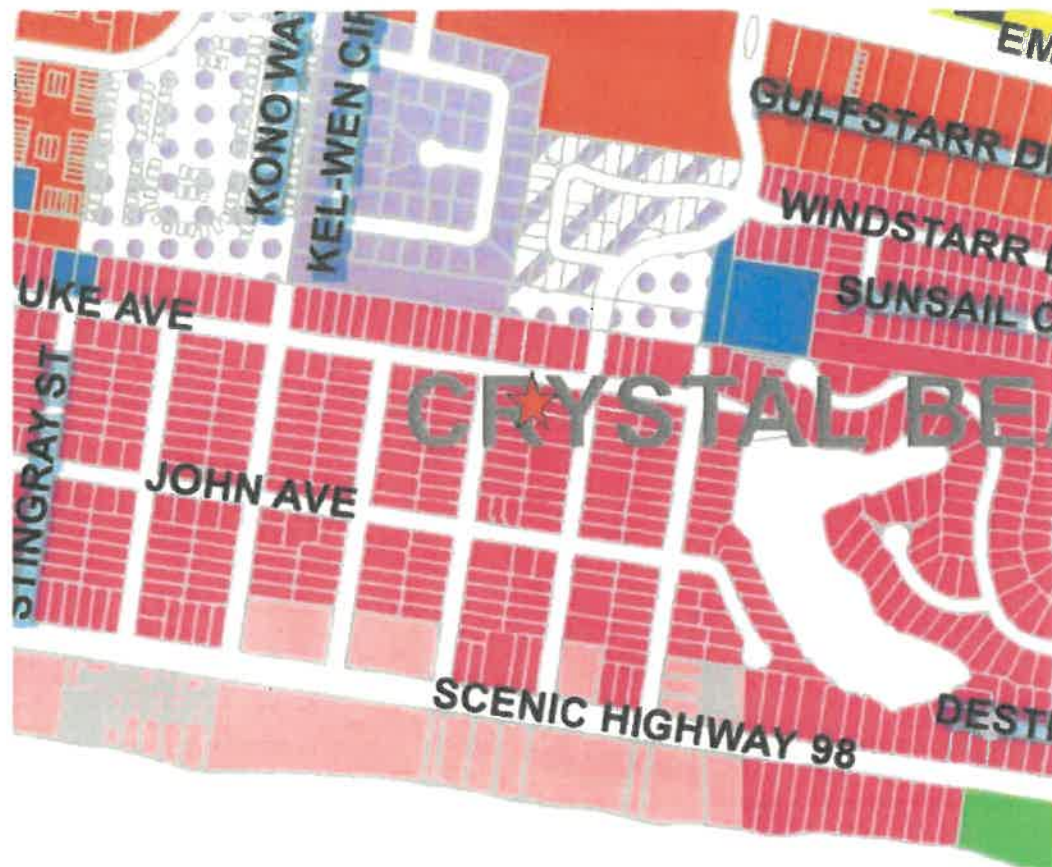
The subject property is located within the Crystal Beach Neighborhood land use designation, as governed by the City of Destin.

Use of the subject for various residential, short term seasonal rental, guest house and other varied uses are legally permissible by the zoning in place.

Therefore, use of the subject as a seasonal rental property is considered legal, conforming. It is noted that the zoning category description within the land development code does not provide for any outlined maximum occupancies for the subject property or other similar properties. We therefore ascertain that prior to implementation and application of City of Destin Ordinance 18-29-CC occupancy of the subject for the planned number of sleeping guests of 28 was legally permissible.

 Community Development Department Planning Division 4500 Indian Bayou Trail, Destin, FL 32541 Phone (850) 337-3123 • Fax (850) 837-7944 www.cityofdestin.com/index.aspx?nid=91 ZONING DISTRICT FACTSHEET	
The purpose and intent of establishing zoning districts is to ensure that all development is consistent with the goals, objectives and policies of the Comprehensive Plan. By establishing a series of zoning districts that indicate what uses are allowed and are development regulations that control the use of land in each district, all development within each zoning district shall be consistent with the purposes stated for each district. (LDU 7-12.05)	
CRYSTAL BEACH NEIGHBORHOOD (CBN)	
Purpose and intent: The Crystal Beach Neighborhood zoning district shall apply to areas developed, redeveloped and/or maintained and conserved as permanent or seasonal single-family detached or multi-family attached residential dwelling units. Very limited supportive non-residential uses are allowed and are strictly limited to places of worship, parks, playgrounds, community buildings and similar public service facilities serving the residents of the area, childcare centers and other ancillary neighborhood commercial uses which are approved as part of a planned unit development (PUD) for the exclusive use of the residents of the PUD. It is the intent of the CBN zoning district to specifically not allow the following uses to be located in the district: commercial hotels, motels, bed and breakfast establishments, or other commercial transient living accommodations.	
Table 7-2: Table of Allowable Uses (excerpt from LDU 7-12.06)	
PERMITTED USES:	Permanent or long-term residential uses
	Single family detached dwelling
	Guest house
	Accessory dwelling
	Single room occupancy housing
	Minimally furnished short-term rental units
	Religious organizations
	Seasonal or short-term residential uses
	Single family detached dwelling
	Other residential uses
1 permanent residential home, single (1 ft)	
Family day care home	
CONDITIONAL USES:	Other residential uses
	Permanent or long-term multi-family attached dwelling
	Seasonal or short-term multi-family attached dwelling
	Accessory residential home, large (2 ft)
	Child day care services
ACCESSORY USES:	Uses and structures which are customarily accessory, directly incidental and subordinate to permitted uses and structures including home occupations and off-site businesses
	Footnotes:
1	Guest houses are permitted only if the owner of the subject property occupies the primary dwelling as his/her main residence. However, guest houses shall not be rented out separately from the main residence. (LDU 7-12.06.51)
10	Uses are only allowed in the indicated zoning district.

Zoning Map



Residential	
	BE - Bay Estates
	CBN - Crystal Beach Neighborhood
	HDR - High Density Residential
	LDR-H - Low Density Residential - Harbor
	LDR-HI - Low Density Residential - Holiday Isle
	LDR-V - Low Density Residential - Village
	MDR-HI - Med. Density Residential - Holiday Isle
	MDR-V - Medium Density Residential - Village

Assessment and Taxes

Tax Structure, Overview

Florida Law requires that the just value of all property be determined each year. The Supreme Court of Florida has declared "just value" to be legally synonymous to "full cash value" and "fair market value." The fair market value of real property is the amount for which it could sell on the open market, and assumes the present use is the highest and best use. The property appraiser analyzes these market transactions annually to determine fair market value as of January 1 of each year.

The property appraiser is responsible for identifying, locating, and fairly valuing all property, both real and personal, within the county for tax purposes. The "market" value of real property is based on the current real estate market, and is determined by market participants. The property appraiser has the legal responsibility to study the transactions of market participants and appraise real property accordingly.

At least once every three years, the county property appraiser or a staff appraiser will visit and inspect each property. Additionally, individual property values may be adjusted between visits in light of sales activity or other factors affecting real estate values in the subject neighborhood. Sales of similar properties are typically used as strong indicators of value in the real estate market.

Each August, the Property Appraiser sends a "Notice of Proposed Taxes," to all property owners to notify them of the taxable value of their property. Taxable value is the assessed value less any exemptions. The TRIM notice also gives information on proposed millage rates and taxes as estimated by community taxing authorities, and when and where these taxing authorities will hold public meetings to discuss tentative budgets to set your millage tax rates.

The property appraiser only assesses all property in the county and is neither a taxing authority nor a tax collector. Three separate government entities, each having unique and distinct roles, determine the tax bill of any property in their jurisdiction.

The following is a summary of the process:

First the property appraiser annually appraises all property in their respective county at the market value as of January 1 each year.

Second, each taxing authority within the county sets their own millage rate based on the amount of tax dollars necessary to fund their annual budget.

Finally, the tax collector takes the amount of taxes due in order to bill and collect all taxes levied within the county.

Tax Collector Card

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Make your payment at OkaloosaTax.com Echeck is **FREE!**
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

ACCOUNT NUMBER	ESCROW CD	MILLAGE CD	ALTERNATE KEY	PROPERTY ADDRESS
002522058000030140		DEDF	1002884	4576 JOHN, DESTIN, 32541
LIGHTENING PROPERTIES LLC 86 CAMP CREEK POINT INLET BEACH, FL 32461		4576 JOHN CRYSTAL BEACH LOTS 14 & 15 BLK 3		

AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE VALUE	TAXES LEVIED
OKALOOSA COUNTY BD OF CO COMMS					
CAPITAL OUTLAY	0.0572	598,997	0	598,997	34.32
GENERAL	3.7422	598,997	0	598,997	2,341.57
COUNTY PUBLIC HEALTH UNIT	0.0313	598,997	0	598,997	18.75
SCHOOL LOCAL	2.2480	780,416	0	780,416	1,754.37
SCHOOL STATE	3.7870	780,416	0	780,416	2,955.44
NORTHWEST WATER DISTRICT	0.0711	598,997	0	598,997	18.63
CITY OF DESTIN	1.6150	598,997	0	598,997	967.38
DESTIN FIRE DISTRICT	1.0000	598,997	0	598,997	599.00

EXEMPTIONS APPLIED:

TOTAL MILLAGE	AD VALOREM TAXES
12.5719	\$8,589.46

Receive future tax bills by email. Visit OkaloosaTax.com and register for BillExpress today!

QUICKLY AND SECURELY PAY YOUR TAXES ONLINE AT
OkaloosaTax.com
Echeck is **FREE!**

BillExpress

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
NON-AD VALOREM ASSESSMENTS		
COMBINED TAXES AND ASSESSMENTS		\$8,589.46

IF POSTMARKED BY: Jan 31, 2021
PLEASE PAY ONLY ONE AMOUNT \$0.00

BEN ANDERSON 2020 Paid Real Estate
Okaloosa County Tax Collector

Make your payment at OkaloosaTax.com Echeck is **FREE!**
Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

ACCOUNT NUMBER	PROPERTY ADDRESS
002522058000030140	4576 JOHN, DESTIN, 32541
ALTERNATE KEY	
1002884	

PAY ONLINE
OkaloosaTax.com

PAY BY MAIL
Jan 31, 2021
\$0.00

4576 JOHN
DESTIN 32541

LIGHTENING PROPERTIES LLC
86 CAMP CREEK POINT
INLET BEACH, FL 32461

Paia Lightening Properties 01/07/2021 Receipt # 0-20065958 Echeck \$8,417.67

RETAIN THIS PORTION FOR YOUR RECORDS
PLEASE MAKE CHECKS PAYABLE TO OCTC MAIL PAYMENTS TO P.O. BOX 1390, NKEVILLE, FL 32568

ANALYSIS OF DATA AND OPINIONS OF THE APPRAISERS

Market Area Summary / Neighborhood Information

The subject property is located in the Destin-Miramar Beach market area, which is bounded by the Destin Harbor / East Pass to the West, US Highway 98 to the North, the Gulf of Mexico to the South and the intersection of US Highway 98 / Scenic Gulf Drive to the East. The approximate neighborhood boundaries are outlined in the photo below.



This is a resort area driven primarily by proximity to area beaches and resort activities. The predominant property type in the area is of second home and seasonal vacation properties with far fewer full-time residents than seasonal occupants.

Many second home and resort area property owners rent their properties on a seasonal basis to either offset costs of ownership or in the pursuit of income generation potential, and the seasonal income attributed to a property is often a significant factor contemplated by purchasers in the market when evaluating a purchase decision.

We have witnessed a trend for increased rental demand of larger resort residences which can accommodate larger groups for family reunions, large family vacations, etc.

This has led to the construction of larger and larger seasonal resort rental homes to serve this need. These larger properties often witness more robust demand and income generation potential than smaller properties with less sleeping capacity where vacationing groups would otherwise be required to split between several locations.

In summary, the subject is sited directly in an area that is geared toward seasonal rental operations, be it solely for the purpose of income generation potential or as an offset to the costs of personal use. The ability to rent a property seasonally remains a significant motivator for market participants and weighs heavily in their buy-sell decision making process. A restriction that negatively impacts the ability to seasonally rent a resort property is estimated to have a significant negative impact on the value of this asset class.

Highest and Best Use

The definition of “highest and best use” is presented unabridged in the definitions section of this report. However, in brief, highest and best use refers to the reasonably probable and legal use of vacant land or an improved property, which is legally permissible, physically possible, appropriately supported, financially feasible, and that results in the highest value, i.e. maximally productive.³

Objective analysis and interpretation of market data leads to an informed opinion of that use. However, the estimate of highest and best use should not be interpreted as a provable fact. A typical highest and best analysis evaluation process and pertinent questions which aid in the elimination of possible alternatives are presented below.

1. **Permissible Use.** What uses are permitted by zoning and other legal restrictions? What are the land use controls that will govern the site? Uses that are *legally permissible* are those allowed under current or likely zoning and those that could meet building codes. In addition, local communities may have restrictions on public utility loads, traffic creation, access restrictions, and so on, all of which must be considered when selecting legally permissible uses
2. **Physically Possible Use.** To what use is the site physically adaptable? What is an appropriate improvement given architectural / engineer study? Unless prohibited by soil or subsoil problems or land size constraints, it is *physically possible* to place most potential improvements on the site. Usually this test, if performed first or second, will not significantly reduce the number of potential uses.
3. **Feasible Use.** Which possible and permissible use will produce any net return to the owner of the site? Should the land be developed, and if so, what kind of improvement should be built? If an improvement should be constructed, what is the type and characteristics of an ideal improvement? Uses that are considered economically or financially feasible are those that potentially would logically produce net operating income and net resale price levels high enough to adequately support construction of the potential improvement and provide the investor with a reasonable profit. Implicit to this analysis is that riskier projects require higher profit levels to induce potential developers to undertake the burden of coordination of land, labor and capital.
4. **Maximally Productive Use.** The final test is to determine of the financially feasible options, which of these would result in the highest land value or values as

³ The Appraisal of Real Estate, Twelfth Edition

improved. Among the feasible uses which use will produce the highest net return, (i.e., the highest present worth)? If there are existing improvements on the property should they be maintained in their current state or should they be altered to more closely resemble the ideal improvement?

Although these criteria are generally evaluated sequentially, the resulting conclusion of highest and best use should be identical regardless of the order of application of the above tests.

Implied within this definition is that the estimation of the highest and best use for a particular property results from the appraisers' judgment and analytical skill with respect to the market for that particular property.

However, the highest and best use of a specific parcel of land is not just a matter of subjective opinion; rather, highest and best use is indicated by supply and demand forces within the market where the property is located, availability of capital, supply of alternative investments, need for additional products or services within a community, and other factors.

Highest and Best Use 'As Complete'

The highest and best use 'As Complete' recognizes among all reasonable, alternative uses, the use that yields the highest present land value after payments are made for labor, capital, and entrepreneurial coordination.⁴

We have evaluated the most probable uses for the subject property, 'As Complete', given the current market for resort residential rental property and recent development activity in the subject market area.

Legally Permissible

The subject property is located within the Crystal Beach Neighborhood land use designation, as governed by the City of Destin. Use of the subject for various residential, short term seasonal rental, guest house and other varied uses are legally permissible by the zoning in place.

Therefore, use of the subject as a seasonal rental property is considered legal, conforming. It is noted that the zoning category description within the land development code does not provide for any outlined maximum occupancies for the subject property or other similar properties. We therefore ascertain that prior to implementation and application of City of Destin Ordinance 18-29-CC occupancy of the subject for the planned number of sleeping guests of 28 was legally permissible. After implementation and application of City Ordinance 18-29-CC, the subject will be limited to a total of 20 sleeping guests.

Therefore, use of the subject as a resort residential property is legally permissible. Use of the subject prior to Ordinance implementation and application for occupancy by up to 28 guests was permitted, however after implementation and application of the Ordinance occupancy is limited to 20 guests.

Physically Possible

The subject property is generally level, well-drained, and at or level with the existing road grade of John Avenue and Tarpon Street and is scheduled to feature sufficient parking and site improvements to operate in the designed capacity for 28 occupants.

The subject represents a well-constructed resort residential property with one improvement configured to provide multiple bedrooms, bathrooms, an in ground pool, living areas and kitchen, etc. The subject has been specifically configured for occupancy as a resort rental property, and features all necessary components for operation as intended, with a designed occupancy of 28 overnight guests.

⁴ The Appraisal Of Real Estate, Twelfth Edition

Therefore, use of the subject as a resort residential rental property for 28 sleeping guests is physically possible.

Financially Feasible

Demand for resort residential properties in the subject market area has improved in the previous 24-48 month period, with a number of increased transactions. Most market participants would describe the market for similar properties as robust.

As described in the market analysis section of this report, the predominant property type in the market area is of second home and seasonal vacation properties with limited full-time residents.

Many property owners rent their properties on a seasonal basis to offset costs of ownership or for income generation potential, and the income a property can generate is often a significant factor contemplated by purchasers in the market. This can be done with or without the assistance of a professional property manager.

We have witnessed a trend for increased rental demand of resort residences which can accommodate larger groups for family reunions, large family vacations, etc. This has led to the construction and renovation of seasonal resort rental homes to serve this need.

Reference the subject, the property was specifically designed to house up to 28 sleeping guests. Similar properties in the market achieve sufficient income to provide an adequate return on investment to be definitively financially feasible, however this financial feasibility is directly linked to occupancy.

The recently-implemented and applied City of Destin Ordinance 18-29-CC serves to reduce occupancy of the subject to no more than 20 persons, a net reduction in occupancy of -28.57%.

This no doubt will impact the income generation potential of the property and associated net income, as now the improvement which was designed for 28 guests will be limited to 20; But, the predominant costs of ownership remain the same.

This ordinance inevitably lowers net income to the property owner- a situation that has no result other than to reduce the value of the asset in its respective marketplace where income generation potential is valued by prospective purchasers.

Therefore, use of the subject as a resort rental property is considered to be financially feasible. However, it is noted that the reduction in permissible occupancy by Ordinance 18-29-CC is estimated to impact the financial performance and associated market value of the subject property negatively.

Maximally Productive

Given the legally permissible, physically possible, and financially feasible uses of the subject property we are of the opinion that the maximally productive use of the subject property 'As Complete' is for continued resort rental use at the occupancy for which it was specifically designed (ie. 28 guests).

This use will certainly bring the highest net return to the land. While operation in a reduced occupancy capacity (as dictated by City of Destin Ordinance 18-29-CC) is still possible, the impact to the income generation potential is significant, as the occupancy has now been reduced by -28.57% based on number of persons.

This ordinance inevitably reduces gross and net income to the property owner, resulting in a reduced financial benefit of ownership and negative impact to market value.

Valuation Methodology - Overview

The appraisal analysis is based on analytical techniques that may encompass anticipation of costs to be incurred, and benefits to be derived in the future; however, the subject is appraised as described in this report, including only those assumptions also described in this report.

This appraisal analysis has been conducted, and the appraisal report was prepared in conformance with the requirements of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).

The valuation process is a systematic procedure an appraiser follows to provide answers to a client's questions about real property value.¹ Three basic approaches may be used to arrive at an estimate of market value. They are:

1. The Cost Approach
2. The Income Approach
3. The Sales Comparison Approach

Land Valuation Methodology

Land Valuation is generally a component of the Cost Approach in appraisal of an improved property. In most appraisal analyses, separate land valuation is conducted utilizing the Sales Comparison Approach.

Cost Approach Methodology

The cost approach is a reliable methodology for new, nearly new or special-use buildings. In the cost approach, value is estimated as the current cost of reproducing or replacing the existing or proposed improvements and site improvements (including direct and indirect costs as well as an appropriate entrepreneurial incentive or profit), and then deducting the loss in value from depreciation due to physical, functional, and external sources.⁵

The depreciated replacement or reproduction cost of the improvements is then added to the value of the site resulting in a value indication of the fee simple interest in the property.

The Cost Approach is summarized as follows:

Cost New
- Depreciation
+ Entrepreneurial Incentive
+ Land Value
= Value

⁵ The Appraisal of Real Estate, Twelfth Edition

Sales Comparison Approach Methodology

The sales comparison approach is premised on the "Principle of Substitution" which indicates an informed purchaser would pay no more for a property than the cost of acquiring an equally desirable substitute property possessing the same or similar utility.

This approach is applicable when an active market provides sufficient quantities of reliable data which can be verified from authoritative sources. The Sales Comparison Approach is most reliable in an active market or if an opinion of value is related to properties for which there are comparable sales available- and heavy emphasis is generally placed on this sales comparison approach when these market conditions are present.

The Sales Comparison Approach compares sales of similar properties with the subject property. Each comparable sale is adjusted for its inferior or superior characteristics. The values derived from the adjusted comparable sales form a range of value for the subject. By process of correlation and analysis, a final indicated value is derived.

Income Approach Methodology

The Income Approach converts the anticipated flow of future benefits (income) to a present value estimate through a capitalization and/or a discounting process.

The income approach is recognized as a reliable approach for estimating the value of "income producing" property to an investor. The income approach consists of methods, techniques, and mathematical procedures that an appraiser utilizes to analyze a property's capacity to generate income and convert income into an indication of present value either by capitalizing the current income at a market capitalization rate, or discounting the future cash flows into a present value estimate using an appropriate yield (discount) rate. The appraisal process emulates the actions of the market, and the income approach is most applicable when the probable buyer would be an investor or prospective owner occupant. Two techniques associated with the income approach are direct capitalization and discounted cash flow analysis.

Final Reconciliation Process

In the appraisal process for improved property, typically more than one approach to value is applied, resulting in two or more value indications that must be evaluated for relevancy, applicability and reliability, and a final point value or range of value is chosen.

Resolving the differences among various value indications is called reconciliation.⁶

The appraisal process concludes with the Final Reconciliation of the values derived from the approaches applied to arrive at a single estimate or range of market value opinions. Different properties require different means of analysis and lend themselves to one

⁶ The Appraisal of Real Estate, Twelfth Edition

approach over the others. As such, in the reconciliation appropriate weight is given to the most applicable and/or reliable indications of value to arrive at a conclusion.

Reconciliation is not a mathematical process. Rather, at this point in the valuation process the appraiser must reevaluate all pertinent data in the analysis for appropriateness, accuracy, and quality of evidence.

The appraiser then weighs the relative significance, applicability, and defensibility of each value indication and relies most heavily on the approach that is most appropriate to the nature of the appraisal problem.

Valuation Methodology Utilized in this Assignment

Valuation Analyses

Purpose of Assignment:

The purpose of this appraisal is to derive an opinion of the Diminution in Value to the subject property associated with the implementation and application of City of Destin Ordinance No. 18-29-CC.

This Ordinance was implemented and applied to the subject property on August 30, 2021, and the application of this ordinance limits the occupancy of the subject property to 20 guests. Prior to the implementation and application of this Ordinance, the designed occupancy of the subject property was 28 guests. Therefore, as a result of the ordinance, the maximum occupancy of the subject has been reduced by 8 guests, or approximately -28.57%.

We are therefore opining on the difference in market value of the subject before and after the implementation and application of City of Destin Ordinance No. 18-29-CC, which was applied on August 30, 2021.

Land Valuation and Cost Approach:

An opinion of value for the subject property in 'as if vacant' condition and subsequent application of the cost approach has not been provided. The purpose of this appraisal is to evaluate the impact to the value of the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and corresponding associated income generation potential. Thus, the cost to acquire land and construct a replacement property is meaningless to the purpose of the assignment and was not applied.

Sales Comparison Approach: The improved sales comparison approach was not utilized in this appraisal assignment. The purpose of this appraisal is to evaluate the impact to the value to the subject by virtue of the implementation and application of City of Destin Ordinance 18-29-CC which limits occupancy of the subject and associated income generation potential. As this ordinance was just recently implemented and applied, an adequate number of improved sales which sold after the Ordinance implementation and application date were not available from which to derive an opinion of market value from this approach. As sales which occurred prior to this Ordinance will reflect market transactions without this restriction, they are not considered valid indicators of value for the subject in the restricted condition. Therefore this approach could not be applied due to lack of sufficient comparable data.

Income Approach: The income approach was applied for the subject in both the 'Before Ordinance' and 'After Ordinance' scenarios.

Income Approach

The Income Approach to value is based on the principle of anticipation, i.e. the value of property correlates to the present worth of the future rights to benefits to be received by the owner. Income approach analysis considers the property from an investor's point of view, the basic premise being that the amount and quality of the income stream are the basis for value of the property.

The income approach is applied by projecting a net income stream through analysis of the subject historical data, comparable property's income and expense information, and historical income expense information for similar properties in the subject market area.

The estimated net income is then converted to a value indication utilizing either the process of direct capitalization analysis, discounted cash flow (DCF) analysis (yield capitalization), or a combination of these methods.

Discounted Cash Flow Analysis (Yield Analysis)

Discounted Cash Flow (DCF) analysis is the procedure in which a discount rate is applied to a series of projected income streams and a reversion. The analyst specifies the quantity, variability, timing, and duration of the income streams as well as the quantity and timing of the reversion and discounts each to its present value at a specified yield rate. DCF analysis can be applied with any yield capitalization technique and may be performed on either a lease-by-lease or aggregate basis.⁷

Applicability: DCF (Yield) analysis is generally used when the net income of the property is forecast to be variable, when the property is of a sufficient size and investment value to cause market participants to evaluate purchase decisions based on DCF, or when specifically requested by the client in an assignment.

Given the nature of the subject property, a discounted cash flow analysis was not employed in this appraisal analysis, as market participants typically do not utilize DCF methodology when evaluating purchase decisions for properties such as the subject.

Direct Capitalization

Conversion of a net income to a present value dollar estimate is called capitalization. Direct capitalization is a method used to convert an estimate of a single year's income expectancy into an indication of value in one direct step, either by dividing the income estimate by an appropriate rate or by multiplying the income estimate by an appropriate factor. This technique employs capitalization rates and multipliers extracted from sales. Only the first year's income is considered. Yield and value change are implied, but not identified.

⁷ The Dictionary of Real Estate Appraisal, Fourth Edition

Applicability: Direct Capitalization analysis is generally appropriate for small to medium sized income-producing properties, in stable markets, single tenant or multi-user-oriented properties, or those with a forecast stable income stream.

Direct Capitalization is utilized in this appraisal given the subject market environment, the character of the subject property in the local market, and the tendency for market participants to use direct capitalization analysis when evaluating investment thresholds and financial benefits for similar property.

The steps involved in capitalizing the subject's net operating income are as follows:

- Develop the subject's Potential Gross Income (PGI) through analysis of the subject's actual historic income and an analysis of competitive current market income rates.
- Estimate and deduct vacancy and collection losses to develop the Effective Gross Income (EGI).
- Develop and subtract operating expenses to derive the Net Operating Income (NOI).
- Develop the appropriate capitalization rate (R_o).
- Divide the net operating income by the capitalization rate for an estimate of value through the income approach.

The reliability of a value found by this approach depends on an appraiser's ability to forecast and support income forecasts and to apply the appropriate income capitalization technique to arrive at the value estimate. When estimating market value, the income forecast must be considered by the appraiser to be typical and the income capitalization techniques must reflect the way investors usually estimate value.

Valuation of a Fee Simple Interest by the Income Approach

When estimating the value of the fee simple interest by the income approach, the annual operating income is forecast assuming market levels. The term "market levels" means that the income and expenses are set at levels considered suitable for the subject property after comparing it to similar properties under current market conditions. Rental rates are projected based on expected market rents and vacancy, and collection loss is based on what is typical in the market for properties renting at the market rate.

Estimate of Potential Gross Income (PGI)

Potential Gross Income is the total income attributable to real property at full occupancy before vacancy and operating expenses are deducted.

Potential Gross Income includes the sum of potential rental income, other income, and expense recoveries.

We again mention that the subject property is a resort residential property that was specifically designed for income generation potential based on a sleeping occupancy load of 28 persons. This is the basis of the 'Before Ordinance' valuation scenario.

As a result of the implementation and application of City of Destin Ordinance 18-29-CC, the subject is now limited to a maximum sleeping occupancy of 20 persons, or a reduction of approximately -28.57%. This is the basis of the 'After Ordinance' valuation scenario.

We now seek to formulate an opinion of probable annual gross income due the subject in the 'Before Ordinance' configuration with a sleeping occupancy of 28 guests and in the 'After Ordinance' configuration with a sleeping occupancy of 20 guests.

Market Rent Based on Occupancy

The appraiser has researched the local market area in order to derive potential subject market rents based on the respective occupancy levels in the 'before' and 'after' configurations.

We will present a table of comparable gross rental income for comparable resort residential properties for both the 'before' and 'after' occupancy categories.

The following table outlines comparable rentals of residential resort rental homes in the subject market area with a sleeping capacity of 24-36 or more guests (before ordinance), then for 12-20 guests (after ordinance).

COMPARABLE RENTAL SCHEDULE, SLEEPING OCCUPANCY APPROXIMATELY 28 PERSONS 'Before Ordinance' Dataset					
Address	Sleeping Capacity	HVAC SF	Year Built	Annual Gross Income	Gross Income Per Sleeping Occupant
4488 Ocean View Drive	24	3,885	2018	\$163,393	\$6,808
2825 Scenic Highway 98	24	5,000	2016 (Eff)	\$220,000	\$9,167
3 Magnolia Drive	26	3,290	2017	\$251,696	\$9,681
3487 Scenic Highway 98	32	6,600	2016	\$305,393	\$9,544
3463 Scenic Highway 98	32	6,153	2015	\$380,000	\$11,875
42 Miami Street	34	7,424	2016	\$463,852	\$13,643
3561 Scenic Highway 98	36	6,531	2018	\$305,890	\$8,497
SUBJECT FORECAST REVENUE	24	4,874	2017	\$204,000	\$8,500
Comparable Statistics*					
Minimum	24	3,290	2015	\$163,393	\$6,808
Maximum	36	7,424	2018	\$463,852	\$13,643
Average	29	5,470	2017	\$298,603	\$9,888
Median	29	5,577	2017	\$305,393	\$9,544

The array of comparable rentals above exhibited a range of income per guest per year of between \$6,808 and \$13,643 per occupant. In consideration of the data above, we consider that an appropriate conclusion of gross annual rent per sleeping occupant is supported at \$8,000 per sleeping space, which is within the range of comparable rental data presented.

CONCLUSION OF POTENTIAL GROSS ANNUAL RENT, SUBJECT SLEEPING OCCUPANCY OF 28 PERSONS 'Before Ordinance'			
Address	Sleeping Capacity	HVAC SF	Calculated Conclusion of Annual Gross Income
Subject Property	28	4,556	\$224,000

COMPARABLE RENTAL SCHEDULE, SLEEPING OCCUPANCY OF APPROXIMATELY 20 PERSONS 'After Ordinance' Dataset					
Address	Sleeping Capacity	HVAC SF	Year Built	Annual Gross Income	Gross Income Per Sleeping Occupant
3167 Scenic Highway 98	12	1,854	1990	\$95,000	\$7,917
4835 Ocean Boulevard	14	3,546	2000	\$126,000	\$9,000
87 Cobia Street	16	1,560	1964	\$101,563	\$6,348
70 Pompano Street	16	1,914	1979	\$106,286	\$6,643
83 Sunfish Street	16	2,450	1996	\$96,000	\$6,000
4443 Clipper Cove	16	2,244	1993	\$102,429	\$6,402
91 Barracuda Street	18	3,320	2007	\$139,577	\$7,754
4735 Ocean Boulevard	18	4,263	2003	\$157,980	\$8,777
Minimum	12	1,560	1964	\$95,000	\$6,000
Maximum	18	4,263	2007	\$157,980	\$9,000
Average	16	2,644	1964	\$115,604	\$7,355
Median	16	2,347	1995	\$104,358	\$7,199

The array of comparable rentals above exhibited a range of income per guest per year of between \$6,000 and \$9,000 per occupant. In consideration of the data above, we consider that an appropriate conclusion of gross annual rent per sleeping occupant is supported at the upper end of the range, given the fact that the subject is of new construction and features a very good construction quality and level of interior finish. We therefore estimate an annual rent of \$8,750 per sleeping space is supported.

CONCLUSION OF POTENTIAL GROSS ANNUAL RENT, SUBJECT SLEEPING OCCUPANCY OF 20 PERSONS 'After Ordinance'			
Address	Sleeping Capacity	HVAC SF	Calculated Conclusion of Annual Gross Income
Subject Property	20	4,556	\$175,000

In the preceding section of the report we derived an opinion of probable gross annual rent due the subject in both the 'Before Ordinance' (\$224,000) and 'After Ordinance' (\$175,000) conditions. The result was a decrease in annual income as a result of the reduced sleeping capacity of -21.88% commensurate with the decrease in occupancy from 28 to 20 persons or -28.57%.

We now seek to evaluate the expenses pertinent to the subject in order to forecast Net Operating Income in both the Before and After scenarios.

Estimation of Operating Expenses

Vacancy and Collection Loss

As we forecast income based on comparable rentals with reported gross income figures, there is no need to deduct a vacancy and collection loss allocation, as the figures utilized already take into account a vacant and credit loss deduction.

Taxes

The property taxes for the subject property are estimated at the rate of \$15,000 annually. This cost is stable regardless of the occupancy of the subject in the 'before' and 'after' conditions.

Insurance

The insurance costs (Building) for the subject are estimated to be a rounded \$7,500 annually, which is consistent with other similar properties in the market area. This cost is stable regardless of the occupancy of the subject in the 'before' and 'after' conditions.

Utilities (Power, Water/Sewer/Garbage, Cable and Internet)

The owner pays all utilities, including power, water/sewer/garbage, cable and internet, for the subject property. We estimate an annual cost of \$14,000 for the subject in the 'before' condition, and at the rounded rate of \$13,000 in the 'after' condition. It is noted that regardless of the occupancy of the subject, the costs of electricity remain relatively constant, and the costs of cable and internet are the same regardless of the number of occupants. Only the expenses of water, gas and to a nominal degree electricity are variable with occupancy.

Repairs/Maintenance

We have included a repairs/maintenance allowance as a percentage of EGI at 5.0% in the before configuration which equates to \$11,200 annually. With regard to the after configuration, noting that routine maintenance is likely not significantly impacted by differences in occupancy between 28 and 20 persons, but the annual income is reduced, we must increase our maintenance in the 'after' configuration as this expense is calculated as a % of EGI. In the 'after' condition we estimate maintenance at the rate of 6.0% of EGI. While we do recognize that 'wear and tear' is somewhat linked to occupancy, the fact that the entire house area is subject to use by 28 guests just as it is with 20 guests, this cost is somewhat fixed.

Management

We estimate management costs based on the costs of a third party manager who would typically charge between 15% and 25% of collected rents for the management service. We will utilize a rate on the lower end of this scale for both value scenarios, or a rate of 15% of EGI.

Income and Expense Statement

The table below recaps our projected income stream and breaks down each expense item. Expenses are totaled, and the net operating income is displayed for both the 'before' and 'after' ordinance conditions.

"Before" Condition

Income Capitalization Analysis - 'Before Ordinance Limiting Occupancy'				
Unit	Income	Method	Units/SF	Annual
Annual Income 'Before Ordinance' - 28 Guests	\$224,000.00	\$/Year	1	\$224,000
			Potential Gross Income:	\$224,000
			Vacancy & Collection Loss Included	\$0
			Effective Gross Income (EGI):	\$224,000
Expense	Amount (% or \$)	Method	Annual	
Taxes	\$15,000	\$/Year	\$15,000	
Insurance	\$7,500	\$/Year	\$7,500	
Utilities	\$14,000	\$/Year	\$14,000	
Repairs/Maintenance	5.0%	% of EGI	\$11,200	
Management	15%	% of EGI	\$33,600	
			Total Expenses:	\$81,300
			Expense Ratio (Expenses/EGI):	36.29%
			Net Operating Income (NOI):	\$142,700

"After" Condition

Income Capitalization Analysis - 'After Ordinance Limiting Occupancy'					
Unit	Income	Method	Units/SF	Annual	% of PGI
Annual Income 'After Ordinance' - 20 Guests	\$175,000.00	\$/Year	1	\$175,000	100.0%
			Potential Gross Income:	\$175,000	100.0%
			Vacancy & Collection Loss Included	\$0	
			Effective Gross Income (EGI):	\$175,000	100.0%
Expense	Amount (% or \$)	Method	Annual	\$/SF	
Taxes	\$15,000	\$/Year	\$15,000	\$3.29	
Insurance	\$7,500	\$/Year	\$7,500	\$1.65	
Utilities	\$13,000	\$/Year	\$13,000	\$2.85	
Repairs/Maintenance	6.0%	% of EGI	\$10,500	\$2.30	
Management	15%	% of EGI	\$26,250	\$5.76	
			Total Expenses:	\$72,250	\$15.86
			Expense Ratio (Expenses/EGI):	41.29%	
			Net Operating Income (NOI):	\$102,750	\$22.55

Capitalization Rate Derivation

The capitalization rate is the factor that converts the stabilized net operating income (NOI) to a present value. It is the ratio of net income to value or sale price.

$$\text{NOI} \div \text{Sale Price} = \text{Capitalization Rate}$$

For example, if a property sells for \$500,000, and has a stabilized NOI of \$50,000, the indicated capitalization rate is 10%.

Four methods are generally recognized for estimating an appropriate capitalization rate for use in direct capitalization analysis. These four methods are:

1. Market-Extracted Capitalization Rate Data
2. Band of Investment Method Calculation
3. Debt Coverage Method Calculation
4. Nationally-Published Capitalization Rate Data

Market Extracted Capitalization Rate Data

The market-extraction method of estimating capitalization rates involves finding comparable sales of property similar to the subject, and extracting a market rate from the net operating income and sales price of the comparable property.

We present the following examples of market-extracted capitalization rates for Resort Residential properties, based on similar sales in the local and broader markets.

- 3463 Scenic Highway 98 is a resort rental property that sold in February of 2016 for \$3,615,000. Net Operating Income was reported to be \$222,125, therefore indicating a capitalization rate of 6.14%.
- 925 Scenic Gulf Drive in Miramar Beach is a resort rental property that sold in November of 2018 for \$1,900,000. Net Operating Income based on forecast income and expenses was reported to be \$130,000, therefore indicating a capitalization rate of 6.84%.
- 917 Scenic Gulf Drive in Miramar Beach is a resort rental property that sold in August of 2018 for \$1,925,000. Net Operating Income based on forecast income and expenses was reported to be \$135,000, therefore indicating a capitalization rate of 7.00%.
- 1850 Scenic Gulf Drive in Miramar Beach is a resort rental property that sold in September of 2015 for \$2,205,000. Net Operating Income at the time of sale was reported to be \$133,200, therefore indicating a capitalization rate of 6.03%.

Based on the above information, and taking into consideration the overall market appeal and the very young age of the subject, we consider that a market extracted rate of 6.50% would be applicable for the subject property.

Band of Investment Method Analysis

This technique utilizes lender and real estate investor investment criteria to develop, or synthesize a capitalization rate. As most income producing properties are purchased with debt plus equity capital, the return on investment portion of the overall capitalization rate must satisfy the market returns of both the investor and the lender. The lender must receive a competitive interest rate, and the investor must anticipate receiving a competitive equity yield.

There are four key inputs necessary for this method:

1. The loan-to-value ratio (M)
2. The mortgage interest rate (i)
3. The loan term (n)
4. The equity cap rate or equity dividend rate (R_E)

The mortgage variables are used to build the mortgage constant (R_M), which is the total amount of the payments made in one year, expressed as a percentage of the original loan amount.

$$\text{Payments} \times 12 / \text{Original Loan Amount} = \text{Mortgage Constant } (R_M)$$

The equity cap rate is the annual return to the investor, expressed as a percent of the original amount invested. The annual return to the investor is also known as the equity dividend rate; it is the profit remaining after debt service and all other expenses.

$$\text{After Debt Service Profit} / \text{Equity Investment} = \text{Equity Cap Rate } (R_E)$$

Note that the equity cap rate is not the same (usually, that is) as the equity yield rate. The equity yield rate reflects the total return to the investor over the life of the investment. Factors such as appreciation and mortgage pay down affect and usually increase this return to a point higher than the equity dividend rate. In markets where substantial appreciation is expected, investors will often accept a low or even negative equity dividend rate, anticipating a compensating payoff when the property is eventually sold. In markets where little appreciation is expected, much more weight is given to the annual equity dividend.

Formula:

$$\begin{aligned} R_M \times M &= \text{rate} \\ R_E \times (1-M) &= \text{rate} \\ &= \text{Cap Rate } (R_o) \end{aligned}$$

A survey of local lenders indicated that competitive fixed rate loans for properties similar to the subject as investment property are typically available at a rate of between 4.50% and 6.00% on a 30 year amortization schedule with a 50-70% loan to value.

Thus, we will use a rate of 5.75% in our calculations, with a 70% loan to value and a 30 year amortization term for our analysis of the band of investment and debt coverage ratio analyses.

The debt capitalization rate (or mortgage constant) for a typical loan made at 5.75% for 30 years is 0.070028743.

Equity dividend (capitalization) rates in the local market range from 4-9%. We estimate an equity dividend rate of 6.00% in the local market for property such as the subject.

Debt Coverage Ratio Method Analysis

This technique develops a capitalization rate based on typical mortgage terms. There are four variables necessary for this method:

1. The loan-to-value ratio (M)
2. The mortgage interest rate (i)
3. The loan term (n)
4. The debt coverage ratio (DCR)

Items 1 through 3 are discussed above under the Band of Investment section. In this method it is also used to develop the mortgage constant (R_M). The debt coverage ratio is the factor by which income exceeds debt on an annual basis.

Formula:

$$\text{Debt Coverage Ratio} \times \text{Loan to Value Ratio} \times \text{Mortgage Constant} = R_o$$

or: $DCR \times M \times R_M = R_o$

We have researched mortgage rates and terms typical for the subject within the market area as noted above. The table below details the Band of Investment and Debt Coverage Ratio Analyses calculations.

Capitalization Rate Calculations				
Capitalization Rate Variables				
Mortgage Interest Rate	5.75%			
Loan Term (Years)	30			
Loan To Value Ratio	70.0%			
Debt Coverage Ratio	1.25			
Equity Dividend Rate	6.00%			
Band of Investment Analysis				
Mortgage Constant	0.070028743	x	Loan Ratio	Contributions
			70.0%	= 4.90%
Equity Dividend Rate	6.00%	x	Equity Ratio	
			30.0%	= 1.80%
Band of Investment Capitalization Rate				6.70%
Debt Coverage Ratio Analysis				
Debt Coverage Ratio x Loan to Value Ratio x Mortgage Constant				
	1.25 x 0.7 x 0.0700287427732263			= 6.13%
Debt Coverage Ratio Capitalization Rate				6.13%

The Band of Investment capitalization rate analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.70%.

The Debt Coverage Ratio Analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.13%.

National Survey Data

RealtyRates.com Investor Survey

RealtyRates does not track capitalization rates for resort residential property such as the subject, however they do track rates for lodging facilities, a property type that is similar in use to the subject, being a facility for short term rental on a seasonal basis where all services are included in the rental rate. We therefore look to this property category in realty rates for an indication of an applicable capitalization rate for the subject.

The *Realty Rates Investor Survey*, dated 2nd Quarter 2021, indicates going-in capitalization rates for Lodging Facilities – All Types ranged from 4.55% to 16.06% with an average of 9.88%. In consideration of the excellent quality and condition of the subject property, as well as the resort location, we would estimate an applicable capitalization rate would be below the national average indicated by the survey data and within the lower quartile of exhibited rates, or a rate of between 4.55% and 7.42%.

RealtyRates.com INVESTOR SURVEY - 2nd Quarter 2021*						
LODGING FACILITIES - ALL TYPES						
Item	Input					OAR
Minimum						
Spread Over 10-Year Treasury	1.34%	DCR Technique	1.00	0.040238	0.80	3.22
Debt Coverage Ratio	1.00	Band of Investment Technique				
Interest Rate	2.60%	Mortgage	80%	0.040238	0.032191	
Amortization	40	Equity	20%	0.078750	0.015750	
Mortgage Constant	0.040238	OAR				4.79
Loan-to-Value Ratio	80%	Surveyed Rates				4.55
Equity Dividend Rate	7.88%					
Maximum						
Spread Over 10-Year Treasury	10.80%	DCR Technique	2.85	0.144484	0.50	20.53
Debt Coverage Ratio	2.85	Band of Investment Technique				
Interest Rate	12.06%	Mortgage	50%	0.144484	0.072242	
Amortization	15	Equity	50%	0.193598	0.096799	
Mortgage Constant	0.144484	OAR				16.90
Loan-to-Value Ratio	50%	Surveyed Rates				16.06
Equity Dividend Rate	19.36%					
Average						
Spread Over 10-Year Treasury	3.93%	DCR Technique	1.53	0.074520	0.67	7.62
Debt Coverage Ratio	1.53	Band of Investment Technique				
Interest Rate	5.19%	Mortgage	67%	0.074520	0.049748	
Amortization	23	Equity	33%	0.141916	0.047176	
Mortgage Constant	0.074520	OAR				3.89
Loan-to-Value Ratio	66.8%	Surveyed Rates				9.88
Equity Dividend Rate	14.2%					

Capitalization Rate Summary and Conclusion

We consider that a market extracted rate of 6.50% would be applicable for the subject property based on market-extracted capitalization rate indications.

The Band of Investment capitalization rate analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.70%.

The Debt Coverage Ratio Analysis indicated an appropriate capitalization rate per the preceding assumptions of 6.13%.

National Market Indicators as reported by realty rates for a related property type indicate an appropriate capitalization rate of between 4.55% and 7.42% for the subject property.

Capitalization Rate Conclusion:

It is the opinion of the appraiser that a **6.50% capitalization rate** should be employed in this analysis.

On the following page we present the direct capitalization analysis for both the 'Before' and 'After' Ordinance 18-29-CC value scenarios.

Capitalization to Value

“Before” Condition

Income Capitalization Analysis - 'Before Ordinance Limiting Occupancy'				
Unit	Income	Method	Units/SF	Annual
Annual Income 'Before Ordinance' - 28 Guests	\$224,000.00	\$/Year	1	\$224,000
			Potential Gross Income:	\$224,000
		Vacancy & Collection Loss	Included	\$0
			Effective Gross Income (EGI):	\$224,000
Expense	Amount (% or \$)	Method		Annual
Taxes	\$15,000	\$/Year		\$15,000
Insurance	\$7,500	\$/Year		\$7,500
Utilities	\$14,000	\$/Year		\$14,000
Repairs/Maintenance	5.0%	% of EGI		\$11,200
Management	15%	% of EGI		\$33,600
			Total Expenses:	\$81,300
			Expense Ratio (Expenses/EGI):	36.29%
			Net Operating Income (NOI):	\$142,700
			Capitalization Rate:	6.50%
			Value (NOI/Cap Rate):	\$2,195,385
			Rounded:	\$2,200,000

“After” Condition

Income Capitalization Analysis - 'After Ordinance Limiting Occupancy'				
Unit	Income	Method	Units/SF	Annual
Annual Income 'After Ordinance' - 20 Guests	\$175,000.00	\$/Year	1	\$175,000
			Potential Gross Income:	\$175,000
		Vacancy & Collection Loss	Included	\$0
			Effective Gross Income (EGI):	\$175,000
Expense	Amount (% or \$)	Method		Annual
Taxes	\$15,000	\$/Year		\$15,000
Insurance	\$7,500	\$/Year		\$7,500
Utilities	\$13,000	\$/Year		\$13,000
Repairs/Maintenance	6.0%	% of EGI		\$10,500
Management	15%	% of EGI		\$26,250
			Total Expenses:	\$72,250
			Expense Ratio (Expenses/EGI):	41.29%
			Net Operating Income (NOI):	\$102,750
			Capitalization Rate:	6.50%
			Value (NOI/Cap Rate):	\$1,580,769
			Rounded:	\$1,580,000

Conclusion of Diminution in Value

In the 'before ordinance' configuration direct capitalization of the net operating income to the subject property revealed a value opinion of \$2,200,000 based on an occupancy of 28 sleeping guests.

In the 'after ordinance' configuration direct capitalization of the net operating income to the subject property revealed a value opinion of \$1,580,000 based on an occupancy of 20 sleeping guests.

The Diminution in Value is represented by the difference between the 'before' and 'after' value conclusions, or in this case the difference between \$2,200,000 and \$1,580,000 or \$620,000.

As an augmenting check to this value opinion, we consider a discounted cash flow analysis of the lost income to the subject as a result of the reduced occupancy, for the remaining term of the economic life of the improvement.

As presented in the preceding income analyses, the difference in annual Net Operating Income between the 'before' scenario at \$142,700 and the 'after' scenario at \$102,750, calculates to \$39,950 annually.

This is the annual net income loss as a result of the implemented and applied restriction on occupancy by virtue of City of Destin Ordinance 18-29-CC, and will continue for the remainder of the economic life of the structure and the site is redeveloped.

As of the date of value, the subject is new construction.

The published economic life of improvements similar to the subject is 55 years per Marshall Valuation Service. Therefore, the remaining economic life for the subject structure as of the date of value 55 years.

If we consider that City of Destin Ordinance 18-29-CC serves to reduce occupancy to the subject, thereby reducing annual income in the amount of \$39,950 annually, presumably for the remaining economic life of the improvement, we can calculate the present value of this financial loss over time as a check to the Diminution in value calculation via direct capitalization analysis presented preceding.

If we discount the annual loss of \$39,950 for a period of 55 years, at a discount rate of 6% annually, the present value of the future loss of income is calculated to be \$638,822 which provides additional support for our opinion of Diminution in Value via direct capitalization analysis of \$620,000.

Therefore, our opinion of Diminution in value for the subject property is opined to be \$620,000 consistent with our calculation via direct capitalization analysis:

Six Hundred Twenty Thousand Dollars
\$620,000

Certification

The appraiser has no present or prospective interest in the subject property of this appraisal and no personal interest of bias with respect to the parties involved in this appraisal. I have the appropriate education and experience to conduct this appraisal.

The appraiser will not divulge the analytical findings or conclusions to anyone other than the client or designee, except as may be required by the Appraisal Institute or by a court of law with power of subpoena.

I certify, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property which is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property which is the subject of this report or to the parties involved with this assignment.
- The engagement in this assignment was not contingent upon developing or reporting predetermined results.
- The compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.

***Certification
(Continued)***

- The signatory appraiser has not performed any services, as an appraiser or in **any** other capacity, regarding the subject property within the 3 years prior to acceptance of this appraisal assignment.

This appraisal has been conducted, and the appraisal report prepared in conformance with the requirements of Title XI of the Financial Institutions Reform, Recover, and Enforcement Act of 1989 (FIRREA, 12 U.S.C. 3331 et seq.). This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.

No person other than the undersigned made a significant professional contribution to the research and analysis in this appraisal unless specifically noted above.

Respectfully submitted,
EquiValue Appraisal, LLC.

A handwritten signature in blue ink, appearing to read 'Jason P. Shirey', with a stylized flourish at the end.

Jason P. Shirey, MAI, CCIM
Cert Gen RZ3186

Limiting Conditions and Assumptions

1. Unless otherwise noted in the body of the report, we assumed that title to the property or properties appraised is clear and marketable and that there are no recorded or unrecorded matters or exceptions that would adversely affect marketability or value. We are not aware of any title defects nor were we advised of any unless such is specifically noted in the report. We did not examine a title report and make no representations relative to the condition thereof. Documents dealing with liens, encumbrances, easements, deed restrictions, clouds and other conditions that may affect the quality of title were not reviewed. Insurance against financial loss resulting in claims that may arise out of defects in the subject property's title should be sought from a qualified title company that issues or insures title to real property.
2. We assume that improvements are constructed or will be constructed according to approved architectural plans and specifications and in conformance with recommendations contained in or based upon any soils report(s).
3. Unless otherwise noted in the body of this report, we assumed: that any existing improvements on the property or properties being appraised are structurally sound, seismically safe and code conforming; that all building systems (mechanical/electrical, HVAC, elevator, plumbing, etc.) are, or will be upon completion, in good working order with no major deferred maintenance or repair required; that the roof and exterior are in good condition and free from intrusion by the elements; that the property or properties have been engineered in such a manner that it or they will withstand any known elements such as windstorm, hurricane, tornado, flooding, earthquake, or similar natural occurrences; and, that the improvements, as currently constituted, conform to all applicable local, state, and federal building codes and ordinances. We are not engineers and are not competent to judge matters of an engineering nature. We did not retain independent structural, mechanical, electrical, or civil engineers in connection with this appraisal and, therefore, make no representations relative to the condition of improvements. Unless otherwise noted in the body of this report no problems were brought to our attention by ownership or management. We were not furnished any engineering studies by the owners or by the party requesting this appraisal. If questions in these areas are critical to the decision process of the reader, the advice of competent engineering consultants should be obtained and relied upon. It is specifically assumed that any knowledgeable and prudent purchaser would, as a precondition to closing a sale, obtain a satisfactory engineering report relative to the structural integrity of the property and the integrity of the building systems. Structural problems and/or building system problems may not be visually detectable. If engineering consultants retained should report negative factors of a material nature, or if such are later discovered, relative to the condition of the improvements, such information could have a substantial negative impact on the conclusions reported in this appraisal. Accordingly, if engineering consultants report negative findings, we reserve the right to amend the appraisal conclusions reported herein.
4. All furnishings, equipment and business operations, except as specifically stated and typically considered as part of real property, have been disregarded with only real property being considered in the appraisal. Any existing or proposed improvements, on- or off-site, as well as any alterations or repairs considered, are assumed to be completed

in a workmanlike manner according to standard practices based upon information submitted. This report may be subject to amendment upon re-inspection of the subject property subsequent to repairs, modifications, alterations and completed new construction. Any estimate of Market Value is as of the date indicated; based upon the information, conditions and projected levels of operation.

5. We assume that all factual data furnished by the client, property owner, owner's representative, or persons designated by the client or owner to supply said data are accurate and correct unless otherwise noted in the appraisal report. We have no reason to believe that any of the data furnished contain any material error. Information and data referred to in this paragraph include, without being limited to, numerical street addresses, lot and block numbers, Assessor's Parcel Numbers, land dimensions, square footage area of the land, dimensions of the improvements, gross building areas, net rentable areas, usable areas, unit count, room count, rent schedules, income data, historical operating expenses, budgets, and related data. Any material error in any of the above data could have a substantial impact on the conclusions reported. Thus, we reserve the right to amend our conclusions if errors are revealed. Accordingly, the client-addressee should carefully review all assumptions, data, relevant calculations, and conclusions within 30 days after the date of delivery of this report and should immediately notify us of any questions or errors.
6. The date of value to which any of the conclusions and opinions expressed in this report apply, is set forth in the Letter of Transmittal. Further, that the dollar amount of any value opinion herein rendered is based upon the purchasing power of the American Dollar on that date. This appraisal is based on market conditions existing as of the date of this appraisal. Under the terms of the engagement, we will have no obligation to revise this report to reflect events or conditions which occur subsequent to the date of the appraisal. However, we will be available to discuss the necessity for revision resulting from changes in economics or market factors affecting the subject.
7. We assume no private deed restrictions, limiting the use of the subject property in any way.
8. Unless otherwise noted in the body of the report, we assume that there are no mineral deposits or subsurface rights of value involved in this appraisal, whether they be gas, liquid, or solid. Nor are the rights associated with extraction or exploration of such elements considered unless otherwise stated in this appraisal report. Unless otherwise stated we also assumed that there are no air or development rights of value that may be transferred.
9. We are not aware of any contemplated public initiatives, governmental development controls, or rent controls that would significantly affect the value of the subject.
10. The estimate of Market Value, which may be defined within the body of this report, is subject to change with market fluctuations over time. Market value is highly related to exposure, time promotion effort, terms, motivation, and conclusions surrounding the offering. The value estimate(s) consider the productivity and relative attractiveness of the property, both physically and economically, on the open market.
11. Unless specifically set forth in the body of the report, nothing contained herein shall be construed to represent any direct or indirect recommendation to buy, sell, or hold the

properties at the value stated. Such decisions involve substantial investment strategy questions and must be specifically addressed in consultation form.

12. Unless otherwise noted in the body of this report, we assume that no changes in the present zoning ordinances or regulations governing use, density, or shape are being considered. The property is appraised assuming that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report is based, unless otherwise stated.
13. This study may not be duplicated in whole or in part without our written consent, nor may this report or copies hereof be transmitted to third parties without said consent. Exempt from this restriction is duplication for the internal use of the client-addressee and/or transmission to attorneys, accountants, or advisors of the client-addressee. Also exempt from this restriction is transmission of the report to any court, governmental authority, or regulatory agency having jurisdiction over the party/parties for whom this appraisal was prepared, provided that this report and/or its contents shall not be published, in whole or in part, in any public document without our written consent. Finally, this report shall not be advertised to the public or otherwise used to induce a third party to purchase the property or to make a "sale" or "offer for sale" of any "security", as such terms are defined and used in this Securities Act of 1933, as amended. Any third party, not covered by the exemptions herein, who may possess this report, is advised that they should rely on their own independently secured advice for any decision in connection with this property. We shall have no accountability or responsibility to any such third party.
14. Any value estimate provided in the report applies to the entire property, and any pro ration or division of the title into fractional interests will invalidate the value estimate, unless such pro ration or division of interests has been set forth in the report.
15. Any distribution of the total valuation in this report between land and improvement applies only under the existing program of utilization. Component values for land and/or buildings are not intended to be used in conjunction with any other property or appraisal and are invalid if so used.
16. The maps, plats, sketches, graphs, photographs, and exhibits included in this report are for illustration purposes only and are to be used only to assist in visualizing matters discussed within this report. Except as specifically stated, data relative to size or areas of the subject and comparable properties was obtained from sources deemed accurate and reliable. None of the exhibits are to be removed, reproduced, or used apart from this report.
17. No opinion is intended to be expressed on matters that may require legal expertise or specialized investigation or knowledge beyond that which is customarily employed by real estate appraisers. Values and opinions expressed presume that environmental and other governmental restrictions/conditions by applicable agencies have been met, including but not limited to seismic hazards, flight patterns, decibel levels/noise envelopes, fire hazards, hillside ordinances, density, allowable uses, building codes, permits, licenses, etc. No survey, engineering study or architectural analysis was provided to us unless otherwise stated within the body of this report. If we were not supplied with a

termite inspection, survey or occupancy permit, no responsibility or representation is assumed or made for any costs associated with obtaining same or for any deficiencies discovered before or after they are obtained. No representation or warranty is made concerning obtaining these items. We assume no responsibility for any costs or consequences arising due to the need, or the lack of need, for flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazard Insurance.

18. Acceptance and/or use of this report constitutes full acceptance of the Assumptions and Limiting Conditions and extraordinary assumptions set forth in this report. It is the responsibility of the Client, or client's designees, to read in full, comprehend and thus become aware of the aforementioned assumptions and limiting conditions. We assume no responsibility for any situation arising out of the Client's failure to become familiar with and understand the same. The Client is advised to retain experts in areas that fall outside the scope of the real estate appraisal/consulting profession if so desired.
19. We assume that the subject property will be under prudent and competent management and ownership; neither inefficient nor super-efficient.
20. We assume that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal reports.
21. No survey of the boundaries of the property was undertaken. All areas and dimensions furnished are presumed correct. It is further assumed that no encroachments to the realty exists.
22. All value opinions expressed herein are as of the date of value. In some cases, facts or opinions are expressed in the present tense. All opinions are expressed as of the date of value, unless specifically noted.
23. The Americans with Disabilities Act (ADA) became effective January 26, 1992. Notwithstanding any discussion of possible readily achievable barrier removal construction items in this report, we did not perform a specific compliance survey and analysis of this property to determine whether it is in conformance with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the ADA. If so, the fact could have a negative effect on the value estimated herein. Since we have no specific information relating to this issue, nor are we qualified to make such an assessment, the effect of any possible non-compliance was not considered in estimating the value of the subject property.
24. The value estimate rendered in this report is predicated on the assumption that there is no hazardous material on or in the property that would cause a loss of value. We were not provided with an Environmental Assessment Report. Further, we are not qualified to determine the existence or extent of environmental hazards. If there are any concerns pertaining to environmental hazards for this property, we recommend that a qualified engineer perform an assessment.

ADDENDA

Parcel Map



Property Appraiser Card


Okaloosa County Property Appraiser
Log In

Layers Map Search Sales Search Sales List Condo List Results **Report** Sales Results Property Type Search Property Type Results More

Parcel Summary

Parcel ID: 00-25-22-0580-0003-0140
Location Address: 75 TARPON ST
DESTIN 32541
Neighborhood: DESTIN EAST (100500.02)
Brief Tax Description: CRYSTAL BEACH LOT 14 BLK 3
This description above is not to be used on legal documents
Property Use Code: MULTI-FAM1 (000600)
Sec/Twp/Rng: 00-25-22
Tax District: Destin (District 10)
Millage Rate: 12.5119
Acreage: 0.000
Homestead: N
Acreage (GIS): 0.17
Fire District: N/A

[View Map](#)

Owner Information

Primary Owner:
[Livingston Enterprises LLC](#)
85 Camp Creek Point
Inlet Beach, FL 32461

Valuation

	2021 Preliminary Values	2020 Certified Values	2019 Certified Values	2018 Certified Values	2017 Certified Values
➤ Building Value	\$161,870	\$151,764	\$148,229	\$146,586	\$102,878
➤ Extra Features Value	\$16,652	\$16,652	\$15,652	\$17,885	\$14,671
➤ Land Value	\$321,300	\$612,000	\$612,000	\$480,216	\$448,690
➤ Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
➤ Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
➤ Just (Market) Value	\$499,822	\$780,416	\$776,881	\$642,689	\$566,439
➤ Assessed Value	\$499,822	\$598,957	\$544,543	\$495,039	\$446,763
➤ Exempt Value	\$0	\$0	\$0	\$0	\$0
➤ Taxable Value	\$499,822	\$598,957	\$544,543	\$495,039	\$446,763
➤ Cap Diff/Portability Amount	\$0	\$187,419	\$232,338	\$147,650	\$119,676

Just (Market) Value description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

2021 TRIM Notice

[Click here to view the 2021 TRIM Notice PDF.](#)

Land Information

Code	Land Use	Number of Units	Unit Type	Frontage	Column Depth
000800	MJ UT-FAM 9 OR LESS	1.00	LT	50	0

Building Information

Building 1	
Type	TRI QUAD
Total Area	3,051
Heated Area	3,029
Exterior Walls	BO/SATTEN
Roof Cover	DIMEN/TIMBER
Interior Walls	DRYWALL
Frame Type	
Floor Cover	CLAY/CERMC
Heat	A/R DUCTED
Air Conditioning	CENTRAL
Bathrooms	2
Bedrooms	6
Stories	1
Actual Year Built	1978
Effective Year Built	1965

Extra Features

Code	Description	Number of Items	Length x Width x Height	Units	Unit Type	Effective Year Built
VNFENC	VNFENCE	1	0x0x0	1	UT	2017
SWMPOLC	SWAMPPOOLC	1	0x0x0	78	LF	2011
CONCRE	CONCRETEC	1	0x0x0	2,337	SF	2015

Building Area Types

Type	Description	Sq. Footage	Column Year
BAE	BASE AREA	3,029	1978
FOP	FOP/PRECH	32	1978

Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Column Grantee
N	06/14/2013	\$159,000	W/D	2303	2408	Unqualified (V)	Improved	GARCIA DEREK J & JACQUELINE L	LIGHTNING PROPERTIES LLC
N	06/21/2010	\$235,000	W/D	2250	5512	Unqualified (V)	Improved	PRECOURT BARTHOLOMEW W & KELLI	GARCIA DEREK J & JACQUELINE L

Warranty Deed

FILE # 2864817 RCD: 06/27/2013 @ 04:10 PM, BK: 3103 PG: 2605 RECORDING:
\$6.00 RECORDING ARTICLE V: \$4.00 DEED DOCSTAMP \$3213.00 DEPUTY CLERK
EDUNN DON W. HOWARD, CLERK OF COURTS, OKALOOSA COUNTY FL

Prepared by:
Sara Brown
H & S Title and Escrow, Inc.
151 Regions Way, Bldg. 1, Ste. A
Destin, Florida 32541

File Number: HS13-0221

\$10.00

D.S. on Deed \$ 3213.00
\$ on Mort. \$ _____
Int. Tax on Mort. \$ _____

General Warranty Deed

Made this June 14, 2013 A.D. by Derek J. Garcia and Jacqueline L. Garcia, husband and wife, 67 Lake Point Drive, Miramar Beach, FL 32550, hereinafter called the grantor, to Lightening Properties, L.L.C., a Florida limited liability company, whose post office address is: 15500 Emerald Coast Parkway, Unit 400, Destin, FL 32541, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliena, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okaloosa County, Florida, viz:

Lots 14 and 15, Block 3, Crystal Beach, according to the plat thereof, recorded in Plat Book 1, Page 17, of the Public Records of Okaloosa County, Florida.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside therein:

Parcel ID Number: 00251205000030140

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple, that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2012.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Wanda K. Greer
Witness Printed Name: Wanda K. Greer

Sara Brown
Witness Printed Name: SARA BROWN

State of Florida
County of Okaloosa

Derek J. Garcia (Seal)
Derek J. Garcia
Address: 67 Lake Point Drive, Miramar Beach, FL 32550

Jacqueline L. Garcia (Seal)
Jacqueline L. Garcia
Address: 67 Lake Point Drive, Miramar Beach, FL 32550

The foregoing instrument was acknowledged before me this 14th day of June, 2013, by Derek J. Garcia and Jacqueline L. Garcia, husband and wife, who is/are personally known to me or who has produced Derek J. Garcia as identification.



Sara Brown
Notary Public
Print Name: _____
My Commission Expires: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022**TYPE OF AGENDA ITEM:** Action Item**AGENDA OUTLINE NUMBER:** 3.H.**TO:** City Council**THRU:** Webb Warren, Deputy City Manager
Lance Johnson, City Manager
Krystal Strickland, Finance Director**FROM:** Nichole DeVito, Human Resources Manager**DATE:** 1/18/2022**SUBJECT:** Upgrade of Position: Human Resource Coordinator PT to FT Human Resource Specialist

I. BACKGROUND: The Human Resources Department needs to upgrade the HR Coordinator position from part time to a full-time HR specialist due to increasing expectations and goals of the city. This position was going to be requested to be budgeted for as a full-time position in the FY23 budgeting process.

The position was transitioned from full time to part time in 2016 when the HR Coordinator at the time was promoted to manager and the current HR Coordinator came on board. This transition will provide better support for our internal customers as well as provide additional coverage in the event that either department member is unavailable to field questions and staff walk-ins.

II. DISCUSSION: The Human Resources department is vital to our operations. Restoring this position to its original full-time status will increase service levels for our organization and will help the organization to help accomplish Council's top objective of offering livable wages and *benefits to attract and maintain high caliber, qualified staff*. It also increases the sustainability of the department by adding a level of redundancy and coverage for our organization.

A. Link to Strategic Goals / Objectives: Financially sound city providing service excellence

B. Effect on Budget (EOB): Upgrading this position from a part time (29 hours per week) coordinator to a full time (40 hours per week) specialist effective March 1, 2022 is conservatively estimated to cost an additional \$24,728 this fiscal year. The majority of the cost is related to benefits. Funds were budgeted this year in

anticipation of results from the compensation study. Benefit expenditures in the HR department have been lower than budgeted. The net effect on the FY 2022 budget is as follows:

	0151321
	Human
	Resources
0151321-512000	
HR-Salaries	\$ 104,102
0151321-521000 to 527000	
HR-Taxes & Benefits	29,155
FY22 Adopted Budget	133,257
Previous Expenses/Encumbrances	(98,031)
Available Program Budget	35,226
This Agreement +(-)	\$ (24,728)
FY22 Remaining Program Budget	\$ 10,498

C. Level of Service (LOS): Increased level of service

III. CONCLUSION: By restoring this position to full-time status, the city will be able to better accomplish a part of it's priority goal by being able to attract and maintain high-caliber, qualified staff.

IV. RECOMMENDED MOTION: This item is for informational purposes.

Attachments:

1. CM - Human Resources Specialist



City of Destin, FL Job Description

Job Title: Human Resources ~~Specialist~~ **Coordinator**
Department: City Manager
FLSA Status: Non-Exempt
Grade: 10~~52~~

SUMMARY: ~~Assists with staffing, recruiting, compensating, training, evaluating, and risk management functions. Maintains automated information systems. Assists with records management. Under general supervision, provides assistance in the coordination of Human Resources functions by providing technical and administrative support, administering employee benefits, hiring and termination, regulatory processing, employment verification, workers compensation claims, FMLA and disability leave processing, maintenance of personnel files, payroll/personnel system and other Human Resources related functions.~~

ESSENTIAL DUTIES AND RESPONSIBILITIES: The following are not to be construed as an exclusive or all-inclusive listing of skills and abilities required to perform the job. Management may delegate other responsibilities as required.

- Demonstrates commitment to Team Destin and our mission, vision, values, and goals and represents the city in a professional, dignified manner at all times both in actions and appearance.
- Contributes to the development and accomplishment of home team work-plans.
- Demonstrates competent knowledge of all applicable -polices, codes, ordinances, regulations and statutes.
- Demonstrate competent knowledge of all divisional Key Functions and their associated processes.
- Assists in organizational training and development.
- Performs searches for qualified candidates according to relevant job criteria, using computer databases, networking, Internet recruiting resources, cold calls, media, recruiting firms, and employee referrals.
- Assists HR Manager in new hire orientation to include: ~~drug screening, onboarding,~~ benefits enrollment and staff orientation.
- Types memos, correspondence, job descriptions, reports, agendas and other documents.
- Provides current and prospective employees with information about policies, job duties, working conditions, wages, opportunities for promotion and employee benefits.
- Prepares vacancy advertisements and assists with the placement and coordination.
- Plans, directs, and coordinates risk and insurance programs of establishments in order to control risks and losses.
- Maintains, monitors, updates and establishes data for HR databases to include: evaluation tracker, benefits, job descriptions, employee directories, and organization charts.
- Assists in benefits administration ~~including~~ including coordination, claims processing, claims resolution, and member change reporting.
- Maintains occupational injury log.
- Analyzes training needs to design employee development, language training and health and safety programs.
- Makes appointments and answers inquiries.
- Responds to requests for employment verification.

- Reconciles monthly bills, dental, medical, vision, and supplemental insurance.
- Continually participates in and seeks out MUNIS training and provides MUNIS training to others.
- Updates MUNIS and information systems ~~bi-weekly~~ for accuracy and personnel policy consistency.
- Prepares purchase requests.
- Maintains files and assists with records retention and ~~dispositional~~.
- Builds effective working relationships with, partners, city leaders and ~~other~~ city staff.
- Contributes to the development and accomplishment of home team work-plans utilizing the plan, do, check, act cycle of improvement.
- Performs pre-employment reference checks on prospective candidates based on department selection.
- Ensures adequate maintenance of supplies; maintains inventory
- Performs periodic audits of HR/Risk information to ensure accuracy.
- Conduct research as directed by the Human Resources Manager
- Perform duties related to employee terminations including cancellation of benefits, communication of pertinent information and exit interview tracking.
- Assists with preparation of budget books and budget presentations.
- Maintains tracking of key HR indicators such as turnover, participation in employee programs, recruitment, etc.
- Develops and presents recommendations for improving employment policies, processes and practices.
- Assists with planning of employee events including but not limited to: employee meetings, open enrollment meetings, health fairs, holiday events and morale boosting events.
- Coordinates and attends job fairs as needed including researching options available to enhance applicant pools.
- Performs other related duties as assigned.

SUPERVISORY RESPONSIBILITIES: Supervision of other city employees is not required of this position.

QUALIFICATIONS

Education and Experience: High School Diploma and two (2) years of work experience involving benefits administration, claims, training, HR Information Systems and occupational safety. Experience navigating MUNIS system preferred.

Licenses or Certifications:

None.

Special Requirements:

Experience in Human resources and public sector preferred.~~None.~~

Knowledge, Skills and Abilities:

- Knowledge of departmental policies, procedures, and practices.
- Skill in the use small office equipment, including copy machines or multi-line telephone systems.
- Skill in using computers for data entry.
- Skill in using computers for word processing and/or accounting purposes.
-

- Ability to compare and/or judge the readily observable functional, technical, structural, compositional or identifiable characteristics (whether similar to or divergent from obvious standards) of data, people or things.
- Ability to read a variety of professional, technical and administrative documentation, directions, instructions, methods and procedures.
- Ability to produce reports with proper format, punctuation, spelling and grammar, using all parts of speech.
- Ability to learn and understand subject matter principles and techniques.
- Ability to make independent judgments in absence of supervision within the scope of respective job duties and tasks.
- Ability to acquire and expound on knowledge of topics related to primary occupation.
- Ability to utilize mathematical formulas; add and subtract, multiply and divide totals; determine percentages; and determine time and weight and interpret same as may be appropriate.
- Ability to inspect items for proper length, width and shape.
- Ability to differentiate colors and shades of color.
- Ability to interact with people (staff, supervisors, general public and elected officials) beyond giving and receiving instructions to include tactfully mediating conflicts and achieving positive results.
- Ability to perform under maximum stress when confronted with short deadlines, heavy workloads, conflicting interests and high customer demand.
- Ability to communicate and organize effectively.
- Ability to maintain confidentiality of sensitive subject matter.

PHYSICAL REQUIREMENTS: The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The HR Coordinator is required to remain in a stationary position at a workstation for extended periods of time, with the occasional need to traverse or position their-self to access office machinery or cabinets/ as well as occasionally moving, transporting, or positioning objects weighing up to 20 pounds. Must be physically able to operate a variety of essential job-related machines and office equipment. Must be able to move or carry essential job related objects or materials.

CAREER DEVELOPMENT:

- Continuing Education (seminars, job-related coursework at post-secondary institutions, continuing education credits/CEU's)
- Training (Either as participant or trainer)
- Involvement in relevant professional or technical associations
- Serving on city committees
- Volunteering to take responsibility for special projects, cross training

The City has the right to revise this description at any time. This description does not represent in any way a contract of employment.

Employee Signature

Supervisor Signature

Date

_____ Employee Signature	_____ Supervisor Signature	_____ Date
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_____ Employee Signature	_____ Supervisor Signature	_____ Date
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CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.I.

TO: City Council
THRU: Rey Bailey, City Clerk
FROM: Kim Montgomery, Deputy City Clerk
DATE: February 15, 2022
SUBJECT: Destin Little League Parade Approval

I. BACKGROUND: The Destin Little League, Inc. is requesting use of city streets to hold their annual opening day parade from Destin Elementary School to Dalton Threadgill Park on Saturday, March 12, 2022.

II. DISCUSSION:

A. Link to Strategic Goals / Objectives: I. Enhance Quality of Life
I.E. Enhance the City's Recreational Services

B. Effect on Budget (EOB): There is no staff requirement for this event.

C. Level of Service (LOS): The City of Destin shall not incur any expenses or revenue as a result of this event.

III. CONCLUSION: All related and required documentation have been submitted and approved for legal sufficiency by the Risk Manager and City Attorney.

IV. RECOMMENDED MOTION: I move to approve the Destin Little League's request for use of city streets for their annual opening day parade on March 12, 2022.

Attachments:

1. 2022 Destin LL Opening Day Parade ROW Request



CHECKLIST FOR USE OF PUBLIC FACILITIES OR PROPERTY:

Name of Organization: Destin Little League, Inc.

Type of Event: Parade

Date(s) of Event: March 12th

Location of Event: Destin Elementary to Threadgill Park

1.* Certificate of Insurance (**Endorsement to the Policy & Acord is required**)
provided: Yes: ☒ **This is required.** Date on which provided: _____

2.* Hold Harmless (**Signed Original**) provided: Yes: ☒ **This is required.**
Date on which provided: _____

3.** Permission granted from FDOT for use of State roadway (**applicable only if using and closing any portion of State Highway 98**) Yes _____ No _____
Date written permission granted: N/A

4.** Local law enforcement services requested: ☒ **Yes** **This is required.**
Law enforcement officer contacted: Timothy Townbridge

5.** Destin Fire Control District contacted: ☒ **Yes** **This is required.**
Person contacted: Chief Jeff Anderson

6.** Okaloosa County Emergency Medical Services contacted:
Person contacted: Patrick Maddox ☒ **Yes** **This is required**

7. Please provide map of race route(s).

8. Describe steps being taken to ensure removal of all directional arrows, signage, as well as trash left on City streets upon conclusion of the event:
We will walk the route upon completion & remove.

9. Please provide location & pertinent information regarding sufficient and approved event participant parking for the event:

Destin Elementary School

10. City Park Permit needed: Yes___ No X If yes, please contact Lisa Firth at Destin Community Center @ 850-654-5184 to make arrangements to reserve the park.

11. Will the event be in a residential neighborhood and will there be excessive noise or light glare from the event?

No

Hayes Smith
(Requester's or Acting Agent's Signature)

- * **Original Certificate of Insurance and signed Hold Harmless must be provided to the City of Destin to be presented to City Council prior to their approval of the event, as well as a map of the race route.**
** **Provide the City a written acknowledgement/concurrence from the agency.**

HOLD HARMLESS AGREEMENT

_____ agrees to indemnify and hold harmless the City of Destin from any and all liability, defense costs, including attorney fees and all other fees incidental to defense, loss or damage the City of Destin may suffer as a result of claims, demands, costs or judgments against it arising from the _____ to be held on _____.

In addition, the _____ agrees to provide the City of Destin a Certificate of Insurance naming the City as an Additional Insured reflecting general liability coverage of not less than \$1,000,000.00.

(Corporate Name)

Signature of President

Print name and print President next to name

STATE OF _____

COUNTY OF _____



HOLD HARMLESS AGREEMENT

Destin Little League, Inc agrees to indemnify and hold harmless the City of Destin from any and all liability, defense costs, including attorney fees and all other fees incidental to defense, loss or damage the City of Destin may suffer as a result of claims, demands, costs or judgments against it arising from the Little League Parade to be held on March 12, 2022.

In addition, the Destin Little League, Inc agrees to provide the City of Destin a Certificate of Insurance naming the City as an Additional Insured reflecting general liability coverage of not less than \$1,000,000.00.

Destin Little League, Inc
(Corporate Name)

Signature of President

Jason J. Alley, President
Print name and print President next to name

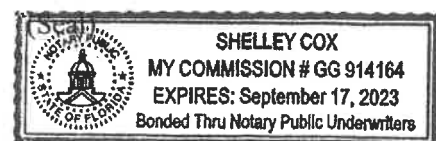
STATE OF FL

COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, on this 3 day of Feb. 2022
by Jason J. Alley who is personally known by me or has
produced identification DL Type of Identification: FL DL

Signature of Notary Taking Acknowledgement

Shelley Cox
Printed name of Notary Taking Acknowledgement





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/8/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Keystone Risk Managers, LLC 1995 Point Township Drive Northumberland PA 17867	CONTACT NAME: David Irwin PHONE (A/C, No, Ext): (570) 473-2150 E-MAIL ADDRESS: DIrwin@Keystoneinsgrp.com FAX (A/C, No): (570) 473-2151														
INSURED Little League Baseball Risk Purchasing Group, Incorporated DESTIN LL 4602 Sailmaker Ln Destin FL 32541	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A: Lexington Insurance Company</td><td>19437</td></tr><tr><td>INSURER B: AIG Specialty Insurance Company</td><td>26883</td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Lexington Insurance Company	19437	INSURER B: AIG Specialty Insurance Company	26883	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC ☒ OTHER: Per League	X		011405744	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 SEXUAL ABUSE OCC/AGG \$ 1M/\$1M
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is named as Additional Insured per form CG 2026 (04/13)

CERTIFICATE HOLDER**CANCELLATION**

City of Destin FL

4200 Indian Bayou Trail

Destin

FL 32541

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

IMPORTANT

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

POLICY NUMBER: 011405744

COMMERCIAL GENERAL LIABILITY
CG 20 26 04 13

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):

City of Destin FL
4200 Indian Bayou Trail
Destin, FL 32541

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YY) 02/08/22
PRODUCER Keystone Risk Managers, LLC 1995 Point Township Drive Northumberland, PA 17867	CERTIFICATE #: 3090105-2022-1 3 09 01	
INSURERS AFFORDING COVERAGE:		
ADDITIONAL NAMED INSURED: DESTIN LL Jason Alley 4602 Sailmaker Ln Destin, FL 32541		INSURER A: Lexington Insurance Company INSURER B: National Union Fire Insurance Company of (Non-Liability) Pittsburgh, PA INSURER C: AIG Specialty Insurance Company

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.
 * SUBJECT TO \$5,000,000 AGGREGATE SUBLIMIT OF LIABILITY FOR ALL LEAGUES, COMBINED, UNDER THE MASTER D&O POLICY, FOR ALL LOSS ARISING FROM ALL CLASS ACTION CLAIMS AND COMMON LEAGUE CLAIMS, AS MORE FULLY DESCRIBED IN ENDORSEMENT #34 OF THE MASTER D&O POLICY.
 ** SUBJECT TO \$5,000,000 AGGREGATE SUBLIMIT OF LIABILITY FOR ALL LEAGUES, COMBINED, UNDER THE MASTER CYBER POLICY, FOR SPECIFIED DEFENSE COSTS, AS MORE FULLY DESCRIBED IN ENDORSEMENT #14 OF THE MASTER CYBER POLICY.

INSR LTR	ADD'L NAMED INSRD	TYPE OF INSURANCE		POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
A	X	GENERAL LIABILITY		011405744	01/01/2022	01/01/2023	EACH OCCURRENCE	\$1,000,000
		X	OCCURRENCE				GENERAL AGGREGATE	\$2,000,000
		X	INCL PARTICIPANTS	Property Damage Deductible: \$250			PRODUCTS/COMP OPS AGGREGATE	\$1,000,000
		X	SEXUAL ABUSE				Sexual Abuse OCCURRENCE	\$1,000,000
							Sexual Abuse AGGREGATE	\$1,000,000
	MEDICAL PAYMENTS				Any One Person			
C	X	DIRECTORS & OFFICERS		018235622	01/01/2022	01/01/2023	EACH LOSS	\$1,000,000 *
							AGGREGATE	\$1,000,000
C	X	CYBER LIABILITY COVERAGE		017355170	01/01/2022	01/01/2023	LIMIT OF LIABILITY CLAIMS MADE	\$100,000 PER LEAGUE AGGREGATE
		SECURITY AND PRIVACY LIABILITY INSURANCE					\$100,000 PER LEAGUE SUBLIMIT OF LIABILITY ** \$1,000 PER LEAGUE RETENTION	
		REGULATORY ACTION SUBLIMIT OF LIABILITY		\$100,000 PER LEAGUE SUBLIMIT OF LIABILITY \$1,000 PER LEAGUE RETENTION		POLICY INCEPTION	POLICY INCEPTION	
	EM	EVENT MANAGEMENT INSURANCE		\$100,000 PER LEAGUE SUBLIMIT OF LIABILITY ** \$1,000 PER LEAGUE RETENTION		NOT APPLICABLE	POLICY INCEPTION	
		CRIME COVERAGE					EACH LOSS	\$35,000
				Crime Deductible: \$250 Property/\$1,000 Money			AGGREGATE	NONE
B	X	SPORTS EXCESS ACCIDENT		SRG9105434	01/01/2022	01/01/2023	As in Master Policy: Med. Max. \$100,000 Deductible \$50	As in Master Policy Excess

"X" INDICATES COVERAGE(S) SELECTED FOR ADDITIONAL NAMED INSURED

ADDITIONAL INSURED

Who is an Insured (SECTION II) of the General Liability policy is amended to include as an insured the person or organization shown in the schedule, but only with respect to liability arising out of the above named Little League's maintenance or use of ball fields, or other premises loaned, donated, or rented to that Little League by such person or organizations and subject to the following additional exclusions:
 1. Structural alterations, new construction, maintenance, repair or demolition operations performed by or on behalf of the person or organization designated in the Schedule and/or performed by the above named Little League; and
 2. That part of the ball field or other premises not being used by the above named Little League.

NAME AND ADDRESS OF PERSON OR ORGANIZATION:

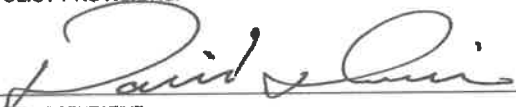
City of Destin FL
 4200 Indian Bayou Trail
 Destin, FL 32541

INSURED

Little League Baseball Risk Purchasing Group, Incorporated
 539 U.S.RT. 15 Highway
 South Williamsport, PA 17702

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.


 AUTHORIZED REPRESENTATIVE

IMPORTANT

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ADDITIONAL NAMED INSURED: DESTIN LL Jason Alley 4602 Sailmaker Ln Destin, FL 32541	INSURER A:	Lexington Insurance Company
	INSURER B: (Non-Liability)	National Union Fire Insurance Company of Pittsburgh, PA
	INSURER C:	AIG Specialty Insurance Company

COVERAGES

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 ** SUBJECT TO \$5,000,000 AGGREGATE SUBLIMIT OF LIABILITY FOR ALL LEAGUES, COMBINED, UNDER THE MASTER CYBER POLICY, FOR SPECIFIED DEFENSE COSTS, AS MORE FULLY DESCRIBED IN ENDORSEMENT #14 OF THE MASTER CYBER POLICY.

INSR LTR	ADD'L NAMED INSRD	TYPE OF INSURANCE		POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS	
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		X	SEXUAL ABUSE				Sexual Abuse OCCURRENCE	\$1,000,000
							Sexual Abuse AGGREGATE	\$1,000,000
			MEDICAL PAYMENTS				Any One Person	
C	X	DIRECTORS & OFFICERS		018235622	01/01/2022	01/01/2023	EACH LOSS	\$1,000,000 *
							AGGREGATE	\$1,000,000
C	X	CYBER LIABILITY COVERAGE		017355170	01/01/2022	01/01/2023	LIMIT OF LIABILITY CLAIMS MADE	\$100,000 PER LEAGUE AGGREGATE
	S&P	SECURITY AND PRIVACY LIABILITY INSURANCE		\$100,000 PER LEAGUE SUBLIMIT OF LIABILITY ** \$1,000 PER LEAGUE RETENTION			RETROACTIVE DATE	CONTINUITY DATE
		REGULATORY ACTION SUBLIMIT OF LIABILITY		\$100,000 PER LEAGUE SUBLIMIT OF LIABILITY \$1,000 PER LEAGUE RETENTION			POLICY INCEPTION	POLICY INCEPTION
	EM	EVENT MANAGEMENT INSURANCE		\$100,000 PER LEAGUE SUBLIMIT OF LIABILITY ** \$1,000 PER LEAGUE RETENTION			NOT APPLICABLE	POLICY INCEPTION
		CRIME COVERAGE					EACH LOSS	\$35,000
				Crime Deductible: \$250 Property/\$1,000 Money			AGGREGATE	NONE
B	X	SPORTS EXCESS ACCIDENT		SRG9105434	01/01/2022	01/01/2023	As in Master Policy: Med. Max. \$100,000 Deductible \$50	As in Master Policy Excess

"X" INDICATES COVERAGE(S) SELECTED FOR ADDITIONAL NAMED INSURED

ADDITIONAL INSURED

Who is an Insured (SECTION II) of the General Liability policy is amended to include as an insured the person or organization shown in the schedule, but only with respect to liability arising out of the above named Little League's maintenance or use of ball fields, or other premises loaned, donated, or rented to that Little League by such person or organizations and subject to the following additional exclusions:
 1. Structural alterations, new construction, maintenance, repair or demolition operations performed by or on behalf of the person or organization designated in the Schedule and/or performed by the above named Little League; and
 2. That part of the ball field or other premises not being used by the above named Little League.

NAME AND ADDRESS OF PERSON OR ORGANIZATION:

1. City of Destin FL

INSURED

Little League Baseball Risk Purchasing Group, Incorporated
 539 U.S.RT. 15 Highway
 South Williamsport, PA 17702

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.


 AUTHORIZED REPRESENTATIVE

Kim Montgomery

From: Haydyn Smith <haydynelaine@gmail.com>
Sent: Thursday, February 3, 2022 7:41 AM
To: Timothy S. Trowbridge
Cc: Darrel Welborn; Patrick Maddox; Kim Montgomery
Subject: Re: Destin Little League Parade

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Thank you all! We will have safety vests. And if anyone is in the area of the ballpark that day please stop by for a burger, the Boshamps fish fry, and all the festivities! Have a great rest of your week!

Haydyn Smith

Sent from my iPhone

On Feb 2, 2022, at 2:32 PM, Timothy S. Trowbridge <ttrowbridge@sheriff-okaloosa.org> wrote:

Approval from the Sheriff's Office. Undersheriff Nix has sent his approval, with the understanding that all volunteers working the roadway wear some type of safety vest for visibility.

-Tim

From: Darrel Welborn [mailto:dwelborn@myokaloosa.com]
Sent: Wednesday, February 2, 2022 9:51 AM
To: Patrick Maddox <pmaddox@myokaloosa.com>; 'Haydyn Smith' <haydynelaine@gmail.com>; Timothy S. Trowbridge <ttrowbridge@sheriff-okaloosa.org>
Cc: Kim Montgomery <kmontgomery@cityofdestin.com>
Subject: RE: Destin Little League Parade

WARNING: This E-Mail Originated Outside of the Sheriff's Office.

DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Copy

From: Patrick Maddox
Sent: Wednesday, February 2, 2022 9:41 AM
To: 'Haydyn Smith' <haydynelaine@gmail.com>; Trowbridge@sheriff-okaloosa.org
Cc: Kim Montgomery <kmontgomery@cityofdestin.com>; Darrel Welborn <dwelborn@myokaloosa.com>
Subject: RE: Destin Little League Parade

Good Morning,

No objection from Public Safety, pending the approval of the route by the Sheriff's Office. I have copied EMS Chief Darrel Welborn so that EMS is in the loop.

Stay safe,

Patrick Maddox, LE CDR(R)
Director of Public Safety
Okaloosa County Board of County Commissioners
90 College Blvd E.
Niceville, Fl. 32578
(850) 651-7150
pmaddox@myokaloosa.com



From: Haydyn Smith <haydynelaine@gmail.com>
Sent: Wednesday, February 2, 2022 08:53
To: Tthrowbridge@sheriff-okaloosa.org; Patrick Maddox <pmaddox@myokaloosa.com>
Cc: Kim Montgomery <kmontgomery@cityofdestin.com>
Subject: Re: Destin Little League Parade

Hello! I just wanted to check in and make sure this email was delivered. Please see my original message below. I know you're all busy with other important matters, but I wanted to make sure there wasn't a problem on my end.

Thanks!

Haydyn Smith

Sent from my iPhone

On Jan 28, 2022, at 1:03 PM, Haydyn Smith <haydynelaine@gmail.com> wrote:

Hello Mr. Maddox and Mr. Trowbridge,

First, thank you for agreeing to help me gain approval from the city of Destin for our little league opening day parade. As I explained to you both over the phone this is my first year heading up this part of our opening day festivities, so if I leave off any information or if any questions come up please let me know. I've also included Kim Montgomery from the city of Destin on our email, so she will be in the loop.

Our opening day parade is scheduled for Saturday, March 12th at 9:00AM. I will include a map of our parade route. We begin at Destin Elementary and end at Threadgill Park. In

Kim Montgomery

Subject: RE: Destin Little League Parade

From: Matt Taylor <MTaylor@destinfire.com>
Sent: Tuesday, February 15, 2022 10:25 AM
To: Sharon Gardner <sgardner@cityofdestin.com>
Subject: Destin Little League Parade

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

The Destin Fire Control District is aware of the Little League Parade scheduled for March 12, 2022 and are in full support of the Event.

If you have any questions or need anything else please let me know.

*Matt Taylor, Fire Marshal
Destin Fire Control District
850-837-8413*

Kim Montgomery

To: Haydyn Smith
Subject: RE: Destin little league

From: Haydyn Smith <haydynelaine@gmail.com>
Sent: Monday, February 14, 2022 7:53 PM
To: Kim Montgomery <kmontgomery@cityofdestin.com>
Subject: Fwd: Destin little league

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hey Kim! Please see the email chain below. Roxanne Alley actually reached out to the chief because they have a working relationship. She emailed him again today to confirm and his reply is below. She forgot to CC you on the email.
Thank you!
Haydyn

----- Forwarded message -----

From: Jeff Anderson <JAnderson@destinfire.com>
Date: Mon, Feb 14, 2022 at 3:43 PM
Subject: RE: Destin little league
To: Roxanne Alley <rbaquie2@gmail.com>

Yes maam we will be there pending any bad calls coming out that morning

Jeff Anderson
Battalion Chief / Paramedic
Destin Fire Control District
848 Airport Road
Destin, Florida 32541
Office: (850)837-8413
Fax: (850)837-6715
janderson@destinfire.com

-----Original Message-----

From: Roxanne Alley <rbaquie2@gmail.com>
Sent: Monday, February 14, 2022 9:32 AM
To: Jeff Anderson <JAnderson@destinfire.com>
Cc: Haydyn Smith <haydynelaine@gmail.com>
Subject: Destin little league

Good morning Chief Anderson,
Hope you had a great weekend. I just wanted to confirm that the Destin Fire Department would be still escorting our parade on 3/12/22 at 8:15am. Thank you for everything that you and your department does!

Roxanne Alley

Kim Montgomery

To: Nichole Rivera
Subject: RE: Destin Little League Parade ROW request

From: Nichole Rivera <nrivera@cityofdestin.com>
Sent: Wednesday, February 16, 2022 8:52 AM
To: Kim Montgomery <kmontgomery@cityofdestin.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: RE: Destin Little League Parade ROW request

The agenda item looks fine.



Nichole Rivera, MRHM/PHR
Human Resources Manager/Risk Manager
City of Destin
850.460.8546

From: Kyle Bauman <kbauman@asglegal.com>
Sent: Tuesday, February 15, 2022 1:46 PM
To: Kim Montgomery <kmontgomery@cityofdestin.com>; Nichole Rivera <nrivera@cityofdestin.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>; Sharon Gardner <sgardner@cityofdestin.com>; Lisa Firth <lfirth@cityofdestin.com>
Subject: RE: Destin Little League Parade ROW request

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Thanks Kim, this together with the email from DFCD today looks good to go to me.

Thanks,
Kyle

Kyle S. Bauman, Esq.

Anchors Smith Grimsley
a Professional Limited Company
Attorneys and Counselors at Law
909 Mar Walt Drive, Ste. 1014
Fort Walton Beach, Florida 32547
(850) 863-4064
(850) 862-1138 (fax)
kbauman@asglegal.com



MINUTES
VISIONING SESSION/STRATEGIC PLAN REVIEW
DESTIN CITY COUNCIL
JANUARY 27, 2022
CITY HALL ANNEX COUNCIL CHAMBERS
8:30 AM

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Gary Jarvis (Virtual)
Councilmember Kevin Schmidt
Councilmember Bobby Wagner
Councilmember Terésa Hebert

Mayor Pro Tem Dewey Destin
Councilmember Jim Bagby
Councilmember Johnny King

Destin City Staff

City Manager Lance Johnson
City Clerk Rey Bailey
Parks & Rec. Director Lisa Firth
Finance Director Krystal Strickland (Virtual)
Library Director Wen Livingston
Deputy Code Compliance Director Kris Mercurio
Community Dev. Director Louis Zunguze
Grants/Project Manager Jeffrey Cozadd
Land Use Attorney Kim Kopp

Deputy City Manager Webb Warren
IT Manager Matthew Pace
IT Specialist James Lauria
Public Info Manager Catherine Card
Code Compliance Director Joey Forgione
Public Works Director Michael Burgess
HR Manager Nichole Rivera (Virtual)
City Attorney Kyle Bauman

Facilitator

Laura Rakas

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Dewey Destin called the meeting to order at 8:30 AM; followed by the recitation of the Pledge of Allegiance.

Welcome and Introduction

A. Overview of the day

The City Manager and lead facilitator Laura Rakas provided a brief overview of the workshop, discussed its overall objective, and reinforced what needs to be accomplished during this time.

The City Manager provided the following presentation:



Stay the course making only the most necessary tweaks to the plan.

- Desired outcomes from the session:
 - ❖ Reaffirm current plan direction, tweaking, if necessary, the priority levels of current council objectives
 - ❖ Expanded/Clarified direction, if necessary, for any current council objectives
 - ❖ Provide direction to staff on items requiring research for consideration during the Fiscal Year 2023 Budget Cycle

Where are we as an organization - "A Year in Review"

A. Vision and the Organizations Core Values (Adopted 2018):

➤ Vision

Destin is a family-oriented beach and fishing community where people want to live, work & play, and where guests are welcomed to respectfully enjoy our community and its resources.

➤ Core Values

- Transparency
- Teamwork
- Integrity
- Professionalism
- Stewardship
- Respect

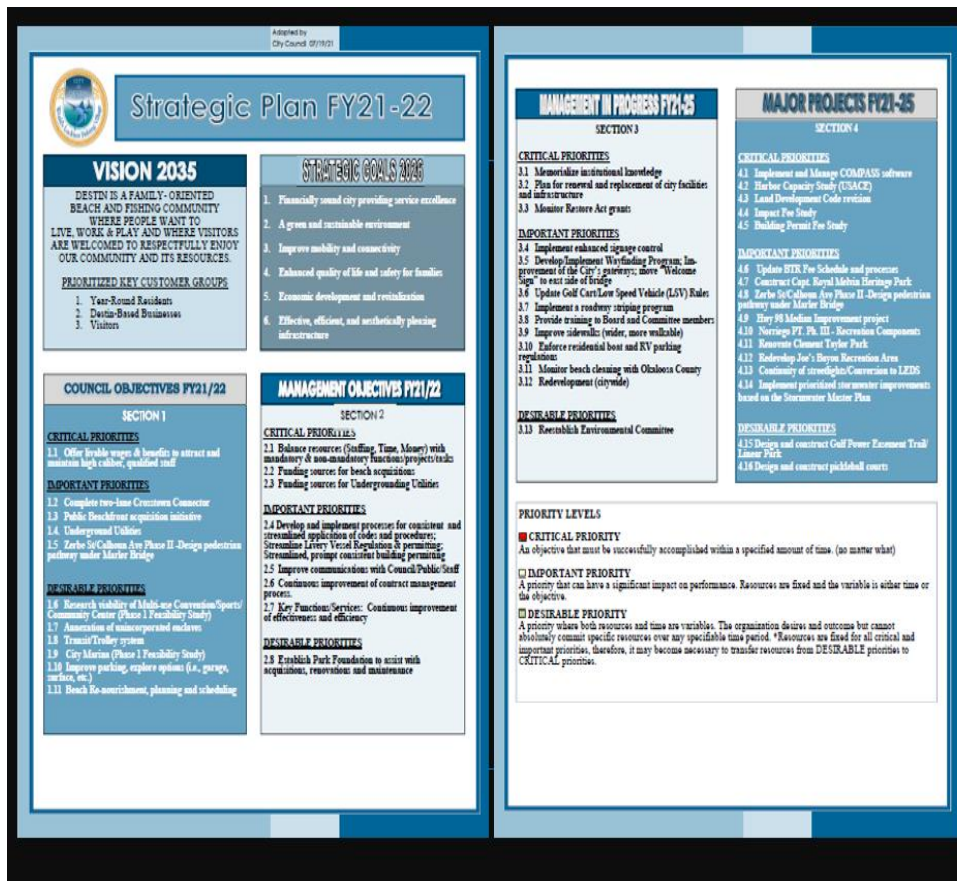
B. Prioritized Customer Groups: Residents, Businesses & Visitors (Key customers in priority order.

- Year-Round Residents
- Destin-Based Businesses
- Visitors

C. Strategic Goals 2026 (In no particular order of priority)

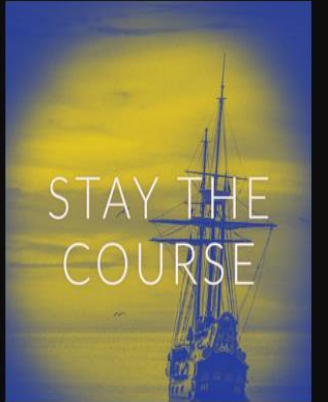
- Financially sound city providing service excellence
- A green and sustainable environment
- Improved mobility and connectivity
- Enhanced quality of life and safety for families
- Economic development and revitalization
- Effective, efficient, and aesthetically pleasing infrastructure

D. Council's Current Strategic Objectives (FY 21/22) – Listed in Priority Order



The screenshot displays the 'Strategic Plan FY21-22' document. The top section, 'VISION 2035', states: 'DESTIN IS A FAMILY-ORIENTED BEACH AND FISHING COMMUNITY WHERE PEOPLE WANT TO LIVE, WORK & PLAY AND WHERE VISITORS ARE WELCOMED TO RESPECTFULLY ENJOY OUR COMMUNITY AND ITS RESOURCES.' Below this, 'PRIORITY KEY CUSTOMER GROUPS' are listed: 1. Year-Round Residents, 2. Destin-Based Businesses, 3. Visitors. The 'STRATEGIC GOALS 2026' section lists six goals: 1. Financially sound city providing service excellence, 2. A green and sustainable environment, 3. Improve mobility and connectivity, 4. Enhanced quality of life and safety for families, 5. Economic development and revitalization, 6. Effective, efficient, and aesthetically pleasing infrastructure. The 'COUNCIL OBJECTIVES FY21/22' section is divided into two parts: SECTION 1 (CRITICAL PRIORITIES) and SECTION 2 (MANAGEMENT OBJECTIVES FY21/22). SECTION 1 lists five critical priorities: 1.1 Offer livable wages & benefits to attract and maintain high caliber, qualified staff; 1.2 Complete two-lane Crosstown Connector; 1.3 Public Beachfront acquisition initiative; 1.4 Underground Utilities; 1.5 Zerbe Street/Calhoun Ave. Phase II - Design pedestrian pathway under Marler Bridge. SECTION 2 lists five management objectives: 2.1 Balance resources (Staffing, Time, Money) with mandatory & non-mandatory functions/projects/tasks; 2.2 Funding sources for beach acquisition; 2.3 Funding sources for Underground Utilities; 2.4 Develop and implement processes for acquisition and streamlined application of codes and procedures; 2.5 Streamline Litter/Vandalism/Regulation & permitting; 2.6 Streamlined, private contractor building permitting; 2.7 Improve communications with Council/Public/Staff; 2.8 Continuous improvement of contract management process; 2.9 Key Functions/Services: Continuous improvement of effectiveness and efficiency; 2.10 Establish Park Foundation to assist with acquisition, recreation and maintenance. The 'MANAGEMENT IN PROGRESS FY21-25' section lists three critical priorities: 3.1 Memorialize institutional knowledge; 3.2 Plan for renewal and replacement of city facilities and infrastructure; 3.3 Monitor Restore Act grants. The 'MAJOR PROJECTS FY21-25' section lists five critical priorities: 4.1 Implement and Manage COMPASS software; 4.2 Harbor Capacity Study (USACE); 4.3 Land Development Code revision; 4.4 Impact Fee Study; 4.5 Building Permit Fee Study. The 'DESIRABLE PRIORITIES' section lists three priorities: 3.13 Reestablish Environmental Committee; 4.15 Design and construct Golf Power Enhancement Trail/Lanes Park; 4.16 Design and construct pickleball courts. The 'PRIORITY LEVELS' section defines three levels: CRITICAL PRIORITY (An objective that must be successfully accomplished within a specified amount of time, (no matter what)), IMPORTANT PRIORITY (A priority that can have a significant impact on performance. Resources are fixed and the variable is either time or the objective), and DESIRABLE PRIORITY (A priority where both resources and time are variables. The organization desires and outcome but cannot absolutely commit specific resources over any specifiable time period. *Resources are fixed for all critical and important priorities, therefore, it may become necessary to transfer resources from DESIRABLE priorities to CRITICAL priorities).

The FY 21-22 Strategic Plan was formally adopted by City Council on July 19, 2021



CRITICAL PRIORITIES:

- 1.1 Offer livable wages & benefits to attract and maintain high caliber, qualified staff.

IMPORTANT PRIORITIES

- 1.2 Complete two-lane Crosstown Connector
1.3 Public Beachfront acquisition initiative
1.4 Underground Utilities
1.5 Zerbe Street/Calhoun Ave. Phase II – Design pedestrian pathway under Marler Bridge

DESIRABLE PRIORITIES

- 1.6 Research viability of multi-use convention/sports/community center (Phase 1 Feasibility Study)
- 1.7 Annexation of unincorporated enclave
- 1.8 Transit/Trolley System
- 1.9 City Marina (Phase 1 Feasibility Study)
- 1.10 Improve parking, explore options (i.e., garage, surface, etc.)
- 1.11 Beach re-nourishment, planning and scheduling

#1 (Critical) – Offer Livable Wages & Benefits to Attract and Maintain High Caliber, Qualified Staff

- Council approved a 5% COLA and up to a 2% merit increase to help our staff meet the rising pressure of inflation.
- Council also approved a one-time longevity award for long-term eligible employees
- New health insurance plan, providing increased benefits at more affordable rates.

#2 (Important) – Complete Two-Lane Crosstown Connector

- Since 2004, the city has worked on an alternative to US Hwy 98 for citizens to access city amenities within Destin. Atkins North America has been re-engaged to update the project design and engineering to a two-lane section with multi-use trails. Revised design and engineering is anticipated to be completed in FY 2024 after acquisition of right-of-way. The Florida Department of Transportation (FDOT) has budgeted financial support for right-of-way purchases. The city anticipates support from Okaloosa County for construction.

#3 (Important) – Public Beachfront Acquisition Initiative

- Acquiring public beach is an important priority in the city's FY 21/22 Strategic Plan. The City of Destin has pledged \$9,000,000 (voter approved ½ cent sales tax) and Okaloosa County \$13,000,000 (funded by tourism bed tax) for potential beach acquisitions to expand beach access in Destin.
- Expansion and improvements at the City's Shore at Crystal Beach Park began in April 2020.
- Park design has started. City is in active communication with 3rd parcel owner, TDD and Okaloosa BOCC.
- TPL working on other opportunities for purchase.
- Staff expects to bring an update to council on this initiative by the first meeting in March.

#4 (Important) – Underground Utilities

- Surveys – Spring 2022
- Binding Cost Estimate, Funding Research – Summer 2022
- Funding Proposals – Fall 2022
- Funding Resolution of Intent, RFP to solicit contractors – Fall/Winter 2022
- Vote on Funding – Spring 2023
- Chosen contractor continues engineering/design work – Spring 2023
- Engineering/Design – Summer 2023
- Construction Starts – Fall 2023

#5 (Important) – Zerbe Street/Calhoun Avenue Phase II – Design Pedestrian Pathway Under Marler Bridge

- The area of Calhoun Avenue from Clement Taylor Park to US Hwy 98 is identified in the Pathways Master Plan.
- Phase 1 of the project was completed during FY 2021
- Phase II of the project incorporates designing and constructing a walkway under Marler Bridge to the Harbor Boardwalk.
- Funding and sources will be reviewed again when engineering design is completed.

#6 (Desirable) – Research viability of multi-use convention/sports/community Center

- Workshop held on /February 24, 2020
- Pending council direction and resources

#7 (Desirable) – Annexation of Unincorporated Enclaves

- Staff has begun research on the annexation process.
- Staff will identify possible priorities for annexation, the sources required and will provide a report to council.

#8 (Desirable) – Transit/Trolley System

- Staff has met and gathered information from Walton County TDD about their trolley system and public/private partnerships.
- Future transit infrastructure located at paid parking lots be funded in part from paid parking funds **

** Parking resolution 2021-03 passed on October 4, 2021

#9 (Desirable) – City Marina

- Perform Phase 1 Feasibility Study to determine available options in the future as funding allows.
- \$75k budgeted in FY 22.

#10 (Desirable) – Improve parking: Explore options, garage, and surface

- Free resident parking passes are available for 2022.
 - ❖ 312 passes have been issued as of 1/20/2022
- Paid parking revenue is earmarked for future parking solutions.
- Program is freeing up parking spaces for intended use and preventing unintended use.
- Utilize Harbor Study/Recommendations.
- Zerbe Parking Lot improvements in 2022.

#11 Beach Renourishment, Planning and Schedule

- 2020 dredging operations provided emergency sand placement of approximately 193,310 cubic yards on Holiday Isle beaches.
- County contractors have compiled data from Sally storm/beach erosion assessment, report is forthcoming.
- Although no immediate and comprehensive renourishment plan is in place, the TDC and BOCC are researching options and is in regular communication with city administration.

Partnerships

A. Comments from Strategic Partners

- Okaloosa County Sheriff's Office – Sheriff Eric Aden

Okaloosa County Sheriff Eric Aden reported that common crimes has dropped in 2021 for the City of Destin; however, violent crimes such as aggravated assaults and murder have increased. The pandemics may have played a role since this is quite an easy place to get to, with the Governor not being too restrictive resulting in maintaining the number of visitors in the area. Most everyone is aware that the moral fabric of their society in general has declined, so too are the clientele that use to come in this area which probably exacerbated the violent crimes.

Also, according to Sheriff Aden, a lot of money is being spent during late night hours and that businesses have the right to stay open late at night. Trends show most violent crimes occur after midnight. DUI cases are also high because of people excessively drinking through the midnight hours. They work with local bars and restaurants to see what they need and how they can deter violent crimes. One idea that was given was to have armed security in establishments that want to

stay open late. Some of the establishments are already utilizing deputy armed security relying on off-duty officers to work the off-duty details.

Councilmember Bagby inquired as to the cost of a detail and whether there is a minimum number of hours for off duty officers to perform it.

According to Sheriff Aden, they have to attract their officers to come to work by offering them more money. It starts at \$30 per hour, the second tier at \$40 per hour, the third tier at \$50. His staff works side by side with many state law enforcement officers that are getting paid the state contract and getting paid a lot more making it unattractive for their local law enforcement officers to perform the detail. Depending on the venue, they typically require two officers or more. All the officers are paid the same amount of money regardless of rank. They used to have a two-hour minimum; it has been increased to 4-hour minimum to incentivize the officers to perform the work. The venue determines the price range. He also stated that they have not been competitive with the market area. A lot of other places, such as those in Tallahassee, are paying their officers a lot more and so they are having less problems fulfilling those details. They need to be more competitive since this is a tourist area.

Councilmember Schmidt asked if they would have staffing issues trying to fulfill an ordinance requiring businesses to have armed security detail.

Sheriff Aden stated the ordinance may have no enforcement capability. They are about 18 percent short in staffing at this time. They will be asking businesses to implement something they may not be able to fulfill, giving them a reason not to adhere to regulation. He continued there is a lot the city can do with their ordinance. The establishments also have the option to utilize private security. The city can word their ordinance to their advantage by requiring either public or private security. They could be more restrictive on late-night establishments; citing the owner of the establishment to make them more responsible. Potentially having their licensed pulled or penalizing them for violating regulations.

Okaloosa County Commissioner Mel Ponder, speaking on behalf of the county, stated that partnerships between the city and county have been great. The county has always been striving for the opportunity to partner with Destin on things like beach access, to give residents and tourists alike access to the beach. The Destin Cross Town Connector has been in the planning stages for quite some time, and they hope they can move forward with it soon. There is a dedicated stream of funds that could be used. He also stated the county just signed the Joint Use Agreement, signing a 40-year agreement with the military. They have conducted a workshop session and discussed possible usage for this money. Using these funds to make a difference on some things in which they were deficient as a county is really important. The bed tax money is a good win especially for the Destin community. There is funding in the county budget, and they have also petitioned Tallahassee for a multi-purpose trail on Okaloosa Island that would benefit a lot of residents. It will part of the pedestrian trail going all

the way down the length of Okaloosa Island. As a BOCC Chairman, he would like to focus on affordable workforce housing. Identifying parcels will be quite a task but he will be trying to work with local organizations and see what they could do to put this vision out there.

Mr. Shane Moody, President and CEO of Destin Chamber of Commerce, spoke next. He urged the council to speed up construction of the Destin Cross Town Connector as traffic is getting worse and worse; and to move the parking garages in the priority list. He stated that traffic in the harbor is bad not due to the number of vehicles on the road but for lack of a place to park those vehicles. They may also be able to build affordable workforce housing on top of those parking garages. He stated that the community center is on the list of the city's priorities, and that he would like the city to expand that vision to include the Town Center CRA. He continued there is some activity in the Old Time Pottery property. He and the mayor have been trying to confirm whether an earnest money has been put down by a major corporation. It has been reported they only intend to use about a third of the property. There may be a chance for a public-private partnership in that regard. There are adjacent properties that may also be up for sale. He concluded by saying that Destin is a small town with big city issues. They are a town of 14,000 people, and a region of about 24,000 people. They could have about 75,000 to 100,000 on any given day during the summertime, especially during the holiday weekends.

Mr. Ronnie Bell of Waste Management discussed the level of service they provide they provide for the City of Destin. He stated they appreciate the opportunity to serve the city. It is a good place to live and work. Under the contract they provide twice a week garbage pickup for all residents, once a week for recycle, and once a week for yard waste. In 2021, the amount of residential garbage in Destin was 8,920 tons, and commercial was 23,972 tons. It was 9% and 29% increase respectively from 2020 to 2021. Garbage will continue to grow because of the growth of the community. They value their partnership with the City of Destin.

Mr. Lockwood Wernet, General Manager of the Destin Water Users, water and sewer provider for the City of Destin, noted they have some expansions they need to make in their sewer capacity. It is a 20-year time frame, but they have already started working on it. He stated they have a great working relationship with city staff. They share resources and they appreciate their partnership with the city. They have completed some projects together – i.e., the Morgan Sports Complex which started in 1998 as well as a recent project at the Destin Elementary School, which saved the city \$500,000 in cost of irrigation and re-sodding. They have other projects they plan to collaborate in the future. As their partner, they are asking the city to coordinate with them on big projects such as the undergrounding of utilities. They have utilities and waterlines underground they are planning on possibly upgrading. As far as the cross-town connector, they see that project as an opportunity for them to increase connectivity of their system. They appreciate the partnership and the support they receive from the city, and that they are willing to provide same.

Mr. Joe Janazzo, Destin Elementary School Principal, noted that the school is at a 120 percent capacity. They have a 3-to-5-year plan to grow. He asked the city to keep this in mind as they discuss growth and affordable workforce housing and consider their impacts.

Mr. Phil Dorn, Destin High School Athletic Director, stated that they are very excited about their growth as a school, and that the City of Destin has been very supportive. As they grow, they are trying to implement a school-based community comprehensive high school projecting about 500 students in the fall of 2022. They are currently at 310 students. They are trying to provide 22 sports, but they also realize they are branching out in a community that is very tight on space and facilities. He urges the council to include some thoughts on multi-use facility from which the high school could also benefit in the future as they go forward with their strategic plan.

Ms. Sandy Trammell, prior member of the council and current member of the Harbor CRA Advisory Committee and Parks and Recreation Committee, addressed volunteer coordination. She reported that they have had some issues with the committees not having a quorum to consistently meet on a monthly basis. She feels the committees need more training. The new members of the council also need to be trained on the purpose of the volunteer committees and what they can do for them. She also mentioned that when the Public Works and Safety Committee Chair brought forth an item to council at a previous meeting, some members of the council lauded the chair for doing so and expressed the desire for committees to do it more often. She stated that her committees want to do the same. Council and staff have worked hard in the past to give volunteer committees the impetus to bring items before the council and not just rely on council reviewing their meeting minutes. Right now, they do not feel they are allowed to do so. They think they had to contact a member of the council to bring these items up. It stagnates the committees and does not give them the purpose as a committee. She offers to provide some assistance to help train the committees as she had done so in the past as a member of the council. They would also like the City Attorney to continue providing training on the Sunshine Law and Public Records Law.

Ms. Trammell also addressed the parking issue. She urges the council to look at determining how big a parking lot should be before it has to go vertical. They currently do not have an ordinance that can provide the criteria for it. She added they do not have big enough lands to accommodate a big surface lot similar to that of a Wal-Mart parking lot.

Ms. Trammell also stated they have added great looking parks in the city; however, they have not done anything to improve required maintenance, or additional staffing for these parks. She urges council to consider this issue at the next budget cycle.

Next, Ms. Trammell stated that it is expensive to recycle, but the city needs to work with Waste Management to do something to incentivize their businesses to recycle. It will go along way towards achieving one of their strategic goals of having a green and sustainable environment.

Mr. Jim Wood, prior member of the council and current member of the Public Works and Safety Committee and Local Planning Agency, addressed pedestrian safety.

He reported being hit by a car while walking on a city street. Luckily, it was not severe as the car was making a right-hand turn and failed to look to his right before turning. He stated that a lot of their residents sit in traffic all year round and most of them are always in a hurry anxious to go as soon as the light turns green, or even run a red light. They need to change this behavior by issuing more citations than warnings, as the latter does not do much to change people's behavior.

Mr. Wood noted that the city Strategic Plan sheet refers to the term "golf carts." He stated that people associate this term with low-speed vehicles, which is a lot different than golf carts. Golf carts are used on the golf course while low-speed vehicles are equipped to be able to be driven on the road.

Also, according to Mr. Wood, the subject of annexation is very important to him going back when he was a member of the council. He continued it is very hard to annex a territory or enclave into the city if they do not have anything to offer to people in that community that would incentivize them to do so. Affordable workforce housing, which they have been discussing recently, could be one of the tools they could use to encourage annexation.

Mr. Wood stated that they need to replace some of the street signage around the city, specifically the signs by the gas station on Airport Road and Main Street intersection. Main Street used to have two signs – a stop sign and right-turn only sign. Both signs have been gone for over a year. It is working well in Pensacola

Public Comments

Mr. Claude Perry, a Destin resident and business owner, stated that it would be a tremendous benefit to the city if they move Objective 1.8 – *Transit/Trolley System* from the Desirable Priorities to the Critical Priorities category. They have to deal with the serious traffic problem in the city and one way to reduce traffic is through the trolley system. It is working well in Pensacola, and Walton County has already approved the conceptual plan for the transit system, and they are in the verge of making it a reality for that county.

Mr. Perry stated that they have problems with violent crimes lately, as the sheriff alluded to earlier; however, this council should consider other options to address late hour crimes other than penalizing certain businesses by reducing their operating hours. Tourists are important to this town because many people rely on the hospitality industry. Late hours armed security is one option with the limitation the sheriff laid out.

Mr. Steven Franco, a Destin resident and business owner, stated that he has been communicating with Mayor Jarvis and Mr. Shane Moody of the Destin Chambers regarding some of the ideas for a city center. Both the mayor and Mr. Moody have some great ideas. He has a vast amount of experience in the commercial real estate and redevelopment of commercial properties. He is volunteering to assist in this initiative. As a Destin resident, he would like nothing but the best for this community. There are a lot of things they could do to enhance it. He encourages the city to move forward with this initiative, and that he looks forward to participating in this process with the city.

Mr. Todd Buhr, a Destin resident, pointed out that one of the city's strategic goals is Economic Development and Revitalization. However, the city's comprehensive plan Section 1.1 states that *Quality Development and Revitalization is one of five strategic goals identified by the City Council for 2020. Quality development should be efficient to service, promote development, enhance quality of life for current and future residents, and encourage stable or improving neighborhoods and center.* He stated that "quality", "stable", and "improving" are very important words. He encourages the council to look back and examine if they are really accomplishing this with their strategic plan. To determine the direction and how their visioning is working through into the objectives to enhance quality of life for residents. He continued that their prioritized customer groups are year-round residents, Destin-based businesses, and visitors. They need to think about whether this is translated into perception from their actual full-time residents. His neighborhood in Crystal Beach has the perception that Crystal Beach is the number 3 priority for a good part of the year. Businesses and visitors have a higher priority depending on who has more money to spend. This perception is formed by a lot of things such as noise from late night parties, with less than satisfactory resolution. It does not form a perception from residents, especially those with young children and are working full time, that they are the number one priority. The perception is not matching the goals. They need to make people accountable for their action. They need to examine how to convert these goals to objectives, and then to directions.

Updates & Requests

A. Department Updates, Ideas & Requests

1. Parks and Recreation Department (Lisa Firth, Director)

Parks

- Adjust staffing levels to account for increased recreational facilities.

Morgan Sports Center

- Replacement of sports turf which is nearing or at the end of its useful life (20+ years).
- Converting sports lighting to a new LED automated system.
- Addition of restrooms and equipment storage near the multipurpose fields to accommodate demand.

Community Center

- Window replacement (\$200k)
- Stucco repairs (\$150k)
- Foyer repairs, internal (\$100k)
- Stage replacement (\$8k)

Administrative

- Replacement of existing management software to improve public interactions including registrations and payments as well as better record keeping.
- Gymnasium use at the community center is at or near capacity. With demand increasing, expansion should at least be considered to maintain service levels especially for our youth.
- Sports field use at Morgan Sports Center is at or near capacity during peak season. Expansion should be considered to maintain service levels, especially for our youth.
- Continued focus/improvement on the cleanliness of our beaches in partnership with Okaloosa County needs to remain a department priority.
- The establishment of the Destin High School is adding and is projected to continue to add demand for sports/recreation facilities in Destin.

2. Library (Wen Livingston, Director)

Staffing

- High turnover of part-time staff

Collection Development Funding

- Nonfiction materials are very dated and need to be replaced
- eBook and e-audio book demand is increasing, and these materials are typically double or triple the cost of print materials; new demand for streaming video services.

Building Limitations

- The building is close to 20 years old and was not designed for future needs. The large meeting room is too small for some events. Children's Storytime room is not soundproofed, and the programs disturb people in the library.
- Library needs outdoor programming area and medium size meeting rooms to allow for social distancing.

3. Community Development Department (Louis Zunguze, Director)

Customer Service:

- Compass/Energov Software
 - ❖ Make full use of the system's capabilities
 - ❖ Streamlining development review processes – to improve turnaround times

Economic Development and Revitalization:

- Land Development Code (LDC) Update
 - ❖ Complete re-write of the LDC to align with Comprehensive Plan
- Harbor Capacity Study
 - ❖ Enhance the economic vitality and safety of the Destin Harbor

Improved Mobility and Connectivity:

- Mobility Plan
 - ❖ To replace Multi Modal Transportation District (MMTD)
- Cross Town Connector
 - ❖ The project is now at the 60% design stage

Sound Operational Sustainability:

- Impact Fee Study
 - ❖ To update the current Impact Fee Schedule which was last updated in 2008
- Permit Fee Study
 - ❖ Determine appropriate level of permit fees for Building Code Applications

Enhanced Quality of Life:

- Stormwater Master Plan Implementation
 - ❖ Implement the priority list of projects identified in the Master Plan and approved by council to address flood prone areas in the city

Public Engagement Initiative:

- Involve the public in the implementation of the city's major initiatives

4. Code Compliance Department (Joey Forgione, Director)

Proposed Community Outreach Initiative:

- Implement a pilot bicycle patrol program during peak season day shift.

- ❖ Will provide community outreach and education like the community policing concept
- ❖ Will contribute to ease of mobility for officers in highly congested areas during peak season.
- ❖ Will provide daily opportunities for officers to be in direct contact with residents, businesses, and visitors.
- ❖ Will contribute to the health and welfare of code officers.
- ❖ If desired, staff can bring back budget options for consideration. This may be achievable during the current fiscal year.

Future Staffing Consideration:

- Addition of a new officer who would assist in several areas including:
 - ❖ Allowing for two officers on weekends, evening shifts during the season.
 - ❖ Will provide a safer environment for staff and address their concerns
 - ❖ Will be used to cover for vacations, time-off, and sick leave to maintain service levels.
 - ❖ Will be used to temporarily assist when high demand is present in certain areas.
 - ❖ If desired, staff can bring back budget options for consideration during the FY 2023 budget process.

Future Technology Considerations:

- There are several services and strategic partner data sets that can potentially assist us in identifying short-term rentals (STR) that are not complying with local, state, and federal mandates.
 - ❖ They can potentially identify STRs that have not registered with the city.
 - ❖ They can potentially identify STRs who are not paying the required bed-tax.
 - ❖ They can potentially identify potential changes in occupancy for specific STRs.
 - ❖ If desired, staff can bring back budget options for consideration during the FY 2023 budget process
- Provide ongoing staff training regarding the COMPASS System so the organization can continue striving to use the system to its fullest capacity. Staff continues to budget for this training.

5. Public Works Department (Michael Burgess, Director)

Departmental Staffing Needs:

- Median Maintenance/Sidewalk/Concrete Repairs/ADA Compliance
- Six full-time staff members plus equipment
- Ability to return several services in-house, increase levels of service, responsiveness, and accountability
- Public Works will bring back budgetary options for consideration during the FY 2023 budget process

Departmental Budgetary Needs (Operational):

- Pavement Management (roads) R&R – \$1.2 million per year (15-yr)
- Sidewalks R&R - TBD, based on ADA Transition Plan Engineer's estimates
- Stormwater R&R - \$250,000 per year (repairs, deep cleaning)
- Safety Improvements Budget - \$100,000 per year
- City-wide Pavement Assessment - \$250,000 (based on recent quote)
- Facilities Conditions and Needs Assessment – TBD, in-process
- City-Wide Stormwater System Survey – FY 2023 Project
- Implementation of Asset Management Software

Departmental Budgetary Needs (Capital Purchases):

- Brush Chipper (existing unit is 20 years old) - \$80,000
- Mini-Excavator - \$80,000
- Storm Sewer Cleaning Truck, Vac-Con or equivalent - \$350,000
- New Building at Maintenance Facility – TBD
- Hardened Structure for Emergency Operations - TBD

6. Human Resources (Nichole River, Director)

Future Staffing Needs

- Upgrade current HR part-time position to full-time to manage increased demands on the HR Department
- If desired, staff can bring back budget options for consideration. This may be achievable during the current fiscal year.

Compensation & Job Satisfaction

- Ensuring total benefits are competitive with our public and private sector peers
- Enhance training initiatives and communication
- Compensation study with Evergreen Solutions is nearing completion. This study aims to address wages, compensation and accurate job descriptions.

Highly Competitive Market

- High turnover
- Enhancing recruitment practices & new hire onboarding experience

7. City Clerk Department (Rey Bailey, City Clerk)

Implementing New Cemetery Records Management Software

- User-friendly and offers robust computing, searching, and plotting feature to manage cemetery data more effectively

Growing Overall Number of Public Records Requests (PRR) and Increasing Complexity of Requests Fulfillment

- CY 2020: 388 PRRs / CY 2021: 502 PRRs / 29% increase
- Social media, text messages, emails
- Training Regimen
- Technology plays a key part in allowing us to meet the challenge, be more efficient and provide quicker/more accurate response to PRRs

Creating a training plan for committees

8. Information Technology Department (Matthew Pace, Director)

EnerGov (COMPASS) and MUNIS Software

- Upgrade to latest versions
- Migration to Software as a Service (SaaS) solution with Tyler Technologies to increase organization efficiency
- Continue to assist departments in streamlining functions and processes

Network and Information Technology Growth Within the Organization

- Consolidation of hardware to accommodate technology use on and off site

- Cloud-based initiatives continue to be a priority across all departments and services provided by the city.
- Software and hardware upgrades (from workstations to servers)
- Best-in-suite systems for consolidation of services
 - ❖ I.e., Microsoft, CivicPlus and Tyler Technologies
- New and improved equipment to maintain high levels of service
- Maintain and Manage Wireless Phone and Data Services (Federally Regulated Service Provider Access)

Network and Data Cybersecurity Measures

- End-user Training and Awareness
- Continued Advanced Threat Protection measures within our current systems
- Enhance network and wireless equipment to handle more secure and sustainable communications

9. Public Information (Catherine Card, Manager)

New website launched – March 2021

Website and Social Media Metrics:

- In 2021, there were over 368,000 visits to the City of Destin website / over 15,000 likes on Facebook / 1,088 public engagement posts / 109 press releases distributed / 172 stories covered by local and regional media.

Instagram Launch – October 2021

Future Staff Need:

- Digital Media Specialist or 3rd Party Partnership
 - ❖ Continue to strengthen and engage citizens by creating and administering proactive content on the city's social media platforms and website
 - ❖ Support social media strategy by creating strong digital content for the city
 - ❖ Create video library for city achievements, high-level projects, council and staff Q&A

10. Grant, Projects and Contracts (Jeff Cozadd, Manager)

American Rescue Plan Act

- Stormwater improvements

- IT projects

Infrastructure Bill

- Undergrounding

TDC Funding Agreement

- Capital projects
- Beach acquisition

City Procurement Policy

- Increase efficiency

Grants/Projects

- Active – 15 / over \$11 million
- Pending – 4 / over \$2.2 million

Externally Funded and Managed Projects

- Active – 6 / over \$18 million

Active Contracts – 30

Capital Project Management RFQ

11. Finance Department (Krystal Strickland, Director)

Operational Sustainability

- Updating fee schedules
- Investing in technology
- Maximizing use of external sources for capital projects to relieve pressure on the General Fund
- Long-range planning (i.e., facilities)

Better Matching Funding Sources for Top 3 Capital Projects

- Cross Town Connector
- Beach Acquisition/Development
- Undergrounding

12. Deputy City Manager (Webb Warren)

Implement technology and best practices to improve processes and to implement Council's objectives

- MUNIS Financial/HR System
- COMPASS
- CivicRec

Partnerships

- Okaloosa County
- Tourist Development Department
- Okaloosa County Sheriff's Office
- Destin Fire District

Beach Acquisition

Paid Parking System

13. City Manager (Lance Johnson)

#1. Keeping the organization constantly moving towards achieving the city's vision and strategic objectives in the most efficient and effective method possible

- Continuously strive to improve communications with Council, Residents, Businesses, Visitors and Staff members.
- Professionally execute the City Council's adopted Strategic Priorities and Policies.
- Provide staff with the resources they need to execute City Council's adopted Strategic Priorities & Policies.
- Remove barriers preventing staff from executing City Council's Strategic Priorities and Policies.
- Oversee the stewardship of the City's; fiscal resources, human resources, & physical resources.
- Ensure the Organization's knowledge is being memorialized in processes and procedures.
- Foster a team-oriented culture of Continuous Quality Improvement that strives to exceed expectations.

B. Council and Mayor Key Initiatives and Projects

At this time, Ms. Rakas presented the information that she received during her one-on-one meeting with some of the members of the city council; noting that the council responded to the following questions posed to them during that session:

Are there any council objectives on the current plan the council would like to see re-prioritized?

Are there any future projects they would like staff to research for the Fiscal Year 2023 budget process, and which can be considered for inclusion in the strategic plan?

**** Are there any projects or initiatives that are not rising to the level of inclusion that they would like to see in the strategic plan, and which they would like to see implemented within the next couple of years (short term)?*

Ms. Rakas shared the results of the interview. She asked the council to clarify or add anything to the information they already provided, to answer questions, and/or provide any new information.

1. Councilmember Bagby

- Strategic goals. Councilmember Bagby recommends making the following changes to the list:
 - ❖ Move #2 (A Green and Sustainable Environment) to position #6
 - ❖ Move #4 (Enhanced Quality of Life and Safety for Families) to position #2
 - ❖ Move #5 (Economic Development and Revitalization) to position #3
- Council Objectives (FY 21/22)
 - ❖ Councilmember Bagby agrees with the order of priorities as listed. Though he may not necessarily agree with Desirable Priority 1.6 – *Research Viability of Multi-Use Convention/Sports/Community Center – Phase 1 Feasibility Study*), he does not object to the feasibility study being conducted.
 - ❖ Improving the culture of the council is of paramount importance to Councilmember Bagby.
- Future projects and initiatives: Councilmember Bagby recommends:
 - ❖ Add the Four Prong Lake Flooding Mitigation project in FY 2023 budget process; and to include any other areas of the city that has flooding problems
 - ❖ Emphasize priority for parks improvements and developments
- New projects or initiatives ***
 - ❖ Changing the culture, improving relationships of council and staff, staff with the citizens
 - ❖ To have a designated legislative sponsor/champion among the council members for any initiatives (Providing information in the agenda cover sheet for the legislative sponsor).
 - ❖ Update many of the city's policies, i.e., investment/procurement
 - ❖ Examine and implement staff and council training; especially training staff on continuous improvement processes.

DISCUSSION:

Councilmember Bagby spoke about empowering the committees and staff, which would include providing professional training, with the City Attorney giving the committees training in the Sunshine Law, and staff providing other necessary training to individual committees.

Councilmember Destin recommends the council indicates which things they support and bring forward as each member discusses their priorities since they are in a workshop session and cannot take any formal actions.

Councilmember Bagby explained the reasons behind his recommendation for realignment of the strategic goals. He stated that *A Green and Sustainable Environment* is listed as their #2 strategic goal; however, as he looked at the council's objectives and all the initiatives and projects they are trying to accomplish, he did not see a single green and sustainable project, such as putting solar panels on top of the community center or other city facilities. He also noted that the council has discussed purchasing natural gas vehicles for the city about 10 years ago, but it did not happen. He added that becoming a green and sustainable environment should not be high on their priority list if they are not currently doing anything to reach that point.

Councilmember Schmidt pointed out that the strategic goals are not supposed to be in any particular order of priority.

The City Manager confirmed these are the adopted strategic goals by the council, but they are not currently listed in priority order.

Ms. Rakas asked if there are any comments or objections to Councilmember Bagby's other recommendations. She asked whether there were any specific items the council would like to provide additional support and they would like to see researched by staff for consideration for FY 2023.

Councilmember Hebert supports moving forward with designating legislative sponsor among the council for any city initiatives.

Councilmember Destin noted that the council passed a resolution about 10 years ago requiring legislative sponsor for any city initiatives.

Ms. Rakas announced there is full support for the legislative sponsor idea.

Councilmember Bagby addressed the "Right-Turn Only" sign off west bound US Hwy 98 to Airport Road, stating that a lot of motorists are frequently missing those signs and then attempting to change lane in heavy traffic. He continued there are currently 3 signs that are located very close to each other. They should ask FDOT to place these signs at a maximum distance from each other as the state's manual requires.

At this time, the mayor recommends giving each member of the council a chance to speak and provide their input before making any type of adjustment to the plan in terms of priorities or compiling a "wish" list.

According to the City Manager, the main reason for this session was to have conversation and improve communications so that staff knows what the council wants. He encourages the council to focus on high level items.

Councilmember Schmidt agrees with the recommendation in terms of committee and staff training. He suggests putting more emphasis on the responsibility of the staff liaisons to these committees and whether they are doing the job they should be doing.

The City Manager noted that Training is listed on the management plan for this year and that staff is currently working on it.

2. Mayor Jarvis

Mayor's recommendations:

- Accelerate the completion of the Destin Cross Town Connector.
- Controlled growth and development
 - ❖ Undergrounding of US Hwy 98
 - ❖ Creation of new comprehensive plan
 - ❖ Development of city center – to serve the community needs within the next 20 to 30 years. They are quite inept in some of their facilities and capabilities for their residents.
 - The event center that was initially recommended has grown to something much bigger. They would need a property big enough to incorporate a new community center, a new city hall with a hardened emergency management facility
 - Need to work with the private sector in developing a gateway to the CRA that would not only be aesthetically pleasing but that would take the CRA, which has been in high debt since 2005, get out of debt, create a tax base, and improve the quality of life for the community.
 - Need to create a list on the status of the CRA and what it would take to improve it
 - Create a 3-dimensional idea on what a city center might look like
 - Create a private citizen board with visionary members and experts in development
 - Current CRA Board explore places such as Silver Springs, Georgia and observe current development there and learn its history. Compare what it used to look like and what it looks like now and bring that idea back to the community and start developing that vision.
- Proponent of improving the direction of the citizen advisory groups
 - ❖ Give each group a charter
 - ❖ Make sure they have people in that panel with professional experience or visionary approach to their position and can come up with well-thought out, practical, doable, visionary ideas

DISCUSSION:

According to Councilmember Bagby, there were Town Center renderings back in 2004, just before he became a member of the council for the first time, where all the parking was internalized, and all the building were on the outside perimeter. He continued that the plan was similar to Rosemary Beach, and it may or may not include a public component. He added it would be a good place to start if they could locate those renderings.

The City Manager commented that the initial plan to build an event center has potentially transformed into an even bigger initiative such as the city center as alluded to by the mayor. Staff will need some guidance from the council on whether to add additional components to this plan and shift some funding from other areas into a feasibility study that would include other components such as an additional city hall facility or hardened facility as the mayor suggested.

The mayor recommends allowing him to get some clarity on the piece of property the council authorized him to investigate before giving further direction to staff. He would inform the council of his findings, and they could possibly schedule a public workshop to discuss this matter, and then the council could give direction on how to proceed.

Councilmember Destin agrees that providing directions to staff will be quite premature at this time. He recommends allowing the mayor to find out whether they have a chance to obtain that property since another entity reportedly expressed interest in obtaining it.

Councilmember Bagby stated that since they have already appropriated the money to conduct the feasibility study for the event center they should go ahead and move forward with it. It could run parallel to the city center which the mayor was talking about that would include a new city hall and gateway to the CRA. They could conduct the study, re-prioritize, and make some adjustments, if necessary.

Ms. Rakas stated there seemed to be an agreement at least for conducting a feasibility study for Desirable Priority 1.6 – *Research viability of Multi-use Convention/Sports/Community Center (Phase 1 Feasibility Study)*. She mentioned that Councilmember Schmidt has expressed his desire to move it up to Critical Priority level.

Councilmember Schmidt explained that Objective 1.6 may need to be elevated to a Critical Priority, but it may also need to be restructured since the event center has grown to something much bigger as the mayor has indicated. He also stated that the status of the Town Center is of critical importance. But he also feels spending the money to conduct a feasibility study is a little premature at this time.

Council members Hebert and Destin recommend postponing making any decisions on this matter until the mayor has a chance to examine the situation regarding the property in question.

Ms. Rakas stated there seemed to be a consensus to have future discussion on possible re-adjustment or re-structuring of Objective 1.6.

3. Councilmember Schmidt

- Move Objective 1.6 to a Critical Priority and restructure.
- New projects or initiatives ***
 - ❖ Citywide street safety / Safer streets project
 - Making streets safer for pedestrians, bicyclist, motorists, etc.
 - Staff to research prior to FY 2023 budget process and consider for 2023 strategic plan.
 - ❖ Fee schedules updates – to be completed soon
 - ❖ Clement Taylor Park Renovation – to commence soon
 - ❖ Focus on Management Objective 2.4 – *Develop and implement processes for consistent and streamlined application of codes and procedures; streamline livery vessel regulations and permitting; streamlined, prompt, consistent building permitting.*
 - ❖ Contract Project Manager/Consultant position – making hiring someone a priority

DISCUSSION:

Councilmember Bagby inquired as to the status of the safety program initiated by the previous City Engineer.

Mr. Zunguze noted it is being worked on and should be presented to the council in approximately two months.

Councilmember Bagby requests the plan be vetted through the Public Works/Safety Committee.

4. Councilmember Wagner

- Emphasize importance of mobility
 - ❖ Specifically making it easier to stay on sidewalks
 - ❖ Creating sidewalks that do not abruptly end
- Continue theme of responsible development
 - Create net-zero buildings
 - Longevity/sustainability
- Move undergrounding utilities to Critical Priority for the current strategic plan
- New projects or initiatives ***
 - ❖ Expanding undergrounding project
 - Consider aesthetic implications
 - Landscape projects
 - Laying 5G fiber at the same time utilities are being buried
 - Consider underground aesthetics, landscaping beautification
 - ❖ Emphasize connectability/mobility
 - Making it easier to get around the city

- ❖ Recycling/green initiatives
 - Keeping carbon footprint low
- ❖ Cleanup of the harbor and waterways
- ❖ Annexation of unincorporated enclaves

DISCUSSION

Ms. Rakas asked if there was council support for moving undergrounding utilities to Critical Priority.

Councilmember Hebert stated she does not think they can do anything more than what they have already done. This project has been in motion for over 10 years. They are at the stage now that they are paying for it and working together with the utility company.

Councilmember Destin agrees they should leave undergrounding utilities in its present position. They have enough money at their franchise fee increase to pay for phase 1. They need to stay at their present position until they determine how to pay for the subsequent phases.

Councilmember Wagner stated it is important to consider all avenues as that project is getting underway the next couple of years. The critical part is not for moving faster but for taking advantage of every opportunity.

5. Councilmember Hebert

Ms. Rakas stated that in her conversation with Councilmember Hebert, she indicated to her she was happy where things stand at this point. She has no desired changes with regards to reprioritization mainly because she does not want to disrupt current efforts.

Councilmember Hebert stated that the big projects and initiatives they really wanted the past several years are starting to come to fruition, with everything falling into place. Though she agrees with other council members' ideas and thoughts, she does not see any major reasons to reprioritize. She wants staff to be able to focus on the jobs at hand and continue to make progress.

6. Councilmember Destin

Councilmember Destin feels they are on the right course, and that prioritization of strategic plan is not necessary at this time. He recommends adding in their capital projects list charging stations for electric vehicles. The Marler Street parking lot which have now been utilized more than ever is a perfect location. This is also a clear support of their green initiative.

Councilmember Destin seeks other council members opinion about continuing to pursue Objective 1.5 – *Zerbe Street/Calhoun Avenue Phase II – Design pedestrian pathway under Marler Bridge*, which is currently listed under important priorities. He stated he would still like to pursue it, even though he does not have a complete consensus among residents in his neighborhood.

Councilmember Hebert noted they have had multiple discussions about this matter in the past, and they have been presented 3 different designs by their engineer, each of which has its pros and cons. She would still like to move forward with it and for the council to decide on the design sooner rather than later. It is a safety issue as there a lot of pedestrians crossing US Hwy 98 especially during the summertime.

Councilmember Schmidt stated that the presentation was very confusing to him, and that the overall objective of the project was not very clear. He personally needs to have the history of it to have a better understanding as what they expect to achieve from it. He also pointed out there are a lot of potential activities going on around that area, including one that involves the community center parcel, that could affect this particular project. Also, there is a study underway on the Stahlman Avenue and US Hwy 98 intersection that could potentially affect the Town Center area. He supports keeping this objective at its present location.

Councilmember Bagby pointed out that the original goal was to connect parking with the festive marketplace. His original idea was to place tunnels underneath US Hwy 98 as he believes it would be the most used tunnels in Northwest Florida even though not many thought it was possible. He agrees to keeping this objective at its current location.

Councilmember Wagner supports the idea of placing tunnels underneath US Hwy 98 to prevent pedestrians from having to cross the busy highway.

The City Manager announced that the previous council had instructed staff to look at the different safe crossing options at Stahlman Avenue. Those options have been analyzed and their recommendations will be provided to FDOT when they ask the city for their ideas during their PD&E Study from Airport Road to Marler Bridge, which should be taking place very soon.

7. Councilmember King

Councilmember King expressed his support for staying the course to avoid any potential disruptions to several projects already underway and to all the other initiatives they have established. He would like the council and staff to focus on the current priorities. He would also like for everyone to ensure that year-round residents remain the #1 key customer group in the City of Destin.

Council desired changes to priorities established in the current adopted strategic plan

In summary, Ms. Rakas stated that based on comments by the council members in today's session, it seemed there were no sweeping changes to the existing plan at this time; just some refocusing, reemphasizing, or getting movement on certain initiatives. There are new items for FY 2023 that were brought up as well as the desire for further discussion about either reprioritization, adjustment, or both for the feasibility study for the community center/city center.

Projects/Initiatives for staff to research for upcoming budgeting season (Fiscal Year 2023)

The City Manager stated they will be bringing back suggestions as they interpreted them from today's session. They will be doing research for potential budget items for Fiscal Year

2023. There may be potential swap of the current budget to get things started before the hundred days of summer.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 2:45 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

**LOCAL PLANNING AGENCY
MEETING MINUTES
FEBRUARY 3, 2021 - 5:30 P.M.
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, February 3, 2022, at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Members Present

James T. Wood, Jr.
Jason Klosterman
Corey Ledbetter
Marcie Bell
Karen Hudson

Members Absent

Staff Members Present

Kim Montgomery City Clerk
Steve O'Connor Principal Planner
Daniel Butler Senior Planner
Tunazzina Alam Planner
Sae More Planner
Louis Zunguze CD Director
Kim Kopp Land Use Attorney

3. APPROVAL OF MINUTES:

December 2, 2021

Motion by Agency member Ledbetter, seconded by Agency member Manley to approve the December 2, 2021, minutes as written. The motion passed 5-0.

4. OLD BUSINESS:

➤ **Proposed Language for Articles 1 & 2**

Mr. O'Connor provided the members with a recap of what took place at their last meeting and how there are two slight changes made to the staff report.

- Major subdivision should be an LPA, a recommendation to City Council for final decision, which must have a Public Hearing for public comment.
- Council's final decision on Final Plats, which have already been previously approved, can be a consent agenda item or it can be pulled off for discussion and public hearing at a Council Meeting.

He further explained staff needs a formal recommendation to forward to City Council to direct staff to have the consultant, 3TP move forward with the final draft of Articles 1 & 2.

Agency member Buhr asked about the approval process for Deviations to existing Development Orders. According to the Land Use Attorney (LUA), all Deviations go before City Council for approval.

Regarding Planned Unit Developments (PUD), Agency member Buhr spoke of concern for the language “creative process.”

Agency member Bell agreed that the language should be amended to remove “creative process.”

The LUA explained further that because the whole purpose of a PUD district is to have minimum requirements, flexibility is intended. Adding that if they prefer to not have flexibility in the Zoning District, they could recommend taking out the PUD, or they can increase the minimum requirements. Emphasizing that they can always do more, but not less with a PUD.

Agency member Bell made the motion to recommend the removal of the sentence, “The PUD process should be a creative process.” With Agency member Buhr providing the second. The motion passed with a 5-0 vote.

Regarding Development Order extensions, Agency member Buhr spoke of the need for additional language for best practices for who could approve Development Order extensions.

Mr. O’Connor explained that currently, outside of when the Governor declares an emergency for extensions, the Development Order extension is at the Director’s level.

Motion by Agency member Buhr to add language for staff to research best practices for approval authorities for Development Order Extensions. With Agency member Bell providing the second. After a brief discussion, a roll call vote of 5-0 was taken and the motion passed unanimously.

Motion by Chairman Wood to accept all the recommendations, to include the changes discussed in #1, #4, #5, and #6 and to direct staff to proceed to draft an ordinance codifying the referenced updates of Articles 1 & 2. Agency member Hudson provided the second.

The Chairman opened the hearing to the public for comment, with no one being present, he closed the public portion and called for the vote. **The motion passed 5-0.**

Agency member Buhr asked if this is the final time they will be reviewing these. The LUA explained the process of reviewing the chapters, taking them to Council for direction to the consultant, and then once everything has been incorporated into the new LDC, it then will come back before the LPA for a final recommendation to City Council.

5. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 6:15 p.m.

Adopted and approved this _____ day of _____ 2021.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk

**MINUTES OF THE
HARBOR AND WATERWAYS BOARD MEETING
DESTIN CITY HALL, JANUARY 24, 2022 - 5:00 P.M.**

1. CALL TO ORDER:

Chairman Hoey called the Destin Harbor and Waterways Board meeting to order at approximately 5:30 p.m. on Monday, January 24, 2022, at Destin City Hall, with the Pledge of Allegiance immediately following.

2. ROLL CALL:

Member Present:

Richard Hoey
Guy Tadlock
John Stephens
Harvey Hurst

Members Absent

Jim Green
Casey Jones
Bill McKissick

Staff:

Kim Montgomery Deputy City Clerk
Steven O'Connor Principal Planner
Tunazzina Alam Planner
Sae More Planner
Kris Mercurio Deputy Code Compliance Dir.
Darryl Sanders Harbor Compliance Officer
Jeremy Kwiatkowski
Kyle Bauman City Attorney

3. APPROVAL OF MINUTES:

➤ **November 22 , 2021**

Board member Tadlock moved to approve the minutes of the November 22, 2021 minutes as written, with Board member Hurst providing the second; the motion passes with a 4-0 vote.

4. PUBLIC COMMENTS:

None

5. OLD BUSINESS:

None

6. NEW BUSINESS:

None

7. BOARD MEMBER COMMENTS:

➤ **Chairman Hoey - Marina Siting Recommendation Discussion**

With the Marina Siting revisions having been made, Mr. O'Connor informed the Board that staff is requesting them to strictly focus the discussion on what is in this staff report, in order to get their recommendations to the Local Planning Agency (LPA) and then theirs on to the City Council. Adding this will enable staff to then forward Council's approved changes to the consultants so they can begin drafting

the verbiage into the new Land Development Code (LDC). He then briefly explained their recommendations from Ordinance 20-06-LC got held up at the LPA level and was tabled indefinitely.

3TP Ventures, Inc. Recommendation:

2.06.02.G & 2.06.04 - It is recommended that marine construction is reviewed solely through the building permit process unless the proposal includes a marina (commercial or residential) with 10 or more slips. In that case, the application will be required to be reviewed by the Harbor and Waterways Board and City Council.

Staff Recommendation:

Any self-certification from the Florida Department of Environmental Protection (FDEP), is staff-level approval. Residential docks not qualifying for self-certification, or with 4-9 slips, or those that require U.S. Army Corps of Engineering approval, shall require Harbor and Waterways Board (HWB) review and recommendation to City Council for a consent agenda item.

Further, any residential dock with 10 slips or more requires HWB recommendation and a public hearing before the City Council. All commercial docks require HWB recommendation with a public hearing before the City Council. In conclusion, if the HWB agrees, staff recommends forwarding the recommendation to the Local Planning Agency.

The Chairman explained the process for self-certification through FDEP and how long it generally takes.

Board member Stephens asked if as part of the review process, do they have to make sure that there is enough room for the boat to back up if there is another nearby dock. The Chairman pointed out is covered under the required setback criteria.

Mr. O'Connor explained that what staff has recommended is the same however, there is one caveat to the Chairman's recommended language where he says, "**And proposed single family marine projects permitted by the FDEP and US Army Corp. of Engineers shall require approval of the Harbor & Waterways Board and City Council.**" Because, staff cannot wait for the FDEP & ACE permit to bring the project before the board for a recommendation. The applicants are only required to provide proof that they have started the process by submitting their application, but staff and the board cannot hold up this level of the approval process for the applicant's permit. Therefore, staff's recommendation is, "**All commercial marine projects...**" Reiterating that if it's a commercial dock, comes before the board and city council, both are public hearings. Self-certification is staff level approval through the building permit process with both their plans and the self-certification required, and if the plans don't match the self-certification then they would not receive their marine construction permit until it is in compliance with the self-certification.

Mr. O'Connor briefly explained the two different processes between the planning process and the building process for self-certifications to the Board.

Mr. Zunguze explained that when the applicant is at the building level process, it means that they have met all the conditions and they're ready to build. Additionally, the self-certification means the applicant has met all the requirements at the State level, and there are no other requirements necessary to obtain at the planning or board level, and this saves the applicant a huge amount of time.

The Chairman suggested changing the 4-9 slips down to 3-9 since the State allows for up to 2 slips in self-certification process. Mr. Zunguze agreed and stated that they would make the necessary amendments to that language. The Chairman also suggests adding language regarding the letter of concurrence that the FDEP now requires if there is a project that interferes with the 25-foot setbacks.

In 11.05.01(S) the Chairman recommended adding the 10-foot marginal docks and self-certification process which has been redefined for riparian setback requirements. He spoke of a potential conflict with code, regarding the 25-foot setback with a conforming dock setback requirements, because the State only requires a setback of 10-feet for conforming docks.

In 11.05.02(J), the Chairman recommended eliminating the repeated verbiage because of redundancy and recommends just stating that the riparian lines are required on the drawings. And in the self-certification process of a rebuild, since it has to be in the same configuration, he recommends adding in the code that it has to also comply with the FDEP's, pointing out that if someone want to move their dock, they would have to apply for a new construction permit.

There was a brief discussion regarding concern for zero setbacks. According to Mr. O'Connor, there are no developable properties in the city that have those setbacks and the ones that do, are zoned Recreation/Conservation.

In the fuel and oil abatement plan in 11.05.01 (E), Board member Stephens asked if the Coast Guards oil abatement plan differs from FDEP's plans. Adding he has an email from the FDEP of their plan, and us what he follows. Adding that he can forward to staff, if they would be interested. Mr. O'Connor stated he would and will review it and possibly come back with a recommendation for their consideration.

Motion to forward staffs recommended language to the Local Planning Agency, for the review involvement for docks, marinas, or other infrastructure affecting the waterways of Destin with also changing the slips from 4-9 to 3-9. Board member Hurst provided the second. A roll call vote of 4-0 was taken the motion passed unanimously.

➤ **Board member Stephens – Coast Guard Channel Dredge**

Asked staff if it was too late to have the dredged material moved to another location. According to the City Attorney, it is because City Council has already approved the location.

➤ **Board member Tadlock**

Spoke of a couple of liveaboards reported to him that are in the harbor as well as a couple of barges that are out in the harbor conducting work on the water.

According to Mr. Sanders, staff has been in contact with and discussed those issues with Okaloosa County and FWC on how to address them. Additionally, staff has not been able to get on the water since the city just received a donated boat from the Okaloosa County Sherriff's Office and it is currently being inspected.

Board member Tadlock also spoke of how many of the boats in the harbor do not have anchor lights on them and feels this should be better enforced.

➤ **Board member Hurst**

Asked about the status of the Harbor Pump. According to Mr. O'Connor, it is operational and is running on its winter schedule.

8. DIRECTOR'S REPORT:

None

9. NEXT MEETING DATE:

10. ADJOURNMENT:

With there being no further discussion, the meeting adjourned at 6:00 p.m.

Adopted and approved this _____ day of _____ 2021.

Richard Hoey, Chairman

Kim Montgomery, Deputy City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: Presentation

AGENDA OUTLINE NUMBER: 4.A.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: February 14, 2022

SUBJECT: Mobility Plan and Fee Schedule Update

I. BACKGROUND: At the City Council Meeting on March 1, 2021, the motion to replace transportation concurrency (MMTD) with a Mobility Fee-Based Plan passed 7-0.

II. DISCUSSION: Purpose: The purpose of the Mobility Plan is to establish long-term needs for the transportation network to facilitate the safe and effective movement of people to and around the City of Destin.

Vision: Destin will be a well-designed community where the transportation system supports and enhances the living, working and visitation experience.

Goals:

1. Provide for the transportation needs of residents, business owners and employees as well as visitors and regional travelers.
2. Identify projects for motorized vehicle capacity, walking, transit, bicycling and parking that meet the long-range needs of the community.
3. Adopt a policy framework for transitioning the City from a multimodal transportation district concurrency management system to a mobility fee system.
4. Establish current planning and development review policies and procedures to mitigate the impact of development on the transportation network.
5. Calculate and set mobility fees for new development to contribute to the costs of improvements to transportation infrastructure.

The Mobility Plan embodying the above-noted goals is now underway. The current update regarding the preparation of the Mobility Plan covers the following:

1. **Roadway Level of Service**
2. **Multimodal Facilities Network**
3. **Safety**
4. **Future of Transit**
5. **Placemaking and Quality of Life**

A. Link to Strategic Goals / Objectives: Improvement of livable environment

B. Effect on Budget (EOB): None-Already approved.

- After council approval at a previous meeting, an encumbrance in the amount of \$273,527 was recorded for 3TP Ventures to assist the city to prepare the Mobility Plan (PO 21128).

C. Level of Service (LOS): Improved Level of Service

III. CONCLUSION: This information is being provided to keep the City Council updated on this important policy item. The consultant, 3TP Ventures, Inc, assisting the City prepare the Mobility Plan will be available to present the update.

IV. RECOMMENDED MOTION: N/A. Informational Only.

Attachments:

1. MobilityPlanCouncilSlides_021422

A person is riding a bicycle on a sidewalk. The background shows trees and a street with a white pickup truck. The entire image is covered with a semi-transparent blue overlay.

City of Destin Mobility Plan and Mobility Fee

City Council Meeting

February 22, 2022

PURPOSE

The purpose of the Mobility Plan is to establish long term needs for the transportation network to facilitate the safe and effective movement of people to and around the City of Destin.

VISION

Destin will be a well designed community where the transportation system supports and enhances the living, working and visitation experience.

The background image shows a person riding a bicycle on a paved path. To the left of the path is a road with a yellow curb. In the background, there are trees, parked cars, and a clear sky. The entire image is overlaid with a semi-transparent blue filter.

TOPIC AREAS

Roadway level of service
Multimodal facilities network
Safety
Future of transit
Placemaking and quality of life

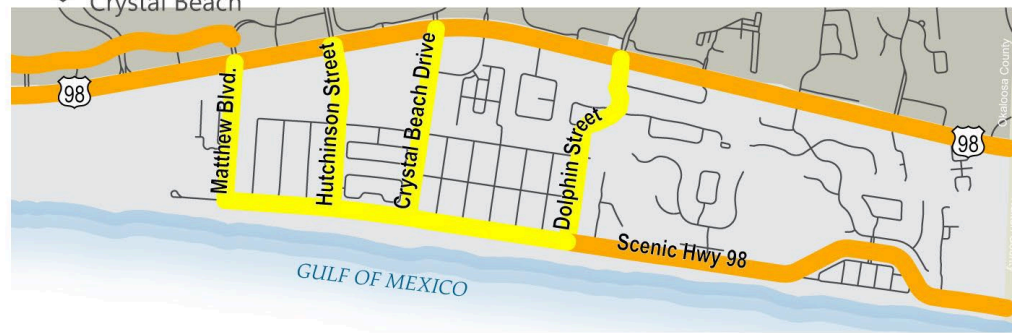
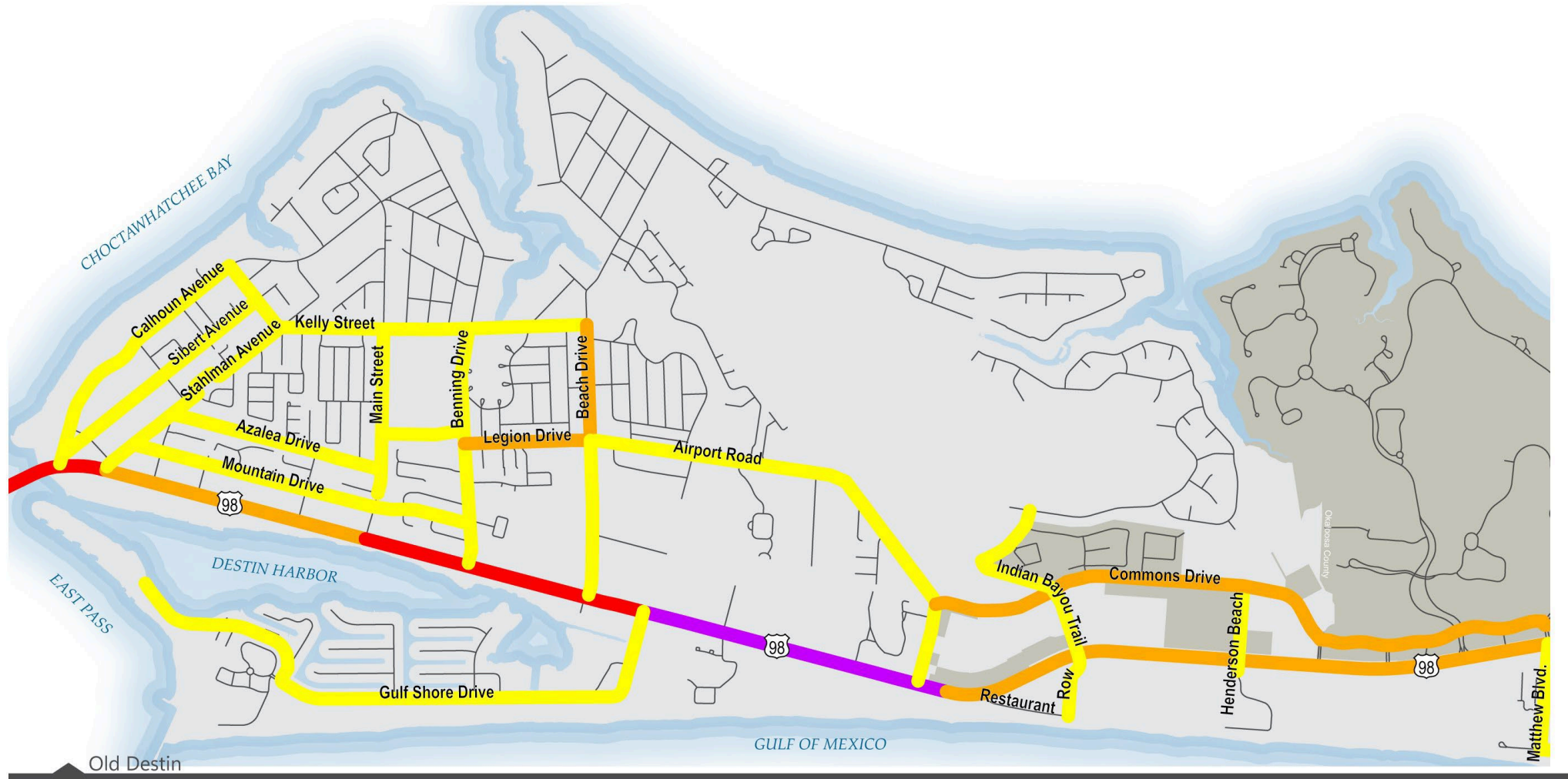
ROADWAY LEVEL OF SERVICE

Covered under Mobility Fee structure
Plateau of volumes followed by growth
Planned network needs to be completed
Intersection and other improvements can
impact operations

US 98 Segments - Volume to Capacity	2021	2016	2011
US Hwy 98 between Marler Bridge and Stahlman Avenue	1.03	0.92	0.91
US Hwy 98 between Stahlman Avenue and Benning Drive	0.97	0.88	1.00
US Hwy 98 between Benning Drive and Beach Drive	1.00	0.93	1.05
US Hwy 98 between Beach Drive and Main Street	1.01	0.95	1.03
US Hwy 98 between Main Street and Gulf Shore Drive	1.01	1.13	1.00
US Hwy 98 between Gulf Shore Drive and Airport Road	1.12	1.00	1.09
US Hwy 98 between Airport Road and Scenic Highway 98	1.28	0.96	1.15
US Hwy 98 between Scenic Highway 98 and Henderson Beach Road	1.39	1.05	1.08
US Hwy 98 between Henderson Beach Road and Triumph Drive	0.91	0.99	1.08
US Hwy 98 between Triumph Drive and Matthew Blvd.	0.89	0.73	0.80
US Hwy 98 between Matthew Blvd. and Danny Wuerffel Way	0.93	0.76	0.80
US Hwy 98 between Danny Wuerffel Way and Crystal Beach Drive	0.96	0.74	0.80
US Hwy 98 between Crystal Beach Drive and Regatta Bay Blvd	0.84	1.21	1.19
US Hwy 98 between Regatta Bay Blvd and Tequesta Drive	0.87	1.11	1.19
US Hwy 98 between Tequesta Drive and Walton County Line	0.78	1.06	1.22

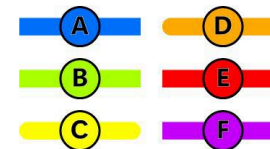
Collector Segments	Pk Hr LOS (2021)
Commons Drive between Airport Road and Indian Bayou Trail	D
Commons Drive between Indian Bayou Trail and Diamond Cove	D
Commons Drive between Diamond Cove and Henderson Beach Road	D
Commons Drive between Henderson Beach Road and Triumph Drive	D
Commons Drive between Triumph Drive and Kelly Plantation Drive	D
Commons Drive between Kelly Plantation Drive and Matthew Boulevard	D
Legion Drive between Beach Drive and Main Street	D
Main Street between Airport Road and Kelly Street	D
Scenic Hwy 98 between Dolphin St and Walton County Line	D

US 98 Segments	Pk Hr LOS (2021)
US Hwy 98 between Marler Bridge and Stahlman Avenue	E
US Hwy 98 between Stahlman Avenue and Benning Drive	D
US Hwy 98 between Benning Drive and Beach Drive	E
US Hwy 98 between Beach Drive and Main Street	E
US Hwy 98 between Main Street and Gulf Shore Drive	E
US Hwy 98 between Gulf Shore Drive and Airport Road	F
US Hwy 98 between Airport Road and Scenic Highway 98	D
US Hwy 98 between Scenic Highway 98 and Henderson Beach Road	D
US Hwy 98 between Henderson Beach Road and Triumph Drive	D
US Hwy 98 between Triumph Drive and Matthew Blvd.	D
US Hwy 98 between Matthew Blvd. and Danny Wuerffel Way	D
US Hwy 98 between Danny Wuerffel Way and Crystal Beach Drive	D
US Hwy 98 between Crystal Beach Drive and Regatta Bay Blvd	D
US Hwy 98 between Regatta Bay Blvd and Tequesta Drive	D
US Hwy 98 between Tequesta Drive and Walton County Line	D



MOBILITY PLAN | Roadway Level of Service

Level of Service Grade



MULTIMODAL FACILITIES NETWORK

Goals of the Comprehensive Plan met
Network not complete
Pathways Plan needs updating
Neighborhoods need focus

MMLOS Collectors			
<i>Year</i>	<i>Bicycle</i>	<i>Pedestrian</i>	<i>Transit</i>
<i>Adopted 2006</i>	<i>C</i>	<i>E</i>	<i>F</i>
<i>2007</i>	<i>C</i>	<i>D</i>	<i>F</i>
<i>2009</i>	<i>C</i>	<i>D</i>	<i>F</i>
<i>Adopted 2011</i>	<i>B</i>	<i>C</i>	<i>E</i>
<i>2011</i>	<i>B</i>	<i>C</i>	<i>F</i>
<i>2013</i>	<i>C</i>	<i>C</i>	<i>F</i>
<i>2015</i>	<i>B</i>	<i>B</i>	<i>F</i>
<i>2017</i>	<i>B</i>	<i>C</i>	<i>F</i>
<i>Adopted 2020</i>	<i>B</i>	<i>B</i>	<i>C</i>

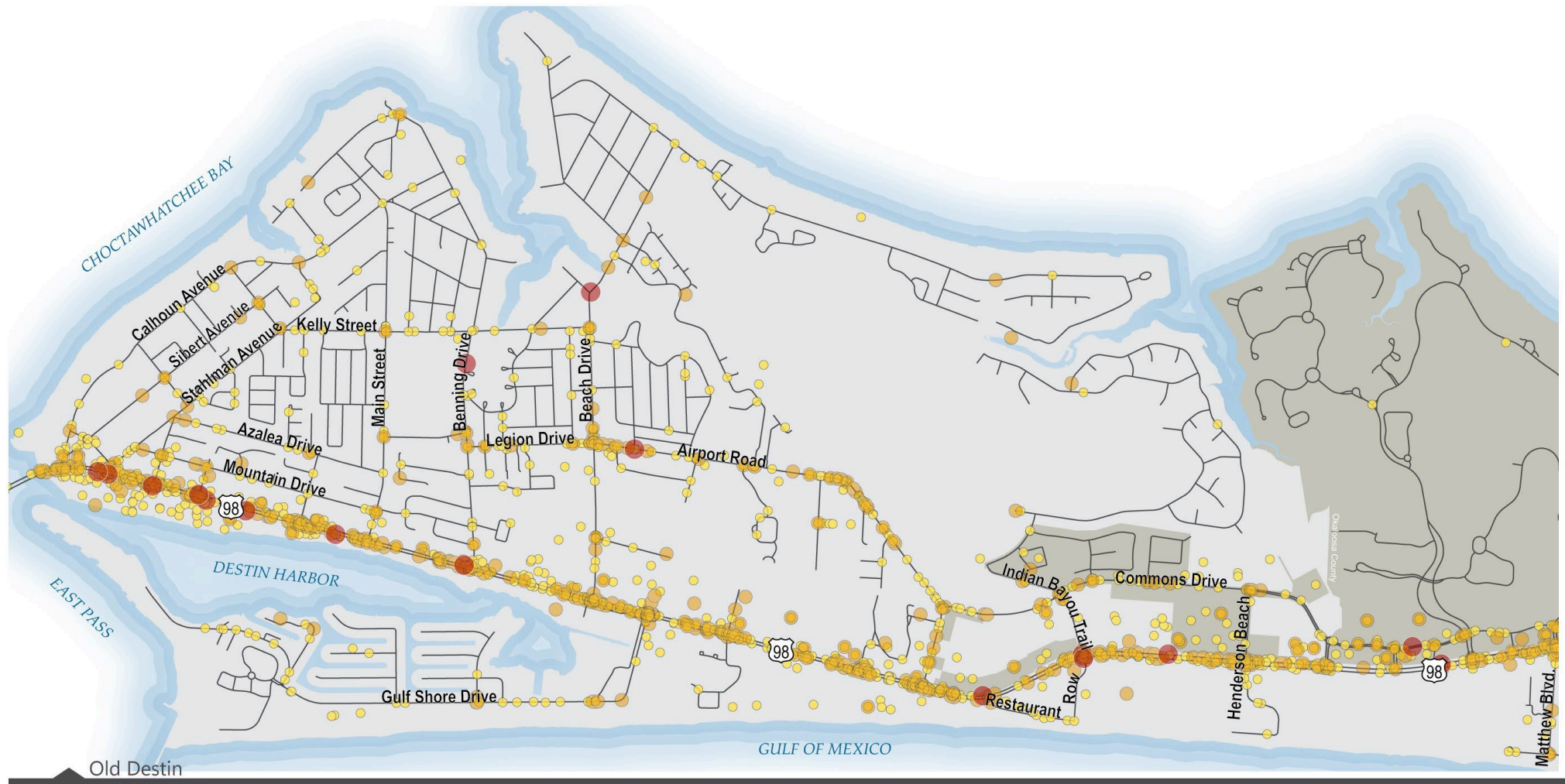
MMLOS Highway 98			
<i>Year</i>	<i>Bicycle</i>	<i>Pedestrian</i>	<i>Transit</i>
<i>Adopted 2006</i>	<i>E</i>	<i>F</i>	<i>E</i>
<i>2007</i>	<i>D</i>	<i>F</i>	<i>E</i>
<i>2009</i>	<i>D</i>	<i>F</i>	<i>E</i>
<i>Adopted 2011</i>	<i>D</i>	<i>D</i>	<i>C</i>
<i>2011</i>	<i>D</i>	<i>F</i>	<i>E</i>
<i>2013</i>	<i>C</i>	<i>E</i>	<i>E</i>
<i>2015</i>	<i>C</i>	<i>D</i>	<i>E</i>
<i>2017</i>	<i>B</i>	<i>D</i>	<i>E</i>
<i>Adopted 2020</i>	<i>C</i>	<i>D</i>	<i>B</i>

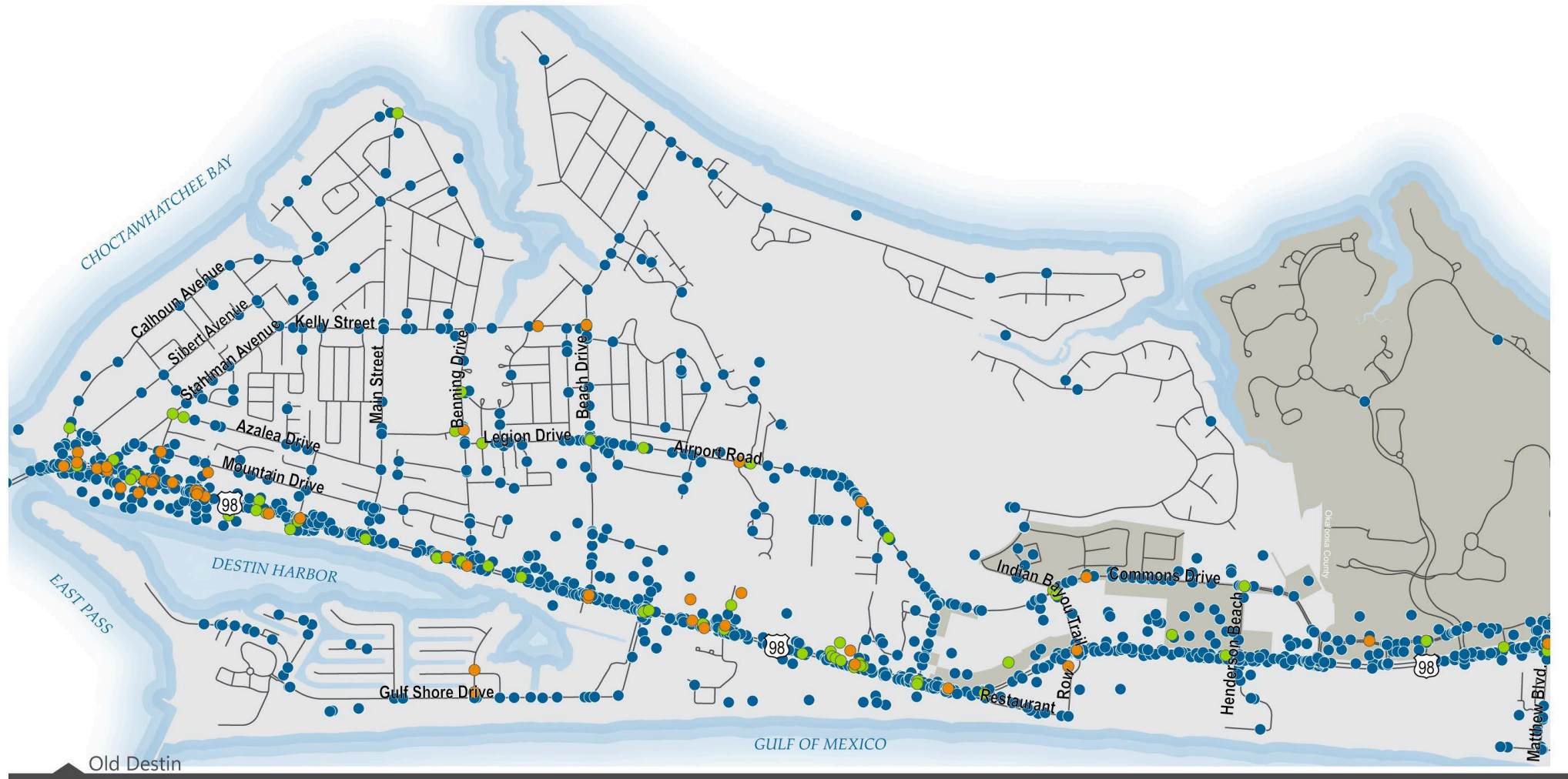
YEARS	CONSTRUCTION		
	SIDEWALK	BICYCLE LANE	MULTI-USE TRAIL
2006-07	12,360	-	18,630
2007-09	36,736	5,280	13,886
2009-11	9,532	15,546	34,220
2011-13	2,700	4,000	10,350
2013-15	-	2,186	2,186
2015-17	-	2,198	2,198
Total	61,328	29,210	81,470
Total (miles)	11.62	5.53	15.43

ROADWAY	SIDEWALK GAP	SIDE	LENGTH
US Highway 98	Matthew Boulevard to Regions Way	South	3,400
US Highway 98	Matthew Boulevard to Hutchinson Street	North	1,200
Calhoun Avenue	US Highway 98 north 660'; Clement Taylor Park to Kelly Street	West	3,900
Sibert Avenue	Calhoun Avenue to Zerbe Street and Forest Street to Kelly Street	East	2,500
Stahlman Avenue	Pine Street to Kelly Street	Both	2,000
Mountain Drive	Stahlman Avenue to Benning Drive	North	4,250
Azalea Drive	Stahlman Avenue to 400' west of Benning Drive	South	3,300
Azalea Drive	400' west of Benning Drive	North	400
Kelly Street	360' east of Calhoun Avenue to Benning Drive	North	2,750
Benning Drive	Mountain Drive to Kelly Street	West	3,000
Main Street	Airport Road to Kelly Street	East	1,800
Gulf Shore Drive	US Highway 98 to Sandpiper Cover Drive	West	1,850
Indian Bayou Trail	Country Club Drive to Commons Drive	East	2,600
Commons Drive	900' east of Indian Bayou Trail to 400' west of Henderson Beach Road	South	2,100
Commons Drive	750' east of Henderson Beach Road to Triumph Road	North	1,000
Commons Drive	200' east of Triumph Road to Matthew Boulevard	South	3,700
Henderson Beach Road	US Highway 98 to Commons Boulevard	Both	2,000
Regatta Bay Boulevard	US Highway 98 south 530'	West	530
Dolphin Street	250' north of Scenic Highway 98 to 850' south of US Highway 98	East	1,650

SAFETY

US 98 issues related to conflicts
Neighborhood issues related to speed, design
and availability of facilities
Data driven assessment is needed to identify
and prioritize interventions
Set goals, track and actively implement





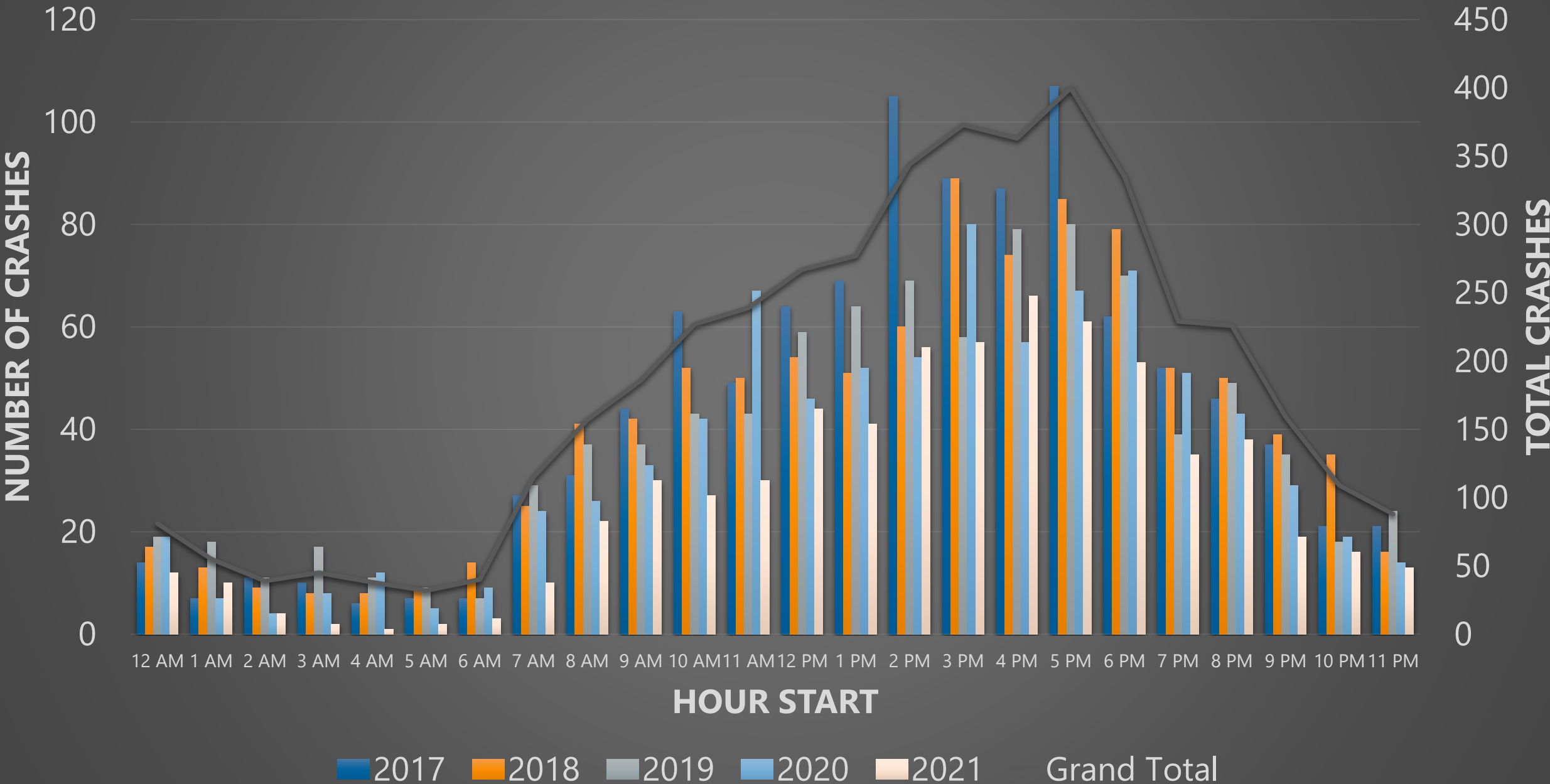
MOBILITY PLAN | Crashes by Mode

Crash 2017-2021

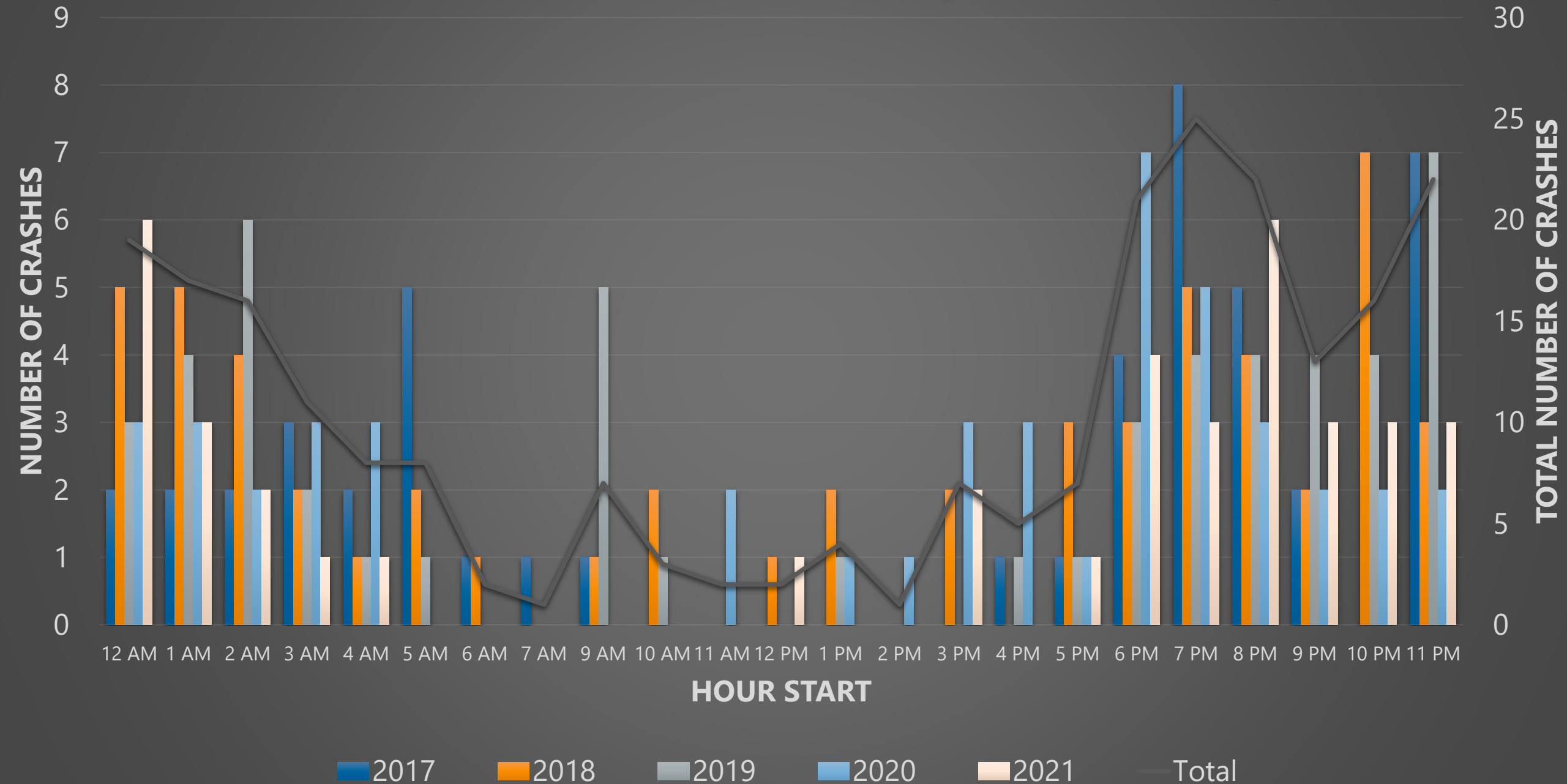
- Pedestrian
- Bicycle
- Automobile



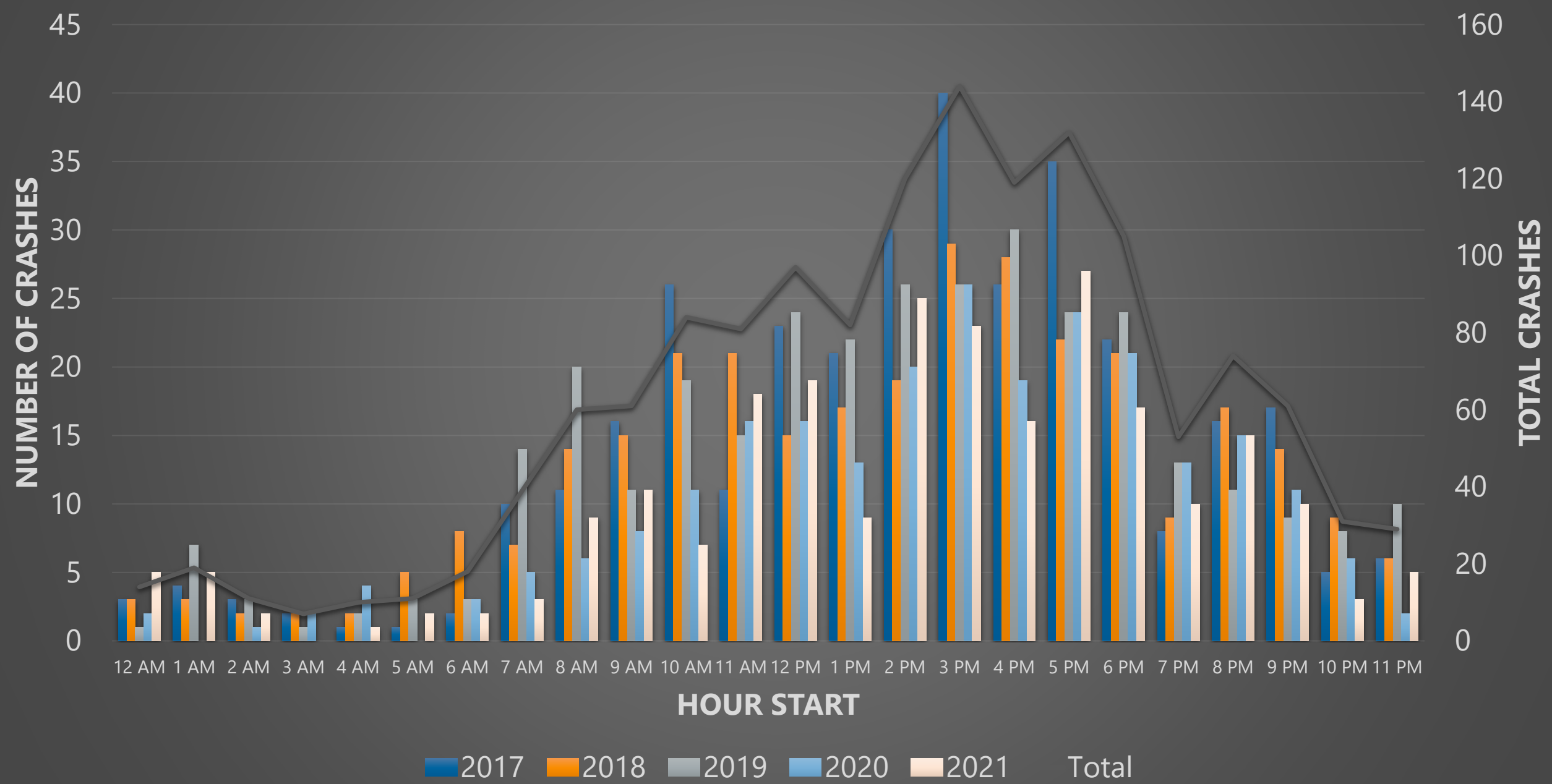
Destin Crashes by Time of Day



Alcohol Related Crashes by Time of Day



Crashes Involving Distracted Drivers



FUTURE OF TRANSIT

Goals of the Comprehensive Plan not met
Existing transit system has not expanded and
is underperforming

New types of service and technology call for
new solutions and investment

Mode shift and capacity maintenance



MOBILITY PLAN | Existing Transit Service

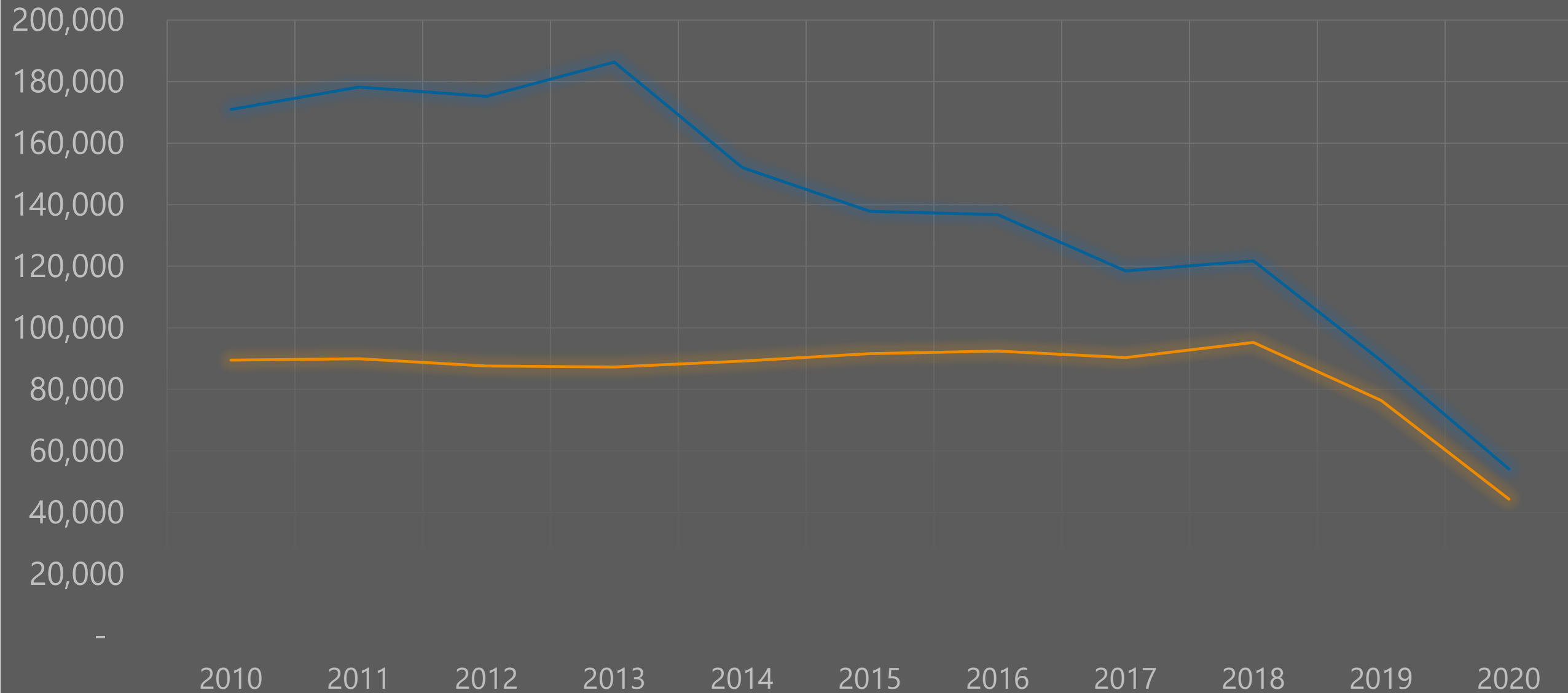
Emerald Coast Rider

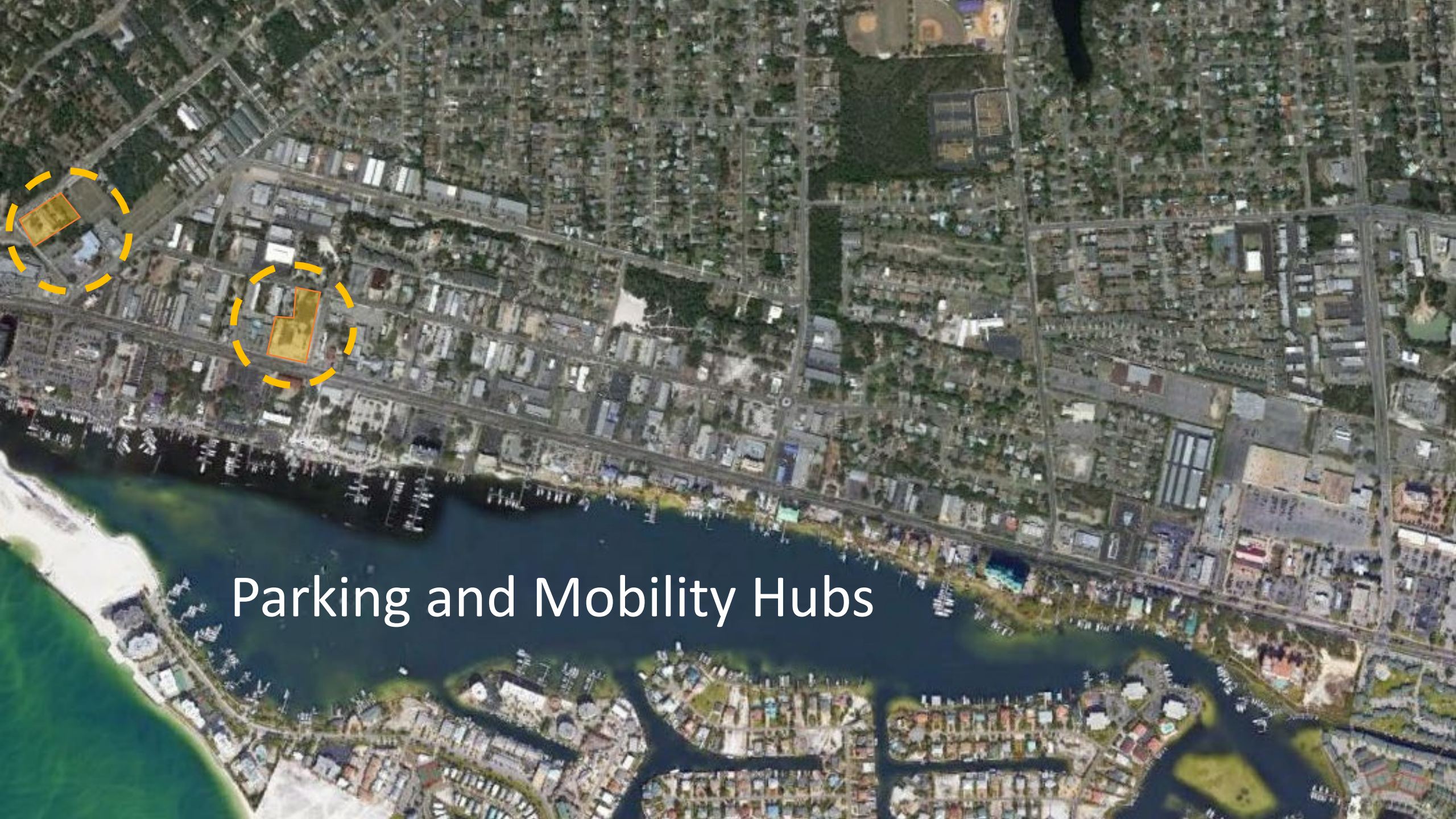
-  **Route 30**
-  **Route 32**
-  **Route 33**
-  **Bus Stop**



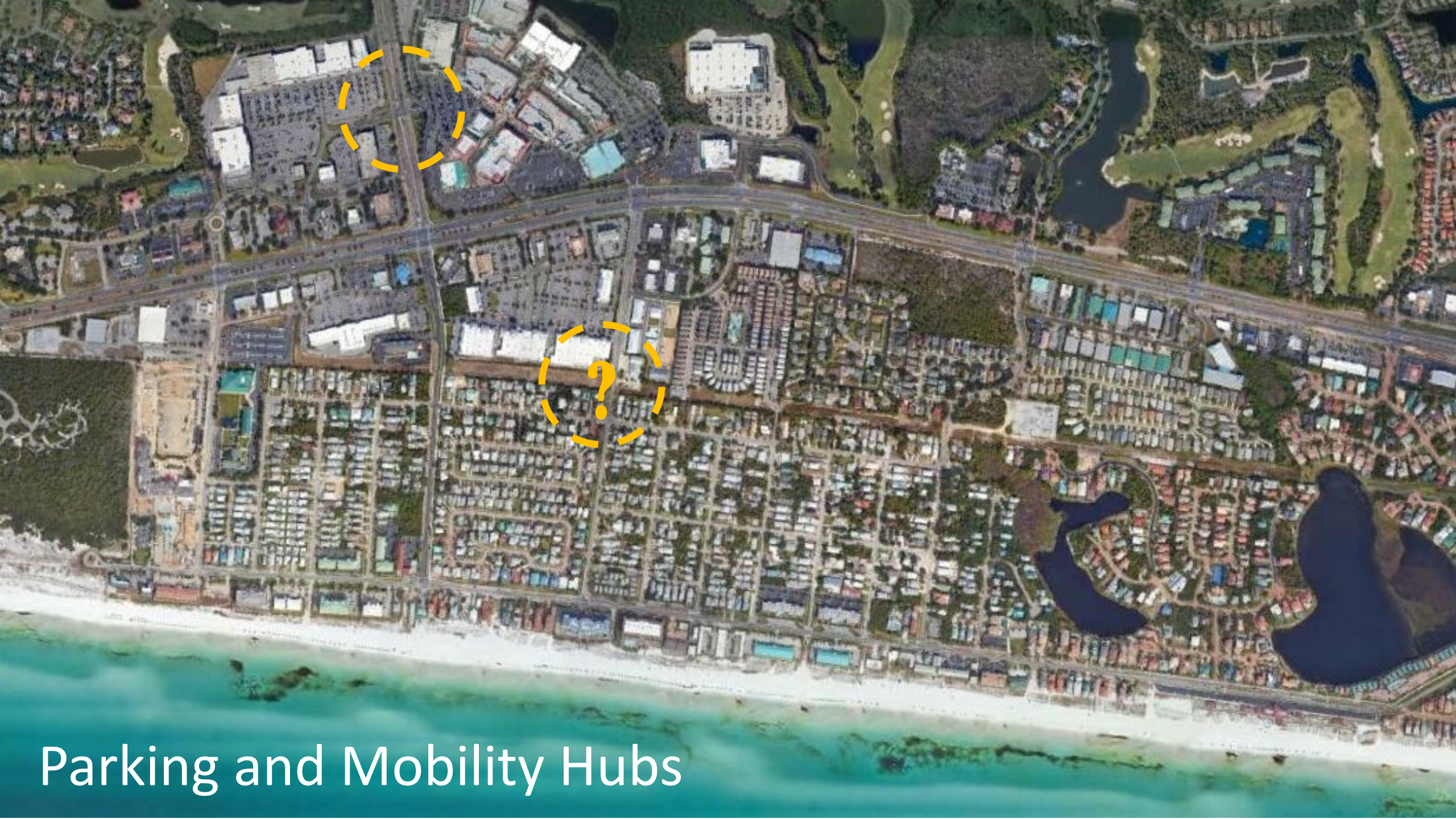
EC Rider Unlinked Passenger Trips

Fixed Route Demand Response





Parking and Mobility Hubs

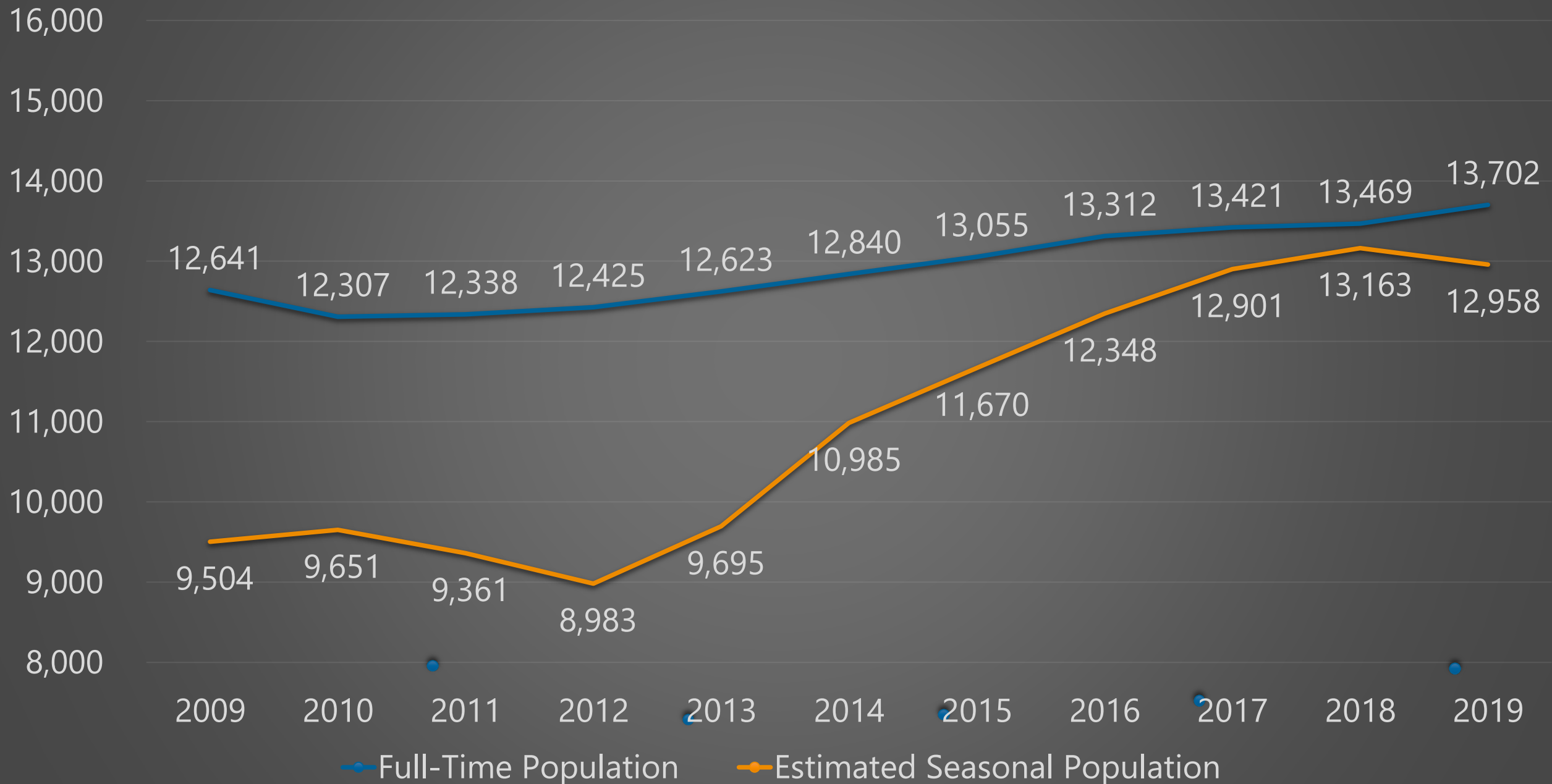


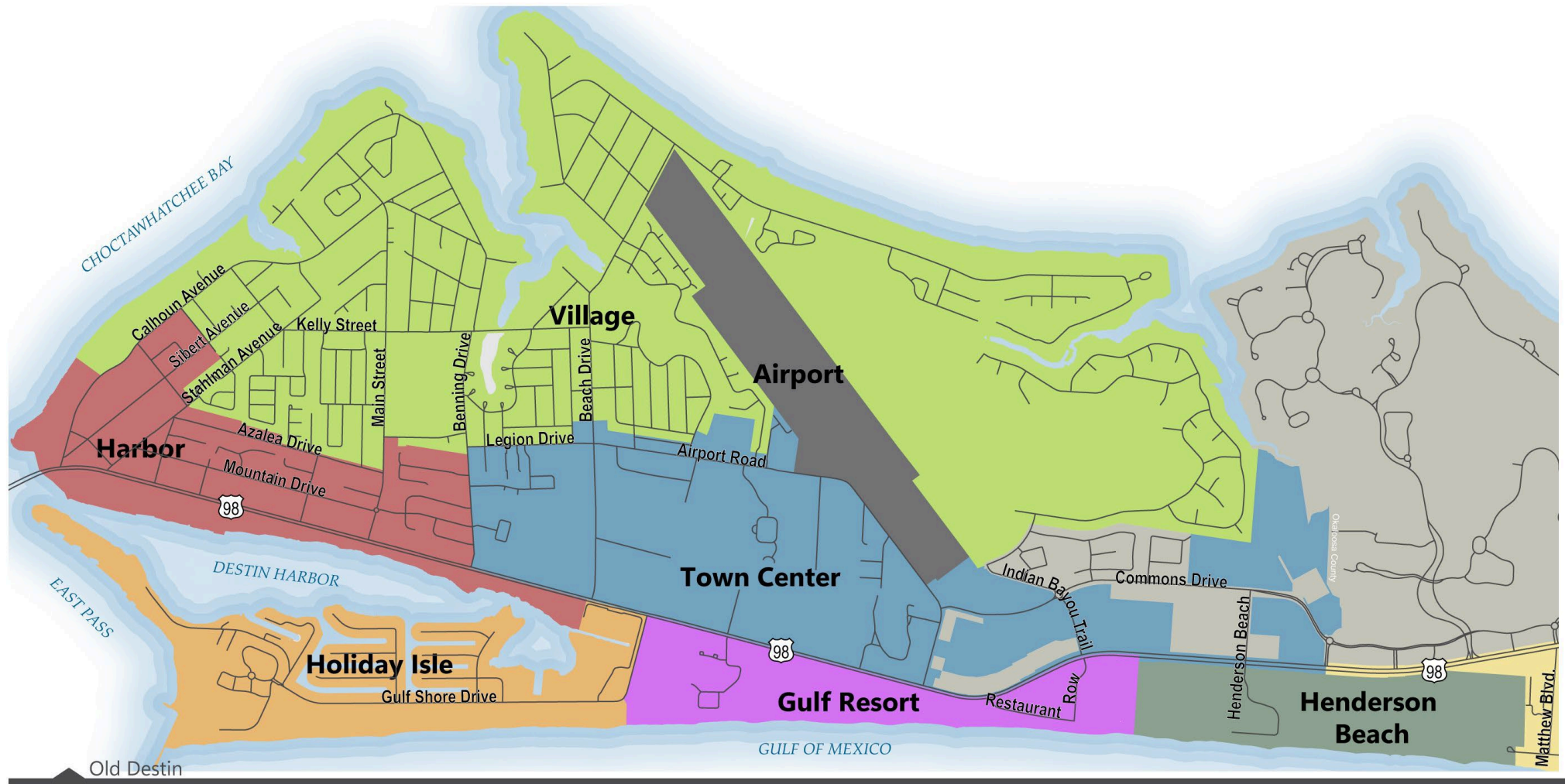
Parking and Mobility Hubs

PLACEMAKING AND QUALITY OF LIFE

Moving from suburban model of
development to infill and retrofitting places
Shifting modes and reducing trip lengths
Satisfying parking demand more involved
Meeting transportation needs of residents
and visitors

Full-Time & Seasonal Population





MOBILITY PLAN | Planning Areas



GROWTH FORECAST									
Planning Area	SF Pop	MF Pop	Housing Units	Hotel /Motel Units	Seasonal Pop	Serv Emp	Comm Emp	Ind Emp	Tot Emp
Airport	0	0	0	0	0	2	0	0	2
Crystal Beach	104	236	163	80	340	59	45	18	111
Gulf Resort	11	63	36	84	59	51	45	0	106
Harbor	59	284	165	125	280	301	138	21	473
Henderson Beach	0	0	0	0	0	3	1	0	4
Holiday Isle	38	262	144	30	225	64	23	8	95
Town Center Commons	90	472	270	228	449	211	165	43	407
Village	173	331	242	0	531	22	16	3	41
Grand Total	475	1,648	1,020	547	1,884	713	433	93	1,239

Step 1

Trends and
Conditions

Draft Projects

Evaluation of
Benefits

Public Vetting

Mobility Plan

Mobility Fee
Study

Adoption and
Implementation

- Evaluate trends in traffic and network utilization
- Assess level and quality of service
- Inventory current and planned projects

Step 2



- Identify potential capacity projects and network improvements
- Assess needs for different parts of city

Step 3



- Forecast future traffic relative to draft projects
- Assess change in travel based on anticipated growth

ENGAGEMENT SURVEY

Online feedback mechanism
about transportation and
other topics

www.menti.com

Enter code
4547 2754



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022
TYPE OF AGENDA ITEM: Action Item
AGENDA OUTLINE NUMBER: 4.B.

TO: City Council

THRU: Michael Burgess, Public Services Director
Kyle Bauman, City Attorney
Krystal Strickland, Finance Director
Lance Johnson, City Manager

FROM: Jeffrey Cozadd, Grants Manager

DATE: 2/4/2022

SUBJECT: Facilities and Needs Assessment RFP 21-11-PS

I. BACKGROUND: The continued growth and expansion of the City's population base creates expectations and demands for expanded municipal services and facilities including municipal offices, public works facilities, public safety, and recreation facilities. The City maintains several such existing building assets with City Hall, the City Hall Annex, Destin Public Library, Community Center, Morgan's Sports Center being a few examples. Based upon the types of buildings and their respective uses, the completion of this facility condition and needs assessment will provide valuable information on the existing condition of these assets along with an understanding of their long-term viability, as well as the preparation of an asset management strategy to identify and prioritize long-term capital investments in these facilities to ensure they meet the current and long-term needs of the community.

II. DISCUSSION: The purpose of the Facilities Condition and Needs Assessment is to provide comprehensive documentation and analysis of the City's existing built facilities. This analysis will be utilized for prioritizing capital improvements and maintenance requirements as well as assisting decision-makers with allocating operating budgets and long-term facility needs for various municipal facilities.

The RFP for Facility and Needs Assessment was issued November 1, 2021, and the bid opening was December 16, 2021.

Four bids were received for this RFP.

- Universal Engineering Sciences
- Tetra Tech, Inc.
- Matrix Design Group, Inc.
- NOVA

The bid committee met on January 20, 2022, to consider and score the submissions. All submissions were deemed responsive and responsible and therefore considered. The bid committee scored all submissions with Matrix Design Group, Inc. receiving the most points. The second-best scoring submission was Tetra Tech, Inc., followed by Universal Engineering Sciences and lastly NOVA.

Per the RFP, the vendor will perform a complete assessment of one building, after which a draft report will be provided. Staff will review the report and provide comments. Once an approved "final" report is provided, the vendor will then be released to conduct assessments at the remaining facilities. The Destin Community Center was selected to serve as this "pilot".

Attachments include: the advertised RFP, responses from the four vendors, and the Bid Committee's scoring form with tabulated scores.

A. Link to Strategic Goals / Objectives: Effective, efficient, and aesthetically pleasing infrastructure.

Financially sound city providing service excellence.

B. Effect on Budget (EOB): This item allows for staff to enter into negotiations with the recommended vendor. The amount of the contract (hours and rates) have yet to be determined. Funding for this project was appropriated in the FY 2022 adopted budget 0151324-534000 (Facilities Maintenance-Contract Services).

C. Level of Service (LOS): Information derived from this assessment will allow staff to identify needed improvements, forecast future annual expenditures and will provide the City's Management Team and Council estimates of the remaining years of useful life of all City-owned facilities.

III. CONCLUSION: Council can choose a firm which staff would then negotiate with for the Facilities Condition and Needs Assessment project. If staff is able to reach an agreeable contract with that firm, then staff would bring that contact back to the council for their approval.

The Council should identify a first and second choice in case negotiations are unsuccessful with the first firm.

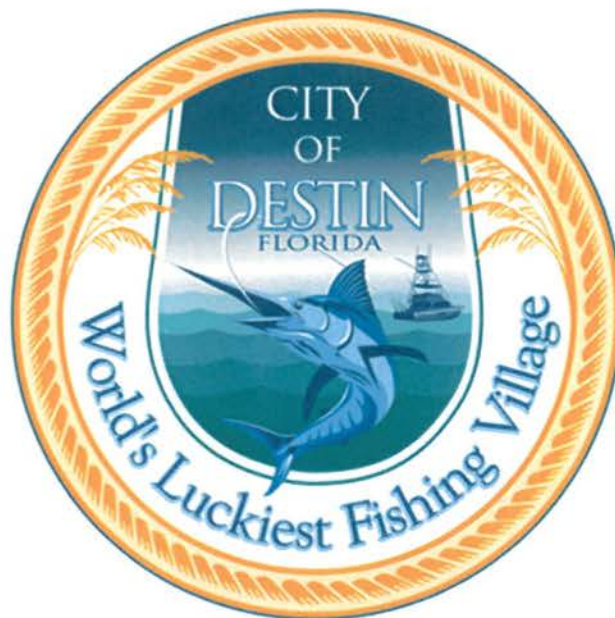
IV. RECOMMENDED MOTION: I move that the City Manager enter negotiations with Matrix Design Group Inc. and report back to the Council with a contract to consider. In the event that negotiations are unsuccessful, staff should enter negotiations with the second highest ranked vendor and bring back to the Council a contract to consider.

Attachments:

ITEM # 2022-4884

1. RFP 21-11-PS Facilities Condition and Needs Assessment signed
2. Matrix
3. Tetra Tech
4. Universal Engineering Sciences
5. NOVA
6. Facilities Condition and Needs Assessment 21-11-PS Committee Scoring Sheet

REQUEST FOR PROPOSAL
RFP 21-11-PS
FACILITIES CONDITION & NEEDS ASSESSMENT



City of Destin, FL
November 1, 2021


Lance A. Johnson, City Manager

NOTICE TO PROPOSERS

The City of Destin, Florida, is currently receiving sealed competitive proposals for a Facilities Condition and Needs Assessment.

Specifications for this project can be obtained from the City Clerk's Office at the City of Destin, 4200 Indian Bayou Trail, Destin, Florida 32541. Proposal submissions must be received by the City Clerk's Office at the City of Destin, 4200 Indian Bayou Trail, Destin, Florida 32541, in a sealed envelope clearly marked **"RFP No. 21-11-PS, Facilities Condition and Needs Assessment"**, along with the name, return address and telephone number of the proposer, no later than 2:00 p.m. CST, on **December 16, 2021** at which time they will be opened. The City reserves the right to reject any and all proposals or portions thereof, to waive minor defects and informalities in the process, to accept the proposal(s) or take any other actions deemed by the City to be in the City's best interest.

A Non-Mandatory Pre-Submittal Meeting has been scheduled for December 2, 2021. The properties will be available for inspection by appointment after December 2, 2021 by contacting the Project Manager, Michael Burgess at 850-837-6869.

Introduction

The City of Destin is issuing a Request for Proposal (RFP) to secure proposals from qualified contractors for a Facilities Condition and Needs Assessment.

It is the responsive proposer's responsibility to read and understand the requirements of this request for proposal. Responsive proposers are required to state exactly what they intend to furnish the City of Destin via this solicitation and must indicate any variances to the terms, conditions and specifications of this proposal, no matter how slight. If variations are not stated in the proposal, it shall be construed that the proposal fully complies with all conditions identified.

Before submitting a proposal, each responsive proposer will, at proposer's own expenses, make or obtain any additional examinations, investigations, and studies, and obtain any additional information and data that may affect costs, permitting, progress, performance of in furnishing of the project and any other items that the responsive proposers deem necessary to develop their proposals.

Responsive proposers will examine all documents included in this Request for Proposal (RFP) carefully and shall make a written request to the City's authorized representative for interpretation or correction of any ambiguity, inconsistently, or error herein.

Any interpretation or correction will be issued as an Addendum by the City. Only a written interpretation or correction by Addendum shall be binding. Responsive proposers are cautioned against relying upon any interpretation or correction given by any other method.

The submission of a proposal shall not be deemed an agreement between the proposer and the City. The proposal is a contractual offer by the responsive proposer to perform services in accordance with the Proposal Solicitation. The City shall not be obligated to respond to any proposal submitted nor be bound in any manner by the submission.

Project Overview

The City of Destin, Florida is located within Okaloosa County, approximately five miles east of Fort Walton Beach with a full-time population of 14,000.

The continued growth and expansion of the City's population base creates expectations and demands for expanded municipal services and facilities including municipal offices, public works facilities, public safety, and recreation facilities. The City maintains several such existing building assets with City Hall, the City Hall Annex, Destin Public Library, Community Center, Morgan's Sports Center being a few examples. Based upon the types of buildings and their respective uses, the completion of this facility condition and needs assessment will provide valuable information on the existing condition of these assets along with an understanding of their long-term viability as well as the preparation of an asset management strategy to identify and prioritize long-term capital investments in these facilities to ensure they meet the current and long-term needs of the community.

Solicitation

The City of Destin is seeking a proposal from qualified consultants to provide comprehensive, professional Facilities Condition and/or Needs Assessment services for 15+ buildings/structures/sites including City Hall, City Hall Annex, Public Library, Maintenance Facility, and Recreation Facilities (see Exhibit A for the full list).

The purpose of the Facilities Condition and Needs Assessment is to provide comprehensive documentation and analysis of the City's existing built facilities. This analysis will be utilized for prioritizing capital improvements and maintenance requirements as well as assisting decision-makers with allocating operating budgets and long-term facility needs for various municipal facilities.

Prospective firms will be required to provide team qualifications, proposed work plans, proposed schedule, and other related items as part of the statement of proposal. The deadline for submitting a statement of qualifications is Thursday, December 16, 2021 at 2:00pm CST.

It is the expectation of the City of Destin that all project work shall be done in accordance with all applicable Federal, State and local codes and standards which include, but not limited State Building Codes, City Codes and Ordinances, etc.

It is the expectation of the City of Destin that the contractor, their staff, and/or any subcontractor performing work associated with this project shall be always courteous, cordial, and act in a professional manner whilst on City Property.

Scope of Work

The City is requesting a statement of qualifications from qualified consultants for comprehensive facility condition and needs assessment services. The City anticipates the facility condition assessment will require significant involvement of design professionals representing the fields of architecture and engineering. Required services shall include, but are not limited to:

1. Identify and document current conditions of each existing City-owned building as outlined in Exhibit A, including structural integrity, physical state of each building, and compliance with current building and life safety codes.
2. Assess the ability of each building to serve current needs, including, its ability to accommodate the number of employees housed in each facility, and identify if the building is meeting the overall needs of the City.
3. Identify the replacement and/or renovation costs of each building and make recommendations as to which (if any) buildings should be renovated, replaced, relocated, etc. as needed. Recommend alternative locations and/or civic facility combination or consolidation where appropriate.
4. Provide current market values of City-owned properties based on current zoning as well as highest and best use.
5. Recommend corrections for all identified deficiencies.
6. Provide a suggested priority list and/or timeline for accommodating the recommended replacement and/or renovation work that may be necessary for select facilities.
7. Provide estimate of probable cost for corrections, replacement and/or reconstruction or renovation work as may be necessary for each facility.
8. Forecast future facility renewal/reconstruction, renovation or replacement costs.
9. Provide an assessment of maintenance efforts to date as compared to industry standards. Also, provide preventative maintenance recommendations, to include minimum standards for day-to-day upkeep and their associated costs based on industry standards (including but not limited to: ongoing building maintenance needs and staffing, equipment replacement, janitorial needs and staffing, basic cleaning/deep cleaning, paint, flooring replacement, lighting replacement, etc.).
10. Assist and facilitate the preparation of a strategic plan for asset management of buildings and property owned by the City that provides comprehensive guidelines for more efficient and effective use and management of City of Destin property and assets.

Consultant will meet with City staff to identify all reliable sources of existing information such as facility inventory lists, plans, maps, facilities assessments, and studies, etc. Where applicable, existing studies and reports will be provided to the consultant for incorporation into the facility conditions and needs assessment process and final deliverables.

The types of building systems surveyed may vary with each building and shall include, but not be limited to, the following systems:

1. Site: topography, drainage, access/egress, paving, curbing, parking, flatwork, utilities, signage, lighting

2. Exterior Systems: foundation, roofs, walls, window systems, exterior doors, civil/structural components
3. Interior Systems: walls, doors, flooring, ceiling, hardware, lighting, architectural components
4. Fire/Life Safety Issues: including hazards, alarms, sprinkler systems and means of egress
5. HVAC: description and data on equipment location, age and life expectancy and condition including controls, terminal units, and adequacy/condition of ventilation system
6. Electrical: electrical service serving building and sufficiency to support electrical load of building; survey to include internal electrical distribution and back-up generation (if applicable)
7. Plumbing Systems: fixtures, supply, storm and sanitary sewer drainage, valving, irrigation
8. Security and Fire Protection
9. Specialized Construction and Outbuildings
10. Specialized Equipment and Systems
11. ADA Compliance: interior and exterior accessibility components

The consultant is expected to generally address observed general hazardous materials (lead, asbestos, mold, etc.) conditions and/or concerning environmental consideration based on known/assumed age and type of construction for each facility. Specialized destructive testing or hazardous material sampling/testing is not in the scope of this proposed facility condition and needs assessment service.

The consultant shall inspect all identified facilities to produce an accurate analysis that identifies all components and elements requiring maintenance, repair, and/or major capital investment. It is anticipated that the consultant team will be an interdisciplinary team (potentially involving multiple consultants or firms) likely to include structural engineer, mechanical engineer, electrical engineer, architect, and real estate appraiser, as appropriate. The consultant will thoroughly examine building systems using non-destructive, on-site observations to compile a complete understanding of current building conditions and municipal operations needs for each facility. Consultant will ensure that the inspection staff has the appropriate training and equipment to record and produce consistent and accurate data for each facility.

Inspections

The method of the inspection process shall allow for a comprehensive inspection of observable systems, while utilizing input from City staff to complement the assessment of current conditions with details of the facilities background. This will be augmented with information provided by City staff regarding the current and projected uses of each facility, the current and projected staffing levels for each facility, and any known deficiencies currently affecting these needs. At a minimum, inspectors shall gather the following information on each property:

1. Property Characteristics: An inventory of all building systems with each system

component quantified as a count, an area, a length, and/or height; whichever measurement is most appropriate for each system. Confirmation/validation of building area (square footage) shall be confirmed during inspection.

2. Age: Identification/approximation of the year each system component was installed.
3. Current Condition: An assessment of the current condition of each system component and a determination of the level of repair necessary to restore or replace these components to achieve optimal condition graded as a Building Condition Index (BCI).
4. Facility Needs: A summary of how each facility is being utilized and an analysis regarding the suitability of the facility to its current and potential future use.

For consistency, system components shall be defined along with a standard list of repairs and action levels for inspectors to choose from in rating each system condition. Action level recommendations and timelines shall be defined for individual components. Standard definitions and systems of actions are intended to provide a more accurate assessment of each facility.

Asset Management Strategic Plan for City Buildings and Property

The consultant shall assist and facilitate the preparation of an asset management strategy and plan for the comprehensive management of municipal buildings and assets. The facilitation process will include facilitating meetings with City staff and elected officials to develop an understanding of asset management goals and objectives and the formulation of a strategic plan framework for managing property assets. The asset management plan will provide:

1. Needs assessment to identify essential elements regarding maintenance, repair, replacement and renovation or new facilities including consideration of financial, operational, administrative, regulatory, strategic, and best practices.
2. Property management goals and objectives including real property strategies to meet short and long-term facility needs.
3. Gap analysis to identify gaps between current property and asset management policies, practices and procedures, while reviewing current and long-term facility needs and best management practices for property and asset management.
4. Guidelines for maintaining and optimizing City building and facility assets.
5. Decision-making processes consistent with City policies and procedures.
6. Prioritization of capital expenditures and ongoing operational expenditures.

Format

The consultant shall have a thorough understanding and knowledge of ASTM Designation E2018, Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process, for each subject of the facility condition and needs assessment for each facility identified in Exhibit A. Format, including individual and summary reports, shall be confirmed by the City and consultant prior to commencing assessments.

Once an acceptable format is confirmed by the City, the City will require a “pilot” facility condition and needs assessment be conducted on a facility of its choosing to confirm the facility condition and needs assessment deliverable format individually and in summary is acceptable before proceeding with remaining facilities. Once the pilot facility condition and needs

assessment format and accuracy is confirmed by the City, the remainder of the facility condition and needs assessments for each of the remaining facilities in the project will be given authorization to proceed. Two hard copies and one digital deliverable will be required.

Project Schedule

Responses to the RFP must be submitted to the City of Destin as outlined in this section.

Responses are due no later than **Thursday, December 16, 2021 at 2:00pm CST**. Responses received after this date and time will not be considered.

The tentative schedule for the review and selection process and desired timelines for deliverables are as follows:

MILESTONE	DATE
Release RFP	Week of October 31, 2021
Non-Mandatory Pre-Submittal Meeting (meet at City Hall, tour of a few of the larger facilities, 10am-12pm)	December 2, 2021
Question submittal deadline	December 9, 2021
RFP Packet Due Date	December 16, 2021
Review and Scoring of Submittals	First Week of January 2022
Approval of Vendor and Proposal by City Council	January 17, 2022
Award of Contract	Late-January 2022
Execution of Contract and Issuance of Notice to Proceed	Late-January 2022
Kickoff Meeting	Early-February 2022
Pilot Building Facility Condition and Needs Assessment Due	April 1, 2022
Building Facility Condition and Needs Assessment Due (all)	April 29, 2022
Preliminary Final Report Draft Due	May 15, 2022
Presentation to Mayor and City Council	June 6, 2022
Final Report/Deliverable Due	June 30, 2022

The tentative schedule may be further modified and/or extended if necessary.

The selected contractor will provide weekly updates to the City on the project's progress due by the close of business each Friday.

Instructions to Proposers

1. All RFP's will be publicly opened and recorded for acknowledgement of receipt in the City Hall Boardroom on December 16, 2021 no later than 2:00 P.M. (CST). All responsive proposers or their representatives are invited to be present. The City Hall Boardroom is located at Destin City Hall, 4200 Indian Bayou Trail Destin, FL 32541.
2. Any responses received after the stated time and date will **NOT** be considered. It shall be the sole responsibility of the responsive proposer to have their RFP submittal **delivered to City Clerk's Office** for receipt on or before the above stated time and date. RFP responses which arrive after the above stated deadline as a result of delay by the mail

service shall not be considered, and arrangements shall be made for their return at the responsive proposer's request and expense. The City reserves the right to consider submittals that have been determined by the City to be received late due solely to mishandling by the City after receipt of the RFP and prior to the award being made.

3. Respondents may request information regarding the RFP in writing from City Clerk Rey Bailey, clerk@cityofdestin.com. Such a request shall be received in writing at least seven (7) days prior to the submittal deadline.
4. If any addendum(s) are issued to this Request for Proposal, the City will attempt to notify all prospective respondents. It shall be the responsibility of each respondent, prior to submitting the RFP response, to contact the City Clerk's Office, at (850) 837-4242 to determine if any addendum(s) were issued and to complete any addendum acknowledgements as part of their RFP response.
5. Complete and submit Responsive Bidder Qualification Statement, form herein as Exhibit B. Clearly indicate the legal name, address, and telephone number of the responsive proposer. Responses shall be signed above the typed or printed name and title of the signer. The signer shall have the authority to bind the responsive proposer to the submitted RFP. Responsive proposers must note their Federal I.D. number on their RFP submittal.
6. One (1) original, so designated, six (6) copies for a total of seven (7) submissions, and one (1) digital copy of the RFP responses (on USB drive). Submissions shall be portrait orientation, "8 1/2 X 11" where practical and double-sided. One sheet of paper printed on both sides is considered 2 pages. **Please do not use wire spiral bindings, plastic covers, and plastic binding materials for your submittals.**
7. All expenses for making RFP submittals to the city are to be borne by the responsive proposer.
8. The Proposal Committee shall consist of City of Destin staff members.
9. Each responsive proposer, by submission of an RFP submission, acknowledges that in the event of any legal action challenging the award of the RFP; damages, if any, shall be limited to the actual cost of the preparation of the RFP. Submittals shall be placed in a clearly marked envelope, titled "Facilities Condition & Needs Assessment" and hand delivered or mailed by **Thursday, December 16, 2021 at 2:00pm CST** to:

City of Destin
Attn: Rey Bailey, City Clerk 4200
Indian Bayou Trail
Destin, FL 32541

It is the sole responsibility of the proposer to ensure timely delivery. Proposals will not be accepted at any other location other than the address specified above. Faxed or emailed proposals will not be accepted.

For any questions regarding this RFP, please contact Rey Bailey, City Clerk, at 850-837-4242 or rbailey@cityofdestin.com. Responses to written questions will be compiled into an addendum

that will be posted to the City's website. Questions may be submitted in writing until Thursday, December 9, 2021 at 5:00pm CST after which time the City will not respond to further inquiries. The City will provide a written response to questions in the form of an addendum reflecting the compilation of questions received from consultants and corresponding responses and will become part of the RFP. It is the responsibility of the consultant to periodically check the City's website for updates.

A non-mandatory RFP pre-submittal meeting will be hosted by City staff on December 12, 2021 at 2:00pm CST at Destin City Hall located at 4200 Indian Bayou Trail.

Submittal Requirements

Submittals must include the following components in the order listed below:

- Part 1: Cover Letter/Executive Summary (5 points)
- Part 2: Experience and Qualifications of Consultant/Team Members (30 points)
- Part 3: Understanding of Project Scope & Detailed Work Plan (35 points)
- Part 4: Delivery Schedule and Timeline (20 points)
- Part 5: Reference Review (10 points)
- Total Possible: 100 points

Part 1: Cover Letter/Executive Summary (5 Points)

In no more than three (3) pages, the Cover Letter and Executive Summary shall include:

1. The names of the key members of the consultant team.
2. The mailing address, telephone number, and the name of the main point of contact for the consultant team.
3. A summary of the consultant's Facility Condition Assessment experience and qualifications and the significant advantages to selecting the consultant.
4. An acknowledgement of receiving any addendum(s) to the RFP document sent out by the City.

Part 2: Experience and Qualifications of Consultant Team/Team Members (30 Points)

Provide detail relating to the experience and qualifications of the members of the team, including an organizational chart showing all key personnel who will be assigned to this project. Submit brief resumes demonstrating the training, experience, and other qualifications of the key personnel who will be assigned to this project.

Consultant should further document expertise by including the information regarding the following:

1. Facility and Property Condition Assessments to include applicable facility inventory use, type, and area (square feet).
2. Experience of proposed consultant team working together as a team on similar scope and type of projects.
3. Understanding of operations, activities, maintenance staffing needs and maintenance of public facilities.

4. Experience with the use of life-cycle cost and value engineering.
5. Any other information that would assist the review team in understanding the consultant team's capacity to efficiently and effectively complete the project.

Part 3: Understanding of Project Scope & Detailed Work Plan (35 Points)

Each respondent shall demonstrate its capacity to deliver comprehensive, professional, facility condition and needs assessment services. Respondent should outline methodology and logistics capable of meeting the goals outlined in the facility condition and needs assessment scope, as well as provide a proposed work plan for development and implementation of the facility condition and needs assessment as described in the scope of work. Respondents should draw from previous experience and demonstrated competence to articulate how their capabilities are distinct, comprehensive, and add value. Examples of report format (formal hard copy and digital deliverables) are recommended.

Part 4: Delivery Schedule and Timeline (20 Points)

Discuss in this section the steps the consultant team proposes to use. Clearly outline the delivery schedule and timeline of each component of the project. Specific dates should be used assuming an award to this RFP and an executed agreement in December 2021 or early January of 2022. Consultant shall be prepared to begin work within two (2) weeks of the Notice to Proceed. Completion of this assessment in a timely fashion will be a factor in scoring this section. Indicate in the proposed scheduling the necessary involvement and various decision points required of the City. A Gantt chart or schematic representation of the delivery timeline with pertinent milestones and events is required in this section.

Part 5: Reference Reviews (10 Points)

The review team will conduct a background reference review of each respondent. Please include the following information for three (3) projects that the proposed consultant team worked on together in the past three (3) years:

- Name of the project/study
- Location of the project
- Name, title, and contact information for the client
- Project budget
- Date of completion of the project

Additional Documentation Required

Licensing Requirements

Provide all applicable contractor licenses: include license name, license numbers and contact information. Contractor must be Florida Certified or Okaloosa Registered and provide a license of qualifier. Must also register in the City of Destin

<https://www.cityofdestin.com/DocumentCenter/View/12259/Contractor-Packet>

Insurance Requirements

Respondents shall be required to provide proof of General Liability Insurance with a minimum liability insurance requirement of \$1,000,000 for combined single limit and Worker's Compensation Insurance in accordance with the laws of the State of Florida and in amounts sufficient to secure the benefits of the Florida Workmen's Compensation Law for all types of employees, including those of subcontractors.

Respondent shall produce proof of insurance in the types and amounts required by the City, including the foregoing and any additional coverages, including Automobile Liability and or Builder's Risk Insurance, as may be defined at the time of contract. The City shall be named as an additional insured party and all binders, policies or certificates of insurance shall include a provision that such insurance coverage shall not be cancelled or amended without at least thirty days' notice to the City. All coverage shall be with carriers admitted doing business in the State of Florida. Carriers shall be A rated (or better) by A M Best Company. City reserves the right to modify its insurance requirements with 60 days' notice.

Exhibit B – Responsive Proposer Qualification Statement

Exhibit C – Public Entity Crimes Disclosure

Exhibit D – Drug-Free Workplace Certification

Contract Award Schedule

City staff anticipates presenting a recommendation for contract award along with a corresponding professional services agreement to the Destin City Council for their review and consideration tentatively in January 2022.

The City reserves the right to cancel award of the contract at any time before execution of the contract by both parties if cancellation is deemed to be in the best interest of the City of Destin. In no event shall the City have any liability for the cancellation of the award.

Public Records

This RFP document and all submittals in response thereto are public records. Prospective consultants are cautioned not to include any material into the proposal that is strictly proprietary in nature.

Proposal Costs

All costs associated with the preparation of RFP submittals shall be borne by the respondent. This RFP does not constitute any form of offer to contract.

Product Ownership

Any documents resulting from the contract will be the property of the City.

Professional Services Agreement

The City will seek to enter into a Professional Services Agreement prepared by the City upon

successful selection and negotiation with a Consultant.

General Conditions

The City reserves the right to modify or cancel the selection process or reschedule at any time. Additionally, the City may seek clarification or additional information from proposers. This RFP does not commit the City of Destin to sign a Professional Services Agreement, award a contract, or to pay any costs incurred in the preparation of a response to this RFP.

EXHIBIT A

SUMMARY OF INDIVIDUAL CITY FACILITIES TO BE EVALUATED

FACILITY	ADDRESS	ESTIMATED SQUARE FOOTAGE	NUMBER OF FLOORS	NUMBER OF EMPLOYEES
City Hall & EOC	4200 Indian Bayou Trail	14000	1	~20
City Hall Annex	4100 Indian Bayou Trail	10500	1	20+
Destin Public Library	150 Sibert Ave	13250	1	<10
Destin History & Fishing Museum	108 Stahlman Ave	5200	1	<10
Community Center	101 Stahlman Ave	19500	1	~10
Destin Sheriff Substation and EMS	101 Stahlman Ave	6100	1	20+
Food 4 Thought	908 Airport Rd	2900	1	<10
Morgan's Sports Center & Detached Restrooms	3950 Commons Drive	3250	2	<10
Buck Destin Recreational Facility	724 Legion Drive	2000	1	<10
Maintenance Bldg.	3949 Commons Drive	10750	2	20+
Shore of Crystal Beach Restrooms and Pavilion	2966 Scenic Hwy 98	2000	1	unattended
June White Decker Restrooms and Maintenance Bldg.	1950 Scenic Hwy 98	625	1	unattended
Joe's Bayou Restrooms and Office	800 Beach Drive	300	1	<10
Harbor Pump Station	725 Gulf Shore Drive	400	1	unattended
Leonard Destin Park Restrooms	101 Calhoun Ave	600	1	unattended

EXHIBIT B
RESPONSIVE BIDDER QUALIFICATION STATEMENT

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Destin
 CITY CLERK'S OFFICE
 4200 Indian Trail Bayou
 Destin, Florida 32541
 Telephone: (850) 837-4242

Submitted By:	<u>Check One</u>
Name: _____	Corporation _____
Address: _____	Partnership _____
City, State, Zip: _____	Individual _____
Telephone No.: _____	Other _____
Fax No.: _____	

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the responsive bidder is:

The address of the principal place of business is:

2. If responsive bidder is a corporation, answer the following:

- a. Date of Incorporation: _____
- b. State of Incorporation: _____
- c. President's name: _____
- d. Vice President's name: _____
- e. Secretary's name: _____
- f. Treasurer's name: _____
- g. Name and address of Resident Agent: _____

3. If responsive bidder is an individual or a partnership, answer the following:

- a. Date of organization: _____
- b. Name, address and ownership units of all partners:

- c. State whether general or limited partnership: _____

4. If responsive bidder is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

5. If responsive bidder is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

6. How many years has your organization been in business under its present business name?

Under what other former names has your organization operated?

7. Indicate registration, license numbers or certificate numbers for the businesses or professions, which are the subject of this Bid. Please attach certificate of competency and/or state registration.

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why:

9. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary)

10. State the name of the individual who will have personal supervision of the work:

11. State the name and address of attorney, if any, for the business of the responsive bidder:

12. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the responsive bidder's business and indicate the percentage owned of each such business and/or individual:

13. State the names, addresses, and the type of business of all firms that are partially or wholly owned by responsive bidder:

14. Annual Average Revenue of the responsive bidder for the last three years as follows:

		<u>Revenue Index Number</u>
a.	Government Related Work	
b.	Non-Governmental Related Work	
	<i>Total Work (a +b):</i>	

Revenue Index Number

1.	Less than \$100,000
2.	\$100,000 to less than \$250,000
3.	\$250,000 to less than \$500,000
4.	\$500,000 to less than \$1 million
5.	\$1 million to less than \$2 million
6.	\$2 million to less than \$5 million
7.	\$5 million to less than \$10 million
8.	\$10 million to less than \$25 million
9.	\$25 million to less than \$50 million
10.	\$50 million or greater

15. Bank References:

Bank	Address	Telephone
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16. What will be your turnaround time for written responses to City inquires?

17. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the responsive bidder, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description, the disposition of each such petition.

18. List all claims, arbitrations, administrative hearings and lawsuits brought by or against the responsive bidder or its predecessor organization(s) during the last five (5) years. The list shall include all

case names, case arbitration or hearing identification numbers, the name of the project which the dispute arose, and a description of the subject matter of the dispute.

19. List and describe all criminal proceedings or hearings concerning business related offenses to which the responsive bidder, its principals or officers or predecessors' organization(s) were defendants.

20. Has the responsive bidder, its principals, officers or predecessors' organization(s) been CONVICTED OF a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

The responsive bidder acknowledges and understands that the information contained in response to this qualification statement shall be relied upon by owner in awarding the contract and such information is warranted by responsive bidder to be true. The discovery of any omission or misstatement that materially affects the responsive bidder qualifications to perform under the contract shall cause the owner to reject the submittal, and if after the award, to cancel and terminate the award and/or contract.

(Signed) _____

(Title) _____

Subscribed and sworn to before me

This _____ day of _____, 20 _____

Notary Public (Signature)

My Commission Expires: _____

END OF SECTION

EXHIBIT C
PUBLIC ENTITY CRIMES DISCLOSURE

SWORN STATEMENT UNDER SECTION 287.133 (3) (A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract _____

2. This sworn statement is submitted by _____ whose business address is _____

and (if applicable) Federal Employer Identification Number (FEIN) is _____ (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____)

3. My name is _____ and my relationship to the entity named above is _____

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

a. A predecessor or successor of a person convicted of a public entity crime; or

b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

____ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (please attach a copy of the final order)

(Signature)

Date: _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this ____ day of _____, 2021, and is personally known to me, or has provided _____ as identification.

My Commission expires: _____

EXHIBIT D
DRUG-FREE WORKPLACE CERTIFICATION

The below signed Bidder certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection 1.
4. In the statement specified in subsection 1., notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on or require the satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER: _____

SIGNATURE: _____ DATE: _____

NAME (TYPED OR PRINTED): _____

TITLE: _____

A Proposal for

Facilities Condition & Needs Assessment

RFP#21-11-PS ■ December 16, 2021



Prepared for
**The City of
Destin, Florida**



EXHIBIT B
RESPONSIVE BIDDER QUALIFICATION STATEMENT

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Destin
 CITY CLERK'S OFFICE
 4200 Indian Trail Bayou
 Destin, Florida 32541
 Telephone: (850) 837-4242

Submitted By:
Name: Matrix Design Group, Inc.
Address: 320 Bayshore Drive, Suite B
City, State, Zip: Niceville, FL 32578
Telephone No.: (850) 279-4298
Fax No.: N/A

Check One
Corporation ☒
Partnership ☐
Individual ☐
Other ☐

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the responsive bidder is:

Matrix Design Group, Inc.

The address of the principal place of business is:

2435 Research Parkway, Suite 300

Colorado Springs, CO 80920

2. If responsive bidder is a corporation, answer the following:

- a. Date of Incorporation: September 3, 1999
b. State of Incorporation: Colorado
c. President's name: Sal Nodjomian, PE - CEO & Board Member at Large
d. Vice President's name: _____
e. Secretary's name: Mike Hrapla, Senior Vice President & Secretary
f. Treasurer's name: Dan Schnepf, CFO, Chairman & Treasurer
g. Name and address of Resident Agent: N/A

3. If responsive bidder is an individual or a partnership, answer the following:

- a. Date of organization: _____
b. Name, address and ownership units of all partners:

c. State whether general or limited partnership: _____

4. If responsive bidder is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

5. If responsive bidder is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

N/A

6. How many years has your organization been in business under its present business name?

22 years

Under what other former names has your organization operated?

N/A

7. Indicate registration, license numbers or certificate numbers for the businesses or professions, which are the subject of this Bid. Please attach certificate of competency and/or state registration.

Florida registration - 35231 (confirmation attached)

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why:

No

9. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary)

Please see Section 2, Team Experience for bios and resumes of key personnel.

10. State the name of the individual who will have personal supervision of the work:

Cameron Bowsky, PE

11. State the name and address of attorney, if any, for the business of the responsive bidder:

Alfred Zarlengo, ICI, AAI; USI Insurance Services
6501 S. Fiddlers Green Circle, Suite 100, Greenwood Village, CO 80111

12. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the responsive bidder's business and indicate the percentage owned of each such business and/or individual:

Dan Schnepf, PE: 2435 Research Parkway, Suite 300, Colorado Springs, CO 80920: 8%
Sal Nodjomian, PE: 707 17th Street, Suite 3150, Denver, CO, 80202: 7.6%
Eric Smith, PE: 2435 Research Parkway, Suite 300, Colorado Springs, CO 80920: 6.4%
Celeste Werner, FAICP: 2020 N. Central Ave, Suite 1140, Phoenix, AZ 85004: 6.4%
Jamie Price, PE: 707 17th Street, Suite 3150, Denver, CO, 80202: 6.4%
Patrick Chelin, PE: 707 17th Street, Suite 3150, Denver, CO, 80202: 5.1%

13. State the names, addresses, and the type of business of all firms that are partially or wholly owned by responsive bidder:

Matrix Environmental Services, LLC

707 17th Street, Denver, CO 80202

Environmental services

14. Annual Average Revenue of the responsive bidder for the last three years as follows:

		<u>Revenue Index Number</u>
a.	Government Related Work	8
b.	Non-Governmental Related Work	8
	<i>Total Work (a +b):</i>	\$31,689,150

Revenue Index Number

1.	Less than \$100,000
2.	\$100,000 to less than \$250,000
3.	\$250,000 to less than \$500,000
4.	\$500,000 to less than \$1 million
5.	\$1 million to less than \$2 million
6.	\$2 million to less than \$5 million
7.	\$5 million to less than \$10 million
8.	\$10 million to less than \$25 million
9.	\$25 million to less than \$50 million
10.	\$50 million or greater

15. Bank References:

Bank	Address	Telephone
-------------	----------------	------------------

<u>Wells Fargo, 1740 Broadway, Denver, CO 80274, (303) 863-5020</u>		

16. What will be your turnaround time for written responses to City inquiries?

As quickly as possible, but within 24 hours

17. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the responsive bidder, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description, the disposition of each such petition.

None

18. List all claims, arbitrations, administrative hearings and lawsuits brought by or against the responsive bidder or its predecessor organization(s) during the last five (5) years. The list shall include all

case names, case arbitration or hearing identification numbers, the name of the project which the dispute arose, and a description of the subject matter of the dispute.

None

19. List and describe all criminal proceedings or hearings concerning business related offenses to which the responsive bidder, its principals or officers or predecessors' organization(s) were defendants.

None

20. Has the responsive bidder, its principals, officers or predecessors' organization(s) been CONVICTED OF a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

No

The responsive bidder acknowledges and understands that the information contained in response to this qualification statement shall be relied upon by owner in awarding the contract and such information is warranted by responsive bidder to be true. The discovery of any omission or misstatement that materially affects the responsive bidder qualifications to perform under the contract shall cause the owner to reject the submittal, and if after the award, to cancel and terminate the award and/or contract.

(Signed) [Signature]

(Title) CEO

13 Dec 21

Subscribed and sworn to before me

This 13th day of DECEMBER, 20 21

[Signature]

Notary Public (Signature)

My Commission Expires: 19-AUG-24



LISA M. CARTELL
Commission # HH 034245
Expires August 19, 2024
Bonded Thru Budget Notary Services

END OF SECTION

Licensee Details

Licensee Information

Name: **MATRIX DESIGN GROUP, INC. (Primary Name)**
MATRIX DESIGN GROUP (DBA Name)

Main Address: **1601 BLAKE STREET**
SUITE 200
DENVER Colorado 80202

County: **OUT OF STATE**

License Mailing:

LicenseLocation:

License Information

License Type: **Registry**

Rank: **Registry**

License Number: **35231**

Status: **Current**

Licensure Date: **06/25/2021**

Expires:

Special Qualifications **Qualification Effective**

Alternate Names

[View Related License Information](#)

[View License Complaint](#)

2601 Blair Stone Road, Tallahassee FL 32399 :: Email: **[Customer Contact Center](#)** :: Customer Contact Center: 850.487.1395

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Under Florida law, email addresses are public records. If you do not want your email address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact the office by phone or by traditional mail. If you have any questions, please contact 850.487.1395. *Pursuant to Section 455.275(1), Florida Statutes, effective October 1, 2012, licensees licensed under Chapter 455, F.S. must provide the Department with an email address if they have one. The emails provided may be used for official communication with the licensee. However email addresses are public record. If you do not wish to supply a personal address, please provide the Department with an email address which can be made available to the public.

EXHIBIT C
PUBLIC ENTITY CRIMES DISCLOSURE

SWORN STATEMENT UNDER SECTION 287.133 (3) (A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract 21-11-PS

2. This sworn statement is submitted by Matrix Design Group, Inc. whose business address is 320 Bayshore Drive, Suite B, Niceville, FL 32578

and (if applicable) Federal Employer Identification Number (FEIN) is 84-1515767 (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____)

3. My name is Sal Nodjomian and my relationship to the entity named above is Chief Executive Officer

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

a. A predecessor or successor of a person convicted of a public entity crime; or

b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding

36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(c), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

☒ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

☐ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (please attach a copy of the final order)

☐ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (please attach a copy of the final order)

☐ The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)

(Signature)

Date:

13 DEC 21

STATE OF FLORIDA

COUNTY OF OKALOOSA

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 13th day of DECEMBER, 2021, and is personally known to me, or has provided N/A as identification.

Notary Public



LISA M. CARTELL
Commission # HH 034245
Expires August 19, 2024
Bonded Thru Budget Notary Services

My Commission expires: 19-AUG-24

EXHIBIT D
DRUG-FREE WORKPLACE CERTIFICATION

The below signed Bidder certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection 1.
4. In the statement specified in subsection 1., notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on or require the satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

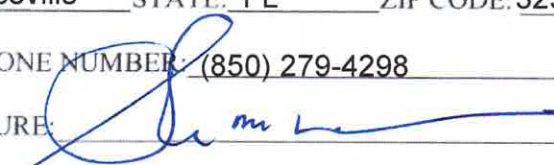
As the person authorized to sign this statement, I certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: Matrix Design Group, Inc.

ADDRESS: 320 Bayshore Drive, Suite B

CITY: Niceville STATE: FL ZIP CODE: 32578

TELEPHONE NUMBER: (850) 279-4298

SIGNATURE: 

DATE: 13 Dec 21

NAME (TYPED OR PRINTED): Sal Nodjomian

TITLE: Chief Executive Officer

1

Cover Letter/ Executive Summary



December 14, 2021

Attn: Rey Bailey
City Clerk's Office
City of Destin
4200 Indian Bayou Trail
Destin, FL 32541

Re: RFP 21-11-PS – Facilities Condition & Needs Assessment

Dear Mr. Bailey and Members of the Selection Committee:

Matrix Design Group, Inc. is pleased to present the following proposal to conduct a Facilities Condition and Needs Assessment for the City of Destin. Matrix is fully capable of performing every aspect of this project with 150 dedicated employees spread across Florida and the nation, but we have partnered with other known companies in the area to provide a tailored solution for the City. Our locally-based team – **Matrix**, **MOCA Systems**, and **Air Design Systems** – brings decades of experience in facilities assessments; asset management planning; and collaboration with cities, counties, states, and federal government partners. Regardless of the level, we pride ourselves on developing sound strategies that are executable.

Our key personnel include:

Sal Nodjomian, PE
Cameron Bowsky, PE
Zakary Payne, PE
Chris Martin, GISP
Todd Waddle, CCP
Patrick Small, AICP
Charmaine Roberts, RA
Kevin Lardner, PE
Don Hauck
Kevin Fleming

Officer in Charge
Project Manager, Facility Assessment Task Lead
QA/QC, Investment Strategy Task Lead
Data Management Task Lead
Cost Estimating & Electrical Task Lead
Community Planning & Parks Task Lead
General Architecture Task Lead
Structural Engineering Task Lead
HVAC Systems
Electrical Systems

We believe the Matrix Team is the right choice for this job. Below are a few key reasons why our Team is in a class by itself:

- **State and Local Experience.** The Matrix Team will manage this project from our Niceville office and leverage our state, regional, and local experience to deliver solutions appropriate for Destin. The same level of performance and success we have brought to projects all over the Florida panhandle is expected for this project. We know Florida, we know the panhandle, and we know Destin!
- **One-Stop Shop.** The Matrix Team is truly a one-stop shop. We have every facet of this project covered from boots on the ground to database management to professional in-house graphics capabilities that will be used to tie everything together. We will incorporate best practices from our Team's robust resume to spur innovative and effective solution sets for Destin's specific needs. Providing integrated, tailorable services simplifies the process for Destin through streamlined contracting and communication, enhanced responsiveness and efficiencies that can be passed on.
- **Asset Management Experts.** While the ultimate deliverable is paramount, developing and implementing processes along the way is equally important. This project is about developing a facilities asset management plan and process. Our Team members have decades of asset

Excellence by Design

management experience that will be used to assist the City with understanding what they have, what they need and the best way to get to that desired end goal.

- **Community Engagement Specialists.** The Matrix Team is recognized nationally for community and stakeholder engagement, and we pride ourselves on that reputation. Our award-winning facilitation techniques will be on full display for this project as we engage City staff and other key stakeholders.

No addenda to the RFP have been posted to the City's website.

We look forward to working with the City on this important project. If you have any questions, please do not hesitate to contact me at 850.333.3102 or via email at matrix@matrixdesigngroup.com.

Sincerely,



Sal Nodjoman, PE
Officer in Charge

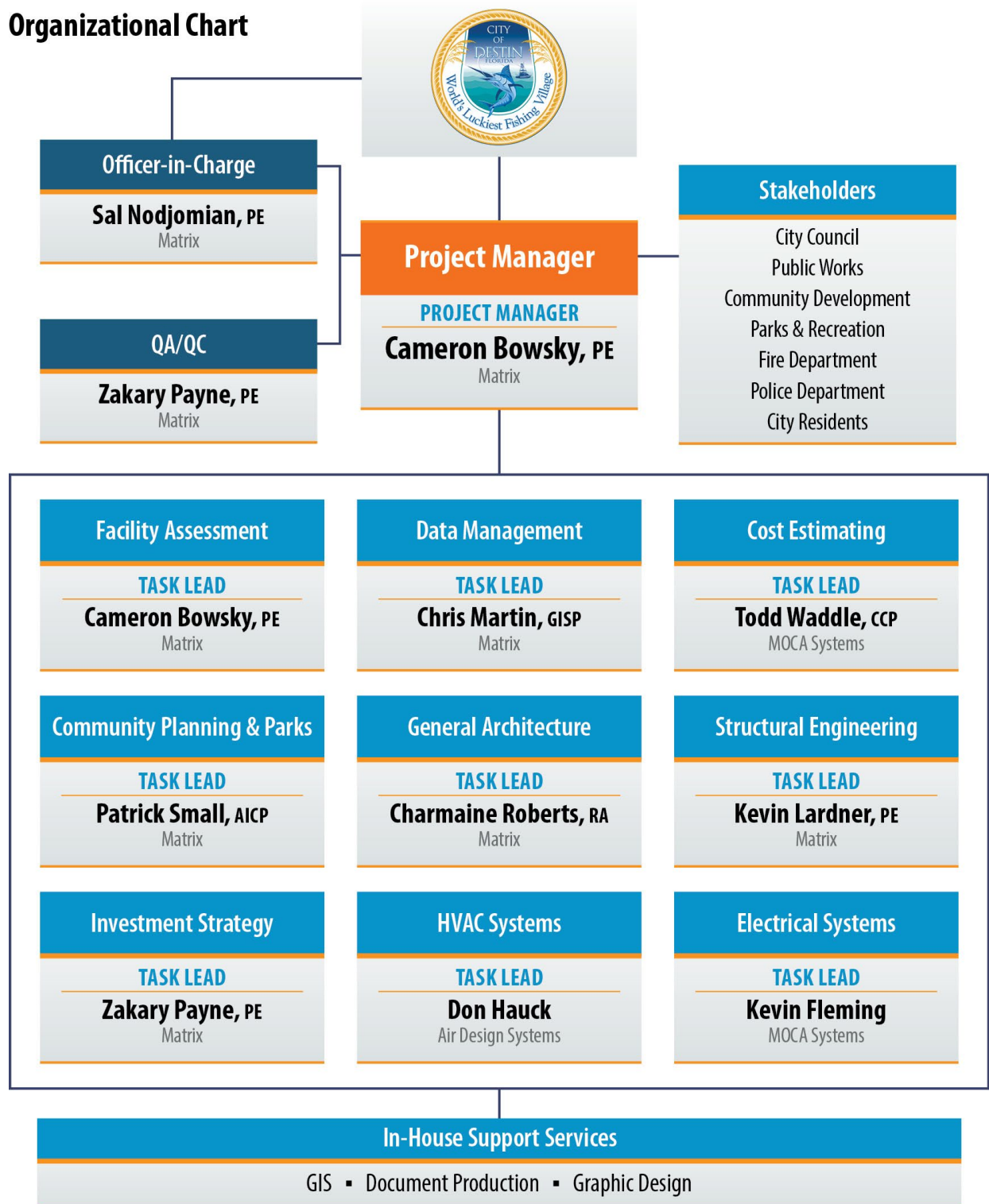
2

Experience & Qualifications of Consultant Team/ Team Members

The Matrix Team has been assembled by task as shown in the organizational chart below. Each task lead was selected based on expertise in support of similar efforts. Individuals' specific roles on this project and their relevant experiences are captured in the biographies and resumes that follow.

Matrix Team

Organizational Chart



Biographies

The Matrix Team is committed to completing this project and providing the right level of resourcing every step of the way. This includes the Officer-in-Charge, Project Manager, and every professional identified in our organizational chart. This commitment will be demonstrated through collaborative development of a project schedule and key milestones with the City of Destin. Our goal is always transparency and effective communication – which we will achieve by keeping the City abreast of our progress throughout the period of performance.

Sal Nodjomian, PE – Officer in Charge

Sal is a former Installation Commander for Eglin AFB; former National President of the Society of American Military Engineers; and current Councilman for the City of Niceville, Florida. He has extensive public engagement and facilitation experience. He works broadly with elected officials around the country and in Washington, DC. He is routinely asked to facilitate partnering sessions with public and private sector stakeholders and is a highly sought-after facilities sustainment subject matter expert. In addition, as a former Civil Engineer Squadron Commander, Mission Support Group Commander, and Installation Commander, Sal has extensive experience in facility condition assessments, operational analyses, capital improvement planning, and major asset programming. As a three-term city councilman, Sal understands city budgets, bonding, and the need to prioritize competing requirements.

Cameron Bowsky, PE – Project Manager, Facility Assessment Task Lead

As a Senior Consultant in Government Consulting Services, Cameron is responsible for tackling the most challenging obstacles related to comprehensive asset management. Cameron combines his 10 years of military service with expertise leading strategic capital investment campaigns from concept development through analysis and implementation. He has further leveraged his professional engineering license to lead design and construction teams through the introduction, expansion, and improvement of key facilities and infrastructure elements for industrial, commercial, and residential areas.

Zakary Payne, PE – QA/QC, Investment Strategy Task Lead

Zakary has more than 15 years of expertise leading public works efforts and asset management programs at the local and enterprise level. He conducted similar efforts focused on assessing facilities and developing capital improvement programs while serving as a Public Works Director overseas and in Texas and Colorado. Importantly, Zakary led the Air Force's analysis of this challenge across an \$877B portfolio. He built tools, models and instituted processes that are still in use today. This proven expertise will be used to develop a similar investment strategy for the City of Destin that assesses where they are, where they want to be, and provides a path for them to get there using available funding mechanisms.

Chris Martin, GISP – Data Management Task Lead

Chris will be responsible for organizing all facility attributes and facility condition assessment results into an easy-to-use geospatial database. The database will serve as the foundation for a variety of follow-on actions including investment strategy development. As a certified GIS Professional, he has provided support in both the public and private sectors on diverse projects including master planning and concept design, asset management, field data collection, floodplain modeling, financial analysis, capital planning, watershed management, GIS data improvement, custom application design, database development, and various water resource applications.

Patrick Small, AICP – Community Planning & Parks Task Lead

Patrick will rely on 20 years of professional planning experience to determine if existing facilities should be relocated and/or functions should be consolidated based on compatible uses, projected growth and a host of other planning factors. He has worked for local governments and with state agencies on land-use, environmental planning and site planning initiatives, and has served as an expert witness on land use cases before the Florida Judicial Court. His background includes project management, facilitation, master planning, site analysis and design, program development, development review, and quality assurance / quality control. Patrick's input will be critical to developing forward-looking recommendations that will position the City best for years to come.

Charmaine Roberts, RA – General Architecture Task Lead

Charmaine will provide architectural reach back support as part of this project. She will be consulted for her input on proposed floorplan reconfigurations, ADA accessibility and programming requirements documents for addition/alteration requirements and/or new construction. Additionally, she is a leader in quality assurance, space management, and facility assessments. Charmaine has nearly 25 years of military and private sector experience in public works and major asset sustainment and capital investment. Charmaine has been a Florida-registered architect since 2014.

Kevin Lardner, PE – Structural Engineering Task Lead

Kevin will provide structural engineering reach back support as part of this project. He will not be active day-to-day in the project but will be consulted as required to address any structural concerns identified during the assessments. Kevin has experience as a project manager on structural design projects at the City, County and Federal levels. He has been the lead structural engineer on bridge, public infrastructure and private development projects. He is an NHI-certified lead bridge inspector and has inspected over 350 structures for multiple cities and government agencies. He has experience in performing load ratings of existing structures for state and military applications.

Todd Waddle, CCP (MOCA Systems) – Cost Estimating Task Lead

Todd is a skilled cost estimator that will be responsible for developing cost estimates for all phases of the project. He will support the Team during the programming process to ensure all costs are captured. Todd develops construction cost estimates at all phases of budgeting, design, and during construction for various federal, state, local, and commercial projects. He attends design charrettes; coordinates with other discipline-specific cost estimators; and verifies quantities, pricing, and markups. Todd is responsible for quality control, including compliance with Lead Estimator's Checklist, and assembling QC package for quality assurance review. He is a trained user of MII, PC- Cost, RS Means, PACES software estimating systems, and is trained in U.S. Army Corps of Engineers DD1391 construction project programming course.

Kevin Fleming (MOCA Systems) – Electrical Systems Task Lead

Kevin has more than 40 years as an electrical estimator, electrician, and field project management field. He has estimated, bid, and managed numerous large projects and introduced integrated computer-aided estimating at two different companies. He has worked on various federal and commercial projects including DoD projects, runway lighting, multi-floor hospital additions, county, federal and state large office buildings and schools, toll plazas, emergency power generation and colleges. He also served for a time as an inspector for an engineering firm.

Don Hauck (Air Design Systems) – HVAC Systems Task Lead

With one hundred employees, Air Design Systems is one of the largest full service mechanical and plumbing contractors in Northwest Florida. Awarded VIP Pensacola Magazine’s 2021 “Best in Pensacola” Reader Choice Award, they are one of the most trusted sources for design and build projects in both commercial and residential spaces. They provide professionally trained HVAC technicians and experienced and certified plumbing specialists and they can develop customized preventative maintenance programs. Don Hauck will provide technical support for HVAC systems.

Facility and Property Condition Assessments

The projects below are representative of projects that reflect service aspects and tasks like those anticipated in the Facilities Condition and Needs Assessment project.

Crestview Facilities Inventory and Operational Assessment Master Plan – Florida

The Matrix Team was selected by the City of Crestview, Florida to complete a public facilities inventory and conditions assessment for 33 facilities owned by the city. Ten (10) additional key facilities (e.g. City Hall, Police Department, Fire Stations, Public Works, etc.) underwent a location investigation and operational/staffing analysis (in addition to the inventory and conditions assessment). Building categories included all administrative, operational, public services, industrial, support, and multi-use facilities.



The inventory and condition assessment included the following major facility systems in accordance with ASTM E1557-09, *Standard Classification for Building Elements and Related Sitework—UNIFORMAT II* (ASTM International 2020):

- | | |
|-------------------------------|-------------------------|
| ■ A10 – Foundation | ■ D20 – Plumbing |
| ■ B20 – Exterior Enclosure | ■ D30 – HVAC |
| ■ B30 – Roofing | ■ D40 – Fire Protection |
| ■ C10 – Interior Construction | ■ D50 – Electrical |
| ■ C30 – Interior Finishes | ■ D64 – Parking |

The Matrix team also assessed material deficiencies in security requirements, life, health, and safety, and facility elements required by the 2010 Americans with Disabilities Act regulations.

The location investigation determined if each facility’s location was appropriate for its intended purpose and associated functional requirements and is consistent with citywide planning efforts and the Comprehensive Plan. Facility locations were also evaluated relative to the city’s land development code and Community Redevelopment Agency Master Plan.

The operational assessment included the performance and capacity of areas of critical importance, designated as Key Performance Indicators (KPIs) in cooperation with the city. These KPIs included:

- Life, Health, and Safety Observations
- Roof Remaining Useful Life (RUL)
- HVAC Performance
- Occupant Density
- Facility Energy Intensity
- Occupant Satisfaction
- Availability of Restroom Facilities
- Availability of Parking

The staffing analysis compared the staffing strength, configuration, and supported amenities against two (2) nearby target cities in addition to ten (10) regional cities across Florida, Georgia, Texas, and Alabama. Cities were targeted based on commensurate current population, 10 and 20-year projected populations, in addition to geographic footprint. The Matrix Team identified short- and mid-term growth demands, position realignments/reclassifications, as well as facility reorganization opportunities that would significantly improve operability and sustain services well into the future.

The Facilities Master Plan that resulted from this comprehensive assessment included a 20-year capital improvement plan, innovative investment strategies, and actionable operational enhancements to critical public services. Budgets were prepared for the 20-year planning period with yearly repair costs and reserve budgets identified to help the City of Crestview become more prepared in planning and executing annual budgets. Recommendations included cost-benefit analyses while categorizing and prioritizing new construction, critical repairs, prioritized maintenance, projected maintenance, enhancement opportunities, and ADA compliance.

Air Force Enlisted Village – Shalimar, Florida



Matrix Design Group has provided ongoing Program Management (PM) services to the Air Force Enlisted Village (AFEV) since 2016. Matrix and our partners are uniquely qualified for this PM role, as our team provides an unmatched suite of services. To date, the scope of services has included land planning, facility assessments, space utilization, conceptual design, landscape architecture, engineering, materials testing, mechanical systems inspections, construction services, contract administration, and general consulting.

As Program Managers (acting in an Owner's Representative capacity), we have been instrumental to the success of the following projects:

- **Community Center Addition** – \$2M+ addition and exterior renovation to the AFEV Community Center. The project is complete and is immensely popular with the 500+ residents of AFEV.
- **Community Center Interior Renovation** – \$1M+ reconfiguration and renovation of the 30+-year old Community Center. The project is complete and provides an optimized floorplan to better utilize space while still meeting the changing needs of the staff and residents.
- **Village 6 Complex** – \$19M+ new construction project that provides 63 luxury apartment units. The project is complete and includes a swimming pool and state-of-the-art recreation space.
- **Village 1** – Four interior renovation projects to serve as prototypes for future work. Each \$200K project combines two outdated living spaces into one modern living unit. The project involves facility and infrastructure condition assessments and space optimization expertise to improve utilization of available space. The project is 50% complete and progressing ahead of schedule.
- **Campus Signage and Way Finding** – Planning effort to modernize all elements of campus signage and way finding. This project is in the planning phase and does not have a construction estimate.
- **Site Planning and Future Land Acquisition** – General consulting and planning effort to acquire 80+ acres (\$8M) of land adjacent to the current AFEV and master plan \$250M in new construction. This effort will nearly double the current AFEV footprint and requires pro forma and other financial analysis of alternative to determine the best return on investment for the client.

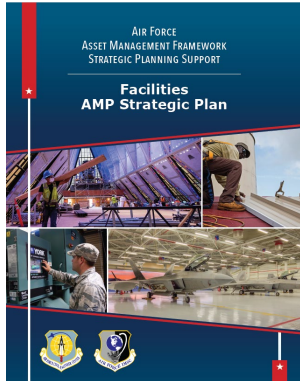
The projects shown above require the same skills and abilities needed to successfully execute the Destin Facilities Condition and Needs Assessment. Viewing the portfolio of projects, our Team provided the following services:

- General program and project management
- Asset management planning
- Operational assessments of facilities and organizations linkages within the built environment
- Facility condition assessments (interior and exterior) and general conditions of mechanical systems
- Materials testing and environmental assessments
- Coordination and communication among various stakeholders
- Cost estimating and development of concept plans, interior layouts, and schematic designs
- Economic modeling and proforma development, to include life-cycle analysis
- Land use planning and conceptual site plans

"We have been working with Matrix for over three years and have relied on them for professional consulting services, construction management, and serving as our owner's rep on our most recent projects. Village 6 was a \$19.7 million addition to our campus, and we would not have been able to complete this expansion without Matrix. They are more than consultants; they are partners and teammates to our entire community, and they have our complete trust and confidence. They provide credible expertise in all areas of construction and engineering which ultimately translates into better project management and more cost-effective results. I highly recommend them to anyone considering their professional services!"

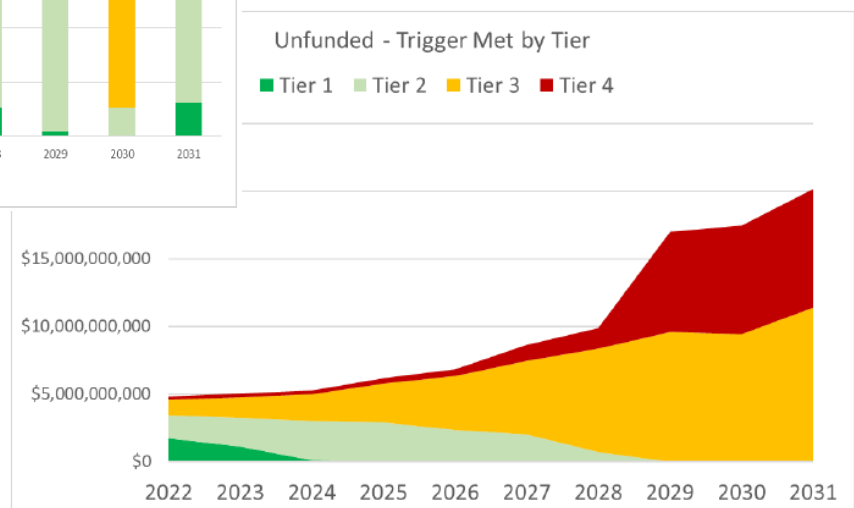
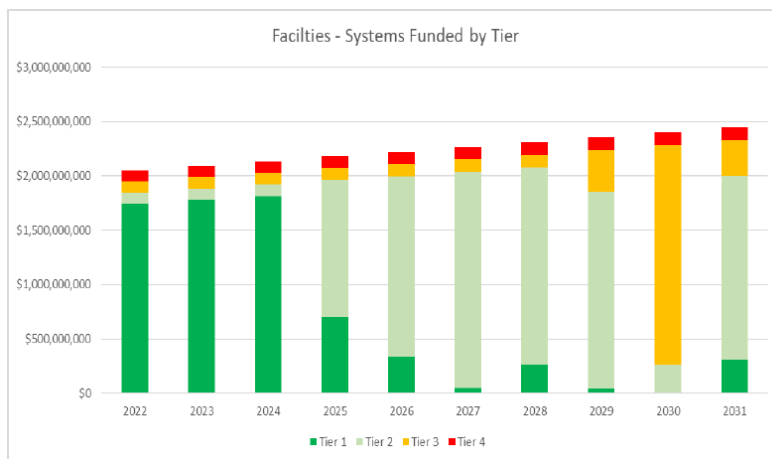
--Brooke P. McLean, CMSgt (ret), President/CEO, Air Force Enlisted Village, Inc.

AFIMSC AMP Strategic Plans and Investment Strategy



Matrix completed Strategic Plans for Facilities, Utilities, and Transportation supporting the Asset Management Programs (AMP) for the Air Force Installation and Mission Support Center (AFIMSC). These completed Strategic Plans are being used to inform ongoing efforts, ensuring alignment of goals and objectives, consistency of investment strategies and requirement prioritization models, and reinforcing the critical role of the infrastructure in supporting DoD and Air Force plans. The document set the stage for developing a ten-year investment strategy that is based on real requirements.

Matrix utilized a four-step **Life-Cycle Cost and Value Engineering** methodology to meet the Air Force's need for a more strategic, requirements-based approach to long-term investment projections. The project consisted of four phases and aligned to portfolio objectives, Air Force, and DoD strategic guidance. First, a detailed analysis of the portfolios was accomplished to determine the state of the organizational structure, sustainment management system (SMS) and data, project scoring and prioritization, funding resources, and investment trends. Second, Matrix completed a thorough review of strategic guidance and links to each portfolio were highlighted. These links are key to tying justifications to specific project and program needs. Then a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis was facilitated with the Air Force to determine the areas where effort should be focused for the highest impact. Third, the opportunities developed in the SWOT analysis were translated into a Strategic Action Plan with defined goals, clear objectives, and concrete actions that can be assigned and tracked to completion. Finally, a ten-year investment strategy model was developed. This model utilized SMS data and real property records combined with probability of failure and a consequence of failure analysis to model funds distribution based on the criticality of facilities.



Iowa Facilities Reuse Strategic Plan – Iowa

The Iowa Economic Development Authority (IEDA) contracted with Matrix to develop the Strategic Plan and Toolkit for Facility Reuse for three non-contiguous facilities—Clarinda Mental Health Institute (CMHI) in Page County, IA; Mount Pleasant Mental Health Institute (MHI) in Henry County, IA; and Toledo Iowa Juvenile Home (IJH) in Tama County, IA. The facilities are owned by the State of Iowa and provide more than 110 acres and more than 500,000 square feet of potential redevelopment.



IEDA's goal to revitalize the CMHI, MHI, and IJH facilities demonstrates proactive planning and the intent to create viable land uses and a clear vision for the redevelopment of the sites that are attractive to industries, businesses, residents, and visitors.

Matrix evaluated several factors to facilitate a comprehensive reuse plan and toolkit for use in future similar scenarios. The factors included:

- Analysis of existing conditions and environmental factors
- Market capacity to support job and revenue-generating uses
- On-site infrastructure supply and demand
- Principles of fiscal responsibility
- Capability to phase development in a way that optimizes existing on-site opportunities
- Deliberate and inclusive community input from the public and focus groups
- Responsiveness to “tested” preliminary plan alternatives

The Reuse Plans and Toolkit are intended to provide viable plans for achieving the economic and development goals of the community and determine the best use for the former CMHI, MHI, and IJH facilities. By crafting sustainable, locally sensitive Reuse Plans, the community benefits from the redevelopment of these state-owned facilities.

Teamwork

Matrix, MOCA, and Air Design Systems recently partnered on the successful development of the Crestview Facilities Inventory and Operational Assessment Master Plan. Moreover, Matrix has worked with MOCA since 2016 on the Air Force Enlisted Village. This combined Matrix Team delivers seamless and professional services with a long history of collaboration. We understand how important it is for a client to know they're partnering with a single, cohesive team of professionals—not multiple, fragmented groups. Our Team provides this cohesiveness.



Sal M. Nodjomian, PE

Officer-in-Charge

Sal is the Chief Executive Officer for Matrix Design Group. He has had a distinguished career leading diverse teams in operations, developing facility and infrastructure plans and programs, delivering community and public works services, and producing engineering and economic analyses. Sal has served as the Officer-in-Charge on numerous large, complex, multidiscipline programs and projects, and he has direct leadership experience managing comprehensive operations and maintenance activities for facilities and built infrastructure. With 24 years of military service and experience as a Niceville city councilman, local business owner, Niceville-Valparaiso Chamber board member, and local community leader, Sal brings unique understanding to this project.

Areas of Expertise

Military Fiscal Impact Assessment
 Program Management
 Facilitation and Public Engagement
 Strategic and Master Planning
 Department of Defense (DOD) Policy Development
 BRAC Contract Administration

Education

M.S. – National Security, National Defense University
M.S. – Military Operations, Air University
M.A. – Organizational Management, George Washington University
M.S. – Geotechnical Engineering, The Ohio State University
M.A. – Public Administration, Northern Michigan University
B.S. – Civil Engineering, University of Delaware

Professional Registrations / Affiliations

Society of American Military Engineers (SAME), Immediate Past National President, Board of Directors
 Association of Defense Communities
 Registered Professional Engineer: Florida

Time with Firm

8 years

Place of Residence

Niceville, Florida

Relevant Experience

Commander, 96th Air Base Wing | Eglin AFB, Florida

Prior to joining Matrix, Sal served for nearly 24 years in the U.S. Air Force, finishing his career as the Installation Commander for Eglin AFB. He oversaw 6,000 personnel in providing all base operational support, infrastructure, and services support for DoD's largest installation. He supported the world's premier weapons development program and 46 mission partners; interacted with elected officials and led his base to 2010 and 2011 "Best Installation" in command awards and ADC's "DOD Installation of the Year Award." He routinely dealt with encroachment and compatibility challenges, aging infrastructure, security and gate concerns, range requirements, and Joint Use Airfield issues.

Redevelopment / Capital Improvement

As program manager for multiple large-scale development and redevelopment projects, such as the Fort Walton Beach Downtown Master Plan (Phases 1 and 2) and the overall development of Deer Moss Creek, Sal has personally orchestrated all elements of what this project will entail, including traffic analysis, transportation planning and alternatives development, capital improvements, cost estimating, economic and financial analysis, stakeholder engagement, community surveys, and public presentations. His position as program manager required skills and knowledge of mobility planning, engineering, public process facilitation, economic analysis, client management, and more.

Community Assessments and Economic Impact Analysis

As program manager, Sal was responsible for overall program execution, to include data collection, analysis, public engagement, and administrative requirements for several large-scale community assessments and economic impact studies. These projects typically included market studies, economic and fiscal impact assessments, focus group facilitation, and survey design, implementation, and analysis. In addition to conducting market and financial analysis, Sal's understanding of federal- and state-level financial, economic, and demographic data and their implications for local planning goals was invaluable to clients.



Cameron Bowsky, PE

Project Manager; Facility Assessment Task Lead

As a Senior Consultant in Government Consulting Services, Cameron is responsible for tackling the most challenging obstacles related to comprehensive asset management. Cameron combines his 10 years of military service with private expertise leading strategic capital investment campaigns from concept development through analysis and implementation. He has further leveraged his professional engineering license to lead design and construction teams through the introduction, expansion, and improvement of key facilities and infrastructure elements for industrial, commercial, and residential areas.

Areas of Expertise

Community Master Planning
Asset Management
Installation Management
Program Management

Education

B.S. - Civil Engineering, United States Air Force Academy

Professional Registrations / Affiliations

Colorado Registered Professional Engineer, License No. 0053412
Society of American Military Engineers
Association of Defense Communities

Relevant Experience

Facilities Inventory & Operational Analysis | Crestview, Florida

Cameron led an effort for the City of Crestview, Florida in development of a Facilities Master Plan. As part of this project, Cameron inventoried over 40 facilities including five parks to assess their condition and functionality. Armed with that information Cameron assessed the location of existing parks and facilities to determine if they were geographically located in the most ideal location to support long-term growth of the community. The final Master Plan included improvements to overall facility utilization, programmed costs for each facility, and a long-range capital improvements plan bound by both time and availability of funding to inform the City's fiscal budgeting process.

Asset Management

As a Publics Works Director equivalent with the United States Air Force, Cameron was responsible for the operation and maintenance for \$7.9B in infrastructure and facilities at Misawa Air Base, Japan. He was responsible for administering a \$17M annual budget and ensuring over 4,000 facilities and an active joint-use airfield remained fully operational. Cameron implemented a number of asset management principles to include development of levels of service that were used by over 500 subordinate employees to prioritize and execute work.

Capital Improvement Planning & Execution

Leading design and construction teams in the United States and abroad, Cameron has skillfully woven groups of engineers, architects, construction inspectors, GIS specialists, surveyors, community planners, and decision-makers together to provide creative solutions for clients that deliver on-time and under budget. He was notably instrumental in 142 independent construction projects, spanning two years, to stand-up new capabilities at Barksdale AFB, Louisiana that are critical to national security around the globe.



Zakary Payne, PE

QA/QC; Investment Strategy Task Lead

Zakary is a Senior Associate in Government Consulting Services for Matrix Design Group. He has more than 16 years of experience in facilities operations and maintenance, asset management and construction for a variety private sector and governmental clients at the city, state and federal level. Zakary combines this subject matter expertise with a strong track record of success facilitating stakeholder engagements and leading diverse teams towards innovative solutions for some of the most challenging problems. Zakary is also a registered professional engineer in the State of Florida.

Relevant Experience

Areas of Expertise

Program Management
Asset Management
Installation Management
Process Improvement
Public/Private Partnerships
Intergovernmental Service Agreements
Client Relationship Management

Education

M.B.A. - University of Texas at San Antonio

B.S. - Civil Engineering, United States Air Force Academy

Professional Registrations / Affiliations

Texas Registered Professional Engineer, License No. 102315
Colorado Registered Professional Engineer, License No. 56171
Florida Registered Professional Engineer, License No. 89927
Society of American Military Engineers
Association of Defense Communities
United States Air Force Academy Young Alumni Ambassador

Time with Firm

2 years

Place of Residence

Niceville, Florida

Facilities Inventory & Operational Analysis | Crestview, Florida

Zakary supported the development of a Facilities Master Plan for the City of Crestview. As part of this project, more than 40 facilities including five parks were inventoried to assess condition and functionality. The final Master Plan included improvements to overall facility utilization, programmed costs for each facility, and a long-range capital improvements plan bound by both time and availability of funding to inform the City's fiscal budgeting process.

Capital Improvement Execution

Zakary has served as the Public Works Director at multiple Air Force installations where he was responsible for overseeing development and execution of facilities and infrastructure improvements programs in excess of \$60M annually. In this capacity, Zakary was solely responsible for prioritizing requirements, validating independent government cost estimates and facilitating successful award of construction projects.

Facilities Condition Assessments | Misawa Air Base, Japan

Zakary oversaw Facility Condition Assessments (FCA) for more than 3,000 facilities at the base. He identified the key seven systems for assessors to focus their attention on and requested they develop direct condition ratings based on visual inspection. He also ensured all real property equipment nameplate information was captured, along with installation dates so that the information could be used in development of a predictive preventative maintenance program. The results of the FCA process were used to develop short-, mid- and long-range investment plans, as well as a preventative maintenance program for Zakary's staff of 900 craftsmen in all disciplines.

Asset Management Planning

Zakary developed and implemented the risk model that the Air Force still uses today to prioritize \$1.2B in facilities and infrastructure investments annually. The risk model is based on two factors: probability of failure and consequence of failure. When combined, these two factors create a risk score that was used to rank order capital improvement projects across over 100 different locations and multiple asset classes. In addition to developing the risk model, Zakary also developed different key performance indicators or levels of service for facility performance that are used to quantify long-term risks to the entire \$877B Air Force portfolio.



Chris Martin, GISP

Data Management Task Lead

Chris has 19 years of professional experience in the GIS field and has been with Matrix 15 years. He is an industry leader in designing and implementing facilities inventory GIS databases with demonstrated experience using the Fulcrum solution. Fulcrum is a modernized mobile data collection software to assess facilities based on a list of parameters. The interface allows for strong data validation and prepopulated values. Additionally, Chris has experience applying GIS visualization techniques to space utilization studies.

Relevant Experience

Areas of Expertise

Field Collection & Mobile GIS
 GIS Modeling
 Asset Management
 Database Development and Management
 Data Analysis
 Data-Driven Prioritization
 Capital Planning
 Presentation-Quality Map Production
 Environmental Science

Education

M.S. – Geographic Information Science, University of Denver, 2006
B.A. - Geography, University of Denver, 2003
B.S. – Environmental Science, University of Denver, 2003

Professional Registrations / Affiliations

Geographic Information Science
 Professional: Certification #91306

Time with Firm

14 years

Place of Residence

Denver, Colorado

PuebloPlex Redevelopment Plan | Pueblo County, Colorado

PuebloPlex is a 15,847-acre redevelopment opportunity 15 miles from the City of Pueblo and the former site of the U.S. Army Pueblo Chemical Depot. Among other tasks, Matrix field assessed 57 buildings detailing amenities, condition, and future use recommendations. Fulcrum was customized to allow for easy data collection on tablets and instant synchronization with a web-based database. Items collected included structural, environmental, electrical, and HVAC assessments as well as assessments for immediately adjacent supporting infrastructure. The superior organization of the data allowed Matrix to quickly produce automated assessment reports containing detailed information, recommendations, and supporting images and schematics.

Crestview Mobility Plan | Crestview, Florida

Chris is currently the GIS lead for the ongoing Mobility Plan and facilitated the field data collection by City and Matrix staff. A GIS database backend was designed to hold the information with a web-based software package, ArcGIS Collector, used to connect the database to field staff's mobile tablets and phones. Field crews were able to efficiently complete the assessment using GIS technologies and the results were immediately available as a web map.

Metropolitan Community College Strategic Location and Programmatic Study | Kansas City, Missouri

Chris served as the GIS lead for this study providing analytical and visualization tools to address four key areas related to the disparate nature of the college: 1) The optimum distance between educational campuses including a GIS drive-time analysis 2) The optimum size for each educational campus 3) The identification of service gaps 4) The identification of educational campuses that are not strategically or optimally located. Part of this study looked at the utilization characteristics of the existing space and how it could be optimized.

Minor Structures Inspections | Colorado

Chris has worked on numerous minor structure inspection projects. All projects involved streamlining the field data collection using tablets with Fulcrum, organizing the information, generating custom reports, and incorporating the information into an asset management software.



Patrick Small, AICP

Community Planning & Parks Task Lead

Patrick Small brings 20 years of professional experience spanning nationwide military, local government, and federal agency planning for both the public and private sectors, giving him a unique understanding of community and military operations and needs. He has worked for municipal and county governments and with state agencies on land use and long-range planning, and he has authored comprehensive plans and land development regulations. In a project management role, Patrick builds enduring collaborative relationships among stakeholder groups resulting in consensus-based solutions to compatibility and land use challenges.

Areas of Expertise

Military Compatibility Planning
Land Use Planning
Long-Range Planning
Land Development Regulations
Military / Federal Planning
Community Planning and Visioning
Public Participation / Stakeholder Facilitation

Education

MEDes – Master of Environmental Design (Planning and Urban Design), University of Calgary

B.S. – Urban Studies, University of Minnesota

B.A. – Urban Studies, University of Winnipeg

Professional Registrations / Affiliations

American Institute of Certified Planners
American Planning Association - National Capital Region

Relevant Experience

District 4 Master Plan | Santa Rosa County, Florida

Patrick served as the Deputy Project Manager on this master plan project to manage future growth, attract high quality businesses and jobs, protect natural resources, promote high quality design of public spaces, provide for parks and schools, and maintain public safety and municipal services. The master plan is a roadmap for growth and development through land use recommendations and an overlay district with an emphasis on land use, housing, transportation and circulation, open space, and economic incentives.

Comprehensive Plan & Land Development Code Update | Walton County, Florida

Patrick was the Project Manager on the update to the county's comprehensive plan and development of their first ever zoning code. The project required innovative public outreach methods to identify areas of concern and focused on updating the antiquated plan, p and aligning it with the land development code.

Strategic Plan and Toolkit for Facility Reuse | Iowa

Patrick was the deputy project manager for the development of a strategic plan and toolkit for reuse of three non-contiguous facilities owned by the State of Iowa that provided more than 110 acres and 500,000 square feet of potential redevelopment. The goal was to revitalize the facilities and demonstrate proactive planning with the intent of creating viable land uses and a vision for the redevelopment attractive to industries, businesses, residents, and visitors.

PuebloPlex Redevelopment Plan | Pueblo, Colorado

Patrick was deputy project manager for this project, for which a multidisciplinary team of experts was assembled to assist with the redevelopment of 15,847 acres of federal surplus property, formerly the Pueblo Chemical Depot. The site included approximately 5 million square feet of buildings and bunkers, 150 miles of roadway, 46 miles of rail infrastructure, and various utilities. The redevelopment plan was intended to strike a balance among homeless, economic, and community development needs. In preparing an effective and implementable redevelopment plan and homeless submission, Patrick and the Matrix team evaluated and considered existing market and economic, planning, infrastructure, environmental, and other issues.



Charmaine Roberts, RA

General Architecture Task Lead

As an Architect for Matrix Design Group, Charmaine performs a wide variety of professional services as they relate to construction management and contract administration. Additionally, she is a leader in quality assurance, space management, and facility assessments. Charmaine has nearly 25 years of military and private sector experience in public works, major asset sustainment and capital investment. Charmaine is a Florida-registered architect since 2014.

Relevant Experience

Areas of Expertise

Contract Administration
Facility Assessments
Project Management
Project Design
Space Utilization

Education

Master of Architecture –
Tulane University

Bachelor of Architecture –
Tulane University

Professional Registrations / Affiliations

Registered Architect, Florida

Time with Firm

3 years

Place of Residence

Navarre, Florida

Project Management / Programming / Coordination

Served as Deputy Program Manager for complex series of projects for the Air Force Enlisted Village (AFEV). Specific projects include: Community Center Addition; Community Center Interior Renovation; Village 6 Complex New Construction; and Village 1 – 4 Interior Renovations (Prototype Project). The portfolio of projects totaled nearly \$25M and required the following skills: program and project management; facility condition assessments; coordination and communication among various stakeholders; cost estimating; development of concept plans, interior layouts, and schematic designs; construction contract administration; and quality assurance.

Project Design

Served as lead Architect and supporting Architect on several efforts while in the Air Force. Portfolio of projects included: design for medical clinic addition, warehouse, and training facilities. Also designed renovations for: a theater; air passenger terminal, and a fitness center. Reviewed and provided oversight of a Pentagon renovation project to ensure proper design and alignment of requirements. Established scope of work, cost estimates, and designed numerous expedient projects. Completed architectural design and contract documents for \$6M aircraft hangar renovation on Andrews AFB, Maryland.

Space Utilization / Space Management

Performed several planning studies and assessments both while in the Air force and in the private sector. Assessed facility condition / function for more than 300,000 SF of Pentagon space to include design actions. Developed and managed five-year facility and infrastructure development plans for Hurlburt Field, Florida. Managed and executed comprehensive and five-year plans, Bolling AFB, Washington, DC.



Kevin Lardner, PE

Structural Engineering Task Lead

Kevin has experience as a project manager on structural design projects at the City, County and Federal levels. He has been the lead structural engineer on bridge, public infrastructure and private development projects. He is an NHI-certified lead bridge inspector and has inspected over 350 structures for multiple cities and government agencies. He has experience in performing load ratings of existing structures for state and military applications.

Relevant Experience

Areas of Expertise

AASHTO LRFD Bridge Design
Structural Engineering Analysis and Design with Visual Analysis and Bentley Leap Bridge Software
AISC Steel Design
ACI Concrete Design

Education

M.S.E – Engineering, Structural Engineering, Arizona State University
B.S.E – Engineering, Civil Engineering, Arizona State University

Professional Registrations / Affiliations

Professional Engineer:

Arizona: #65955
Colorado: #51209

M.ASCE #961763

Certified National Highway Institute Bridge Inspector

Time with Firm

9-1/2 years

Place of Residence

Denver, Colorado

City and County of Denver Minor Structures Inspection | Denver, Colorado

Project manager and lead bridge inspector and structural engineer for more than 150 minor structure inspections for the City and County of Denver. As part of their routine inspection cycle, Matrix was hired to inspect the minor structures along major waterways throughout the City. The structure types varied from prestressed concrete superstructures, corrugated metal pipes, cast-in-place concrete slabs, steel prefabricated trusses and box culverts.

Stapleton Redevelopment P-10 Bridge Structures and Retaining Walls | Denver, Colorado

Lead structural engineer for the design of four cast-in-place concrete slab pedestrian bridges. These four bridges were 4-span, curvilinear bridges, ranging in length from 71 feet to 106 feet. The project also included five pre-engineered pedestrian bridges with spans ranging from 59 feet to 136 feet clear spans, 20-foot tall abutment walls, and numerous cast-in-place concrete retaining walls.

City of Brighton Greensands Plant Platforms | Brighton, Colorado

Lead structural engineer for the design of multi-level platforms and stairs to access motor actuated valves for maintenance in the City of Brighton's Greensands Water Treatment Plant. Design was performed in 3D AutoCAD and rendered in SketchUp to create a fly-through model to aid in the City's reviews of the layout.

Cities of Boulder and Colorado Springs Minor Structures Inspections | Boulder and Colorado Springs, Colorado

Lead bridge inspector and structural engineer on more than 230 minor structures inspections for the Cities of Boulder and Colorado Springs. The data collected was instrumental in the development of a complete inventory of the City of Boulder's bridge assets and providing information to the City of Colorado Springs regarding maintenance items and deficiencies. Structure ratings were performed consistent with NBIS and PONTIS reports from CDOT. All data collection was input into the City's asset management program.

Schriever Air Force Base Structure Inspections and Load Ratings | Colorado Springs, Colorado

Primary bridge inspector and structural engineer on 6 major box culvert structure inspections for Schriever Air Force Base. The data collected was used to generate load ratings for military classification vehicles on and around the base.



Todd Waddle, CCP

Cost Estimating Task Lead

Areas of Expertise

Cost estimation
Design charrettes
Quality control
Construction project programming

Education

B.S. - Environmental Design and Construction Science, University of Oklahoma

Professional Registrations / Affiliations

AACEI Certified Cost Professional (CCP) #2453

Time with Firm

21 years

Place of Residence

Niceville, Florida

Todd develops construction cost estimates at all phases of budgeting, design, and during construction for various federal, state & local, and commercial projects. He attends design charrettes; coordinates with other discipline-specific cost estimators; and verifies quantities, pricing, and markups. Todd is responsible for quality control, including compliance with Lead Estimator's Checklist, and assembling QC package for quality assurance review. He is a trained user of MII, PC-Cost, RS Means, PACES software estimating systems, and is trained in U.S. Army Corps of Engineers DD1391 construction project programming course.

Relevant Experience

Construct DeJarnette Vehicle Gate | Tyndall AFB, FL | Cost Estimator

Prepared a parametric construction cost estimate for the \$10.6M design-build RFP reconstruction to include widening the road pavement for three in-bound lanes and two outbound lanes, replacing the perimeter security fencing, adding active/passive vehicle barriers, constructing a Guardhouse and canopy structure to withstand hurricane winds, and install all utility infrastructure.

James A. Haley Veterans Affairs Medical Center D-B Phase 4 New Bed Tower, | Tampa, FL | Cost Estimator

Prepared detailed quantity take-offs and cost estimates at each design-build RFP phase to construct a new 223,000 SF Bed Tower with a maximum of six occupied levels for 100 Medical/Surgical Nursing (MS&N) inpatient beds, 40 Intensive Care Unit (ICU) beds, dining facility, satellite central utility plant, associated support spaces, and connections to the existing hospital.

Presidential Aircraft Recapitalization (PAR) Complex | Andrews AFB, MD | Cost Estimator

Prepared detailed independent estimates at each design phase, including to construct a new 376,000 SF 2-bay aircraft hangar, supporting maintenance shops, administrative areas, supporting pavement and utility infrastructure and site development.

Repair (Restore) B503 Tyndall Enterprise Live Mission Operation Center | Tyndall AFB, FL | Cost Estimator

Prepared detailed cost estimates for \$5.0M alterations of Building 503 to include exterior roof and envelope repairs and cleaning, storefront replacement, exterior and interior door replacements, egress ramps, sidewalks and parking, landscape renovations, and mechanical, fire protection, electrical and telecommunications upgrades.

Engineer Research and Development Center HQ Facility | Vicksburg, MS | Cost Estimator

Prepared detailed independent estimates for each design submittal for a new 143,500 sf multi-story administrative facility with site development, utilities, and pavements.



Kevin Fleming

Electrical Assessment

Kevin has over 40 years as an electrical estimator, electrician, and field project management field. He has estimated, bid, and managed numerous large projects and introduced and integrated computer aided estimating at two different companies. Worked on various federal and commercial projects including DoD projects, runway lighting, multi-floor hospital additions, county, federal and state large office buildings and schools, toll plazas, emergency power generation and colleges. He also served for a time as an inspector for an engineering firm.

Areas of Expertise

Electrical Cost
Estimation
Electrical Contractor
Electrical Project
Management

Training & Education

State of Florida Electrical
Apprentice Program

Professional Registrations / Affiliations

Society of American Military
Engineers

Time with Firm

4 years

Place of Residence

Crestview, Florida

Relevant Experience

Electrical Cost Estimator | MOCA Systems, Inc. | Niceville, FL

- Prepares conceptual and detailed electrical and communications construction cost estimate for a wide variety of facility and infrastructure projects valued from \$100K to \$500M.

Project Manager | Peaden Air Conditioning | Panama City, FL

- Estimated electrical materials and labor required and submitted cost proposals
- Electrical material purchases
- Jobsite progress, safety and quality inspections

Inspector | Polyengineering, Inc. | Shalimar, FL

- Jobsite progress, safety and quality inspections
- Daily inspection logs/reports
- Materials testing

Electrical Superintendent | Crestview Electric | Crestview, FL

- Project estimating, billing and quality control
- Purchased and delivered materials to jobsites
- Scheduled projects and personnel

Project Manager | Harrington Electrical Contracting | Ft Walton Beach, FL

- Estimated electrical materials and labor required and submitted cost proposals
- Electrical material purchases
- Jobsite progress, safety and quality inspections.

Electrical Estimator | Coltin Electric | Ft Walton Beach, FL

- Estimated electrical materials and labor required
- Electrical material purchases

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3

Understanding of Project Scope & Detailed Work Plan



Statement of Understanding

The Matrix Team understands what the City of Destin needs because we have been solving similar problems across the nation for several years. The City is challenged with an unsurmountable deferred maintenance backlog and \$51.9M in unfunded existing capital needs between FY 2021 and FY 2025. The City's support facilities and infrastructure have not kept pace with regional growth. And the City is operating in a less-than-optimal configuration, both across multiple facilities and within the individual facilities themselves. While each of these problems appears daunting initially, they are not unique and can be remedied using proven best practices. In this case, the City of Destin needs a Strategic Asset Management Plan (SAMP) for city buildings and property to help better understand what they have, what they need, and how they are going to get there.

The Matrix Team of asset management experts was tailored specifically to partner with the City through each step of the process. Our team brings a significant amount of experience having solved these very same problems for a \$377 billion Air Force portfolio. We implemented processes, models, and technological solutions involving predictive maintenance modeling, automation, and other streamlined solutions. While these technological solutions would certainly benefit the City of Destin, they are likely excessive for the current needs and a more cost-effective and targeted solution can be tailored accordingly. What does not change, however, are the proven processes outlined in ISO 55000, the international standard for asset management. Following these processes as outlined below will guarantee that the City of Destin has a plan of action that can be executed. More importantly, it will result in engrained processes for the City to follow which will ensure their facilities remain operational and functional now and into the future.

Asset Visibility

The first step in developing a SAMP is understanding the current state of the asset portfolio. This is commonly referred to as asset visibility. Complete asset visibility is focused primarily on two factors: asset inventory and asset condition.

Inventory

The focus of asset inventory is on capturing the different characteristics or attributes of the asset. For a facility, there are several important attributes to capture; for example, all facilities have roofs, but the roof type, installation date, material, and other characteristics are all important attributes one would want to inventory. They affect the lifespan of the asset as well as maintenance, repair, and replacement costs. In an ideal state, every significant attribute affecting the total cost of ownership of City facilities should be captured, but this is not always cost-effective. At a minimum, however, the following key systems from the American Society for Testing and Materials (ASTM) UNIFORMAT II should be inventoried:

- A10 - Foundation
- B20 - Exterior Enclosure
- C10 - Interior Construction
- C30 - Interior Finishes
- D20 - Plumbing
- D30 - HVAC
- D40 - Fire Protection
- D50 - Electrical
- D5030 - Security
- E10 - Equipment
- F10 - Special Construction
- F2020 - Hazardous Component Abatement
- Life, Health, and Safety
- ADA Compliance

In addition to inventorying these key systems, it is also important to inventory how each facility is occupied. Space utilization is an important element in a SAMP because under-utilized space represents opportunity for consolidation which will drive down the total cost of ownership for a facility portfolio.

Condition

Once all assets have been inventoried, the next step is to assess the condition of those assets at the component (i.e. chiller, transformer, etc.) level. An asset's condition can be assessed in a variety of different ways, but the simplest and most cost-effective method is a direct condition rating:

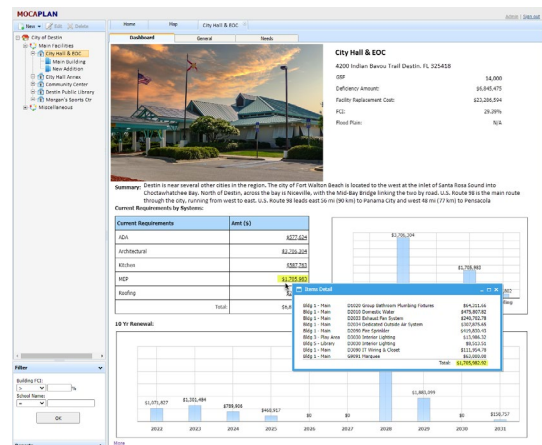
- **Green / Good** — The asset meets all original performance specifications, and there are no signs of visible degradation. The asset is reasonably expected to stay in good condition throughout its expected lifetime with minimal planned preventative maintenance. No major capital improvement or investment is warranted within the next 5- to 10-year period.
- **Yellow / Fair** — The asset is still meeting most of its original performance specifications but is showing signs of visible degradation or failures have been reported. While still operational, the asset is not properly engineered to meet functional demands. Some system elements meet code compliance (e.g. are ADA-compliant), but enhancements are still warranted. Capital improvements will likely be needed within the next 5- to 10-year period.
- **Red / Poor** — The asset completely fails to meet its original performance specifications, is nearing the end of its life expectancy, has repeatedly experienced outages or maintenance issues, and/or is in clear violation of code(s). Code requires this system (e.g. fire detection systems), but it was not visible during survey. Capital improvements will likely be warranted within the next 1- to 5-year period.

The direct rating of each component, coupled with the age and type of asset, can provide a variety of important pieces of information when overlaid on a degradation curve like remaining service life of the asset and whether or not a particular asset should be repaired or replaced. Additionally, each of the components' conditions can easily be aggregated using cost-weighting to create a system condition index (SCI). Similarly, all of the SCIs can be aggregated with cost-weighting to create an overall building condition index (BCI) which provides a quick and accurate snapshot of the overall condition of the portfolio.

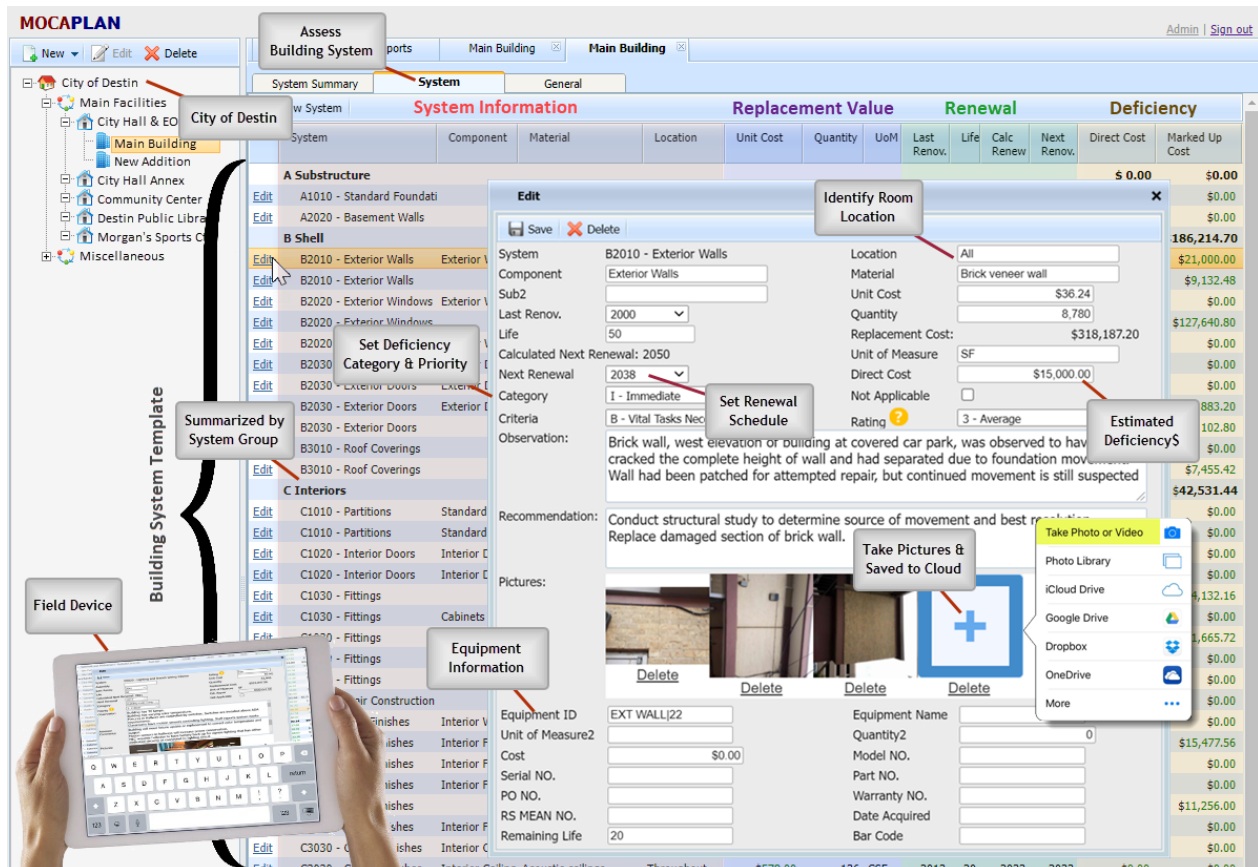
Data Management

MOCAPlan is a web-based data collection, inventory, planning tool that can be used directly in the field. All information that is entered into the database is exportable to Excel and can be uploaded into any other database or facility management software system. MOCAPlan helps mitigate risk by providing a more reliable way of predicting construction project cost and schedule. More importantly, the custom designed reports and presentations are useful in communicating this complex set of data with stakeholders, which is critical for public transparency.

Designed specifically for facility planning, MOCAPlan provides a quick, simple, and accurate way to inventory, estimate, and track facility deficiencies. It provides clear and understandable information that can inform the budget planning process and can become the



foundation for a sound capital improvement program. Most importantly, MOCAPlan streamlines the on-site assessment process by providing the user with a web-based data collection system similar to what is shown below.



Levels of Service

Once assets are inventoried and assessed, the next step is to develop different acceptable and agreed upon levels of service. These can cover a variety of different components of a facility such as condition; capacity; and life, health and safety issues. There is no single answer when determining levels of service, but doing so is an important, collaborative step in the process that must take place because they are used to identify gaps and drive short-, mid-, and long-term investments. If selected for this opportunity, the Matrix Team will facilitate an engagement with key stakeholders from the City of Destin to develop and agree upon the levels of service used to manage the facilities portfolio.

Growth and Demand

The first two steps detailed above focus on the assets the City of Destin currently has. This next step, however, focuses on what the City of Destin needs in the short-term as well as long-term. When assessing demand for the facilities SAMP, the primary focus should be on two factors: facility location and facility capacity.

Location

While the City of Destin was officially incorporated in 1984, the community has a rich history of more than a hundred and fifty years as a fishing village and premier resort destination. Over nearly 200 years a lot has changed, including where people live and congregate. To best serve the constituents, it is important that the City of Destin provide services where they are needed. This means that what worked for the City in the past may not work well for the City in the future. The Matrix Team is recognized nationally for our comprehensive planning and this extensive experience will be brought to bear for the City to assess where the facilities should be located to best serve citizens for the next 20 years.

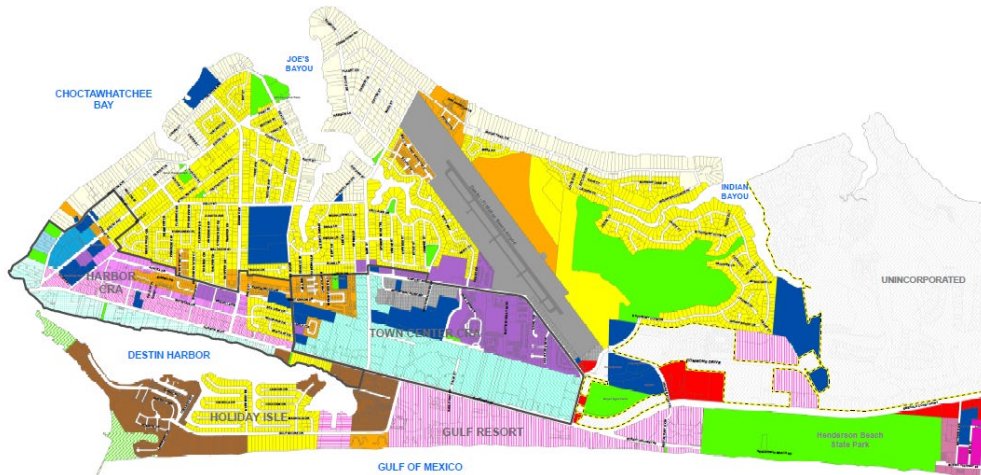


Figure 1. Future Land Use (Destin)

An important aspect of this analysis is understanding a facility's best use from an economic perspective. Just because the City of Destin is operating a facility in the right location does not mean that is the best use for the facility. In areas where there is a lot of demand for property (i.e. adjacent to a major thoroughfare or tourist attraction), the City may want to consider divesting of the facility and consolidating resources into other underutilized facilities. This analysis will prove critical to the investment strategy and can be performed by the Matrix Team's in-house senior financial analyst and nearby Crestview native, Matt Schwalb.

Capacity

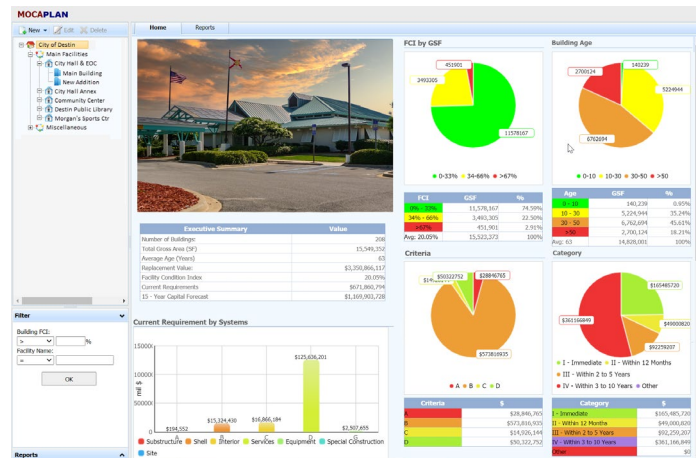
Once location has been validated, the next step is determining if the existing facilities have capacity to absorb predicted growth across the long-range planning horizon. Capacity analysis focuses on available square footage for employees based on level of service metrics developed previously. But it also focuses on optimizing available space based on compatibility of different functions.

Importantly, part of the capacity analysis looks at not just what is needed, but on what is not needed as well. A successful SAMP is focused on lowest lifecycle costs to provide the target levels of service. One of the main drivers affecting lifecycle costs is maintenance, repair, and facilities operations (i.e. utility bills, refuse contracts, custodial contracts, etc.). As such, the focus of the SAMP should be on optimizing operations in facilities that are right sized to support both existing and future personnel.

Investment Strategy

Planning & Programming

Before assessing affordability, the City must understand the total cost of the necessary capital improvements. The first step in the planning and programming process is to determine which facilities will stay and which will need to go. For those facilities deemed to be in the wrong place, existing services will need to be relocated to an existing facility or into a new one. If the latter is decided, a requirements document should be developed. If the former is decided then input will be coupled with the condition assessment to determine how the facility needs to be reconfigured and repaired. This process will be completed for every asset to create an initial list of requirements across the City's portfolio.



Budgeting

All capital improvements identified through planning and programming will receive a cost estimate using RSMeans Construction Cost Data and the applicable City Cost Index. Estimates will be risk-adjusted on an individual basis using contingency factors as required.

Capital Improvements Plan

All requirements will be prioritized based on the inventory and assessment to create an unconstrained list. Available resources for the given fiscal year will be overlaid on the list to determine what requirements can be funded in that year. Requirements will be moved up or down the prioritized list as required to optimize investments in a particular year.

Other Considerations

While the initial investment strategy will be focused primarily on an asset's condition and the probability that it will fail, there may be non-risk factors that drive investment. For example, building a new facility ahead of other repair projects so that an existing facility can be vacated and sold may make good business sense. While the new facility has a high front-end capital investment, generating revenue by selling the vacated facility will serve as a useful tool to inject capital into future projects.

Selling existing facilities is one means of generating revenue, but it will likely be nowhere near enough to execute all the capital improvements that are required, particularly considering the City's existing backlog. As such, alternative forms of funding should be considered to help expedite the program to the greatest extent possible. Alternative forms of funding may come in the form of grants, energy savings performance contracts, enhanced use leases, and other unique solutions. The good news for the City of Destin is that the Matrix Team specializes in finding innovative funding mechanisms to invest in infrastructure which we will include in the strategy.

Long-Term Sustainment

The process detailed above represents a deliberate, repeatable process to manage the facilities owned and operated by the City of Destin. This approach represents the best way to recapitalize the assets so that they can be more easily maintained going forward. It is much more cost-effective to “keep good facilities good” through an intense preventative maintenance and repair program. But the City cannot keep good facilities good if they are starting out in poor condition.

The first step must be to recapitalize the existing portfolio and the Matrix Team is the right team to help the City take steps to do just that.

Examples of Report Formats

The Matrix Team recognizes that, while providing succinct and clearly articulated Physical Condition Reports (PCRs) is preferable for quickly characterizing overall portfolio health, additional detail is critical to authenticating the conditions applied. Additionally, as a PCR strictly provides a condition of the assets at the specific point in time at which observations were made, having the native/raw data readily available permits the City to manipulate, update, and gain greater value from this information years after the completion of the SAMP. Consequently, the Matrix Team provides three increasingly detailed reports: 1) a summary condition report of the entire portfolio, 2) a single page report on each facility outlining key findings with supporting photographic verification, and 3) the pro forma data of each system assessed, with options to also produce tailored reports filtered by other criteria (e.g. system category).

		Overall Condition	Space Use Efficiency	A10 Foundation	B20 Exterior Enclosure	B30 Roofing	C10 Interior Construction	C30 Interior Finishes	D20 Plumbing	D30 HVAC	D40 Fire Protection	D50 Electrical	D64 Parking	F12 Security	ADA
Critical Facility	City Hall	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Police Department	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Emergency Medical	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Fire Station 1	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Fire Station 2	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Fire Station 3	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Dept of Public Services Complex	Administration	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Garage	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Storage Shed	●	●	●	●	●	●	●	●	●	●	●	●	●	●
	Building & Facility Maintenance	●	●	●	●	●	●	●	●	●	●	●	●	●	●

Figure 2. Portfolio Summary PCR

Emergency Medical Services

Key Findings:

Visible degradation of slab foundation, although not structurally debilitating. Ponding on west side requires drainage rework. Back-up generator is 23 years old and showing signs of significant rusting of interior elements. Interior elements are ADA compliant, but entryway does not have adequate space for wheelchair-bound personnel to open and enter.



Figure 2. Classroom



Figure 1. Training Area



Figure 3. Facility-Specific PCR

Needs Report											
System	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
ADA	\$31,566,710	\$103,628			\$623,310				\$233,830	\$229,242	
D1010 - Elevators & Lifts	\$3,482,565				\$127,220					\$187,718	
D1025 - Group Bathroom ADA	\$5,692,902	\$103,628			\$496,090					\$41,524	
G1030 - Site Access - ADA Compliance	\$22,391,242								\$233,830		
Architectural	\$752,356,057	\$49,239,294	\$20,271,448	\$16,710,286	\$416,455,158	\$73,743,984	\$60,205,257	\$38,798,234	\$23,172,596	\$423,416,724	\$29,847,134
A1010 - Standard Foundations	\$122,721,646				\$35,460,266	\$1,196,679		\$2,906,906		\$47,499,727	\$32,666
A1030 - Floor Structure	\$14,037,471	\$428,566	\$31,431		\$8,617,465	\$774,645		\$428,848	\$81,081	\$7,686,110	
A2020 - Basement Walls	\$4,470,283										
B2010 - Exterior Walls	\$33,143,958	\$3,191,634	\$598,667		\$25,137,380	\$1,685,671	7.00%			\$5,883,958	
B2020 - Exterior Windows	\$101,855,897	\$659,044	\$951,424		\$31,180,777	\$5,616,013	6.00%			\$9,411,314	\$925,348
B2030 - Exterior Doors	\$3,386,723	\$126,618	\$59,570	\$125,640	\$2,943,811	\$99,253	5.00%			\$2,552,188	\$10,726
B3020 - Metal Canopies	\$10,024,742	\$1,243,854	\$941,780	\$684,001	\$10,686,967	\$120,697	4.00%			\$8,980,606	\$193,786
C1010 - Interior Wall Reconfiguration	\$28,875,814				\$2,177,730		3.00%			\$6,424,524	\$31,543
C1020 - Interior Doors	\$21,642,056	\$3,618,550	\$2,485,568	\$97,715	\$29,527,491	\$6,952,784	2.00%			\$9,822,774	\$2,500,521
C1025 - Interior Windows/Glazing	\$9,781,768	\$1,574,672	\$759,941		\$36,613,329	\$92,762	1.00%			\$7,486,414	\$662,929
C2010 - Interior Stairs	\$13,341,678	\$807,347	\$329,570		\$13,896,640					\$0,719,509	\$486,257
C3010 - Painting	\$38,708,225	\$17,865,883	\$6,463,915	\$9,125,233	\$51,696,595	\$6,462,320				\$1,379,931	
C3020 - Floor Finishes	\$15,094,437	\$2,029,355	\$1,136,814	\$407,102	\$15,676,540	\$2,829,609				\$2,026,439	\$608,196
C3030 - Ceiling Finishes	\$26,514,232	\$313,000	\$2,276,232	\$550,479	\$16,800,553	\$522,632				\$13,511,615	\$320,488
E1030 - Bleachers	\$4,495,744	\$786,087			\$3,990,882		\$1,223,351	\$1,270,012	\$2,111,288	\$13,511,615	
F1010 - Special Construction & Demolition	\$28,960,782						\$2,038,760			\$8,411,368	
F2020 - Hazardous Materials Abatement	\$3,161,476									\$27,843,376	
G1010 - Parking Lots	\$63,339,604	\$2,237,958							\$2,529,590	\$49,553,322	
G1011 - Parking Lots Capacity	\$13,181,186	\$123,968							\$649,314	\$9,557,406	
G1040 - Landscaping	\$8,684,480	\$752,253								\$4,275,782	\$622,962
G1050 - Playgrounds	\$20,535,370	\$1,063,739								\$2,800,897	\$971,141
G1060 - Elementary Play/Soccer Fields	\$13,752,671	\$2,529,887							\$287,067	\$8,806,980	\$1,832,641
G1061 - MS/HS Football Field & Track	\$8,254,819	\$544,541								\$5,000,007	
G1062 - MS/HS Baseball/Softball Field	\$3,699,121	\$483,496								\$5,260,990	
G1063 - MS/HS Tennis Courts	\$9,698,455									\$11,186,758	
G2030 - Storm Sewer	\$31,898,338	\$1,644,909							\$511,511	\$8,226,856	\$767,237
G9090 - Swimming Pool Systems & Equipment	\$24,544,803								\$3,837,060	\$4,770,710	\$1,420,171
G9091 - Auditorium Systems & Equipment	\$74,550,278	\$7,213,844							\$4,238,948	\$24,024,907	\$18,460,520
Kitchen	\$320,061,457	\$27,858,615							\$0	\$6,211,176	\$18,355,022
E1011 - Walk-in Cooler/Freezer	\$14,988,762	\$1,957,851								\$64,898	\$1,070,213
E1012 - Ovens Ranges & Steamers	\$13,654,078	\$2,265,060		\$20,600	\$4,005,653	\$241,872	\$934,312	\$142,032		\$58,770	\$876,061
E1013 - Production Equipment	\$15,692,064	\$1,594,093		\$20,600	\$2,655,079		\$674,087	\$142,032		\$74,218	\$876,061
E1014 - Serving Lines	\$41,658,292	\$1,650,126		\$45,230	\$2,918,882		\$1,380,318			\$163,207	\$1,609,041
E1015 - Kitchen Hood	\$3,697,074	\$369,513			\$936,660	\$155,215	\$168,932	\$132,673		\$93,431	\$237,418
E1016 - Ware Wash	\$5,140,317	\$610,174			\$1,067,965	\$165,609	\$223,750	\$174,553	\$0	\$19,420	\$314,035
E1017 - Kitchen Reconfiguration	\$123,960,782	\$8,109,978			\$25,460,114	\$3,813,698	\$5,123,621	\$2,930,265	\$0	\$4,024,618	\$7,250,488
E1018 - Kitchen Flooring	\$31,123,784	\$4,056,050	\$241,000		\$13,681,921	\$1,178,593	\$1,584,681	\$1,240,435	\$0	\$337,140	\$2,242,237
E1019 - Kitchen Walls	\$30,759,644	\$4,779,378			\$12,095,932	\$561,484	\$1,892,417	\$930,839	\$0	\$485,680	\$2,059,229
E1020 - Kitchen Ceilings	\$28,013,664	\$2,466,392	\$341,467	\$42,319	\$11,251,382	\$496,704	\$1,671,325	\$559,506	\$0	\$429,413	\$1,820,239
E1021 - Snack to Go Service Components	\$11,372,976				\$2,298,370		\$616,929		\$0	\$460,381	\$0
MEP	\$759,919,984	\$71,575,126			\$128,379,024	\$100,335,994	\$53,952,314	\$33,068,406	\$263,193,506	\$159,754,127	
D1020 - Group Bathroom Plumbing Fixtures	\$27,951,598	\$1,689,913	\$1,644,756	\$400,507	\$7,440,168	\$187,993	\$5,800,438	\$609,466	\$1,081,897	\$25,666,518	\$4,657,022
D1050 - Communication System	\$10,107,670	\$2,509,022	\$1,292,607	\$1,006,723	\$7,083,653	\$14,419,408	\$7,237,726	\$5,384,060	\$815,659	\$18,615,259	\$7,578,263
D2010 - Domestic Water	\$53,143,118	\$4,568,842	\$2,625,644	\$1,311,981	\$6,007,331	\$2,975,592	\$2,877,793		\$1,197,445	\$16,424,970	\$7,693,649

Figure 4. Phased Needs Report

Building Report By Category

Facility Name	Code					Grand Total
	Capital Renewal	Compliance	Hazard	ADA	Technology	
Grand Total:	\$10,055,295.00	\$8,556,549.00	\$11,677,839.00	\$11,638,329.00	\$8,891,067.00	\$46,472,979.00
Main Facilities	\$3,771,888.00	\$3,713,940.00	\$4,139,331.00	\$4,426,437.00	\$3,658,626.00	\$19,710,222.00
City Hall & EOC	\$212,037.00	\$1,288,026.00	\$541,287.00	\$1,143,156.00	\$410,904.00	\$3,595,410.00
City Hall Annex	\$869,220.00	\$223,890.00	\$690,108.00	\$268,668.00	\$478,071.00	\$2,529,957.00
Community Center	\$234,426.00	\$81,654.00	\$504,411.00	\$1,293,294.00	\$916,632.00	\$3,030,417.00
Destin Public Library	\$520,215.00	\$292,374.00	\$210,720.00	\$391,149.00	\$649,281.00	\$2,063,739.00
Morgan's Sports Center & Detached Restrooms	\$1,195,836.00	\$977,214.00	\$944,289.00	\$550,506.00	\$342,420.00	\$4,010,265.00
Collegiate Prep ES	\$740,154.00	\$850,782.00	\$1,248,516.00	\$779,664.00	\$861,318.00	\$4,480,434.00
Miscellaneous	\$6,283,407.00	\$4,842,609.00	\$7,538,508.00	\$7,211,892.00	\$5,232,441.00	\$26,762,757.00
Buck Destin Recreational Facility	\$268,668.00	\$454,365.00	\$525,483.00	\$642,696.00	\$624,258.00	\$2,515,470.00
Destin History & Fishing Museum	\$1,170,813.00	\$711,180.00	\$782,298.00	\$1,243,248.00	\$1,062,819.00	\$624,258.00
Destin Sheriff Substation and EMS	\$788,883.00	\$7,902.00	\$692,742.00	\$259,449.00	\$543,921.00	\$2,292,897.00
Food 4 Thought	\$463,584.00	\$338,469.00	\$554,457.00	\$482,022.00	\$545,238.00	\$2,383,770.00
Harbor Pump Station	\$971,946.00	\$516,264.00	\$763,860.00	\$919,266.00	\$630,843.00	\$3,802,179.00
Joe's Bayou Restrooms and Office	\$21,072.00	\$143,553.00	\$815,223.00	\$833,661.00	\$121,164.00	\$1,934,673.00
June White Decker Restrooms and Maintenance	\$1,164,228.00	\$522,849.00	\$599,235.00	\$308,178.00	\$289,740.00	\$2,884,230.00
Leonard Destin Park Restrooms	\$173,844.00	\$1,058,868.00	\$941,655.00	\$736,203.00	\$1,086,525.00	\$3,997,095.00
Maintenance Bldg.	\$993,018.00	\$740,154.00	\$744,105.00	\$1,032,528.00	\$80,337.00	\$3,590,142.00
Shore of Crystal Beach Restrooms and Pavilion	\$267,351.00	\$349,005.00	\$1,119,450.00	\$754,641.00	\$247,596.00	\$2,738,043.00

Figure 5. Building Report by Category

4

Delivery Schedule & Timeline



Schedule Development

The Matrix Team will put considerable effort into developing a realistic schedule for discrete project tasks in close coordination with City staff. The final schedule will be predicated primarily on two things: 1) timely access to facilities at the time of the survey and 2) comprehensive and responsive user disclosure of requested information. The Matrix Team recognizes the importance of developing a preliminary/draft final report no later than May 15th to give the city ample time to review prior to presenting the findings to the Mayor and City Council on June 6, 2022. We know this provides sufficient time to successfully complete both the Physical Condition Report (PCR) and broader SAMP.

Notional Schedule

The schedule below assumes the Matrix Team is awarded a contract following City Council approval on January 17, 2022 with Notice to Proceed being issued the following week on January 24, 2022. The Matrix Team believes all work can be performed in approximately five months (20 weeks). Again, this is a function of stakeholder availability and access to facilities to be assessed without incident.

Matrix Project Schedule	Planned Start	Planned Duration	FEB				MAR				APR				MAY				JUN			
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Task 1 Kick-off	Week 1	2 Weeks																				
Task 2 Facility Condition Assessments	Week 3	2 Weeks																				
Task 3 Levels of Service Development	Week 4	2 Weeks																				
Task 4 Growth & Demand Evaluation	Week 5	2 Weeks																				
Task 5 Facility Location & Capacity Analysis	Week 7	3 Weeks																				
Task 6 Requirements Definition & Cost Estimating	Week 9	3 Weeks																				
Task 7 Asset Management Strategic Plan Development	Week 12	9 Weeks																				

Project Milestones:

- 1 Pilot Building Facility Condition and Needs Assessment
- 2 All Building Facility Condition and Needs Assessments
- 3 Preliminary Final Report Draft Submittal
- 4 Presentation to Mayor & City Council
- 5 Final Asset Management Strategic Plan Submittal

Scope of Work

Task 1: Kick-off

The first two weeks of the contract will focus on logistics and scheduling for the remainder of the contract period of performance. During this time The Matrix Team will participate in an initial virtual kickoff meeting with City staff. The goal of the kick-off meeting will be to identify all key stakeholders and to tentatively schedule all required stakeholder engagement meetings. During this period, the Matrix Team will furnish a request for owner/user documentation and information, including, but not limited to, appraisals of existing properties, certificates of occupancy, safety inspection records, warranty information, records indicating the

age of material building systems, historical costs of incurred repairs, descriptions of future planned improvements, and previously prepared property physical condition reports.

Deliverables

- Kick-off meeting agenda and minutes (February 4, 2022) (electronic)
- Written request for owner/user facilities' documentation (February 4, 2022) (electronic)

Task 2: Asset Visibility & Facility Condition Assessments

The Matrix Team will conduct a second, in-person, kick-off meeting with City staff at the onset of the on-site field surveys. Of note, most of the on-site effort for this project will take place as part of this task. The Matrix Team will visit all the facilities identified in the Request for Qualifications and assess their condition, functionality, and utilization.

We recommend assigning points of contact from the City to escort the Matrix Team into all facilities, mechanical rooms, and other secured sites. In our experience, working closely with the City throughout this task serves as a good opportunity for staff to see how assessments are completed so that they can replicate them in the future.

Deliverables

- Pilot building facility condition and needs assessment (April 1, 2022) (electronic)
- All building facility condition and needs assessments (April 29, 2022) (electronic)

Task 3: Levels of Service Development

The goal of Task 3 is to identify and develop key performance indicators for the City to adopt. The key performance indicators will focus on acceptable performance levels for all City facilities. Example levels of service may be life, health, and safety issues; equipment age and/or condition; facility utilization percentages; and others. The key performance indicators will be tailored specifically for the City's facility portfolio.

Identified stakeholders should expect to participate in at least three (3) engagements; engagements may be virtual or in person.

Deliverables

- Draft/proposed facility key performance indicators (February 25, 2022) (electronic)
- Final/approved facility key performance indicators (Pending City feedback) (electronic)

Task 4. Growth & Demand Evaluation

This task will likely require the most involvement from key stakeholders as the Matrix Team researches and develops recommendations for future planning actions. The growth and demand analysis will involve extensive review of the Comprehensive Plan and other available documents to determine the best location for all Destin facilities as part of the future state. In addition to determining where facilities should be constructed (or remain), the Matrix Team will also assess existing City operations to identify opportunities for consolidation.

A series of interviews will be conducted with facility occupants to understand their operations and facility requirements. Identified stakeholders should expect to participate in at least two (2) engagements; interviews may be virtual or in person.

Task 5: Facility Location & Capacity Analysis

Task 5 will combine all previously acquired data to determine if the City's activities are optimally located to maximize both interdepartmental operability and service to the public. The Matrix Team will determine if each facility's location is appropriate for its intended purpose and associated functional requirements as well as consistent with citywide planning efforts.

The goal of this task is to identify the best possible use for existing facilities (based on future demand) and the parcels on which they reside (based on broader economic development objectives).

Deliverables

- Facility Location & Capacity Report (April 8, 2022) (electronic)

Task 6: Requirements Definition & Cost Estimating

The Matrix Team will identify recommended remedies for physical deficiencies (maintain, repair, replace, reconfigure) based on sound asset management principles that minimize lifecycle costs and find the sweet spot for capital investment. Recommendations will closely follow the ASTM 2018-15, Sec. 9.3, *Opinions of Costs Attributes*. The requirements for major capital investment opportunities (relocating existing facilities or constructing new) will be defined in greater detail using a Programming Document outlining projected design costs, supporting facilities, contingency, and a detailed assembly report consistent with AACE International recommended practice No. 56R.08 for Class 4 estimates defined by 1%-15% design.

Task 7: Strategic Asset Management Plan Development

The final and most important task involves development of an executable investment strategy for the City of Destin. The investment strategy will involve significant research into existing budgets, cost sharing, and other opportunities to identify potential revenue generating activities to support the overall capital improvement program. Once available opportunities and budgets are assessed, the Matrix Team will develop a proposed investment strategy that may be considered for implementation.

One-on-one engagement with key stakeholders should be expected to support strategy development and identified stakeholders should expect to participate in one (1) engagement where the investment strategy is presented for consideration.

Deliverables

- Preliminary Final Report Draft (May 15, 2022) (electronic)
- Presentation to Mayor and City Council (June 6, 2022) (in person or virtual)
- Final Strategic Asset Management Plan (June 30, 2022) (electronic)

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5

Reference Reviews



Reference Reviews

Matrix is committed to providing the highest quality service and we are proud to refer you to a few of our clients to validate our capabilities. We have reliably served numerous private and governmental agencies in Florida and around the country under similar consulting roles. Below is contact information for the projects we cite in our Team Experience section. These clients can attest to our performance in recent years. We highly encourage the City to contact them to confirm our capabilities, as well as our overall commitment to quality.

Crestview Facilities Inventory & Operational Assessment

Location: Crestview, Florida

Budget: \$150,120

Completion Date: 2021

Client: City of Crestview

Contact: Tim Bolduc

Phone: (850) 682-3812

E-Mail: timbolduc@cityofcrestview.com

Air Force Enlisted Village

Location: Shalimar, Florida

Budget: \$23 million

Completion Date: Ongoing

Client: Air Force Enlisted Village

Contact: Brooke McLean

Phone: (850) 651-3766

E-Mail: brooke.mclean@afev.us

AMP Strategic Plans and Investment Strategy

Location: Joint Base San Antonio-Lackland, Texas

Budget: \$240,000

Completion Date: June, 2021

Client: Air Force Installation & Mission Support Ctr

Contact: Sara Bierman, PE

Phone: (210) 395-8844

E-Mail: sara.bierman@us.af.mil

Iowa Facilities Reuse Strategic Plan

Location: Iowa

Budget: \$289,500

Completion Date: 2019

Client: Iowa Economic Development Authority

Contact: Nichole Hansen

Phone: (515) 725-3081

E-Mail: nichole.hansen@iowa.gov

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Anniston, AL
Atlanta, GA
Colorado Springs, CO
Denver, CO
Niceville, FL
Parsons, KS
Phoenix, AZ
Tamuning, GU
Texarkana, TX
Washington, DC



City of Destin, Florida



Facilities Condition and Needs Assessment



#21-11-PS
December 16, 2021



TETRA TECH



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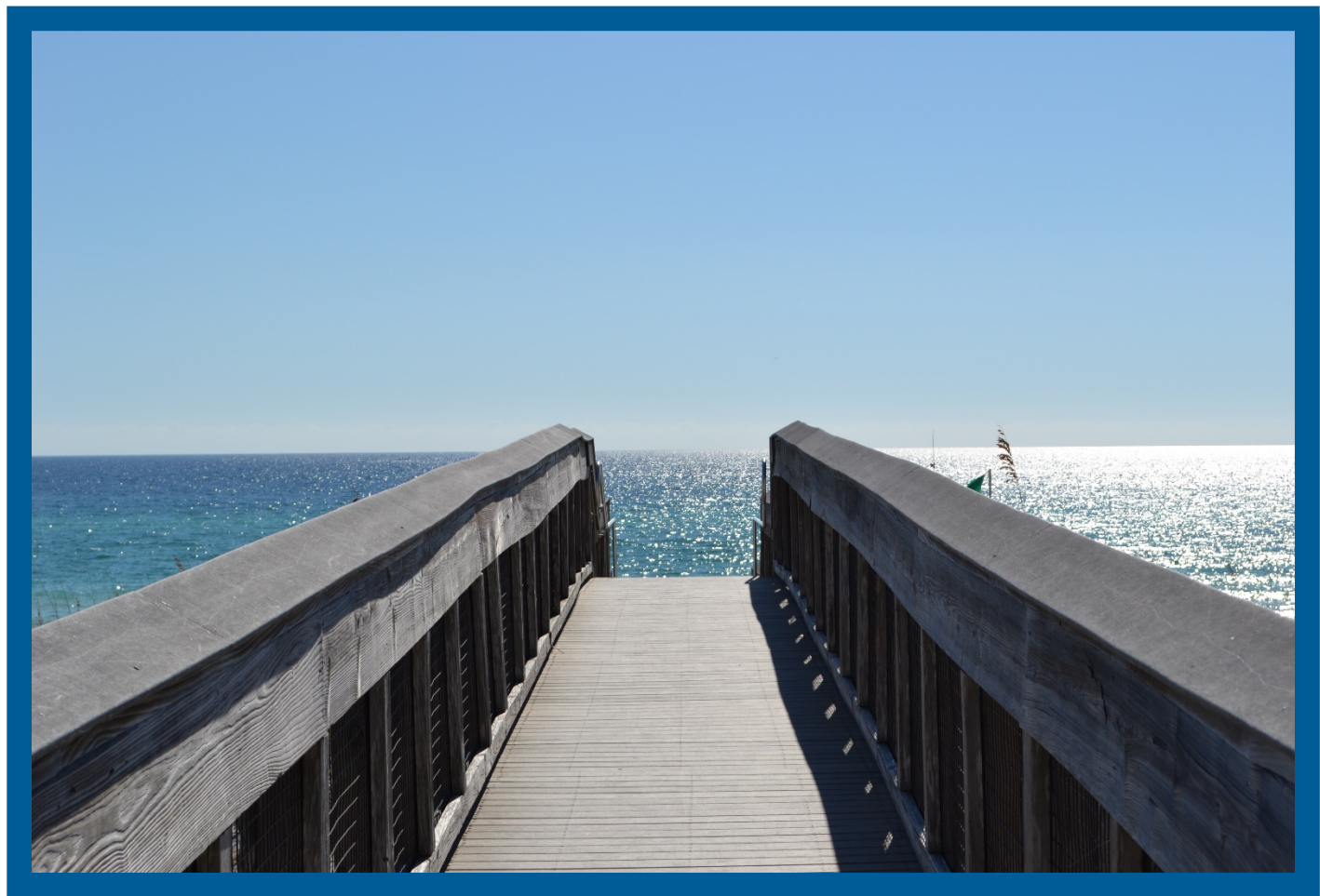
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PART 1: COVER LETTER AND EXECUTIVE SUMMARY



TETRA TECH

December 16, 2021

City of Destin, Florida
Attn: Rey Bailey, City Clerk
4200 Indian Bayou Trail
Destin, FL 32541

Subject: Facilities Condition and Needs Assessment
Solicitation Number: 21-11-PS

Dear Mr. Bailey:

Tetra Tech is pleased to submit our proposal to perform a Facility Condition and Needs Assessment on City properties listed in the solicitation and assist the City of Destin in developing a strategic plan to help guide planning for the City of Destin's current and future needs. Tetra Tech's specialized building assessment services have proven strategically effective and beneficial for our clients. As our submittal shows, we have an unparalleled record of accomplishment of providing top-level services and site-specific solutions, consistently delivering documented resource cost savings to our clients.

Tetra Tech offers the following benefits to the City of Destin:

- Local staff assigned to your project living in the Gulf Coast community;
- Asset Management and Master Planning business lines operating from this office;
- Wealth of experience in performing operational and space analysis, facility condition assessments, maintenance planning and costing, and capital investment planning;
- 300 million square feet space utilization assessments since 2008;
- Over 407 million square feet facility condition assessments since 2011;
- Experience working with the Tyndall, Eglin, and Pensacola military installations as well as numerous sites around the Gulf Coast;
- Cradle-to-cradle asset management, engineering, and consulting services; and
- Consistently high-performance marks and client satisfaction

The efficient execution of this contract requires a talented team with a balance of technical expertise and effective leadership, which is exactly what Tetra Tech offers. We will provide the most cost-effective solutions to the City of Destin for the following reasons:

Scope of Work Experience. One of Tetra Tech's most recent asset management projects, the City of Los Angeles Recreation and Parks, Hansen Dam Recreation Area Facility Assessment, is an example of our successful execution of extensive municipal facility condition assessments, utility infrastructure assessments, biological survey, assessment of site assets across a large recreational area, and final reports analyzing each asset group; complete with photos and condition assessment results. This project shows the breadth and flexibility in collecting and assessing data for various nontraditional types of assets and assigning them objective, engineering-based condition ratings for a large metropolitan agency. The deliverable for this project was a set of seven reports addressing not only each asset group and biological survey, but also



separate reporting on the overall condition of the recreation area and safety issues across all scopes of work. This experience, along with departmental input and past strategic documents allows for a fully integrated Facility Condition and Needs Assessment along with a Strategic Plan.

Local and Depth of Resources. Tetra Tech's asset management and master planning group spans the US with headquarters in Colorado and a local office in Crestview, Florida. We are proud to be embedded into the local fabric of the Gulf Coast and NW Florida, in which we live, work, and play. Mr. Klein will be the Project Manager for this project and has lived in NW Florida since 2014. He has access to a deep bench of qualified facility condition assessment experts in the Southeast Region to draw from.

Proven Expertise. Tetra Tech's reputation as a leader in consulting engineering is validated by Top 10 ratings 16 years in a row by *Engineering News-Record*. Since 2006, Tetra Tech has also led in consulting services for operational analysis, facility management consulting, facility condition assessments, and capital investment planning. Space utilization and facility condition assessment efforts have been performed at numerous sites across the Gulf Coast and the United States. We have recently supported master planning activities for El Paso County, CO and are currently supporting facility condition assessments and strategic planning for the City of Colorado Springs, CO.

We are confident that our response to this solicitation demonstrates the well-suited capabilities of our team in working with municipal clients, highlights our experience providing similar professional engineering services, shows the local commitment to the City of Destin, and presents our integrated approach to completing projects on time and within budget. We are committed to providing the unmatched professionalism, tested leadership, and superb technical fluency required to successfully deliver a Facility Condition and Needs Assessment to include assisting the City with the creation of a Strategic Plan.

I understand and agree with the scope of services and accept the requirements, addendums, terms, and conditions of the Request for Proposal. The information and data included with this proposal is true and complete to the best of my knowledge. Please feel free to contact me if you have further questions or requests for additional information at 719.659.7236 or at colby.hoefar@tetrattech.com.

We are pleased to provide the enclosed Request for Proposal demonstrating Tetra Tech's qualifications to support the City of Destin in response to the subject solicitation. Tetra Tech has successfully provided facility asset management, planning, and environmental support to the Gulf Coast and its customers continuously for more than 20 years. We welcome the opportunity to begin our partnership with the City of Destin under this new contract.

Sincerely,



Colby Hoefar
Director of Asset Management Program, Tetra Tech, Inc.
7222 Commerce Center Drive, Suite 150
Colorado Springs, Colorado 80919
719.659.7236



PART 2: EXPERIENCE AND QUALIFICATIONS OF CONSULTANT TEAM/TEAM MEMBERS

2.1 Experience and Qualifications

Tetra Tech is a leading provider of consulting, engineering and technical services specializing in asset management, master planning, design, environmental planning, and water resources management. Tetra Tech has over 20,000 staff and 450 offices worldwide. Our capabilities encompass more than 60 technical disciplines, and the depth and breadth of expertise of our engineers, planners, architects, scientists, and support staff provide us with the capacity to fulfill contracts in the environmental, infrastructure, asset management, energy, and master planning sectors.

Justin Klein, our Project Manager, who will be coordinating all efforts including space utilization, facility condition, and infrastructure condition efforts, has lived, worked, and played in the City of Destin for the past seven years. Although Tetra Tech can draw from a large pool of nationwide experts and resources, we have a strong local presence with 22 Florida offices providing you with the subject matter expertise and exemplary level of service that we have shown on all our past projects, at a local level. Justin will manage the project out of the Destin office, while accessing a deep bench of qualified personnel in our other regional offices as needed.

Facility and Property Condition Assessment Qualifications

Tetra Tech has unmatched Facility Condition Assessment (FCA) experience to provide comprehensive solutions for the City of Destin. Since 2011, Tetra Tech has conducted FCAs across 260 sites inside and outside the continental United States totaling over 40,000 buildings and 407 million square feet (MSF) of facilities. We have developed our own electronic application-based facility assessment tool to support digital field data collection, improve efficiency, and simplify data sharing with client facility management databases. Our architects, engineers, and scientists have performed thousands of assessments and scoping studies at the outset of a project to optimize solutions based on cost, schedule, and other factors. Tetra Tech can collect and inventory information about a myriad of built asset types including: vertical assets (buildings); appurtenant assets (fencing, gates, and retaining walls); linear assets such as paving, roads, and sidewalks; utility infrastructure assets; and natural assets (land, biological diversity, environmental mapping, and assessments, etc.).

Our in-depth experience in performing asset inventory in the United States includes FCAs, space utilization studies, utility assessments, energy audits, pavement assessments, and establishing real property management performance measures. We are proud to be leading technical experts in asset management and planning, and we apply that expertise throughout the project life cycle. Additionally, Tetra Tech can utilize our small business teaming partners to supplement our assessment teams. Our experienced subcontractor pool includes engineers, scientists, technical specialists, and real estate consultants. Tetra Tech blends art and science to create stakeholder-driven, long-range plans that guide the efficient use of land, assets, and facilities to identify and maintain development in challenging funding environments.

Experience on Projects of Similar Scope

Tetra Tech has extensive experience performing FCAs for municipal, state, and federal clients. In addition to the three similar scope completed projects described later in this section, our asset management team is currently conducting a Facilities Master Plan study with the City of Colorado Springs. Tetra Tech is analyzing facility condition and use, identifying service shortfalls and opportunities for optimization, and developing a comprehensive plan to support continued growth. Colorado Springs has a footprint of over 150 square miles



with 190 facilities totaling over 1.7 MSF. These same team members will support the City of Destin project with the addition of local Destin Project Manager Justin Klein and GIS Specialist Brandon Jones to enhance the team even more.

As shown in **Table 1** below, asset team members selected for work with the City of Destin have experience working together on projects of similar scope and service.

Table 1. Team Participation in Projects with Similar Scope

	Fort Campbell	Fort Bliss	Hansen Dam	Colorado Springs
Colby Hoefar	X	X	X	X
Justin Klein	X	X		
Jacene Phillips	X	X	X	X
Michelle Mehnert	X	X	X	X
Robert Kennedy	X	X		
Kevin White	X	X	X	X
Brandon Jones	X	X	X	X





Example Projects of Similar Scope

BUILDER Sustainment Management System (SMS) Implementation for Army Installation Management Command (IMCOM) - Fort Campbell, KY



Project/Contract Details

KEY ELEMENTS:

- ▶ 926 buildings, 15.5 MSF
- ▶ BUILDER digital data collection for facility condition assessment
- ▶ Customized data analysis
- ▶ Duration: 5/19 – 5/21

Tetra Tech was a contract holder with U.S. Army Corps of Engineers (USACE) Mobile to support BUILDER SMS (an asset management software program) Implementation across U.S Army Installation Management Command (IMCOM) and was awarded this task order to implement facility assessments using BUILDER at Fort Campbell, Kentucky.

Tetra Tech performed facility condition assessments at Fort Campbell, Kentucky for 926 facilities, totaling approximately 15,520,631 SF. Tetra Tech collected data in the field to complete the assessments and populate the asset database following the Army asset collection guidance and ASTM Designation E2018-15 using ASTM UNIFORMAT II naming conventions, which clearly aligns asset naming and facilitates data analysis and asset comparison.

Once the facility assessments were complete, Tetra Tech performed a comprehensive review of data for quality control purposes, provided facility condition assessment reports, 10-year unconstrained work plans, and provided training during the work planning and data review charrette. Tetra Tech also used data analytics software to visualize the facility performance data and develop potential capital investment strategies based on various funding scenarios and asset performance. This effort added value for the client and provided the installation with the tools necessary to use, understand, and sustain the data in the future.



Tetra Tech received VERY GOOD contractor performance and rating system (CPARS) ratings for management, quality, schedule, and cost control. Tetra Tech developed a COVID-19 specific supplemental to our Health and Safety plan to be able to continue to operate during the COVID-19 pandemic of 2020. No Tetra Tech personnel involved with this project tested positive for COVID-19 during the period of performance.



BUILDER SMS Implementation for Army IMCOM - Fort Bliss, TX



Project/Contract Details

KEY ELEMENTS:

- ▶ 1,131 facilities, 20 MSF
- ▶ BUILDER digital data collection for FCA
- ▶ Customized data analysis
- ▶ COVID 19 safety protocols
- ▶ 10-year unconstrained work plan
- ▶ Duration: 9/19 – 12/21

Tetra Tech was contracted by U.S. Army Corps of Engineers (USACE) to provide the U.S. Army Installation Management Command (IMCOM) technical assistance in physically inventorying and performing facility condition assessments of 1,131 buildings equaling approximately 20,012,000 square feet (SF) using the asset management program BUILDER SMS. Tetra Tech collected data in the field to complete the assessments and populate the asset database following the ASTM Designation E2018-15 methodology and UNIFORMAT II naming conventions, which will improve reporting and support capital investment planning, programming, and budgeting for the Army. Once the facility assessments were complete, Tetra Tech provided facility condition assessment reports, 10-year unconstrained work plans and training during the data review and work planning charrettes.

Tetra Tech customized the asset management system for Fort Bliss based on comprehensive facility condition assessments. We conducted additional analysis on the data to visualize the performance of the facilities and components, allowing us to recommend a timeline of where funds should be distributed to particular assets and facilities to improve performance and extend facility service life. This gave the installation the capability to identify where sustainment, restoration and modernization funding should be focused. From this Tetra Tech demonstrated how to construct detailed work plans (projected out 10 years) and estimate cost of work items based on user defined funding scenarios, and prioritization of work based on rulesets.

Hansen Dam Recreation Area Facility Assessment – Los Angeles, CA



Project/Contract Details

KEY ELEMENTS:

- ▶ 1,400 acres assessed
- ▶ Digital data collection for FCA
- ▶ Customized data analysis
- ▶ Capital investment strategy
- ▶ Duration: 9/20 – 5/21

Tetra Tech was awarded the Hansen Dam Recreation Area Facility Assessment by the City of Los Angeles Department of Recreation and Parks (RAP) to assess the recreational resources of the Hansen Dam Recreation Area in Lake View Terrace, CA. RAP recognized the need for an integrated approach to developing new recreational opportunities and enhancing the natural features of the park. To assist in this effort, RAP needed to know the quality of the existing facilities and their exact locations. The scope consisted of identifying, inventorying, and developing a comprehensive record of the recreational resources; evaluating the quality of the resources; identifying existing infrastructure and infrastructure challenges; and identifying safety hazards throughout the recreation area.

The area was approximately 1,400 acres, which included FCAs, utility infrastructure assessments, biological survey of flora and fauna, assessment and mapping of biking and hiking trails, and assessment of park accessory areas such as sports fields, playgrounds, and water recreation areas.



The Tetra Tech Inspection Teams collected condition assessment data for the various assets. These inventoried items were graded based on a three-tiered qualitative grading system, which provided RAP with the information it needed to understand the state and overall condition of a specific asset or group of assets.

The City now has an updated geographic information system (GIS) database of all the park's assets that provides characteristics, levels of distress from good to poor, and a realistic capital investment strategy as a roadmap to advocate for funding and investment in the community to improve and restore this recreation gem in Los Angeles.

Understanding of Operations

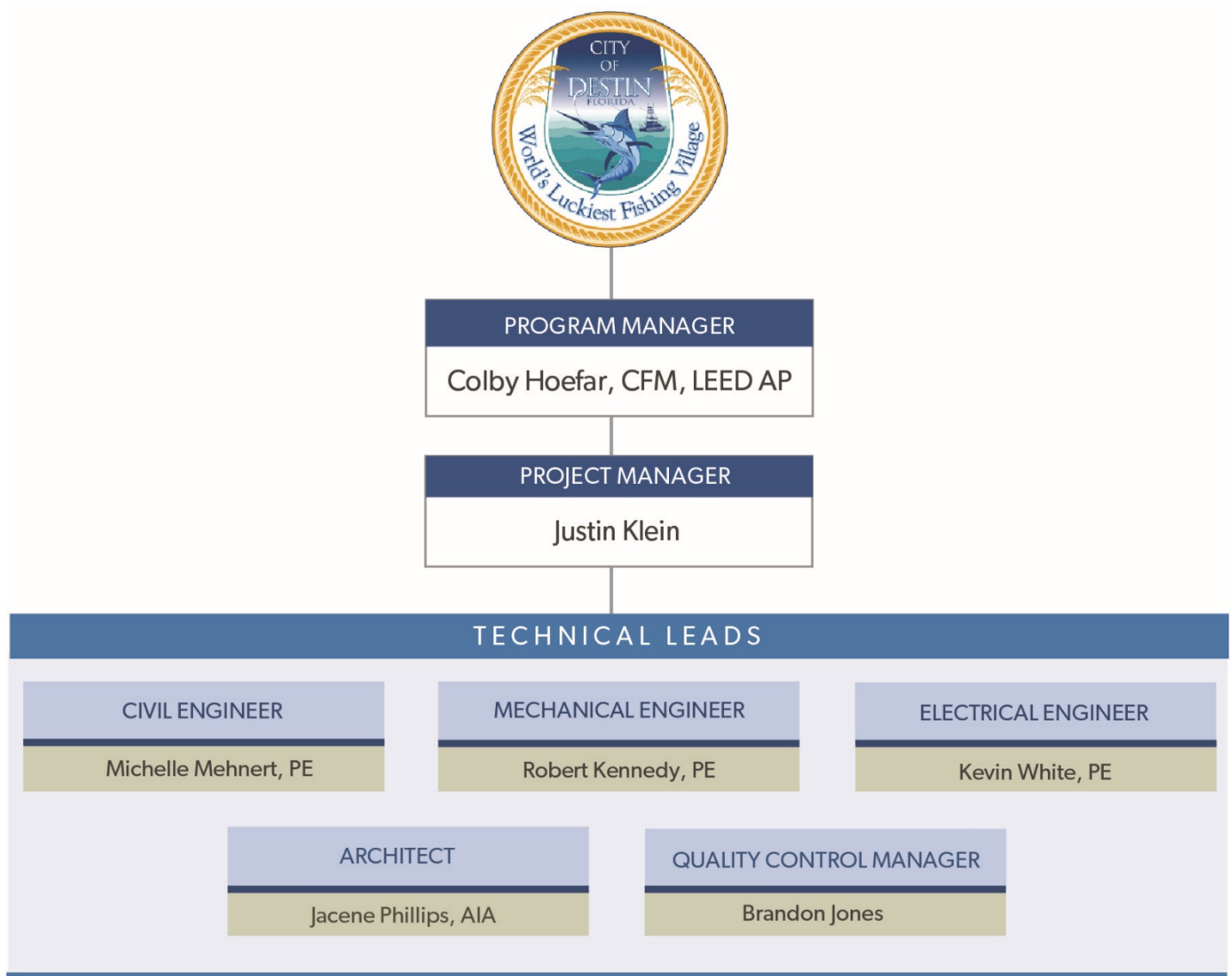
In working with public sector clients, Tetra Tech understands the challenges and complexity in planning and funding capital improvement projects as well as routine maintenance work and replacement plans. Identifying gaps and critical items with recommendations for correction will allow the City of Destin to prioritize projects to increase overall efficiencies and to be of the most benefit to the public. Examples of potential increased efficiencies through equipment would be replacement of equipment using hazardous or outdated systems such as R-22 refrigerant to a financially and environmentally friendly refrigerant like R-410A. Another example would be identifying infrastructure critical to departmental operation in need of repair or replacement before the anticipated run to failure date. These changes would increase efficiency of limited maintenance staff, decrease expedited emergency repair costs, and increase dependability of systems to City departments. Examples of efficiencies in space analysis could be identifying underutilization of space available or departments with inadequate space for current or future staffing needs. The past years' experience teleworking due to the COVID-19 pandemic has offered opportunities for physical space reduction and hoteling that may be applicable in some areas of the City departments. Future functions of the City could change or evolve with new areas to be identified for expansion or capital improvement projects recommended to support.

Life-Cycle Cost and Value Engineering Experience

Tetra Tech will assemble reports of asset life cycle costing and optimization of repair timelines or "sweet spots" for corrective maintenance to extend asset service life. Asset ratings and remaining service life expectancy will show when major repairs are due before they become a problem. Destin will have the ability to run work plan scenarios to produce a list of work items expected to be accomplished based on different funding levels along with the consequences of deferring the work. This result will extend the service life of City owned assets by spending funds wisely and optimally based on objective collection ASTM standards and industry adopted RS Means costing.



2.2 Organizational Chart





2.3 Resumes

EDUCATION

MBA, LEEDS School of Business,
University of CO, 2014

MS, Engineering & Environmental
Management, Air Force Institute
of Technology, 2000

BS, Civil and Environmental
Engineering, U.S. Air Force
Academy, 1995

AREAS OF EXPERTISE

Asset Management
Strategic Planning
Benchmarking
Facility Condition Assessments
Space Optimization
Energy Audits
Facility Management
Operations & Maintenance
BUILDER Implementation

REGISTRATIONS/ AFFILIATIONS

Member, Society of American
Military Engineers
Member, International Facility
Managers Association

TRAINING/ CERTIFICATIONS

IFMA, Certified Facility Manager,
2010
USGBC, LEED AP, 2008

OFFICE

Colorado Springs, CO

YEARS OF EXPERIENCE

25

YEARS WITH TETRA TECH

15

Colby D. Hoefar, CFM, LEED AP PROGRAM MANAGER

EXPERIENCE SUMMARY

Mr. Hoefar leads Tetra Tech's Asset Management Program for vertical facilities, developing strategic, operational, and tactical projects in the Public and Private Facilities Management sector across the spectrum of asset management and corporate real estate portfolios. He is a seasoned consultant with direct knowledge implementing corporate real estate and facilities management, asset management, operations and maintenance, capital investment strategy, real property inventory requirements, activity management plans, space and occupancy management optimization, real property annual inspections, facility condition/asset life cycle assessments, and general budget and life cycle planning and programmatic asset strategic planning. Mr. Hoefar provides in-depth analysis of preventative maintenance programs and capital investment planning.

RELEVANT EXPERIENCE

Facilities Master Plan; City of Colorado Springs, CO (2021 – Ongoing) Program Manager. Led team of planners, architect, and engineers in assessment of 1.7 MSF across 206 Colorado Springs owned facilities to determine conditions and corrections for poor condition, performance, code or regulatory compliance, safety, life cycle replacements or upgrades, and energy conservation. In addition, data was collected to determine facility space needs, maintenance requirements and capital improvement budgets over the 20-year planning horizon.

BUILDER SUSTAINMENT MANAGEMENT SYSTEM (SMS) IMPLEMENTATION, US Coast Guard (2020 - Ongoing)

Program Manager for this effort that implements the BUILDER SMS asset management software for the US Coast Guard. Mr. Hoefar led the visioning charrette, designed, and authored the USCG Implementation Guide, USCG Inventory and Assessment Guide, tailored the asset collection catalog, implemented a cloud hosting environment, and delivered pilot field assessments to tailor the facility assessment inspection process to USCG.

BUILDER SMS IMPLEMENTATION, Installation Management Command (IMCOM) at Fort Bliss, Texas (2019 - 2021)

Program Manager for this effort that conducted facility condition assessments on approximately 20 MSF of facilities across Ft Bliss, Texas. Mr. Hoefar led the visioning charrette, tailored the asset catalog, and delivered field assessments to tailor the inspection process to Fort Bliss.

BUILDER SMS IMPLEMENTATION, IMCOM at Fort Campbell, Kentucky (2019 – 2021)

Program Manager for the facility condition assessment effort implementing BUILDER SMS at Fort Campbell, KY. Directed the team conducting facility condition assessments on approximately 15 MSF of building assets across Ft Campbell, Kentucky.



EDUCATION

AS Human Resources Management, Community College of the Air Force, 2015

MS Management, University of Phoenix, 2014

BS Business Administration, University of Phoenix, 2009

AS Mechanical & Electrical Technology, Community College of the Air Force, 2005

AREAS OF EXPERTISE

Facility Condition Assessments
Space Utilization
Mechanical Systems
Project Planning
Facility Management
Data Management
Quality Control
Workplace Safety

TRAINING/ CERTIFICATIONS

Professional Manager Certification
CFC Refrigerant Processing Certification – Universal
Florida Licensed Real Estate Associate
HVAC/R Technical School
Asbestos Abatement Supervisor Course

OFFICE

Destin, FL

YEARS OF EXPERIENCE

20

YEARS WITH TETRA TECH

2

Justin Klein PROJECT MANAGER

EXPERIENCE SUMMARY

Mr. Klein possesses more than 20 years of facility infrastructure, maintenance, and asset management experience. Significant involvement leading small and large teams in the accomplishment of data collection, operations, maintenance including during natural disasters. Holds significant knowledge in mechanical, electrical, plumbing, and fire protection systems. Other attributes include managing projects, quality control, process improvement, procedure, training, risk mitigation, client support, resource protection, hazardous materials handling, and financial management.

RELEVANT EXPERIENCE

FCA Western Region, Air National Guard Bureau (2020 – 2021)

Field Lead. Conducted field work at various locations performing facility condition assessments and collecting space utilization data across the Western region of the United States to include Alaska and Hawaii. Prepared and conducted client briefings, coordination of team assignments, facilitated access with facility managers, and reported life safety discrepancies to client representative. Ensured tasks were accomplished in accordance with Scope of Work.

COVID-19 Ventilation Assessments, Bureau of Indian Affairs (2021)

Field Assessor. Performed ventilation assessments for nine schools that are either tribally controlled or operated by the Bureau of Indian Education. Performed field work to inventory equipment, assess operation, and assess mechanical capability to draw outside air into classrooms. This included measuring room cubic foot, size, and ability to operate existing windows, inspection of air handling equipment, limited operational checks, and minor maintenance. Field work took place in remote areas of Arizona with limited communications between other field teams.

Chiller Replacement & Cooling Upgrade, US Air Force (2013 – 2014)

Project Manager. Led 56 personnel during the completion of 15K hours of preventative maintenance and 1,800 work requests on \$2B in mechanical equipment across base installation. Partnered with engineering flight on \$1M chiller upgrade for the Combined Air and Space Operations Center. Coordinated replacement of four water cooled chillers providing equipment cooling for \$200M in command and control equipment used by the US Air Force. Additionally, oversaw cooling system upgrade for \$275M server and communications equipment at a technical control facility. Identified cooling requirements and managed several teams during the installation of two additional cooling systems.

**EDUCATION**

BA Architecture, University of Tennessee, Knoxville, TN, 1995

AREAS OF EXPERTISE

Project Management
Facility Condition Assessments
Pre-Design / Programming
Architectural Design and Documentation
Construction Administration
Master Planning
Space Planning

**REGISTRATIONS/
AFFILIATIONS**

Registered Architect,
Tennessee, 102071
American Institute of Architects
(AIA), 1997 - Present

**TRAINING/
CERTIFICATIONS**

Central US Earthquake Consortium – New Technologies for Earthquake Resilience training, 2021
FEMA IS-00100.c, 2018
FEMA IS-00200.b, 2018
CalOES Safety Assessment Program Evaluator covering ATC 20-1 and ATC 45, 2017

OFFICE

Oak Ridge, TN

YEARS OF EXPERIENCE

26

YEARS WITH TETRA TECH

4

Jacene Phillips, RA, AIA

ARCHITECT

EXPERIENCE SUMMARY

Ms. Phillips is a licensed architect with 26 years of commercial architecture and interior architecture experience across a broad range of project types and complexities. She is the architectural/structural discipline lead and a facility condition subject matter expert for Tetra Tech's Asset Management Program. Ms. Phillips provides architectural project management, is responsible for the development and maintenance of project scope/programs, development of team schedules, as well as onsite FCA assessments and training. She coordinates quality assurance/quality control processes and ensures that all appropriate comments are incorporated into work documents and deliverables. In previous positions, she was responsible for managing architectural and interior design projects, planning charrettes, code review and implementation, quality control of construction documents, specification writing, cost estimating, and onsite construction observation.

RELEVANT EXPERIENCE

Facilities Master Plan; City of Colorado Springs, CO (2021 – Ongoing)
Architect Lead. Provided architectural and space planning recommendations for 1.7M square feet across 206 City of Colorado Springs owned facilities. Recommended corrections for poor condition, code and regulatory compliance, and life safety issues. In addition, analyzed data collected to determine facility space needs, maintenance requirements and capital improvement budgets over the 20-year planning horizon.

Hansen Dam Recreation Area Facility Assessment; Los Angeles, CA (2020 – 2021)
Project Manager and Field Lead for all non-biological work. Assessment of park assets for the City of Los Angeles across 1,400 acres. Scope of work included 92 buildings, utility infrastructure assessments, biological survey of flora and fauna, assessment, and mapping of 33 miles of biking and hiking trails, and assessment of 44 different park accessory groups such as sports fields, playgrounds, and water recreation areas.

Builder SMS Implementation for IMCOM at Fort Campbell, KY (2019 – 2021)

Lead Architect. Implementation of facility condition assessments totaling approximately 926 buildings equaling 15,520,631 square feet. Provided training for facility condition assessors on site and collected data in the field.

USAF Data Collection Supporting FCAs (2017 - 2020)

Lead Architect. Conducted new facility condition assessments and re-assessments on facilities across 45 installations, totaling over 59 MSF for the Air Force. Input FCA data into USACE database. Assisted in quality control process.

**EDUCATION**

MS, Civil Engineering,
University of Colorado- Boulder,
Boulder, Colorado, 2013

BS, Civil Engineering,
University of Illinois at Urbana-
Champaign, Urbana, Illinois,
2012

AREAS OF EXPERTISE

Facility Condition Assessments
– Interior/Exterior/Roofing

Pavement Condition
Assessments

Training

**TRAINING/
CERTIFICATIONS**

Colorado PE, 2018

PAVER Management Training,
2015

OFFICE

Colorado Springs, CO

YEARS OF EXPERIENCE

9

YEARS WITH TETRA TECH

7

Michelle Mehnert, PE

CIVIL ENGINEER

EXPERIENCE SUMMARY

Ms. Mehnert has a range of technical experience across the environmental and civil engineering fields, including vast knowledge of facility condition assessments. She uses her experience in creating asset management focused training for military, civilian, and students to better understand and cater training to each client group.

As a member of field teams, Ms. Mehnert has assisted in collection of field data across the country for commercial and federal clients. She has been the technical lead for data collection to ensure a streamlined workflow. Her attention to detail and technical expertise ensures that work stays on schedule and with minimal inconvenience to the client.

RELEVANT EXPERIENCE**Facilities Master Plan; City of Colorado Springs, CO (2021 – Ongoing)**

Civil and Facility Condition Assessment Lead. Coordinated assessment team trips in conjunction with collection of 1.7 MSF across 206 City owned facilities. Determined condition and correction recommendations for poor condition, performance, code or regulatory compliance, safety, life cycle replacements or upgrades, and energy conservation. In addition, data was collected to determine facility space needs, maintenance requirements and capital improvement budgets over the 20-year planning horizon.

Mississippi ARNG BUILDER Implementation (2017- Ongoing)

Civil Engineer. Ms. Mehnert led the field assessment activities for this effort, implementing facility condition assessments for MSARNG. Ms. Mehnert coordinated pre-site data gathering activities, onsite facility condition assessments, and ensured teams were consistent assessing. Her team assessed approximately 2.7 MSF of building assets across the State in phase 1, 1.7 MSF of FCAs in phase 2, and in the process of 1.4 MSF in FCAs in phase 3.

IMCOM BUILDER Implementation- Ft. Bliss (2019 - 2021)

Civil Engineer implementing facility condition assessments for IMCOM at Ft Bliss. Ms. Mehnert coordinated pre-site data gathering activities, onsite facility condition assessments, and ensured teams were assessing consistently. Her team assessed approximately 20.1 MSF of building assets on Ft Bliss.

California ARNG BUILDER (CAARNG) Implementation, Phase 3 (2019 - 2021)

Civil Engineer implementing facility condition assessments for phase 3 of CAARNG. Ms. Mehnert coordinated with the prime contractor and Guard point of contact, as well as pre-site data gathering activities, onsite facility condition assessments, and ensured teams were assessing consistently. Her team is assessing approximately 1.5 MSF of facility condition assessments across the State.

**EDUCATION**

Special MA, National Security Studies, California State University, San Bernardino, CA, 1988

BS, Mechanical Engineering, California State Polytechnic University, Pomona, CA, 1986

AREAS OF EXPERTISE

Green Energy
Finance
Communication

FOREIGN LANGUAGES

Amharic, Arabic, Bahasa Indonesia, Balinese, Greek, Hindi, Latin, Luganda, Navajo, Russian, Swahili, Vietnamese.

**REGISTRATIONS/
AFFILIATIONS**

1993, PE, TN (#23348)
1990, PE, CA (#M27364)

CERTIFICATIONS

Open Researcher and Contributor ID (ORCID)
#0000-0003-3924-7935

OFFICE

Oak Ridge, TN

YEARS OF EXPERIENCE

33

YEARS WITH TETRA TECH

14

Robert Kennedy, PE

MECHANICAL ENGINEER

EXPERIENCE SUMMARY

Mr. Kennedy is a mechanical engineer with >30 years of combined experience in broad disciplines, including: renewable energy and resources, solar, geothermal & biomass; network security analysis and threat assessment; architectural design; website design, administration, and content management systems; publication of open-source technical databases; numerous machine and programming languages; desktop publishing and computer graphics; accounting, including profit/loss statements, engineering economics and net present value estimation; facilities capital budgets; and local/ state/ federal for-profit 1120S corporate, 1065 partnership, and 501(c)(3) non-profit tax preparation.

RELEVANT EXPERIENCE

Power Africa & East Africa Geothermal Facility, US Agency for International Development & UK Dept. for International Development (2014 – Ongoing)

Mechanical Engineer. Team building and development of underlying security/ICT, overall architecture, and roadmap to support geothermal development in Ethiopia, Uganda, and Tanzania. Energy-economic analysis, system-level engineering of generation and transmission routes, supporting GIS / cartography, for international green energy programs, mostly geothermal and solar. Developed legislative framework for geothermal development in Tanzania. Co-wrote geothermal drilling law for Ethiopia's Ministry of Water, Irrigation & Electricity. Conceptual geothermal resource analysis, field reconnaissance, systems engineering, and investment-grade economic *pro forma*, plus supporting GIS, cartography, CGI moviemaking, for 10-megawatt-electric (MW_e) geo- thermal power plant.

Solar-Thermal R&D and Technology Evaluation, Trinity Industries (2012 – Ongoing)

Mechanical Engineer. Critical issues analysis, systems engineering, field fabrication and test, and market research re: state-of-the-art proprietary solar thermal power generation, solar-thermal desalination, and solar-thermal+geoexchange applications for a confidential large private-sector industrial conglomerate. Evaluated low- and medium-temperature solar-thermal direct use and power cycles including Kalina, ORC, and binary.

Paragon-Bisti Solar Ranch, Navajo Nation/US Department of Energy (DOE) (2010 – Ongoing)

Mechanical Engineer. Critical issues analysis, pre-feasibility and full feasibility studies, and follow-on pre-construction phases on behalf of Navajo Nation for 2,100-MW_e photovoltaic complex on "checker-boarded" tribal lands in New Mexico. Considerations: solar, wind, biomass, and geothermal; land use; terrain features/topographic constraints; water courses; infrastructure and roads; transmission corridors/ voltages/ substations; interconnect/queuing issues; and access to power markets. After five years, 100-MW starter project proceeding with NextEra as the EPC.

**EDUCATION**

BS, Electrical Engineering,
University of Tennessee,
Knoxville, Tennessee, 1987

AREA OF EXPERTISE

Asset Management
Energy Assessments
Field Engineering
Project Management

**REGISTRATIONS/
AFFILIATIONS**

2016, Member, National Fire
Protection Association

2009, Professional Engineer,
North Carolina (#036070)

2001, Professional Engineer,
Tennessee (#100715)

1998, Professional Engineer,
Kentucky (#20445)

YEARS OF EXPERIENCE

Oak Ridge, TN

YEARS OF EXPERIENCE

34

YEARS WITH TETRA TECH

20

Kevin White, PE

ELECTRICAL ENGINEER

EXPERIENCE SUMMARY

Mr. White is a senior electrical engineer with 34 years of government, private industry, consulting, and small business experience. Mr. White has experience in project management, construction management, electrical safety, work control, systems engineering, construction engineering, and design engineering.

RELEVANT EXPERIENCE

Facilities Master Plan; City of Colorado Springs, CO (2021 – Ongoing)
Electrical Engineering Lead. Oversaw electrical and energy data collection and recommendations across the assessment of 1.7 MSF across 206 City of Colorado Springs owned facilities. Provided recommendations for corrections for poor condition, performance, code or regulatory compliance, safety, life cycle replacements or upgrades, and energy conservation of electrical equipment.

Senior Electrical Engineer / Project Manager, Tetra Tech, Oak Ridge, Tennessee (2016 - Ongoing, 2001 - 2015)

Senior Electrical Engineer. Mr. White serves as a senior electrical engineer in Tetra Tech's Asset Management Program. He oversees the Air Force and Air Force National Guard facility condition assessment (FCA) contracts and provides management support to the Army, Army National Guard, and Navy FCA contracts. Mr. White provides technical and field support for FCA and energy projects at various Army, Army National Guard, and Air Force bases, and Defense Logistics Agency sites. Mr. White provides electrical engineering services and oversight as needed. Additionally, Mr. White also supervises and mentors staff members. He sets appropriate standards for professional performance throughout the program.

East Tennessee Mechanical Contractors, Knoxville, Tennessee (2015 - 2016)

Senior Electrical Engineer. Mr. White served as a project manager, construction superintendent, and electrical engineer for East Tennessee Mechanical Contractors (ETMC). Mr. White was responsible for providing technical and construction management support on ETMC projects.

Building 9119 Auditorium Renovations, Y-12 National Security Complex, East Tennessee Mechanical Contractors, Oak Ridge, Tennessee (2015 - 2016)

Project Manager. Mr. White served as the project manager and construction superintendent for the Building 9119 Auditorium Renovations Project. Mr. White was the primary ETMC point of contact with the client, Consolidated Nuclear Services, LLC. Mr. White prepared the electrical engineering design for the design-build project. Mr. White was responsible for requisitioning and supervising craft labor, procuring materials, and overseeing subcontractor support.

**EDUCATION**

BS, Mechanical Engineering,
Tennessee Technological
University, Cookeville, TN,
2013

AREA OF EXPERTISE

Field Oversight
Facility/Space Assessments
Space Utilization

**REGISTRATIONS/
AFFILIATIONS**

Member, American Society of
Mechanical Engineers

**TRAINING/
CERTIFICATIONS**

OSHA 40-HAZWOPER
Training (29 CFR 1910.120),
2015

Aerial & Scissor Lift Operator
Certification (29 CFR
1910.1926), 2017

OFFICE

Oak Ridge, TN

YEARS OF EXPERIENCE

15

YEARS WITH TETRA TECH

15

Brandon Jones

QUALITY CONTROL MANAGER

EXPERIENCE SUMMARY

Mr. Jones has more than nine years' experience conducting quality control for facility condition assessments. His work primarily focuses on conducting deficiency and distressed based assessments of technical training centers, educational facilities, administrative space, general office buildings, dining facilities, warehouses, maintenance, data center and communications, recreational facilities, fire stations, and fire training. Creates data analytics included in final project report scenarios. Writes documentation for training and database troubleshooting purposes and hosts trainings. As a field lead, he received exceptional ratings across all areas in the Contractor Performance Assessment Reporting System.

RELEVANT EXPERIENCE

Facilities Master Plan; City of Colorado Springs, CO (2021 – Ongoing)
Quality Control Manager. Oversaw data collection and data quality process across the assessment of 1.7 MSF of City of Colorado Springs owned facilities. Provided customization of data collection software for custom client scope to improve standardization and correctness of data.

Building Infrastructure Assessments, United States Air Force, Nationwide (2019 - Ongoing)
Quality Control Manager. Performs site facility condition assessments (FCA) evaluating mechanical components, HVAC, electrical and plumbing systems and integrating the data into an asset management database for mathematical and statistical analyses, resulting in condition indices for each facility, component, or sub-component. Performs visual inspections of all building components, utilizing direct and distress rating inspection methods. Technical lead assistant for conducting FCAs at 42 main bases and their associated 90+ geographically separated units. Work performed in accordance with the latest USAF Playbook Guidance for FCAs.

Facility Condition Assessments, United States Army (2018 - Ongoing)
Quality Control Manager. Performs site FCAs evaluating mechanical components, HVAC, electrical and plumbing systems and integrates the data into an asset management database for mathematical and statistical analyses, resulting in condition indices for each facility, component, or sub-component. Performs visual inspections of all building components utilizing direct and distress rating inspection methods.

Data Collection Supporting FCAs, Air Force Civil Engineer Center (2017 - Ongoing)

Quality Control Manager. Performs FCAs and analyses, delivering condition indices for each component. Utilizes a combination of the direct rating and distress rating inspection methods. Collected facility data and equipment characteristics to build the asset inventory using the ASTM E1557-09 UNIFORMAT II standard. Determined the remaining service life of each component and assigned defensible condition indices for each component, facility system, and facility overall. Office responsibilities include the evaluation, manipulation, and review of field collected data into the asset database.



PART 3: UNDERSTANDING OF PROJECT SCOPE & DETAILED WORK PLAN

The following sections provide a detailed explanation of how Tetra Tech will complete the scope of work for this project as well as the management approach we will utilize to complete all tasks in an efficient manner that emphasizes communication and our commitment to quality.

3.1 Facility Condition and Needs Assessments

Tetra Tech will review existing facility management operations and maintenance data, interview staff, various departments, and conduct site and facility assessments. Tetra Tech will conduct visual facility condition assessments to be compliant with ASTM International (ASTM) E2018-15 *Property Condition Assessments*. We are familiar with the standard and can implement it in accordance with the scope of work. Additionally, we will incorporate collected data from the assessment to assist in the development of a Strategic Plan for the City's facility infrastructure to identify the best approach for capital investment strategies to meet the City's current and future needs.

3.2 Methodology and Logistics

Tetra Tech has developed an efficient and effective organizational structure for this project that focuses on clear lines of communication and authority that assures the work will be accomplished on schedule and on budget, with appropriate health and safety, quality, and contract compliance support to ensure successful completion of this project. Our project management team has been hand selected for this project based on their technical expertise and past performance successfully managing related projects that require field teams to conduct facility condition and needs assessments. To effectively accomplish the Scope of Work identified in the Request for Proposal, we will perform assessments and assist the City with development of an Asset Management Strategic Plan using the methodology below.

SOW 1-10: FCA and Strategic Planning

- Document current facility conditions including structural integrity, physical state, and general visual compliance with current building and life safety codes
- Review existing facility management operations and maintenance data, interview staff, key personnel, department leaders, and conduct site and facility assessments
- Address observed facility general hazardous materials conditions and environmental considerations
- Identify the replacement or renovation costs of each building and make recommendations as to which, if any, buildings should be renovated, and replaced as needed
- Provide a market value of city owned properties to include highest and best use via sub-contracted licensed commercial real estate professional
- Recommend corrections for identified discrepancies
- Provide priority list and timeline for recommended replacement or renovation work for facilities
- Estimate probable costs for corrections, renovation, or replacement costs
- Forecast future facility reconstruction, renovation, or replacement costs
- Assess maintenance efforts to date compared to industry standards

Tetra Tech will conduct visual facility condition assessments to be compliant with ASTM International (ASTM) E2018-15 *Property Condition Assessments*. We have used this protocol for many clients and prefer to use it when minimal requirements are specified. This process provides more of an **objective facility condition assessment**, categorizes assets using ASTM E1557 UNIFORMAT II nomenclature, and is easier to tie forecasted work to correct distresses or life cycle failures with Computerized Maintenance Management System (CMMS) and conduct data analysis across the portfolio. Enhanced data analysis capabilities improve



funds advocacy and **budget planning** by allowing decision makers to focus funds in the right areas at the right time enabling the greatest benefit for capital investment.

The scope of work specified the type of building systems may vary with each building and shall include, but not limited to, the following systems:

- Site: topography, drainage, access/egress, sidewalks, roadways, curbing, parking, flatwork, above ground utilities, manhole locations, informational signage, site lighting
- Exterior Structural Components: foundation, roof, exterior wall material, windows, exterior doors, wall louvers, sun control devices, balcony walls and handrails, soffits, gutters, downspouts, roof hatches, skylights, ladders, and stairs
- Interior Structural Components: walls, doors, windows, flooring, ceiling, toilet partitions, ladders, stairs, built-in cabinetry
- Fire/Life Safety Issues: including hazards, alarms, sprinkler systems and means of egress
- HVAC: description and data on equipment location, age and life expectancy and condition including controls, terminal units, and adequacy/condition of ventilation systems
- Electrical: electrical service serving building and sufficiency to support electrical load of building; survey to include electrical distribution and back-up generation (if applicable)
- Plumbing Systems: fixtures, supply, storm and sanitary sewer drainage, valving, irrigation
- Security and Fire Protection
- Specialized Construction and Outbuildings
- Specialized Equipment and Systems
- ADA Survey: identifying major barriers to accessibility for interior and exterior components



Tetra Tech will verify any existing data and fill any data gaps on these systems to UNIFORMAT II Level 4, down to the asset level, including nameplate data on mechanical, electrical, plumbing equipment (manufacturer, make, model, serial number, size, etc.). Observed distresses will be captured and additional inspection comments included to provide more information. This data and corresponding asset photos will be captured and loaded into an asset management database to produce the final reports. Our team will conduct quality control to ensure the data is consistent. We will review the results of the FCA with the City's Project Manager and will make corrections based on their insight into asset performance.

The team will integrate information collected through FCA efforts to assist the City of Destin and facilitate the preparation of a strategic plan for asset management to address current and future facility requirements, performance issues, life safety and accessibility regulation challenges, energy, conservation, and optimization opportunities, life cycle replacements or upgrades, and new construction recommendations to meet current and future demands.

Tetra Tech will conduct interviews and analyze current departmental operations, noting space utilization shortfalls & excesses, vacancies, staffing and growth projections, and future operational needs. Tetra Tech will compile the data into actionable projects that support each facilities requirement with respect to optimizing operations through improved facility functionality and appropriate space needed to support the City of Destin's current and future needs. To determine the current value and the highest and best use of the



facilities, a local real estate consultant will be utilized to meet this requirement of the scope of work. The consultant will determine value based on current market conditions for facilities of comparable square foot, age, condition, and use that have recently sold within a specified radius of properties to be evaluated in the FCA. We will share data collected during the FCA with the real estate consultant to enhance their valuation efforts and provide the highest quality product.

The ADA survey will be performed using a checklist based on the 2016 ADA Checklist for Existing Facilities, based on the 2010 ADA Standards for Accessible Design. Interior and exterior access to public goods and services, public restrooms, water fountains, and fire alarm systems will be reviewed.

Recently, our team completed a project for an Aircraft Depot Maintenance organization in the Navy. This effort included facility condition assessments, space utilization assessments, utility condition assessments, and safety and security audits. We developed a project prioritization methodology that leveraged all project data created from each of the assessments and audits to provide the Navy with flexibility to change priorities and develop different budget strategies based on various internal and external factors. Tetra Tech implemented the following steps in performing this effort:

- Developed a database to provide centralized data storage and management.
- Inventoried projects for each department, eliminating duplicate projects.
- Applied a project prioritization ranking method to “score” each project for priority.
- Grouped the projects into trade categories and then building level groupings for ease of management.
- Identified and assessed strategies for planning and executing the sustainment, restoration, and modernization projects.
- Recommended strategies for planning and executing projects.

Based on this methodology, Tetra Tech used business intelligence software, such as Power BI, to conduct “what if” scenarios and evaluate various capital improvement plan strategies to maximize value for available budget. We think this experience and a modified version of this tool would be useful to the City and would support the development of the final City of Destin Facility Condition and Needs Assessment.

Table 2 and **Figures 1** and **2** are examples of project deliverables the City of Destin can expect to receive as part of the facility condition assessment.

Table 2. Example of Condition Report (Partial)

System Condition Index Summary

Number	RPUID	Category Code Description	Year	BC	A1	A2	B1	B2	B3	C1	C2	C3	D1	D2	D3	D4	D5
0003	9938	LIBRARY MAIN	1967	78	84		82	86	88	81	87	84		61	68	85	76
0004	0675	ADMIN GEN PURP	1983	84	93		86	86	88	84	89	92	86	75	50	91	86
0007	9280	ORG STR BLDG	1988	79	92		88	61	82		88						
0007	0699	ADMIN GEN PURP	2010	92	99		100	86	87	88		75		97	95	90	93
0008	9578	YOUTH CENTER	1991	82	96		94	79	87	75	84	86		87	74	48	86
0008	1277	SKILL DEV	1975	78	89		89	80	88	77	71	64		79	47	89	78
0009	9826	PO MAIN	1973	79	89		88	82	87	84	78	59		69	92	3	67
0009	1818	AUDITORIUM GP	1949	66	68		68	46	86	87	76	86		51	58	90	72
0009	0281	INFO SYS FAC	1954	79	73	72	73	80	72	87	79	85		48	89	95	67
0009	1604	EXCH SER OUTLET	1957	68	85		75	71	48	68		85		56	56		52
0009	1354	FXCHANGE	1958	67	86		74	58	61	65		73		62	64		70

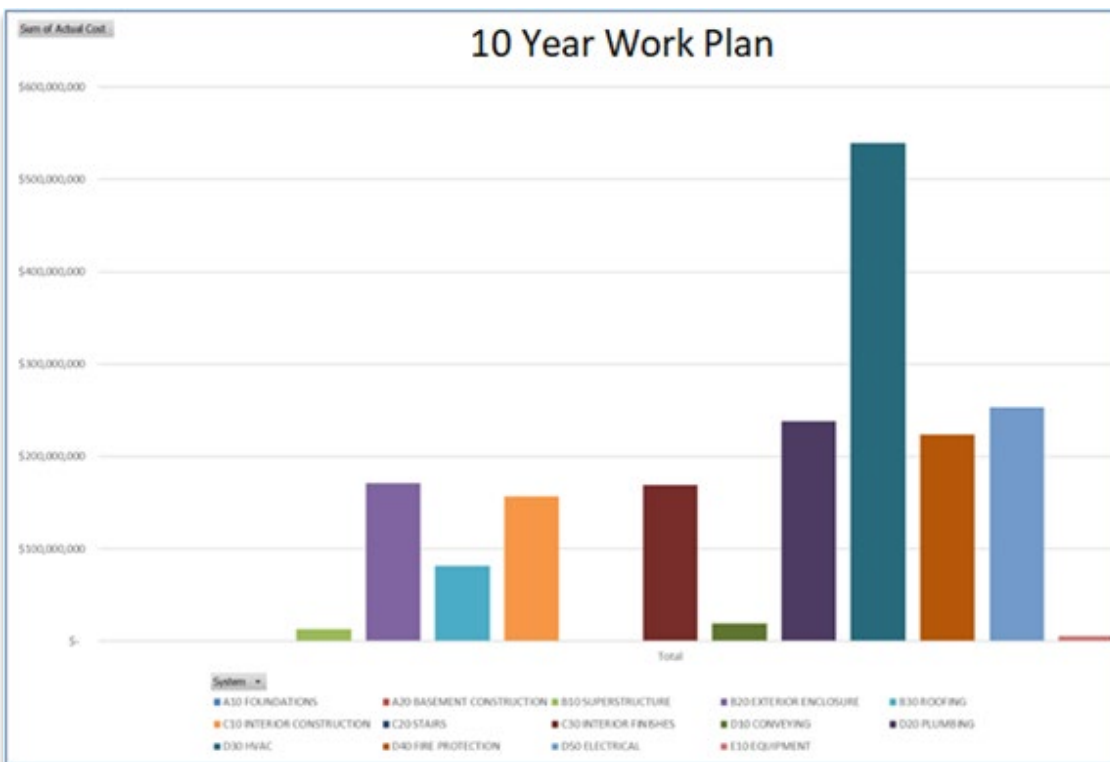


The system Condition Index Summary displays each facility with associated Building Condition Index rating and its system condition indices.

Figure 1. Example of System Costs – Visualization of 10-Year Work Plan, version 1



Figure 2. Example of System Costs – Visualization of 10-Year Work Plan, version 2





3.3 Work Plan

Our team offers the following work breakdown areas to meet the goals and objectives mentioned above based on our interpretation of the statement of work in the request for proposal. Tetra Tech has the staff and expertise to execute this project effectively and efficiently.

Project Management

As a result of our operations tempo and the volume of FCA and space utilization work since 2011, our staff is finely tuned. The City of Destin will be working with an experienced, integrated team, in which staff support each other and have extreme pride in their work and their reputation. Our project manager, Justin Klein, will work with the City to identify department and stakeholder points of contact, establish the working schedule, and conduct operational and space needs interviews with department leadership and staff. Mr. Klein requires all reliable sources of existing information such as facility inventory lists, plans, maps, facility assessments, and studies. Additionally, existing studies and reports will be provided to be incorporated into the facility condition and needs assessment process and final deliverables.

Tetra Tech will develop a comprehensive Project Management Plan (PMP) that identifies key personnel and responsibilities, the process for communication with POCs, the internal review process for all deliverables, project milestones and other plans as required by the SOW. Mr. Klein will provide weekly progress reports, monitor project expenditures, and will be supported by project controls and financial staff to run billing and financial reports. He will manage the project schedule and communicate impacts to the schedule to the City's Project Manager as issues arise. Mr. Klein has access to a pool of over 130 professional facility assessor staff to draw from to support this project. Tetra Tech will utilize local and regional staff to conduct the facilities condition and needs assessments for the City of Destin.

Schedule Management

A key benefit of Tetra Tech's program management approach is the monitoring and control that will ensure deliverables for the Facilities Condition and Needs Assessment project are timely, accurate, and on budget. Our process of capturing, documenting, sharing, and applying Learning from Experience (LFE) is integral to our management approach. Our program managers communicate closely with the program team and monitor client and stakeholder feedback so that we may integrate process improvements and lessons learned into our projects. Our program and project managers work with the client and technical team to identify, recommend, and implement solutions to project challenges. Successful solutions that enhance quality,

improve efficiency, and reduce cost are adopted by the broader team so that performance and project outcomes continuously exceed expectations. At key milestones during the project lifecycle, our program and project managers elicit client feedback, including end-customer and stakeholder inputs. Our program and project managers regularly review LFEs prior to the start of a new project and integrate relevant LFEs, either real-time on an ongoing project, or applied and integrated from the start of a new project so that risks and challenges are mitigated from the start, and proven best practices and enhancements are applied from the beginning of the project. LFEs that have demonstrated a high impact on achieving and exceeding project





outcomes are those relating to staffing plans, resource management, project controls (scope, schedule, budget), and quality control.

Communication and Coordination

Tetra Tech understands that consistent, effective communication is the key to successful implementation and completion of any project. Tetra Tech works diligently with the client to be flexible and meet the timelines and arrange field data collection visits that best meet the client location's schedule. While overly robust for this project, our team developed a communication and coordination process to engage with key stakeholders at various levels of the organization to ensure appropriate communication and coordination prior to any field team deployment. Tetra Tech developed these processes while conducting FCAs and space utilization studies on over 35 MSF of facilities at 144 Air National Guard installations. We devised a strategic communications plan to facilitate communication and coordination with the installations, Headquarters staff, and Tetra Tech to address schedule, government furnished material, installation preparedness, communicate contract expectations, deliverables, and support requirements. This plan addressed these issues at various times during a 90, 60, 45, 30, and 15-day windows prior to the scheduled field collection visit. The plan resulted in open communication across entities to collaboratively resolve issues as they arose and enabled all data to be collected, compiled, reviewed, and delivered nearly three months ahead of schedule. Tetra Tech will work with the City to deploy a less robust version of this methodology to schedule site assessments at each facility. We understand the City staff is stretched thin and may still be teleworking. We have the tools to effectively communicate to ensure success in this project.

Quality Control

Our quality assurance process applies the fundamental principles of a 4-step Plan-Do-Check-Act Model (summarized below) of continuous improvement. The process begins with the Plan step by developing an internal Project Management Plan (PMP) based on the project's SOW. The PMP identifies key personnel and responsibilities, the process for communication with POCs, the internal review process for all deliverables, project milestones, and a Health and Safety Plan, if needed.

PLAN-DO-CHECK-ACT MODEL / QUALITY CONTROL PROCESS

Plan - The success of a project or task is highly dependent on proper planning. Quality is built into the project at the planning stage. Our Quality Control (QC) Plans define:

- Tetra Tech roles and responsibilities
- Customer requirements
- Key program and project elements
- Processes and steps to be taken
- Identified risks and mitigation

Do - Key elements to implementing, inspecting, and completing the QC process include the following:

- Communicating the plan and its importance to the team
- Identifying actions needed to be successful and clearly defining quality objectives
- Executing the plan through procedural and regulatory compliance
- Providing status of actual progress versus plan intentions
- Conducting self-inspection of work as it progresses
- Stating the completion requirements of the project when the project begins



Check - During a project, the process of collecting data for and evaluating a document and the project against the criteria established during the planning phase is continually occurring through document checks and project reviews:

- Document checks, as illustrated below, are conducted through Project Manager reviews, peer technical reviews, and editorial reviews.
- Project reviews check the status of project objectives, including schedule, scope, budget, quality, and quality objectives as defined in PMPs and work plans, and final customer reviews and acceptance.

Act - After the *Check* step is performed, either work continues as planned, or deviations are identified. If deviations are found, the plan needs to be changed, the process needs to be changed, or a combination of the two. Acting on any deviations noted will result in a **corrective action plan** that includes lessons learned, event reports, corrective actions, and continuous improvement.

Our Project Management Plan (PMP) requires that each Project Manager review the project's budget against the task order work plan weekly to ensure that the project is being accomplished within the approved budget. In addition, periodically (frequency depends on the task order size and client requirements, but never less than once quarterly) the project is audited by our financial controller and a vice president during a Project Evaluation and Estimate at Completion review meeting. The purpose of the review meeting is to perform a cost control review of the project to ensure that the Project Manager can complete the scope of work as required by the contract.

For quality control specific to FCAs, Tetra Tech has developed a distinct proprietary technology application that improves the accuracy and consistency of the data collected in the field, while also providing critical data validation checks and improving overall data quality. This tool is aligned with the FCA ASTM standard and will help us be consistent, efficient, and compliant across assessors. Assessment data will include inventory quantity, condition, installation or renovation dates, comments, photographs, and nameplate information such as make, model, serial number, and capacity for significant plumbing, HVAC (including fossil fuels), fire protection, and electrical components.

Safety



Our comprehensive Health & Safety Program identifies hazards and risks associated with our work and outlines controls to eliminate or minimize employee exposure. These documented processes support a strong safety culture and integrate safety into our operations. Tetra Tech's Health & Safety policies, programs, and safe work practices reflect the company's commitment to best practices and compliance with applicable occupational safety regulations relevant to our business operations. Our culture starts every meeting, including virtual, with a safety moment. Our field teams start every day with a safety tailgate meeting. For each project, we conduct a hazards and risks review and

create an activity hazard analysis (AHA) for each event. Our FCA program has a tailored AHA for field assessments. This plan is coordinated with our unit and corporate Health & Safety representatives and each team member must review the plan prior to field work and sign off on the plan. We also review prior and



current day activities during daily safety tailgates, discuss the potential for weather impact, and what to do if there is inclement weather. Assessments are also conducted in teams of 2 to ensure the safety of assessors. This buddy approach ensures that help is close and provides another set of eyes and ears to conduct our assessments safely.

Potential Issues

In our experience conducting projects with multiple stakeholders, the greatest management challenge is schedule slip. Understanding these challenges, we have allocated review and coordination time in the proposed schedule. Milestone dates will be reviewed and agreed upon with the City before finalizing. Below are the areas with the most potential for timeline shifts.

- Schedule coordination for the various department stakeholders for the charrette and interviews.
- Obtaining facility information such as construction or as-built drawings, work orders, and other support documents to assist in facility condition assessment pre-trip planning and preparation.
- Coordination of facilities and asset areas with maintenance personnel and building occupants for access and interviews.
- Review timelines for City departments and stakeholders of draft documents.

To mitigate coordination issues, Tetra Tech will work directly with the City to obtain departmental contacts, including departments that can assist in procuring facility construction/as-built drawings. Setting review timelines and specific dates at the beginning of the project can help keep reviews on schedule. Assistance from the City in communicating to various departments the importance and timeliness of the project would also be of value.

PART 4: DELIVERY SCHEDULE AND TIMELINE

Tetra Tech excels at coordinating with various stakeholders to conduct interviews and collect field data. We have found that excellent and frequent communication are key factors to success; however, the most critical factor is flexibility. With our project manager local, we are available to meet the needs of the City's timeline and stakeholder availability. If the City would like to accelerate the timeline, we can bring additional staff in from other offices within Florida or neighboring states. The difficulty, in our experience, coordinating efforts for multiple stakeholders is pinning down a schedule and gaining access to facilities.

Tetra Tech has created a notional project schedule based on information provided in the RFP and our experience conducting this type of work. Based on an estimated notice to proceed on or around late January 2022, our projected end date is June 30, 2022. This assumes that the City will strive to make themselves reasonably available for interviews, coordinate facility access for FCAs, and review and provide comments to deliverables within an agreed upon timeframe.

Meeting and Deliverable Schedule:

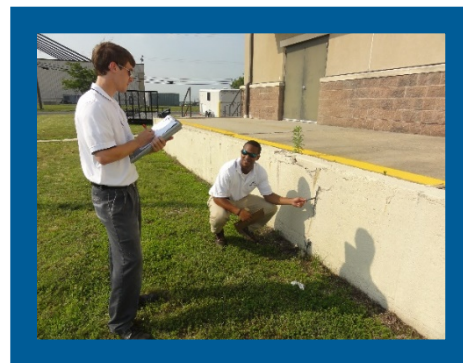
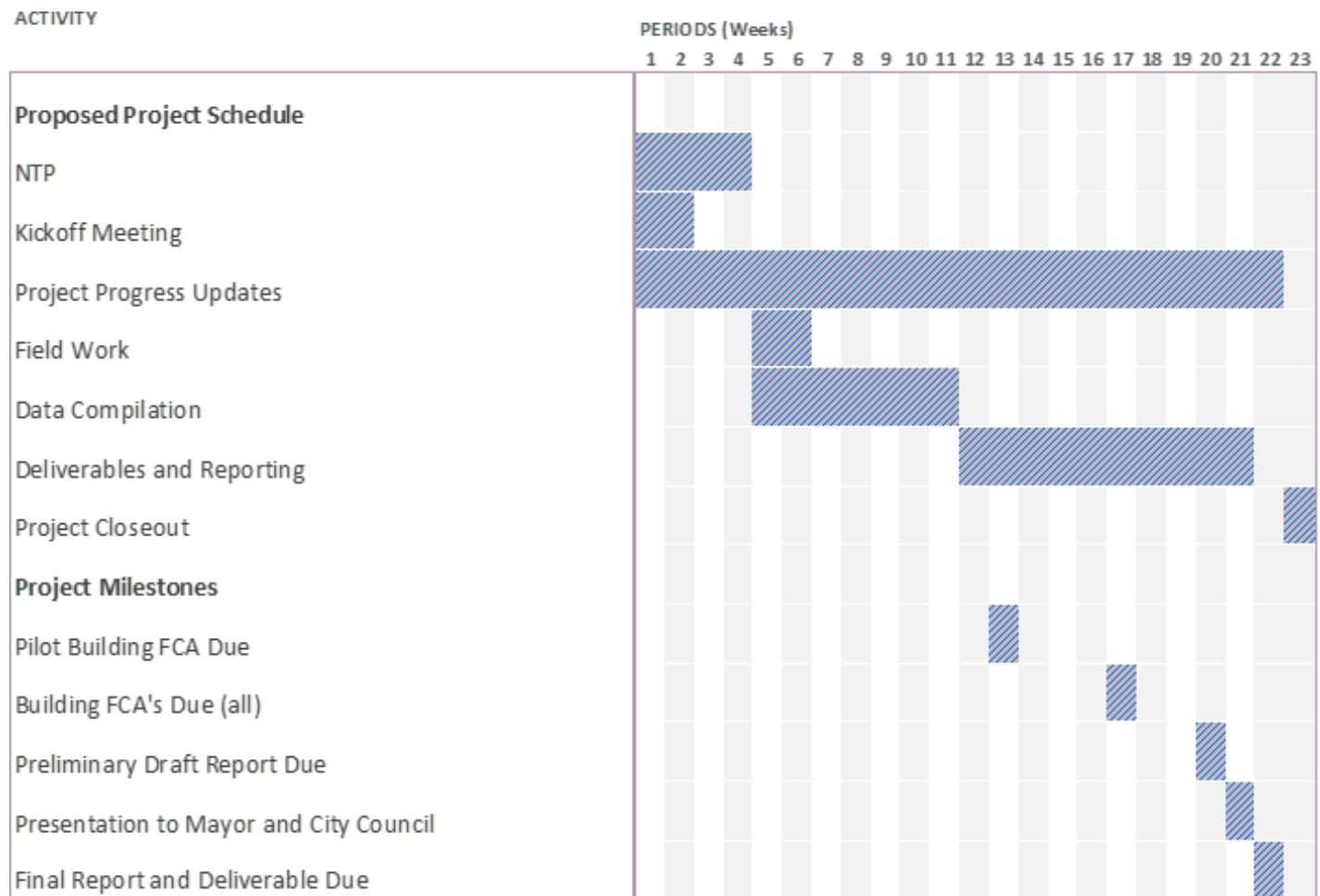
Notice to Proceed	Late January 2022
Kick Off Meeting with the City	Early February 2022
Pilot Building Facility Condition and Needs Assessment Due	April 1, 2022
Building Facility Condition and Needs Assessment Due (all)	April 29, 2022
Preliminary Final Report Draft Due	May 15, 2022
Presentation to Mayor and City Council	June 6, 2022
Final Submission of Reports to City	June 30, 2022



We propose performing a pilot FCA on one facility, providing a draft report on the pilot facility, and performing the remaining FCAs within the same trip. We can provide limited draft reports that should exceed the City's needs and expectations while allowing cost savings with the assessment team accomplishing all fieldwork in one trip instead of a multiple trip schedule. If the City can provide feedback on the draft pilot facility report within 24 hours of delivery, we are confident our field team will complete the site visit and data collection in one trip.

Project Schedule & Project Milestones

The projected project schedule to include project milestones from the proposal request are represented below:





Price

The price for performing the scope of work described in the Request for Proposal dated November 1, 2021 including Addendum #1 dated November 15, 2021 is a fixed fee of \$69,697.27. The breakdown of bill rates for members of the team and their anticipated work hours are as follows:

Program Manager	\$231.44	6	\$1,388.67
Project Manager	\$118.16	50	\$5,907.78
QC Manager	\$109.48	8	\$875.82
Civil Engineer	\$134.04	30	\$4,021.33
Architect	\$169.90	35	\$5,946.50
Electrical Engineer	\$172.14	30	\$5,164.33
Mechanical Engineer	\$109.15	30	\$3,274.58
Database Analyst	\$104.58	80	\$8,366.22
Real Estate Market Analysis	N/A	N/A	\$2,200.00
FCA Assessor I	\$118.16	80	\$9,452.44
FCA Assessor II	\$128.41	80	\$10,272.89
GIS Specialist	\$134.01	40	\$5,360.44
Project Controls	\$159.67	8	\$1,277.33
Administration	\$87.36	40	\$3,494.22
Other Direct Costs	N/A	N/A	\$2,694.72
	Totals	517	\$69,697.29

Assumptions

Tetra Tech's technical approach and price proposed are based on the following assumptions:

- Tetra Tech will have access to the facilities and grounds and all field work will be conducted Monday through Friday during normal business hours. Weekend work is not included. We do understand that some areas may require escorted and controlled access.
- Assessments are visual only; no testing, opening of wiring cabinets, looking above ceiling tiles, opening manholes, or entering of any crawl spaces or other confined spaces will occur.
- Report comments and edits will be limited to one round of revisions between the draft and final report documents.



- This effort does not include sampling and testing for lead, asbestos, mold, or other hazardous materials.
- Building thermal envelope analysis or utility load/demand analysis is not included.
- Roofs are considered accessible via a building attached internal/external fixed ladder. Tetra Tech will not assess sloped roofs from the roof's surface. The City will provide roof access and means to access the roof if permanent ladders are not a part of the building.
- The use of Tetra Tech-provided man lifts or portable ladders is not included. Tetra Tech can use Client provided means of access if those means meets Tetra Tech's ladder safety checklist and/or harness requirements for lifts.
- Stairs with three or more risers will be collected as a set of stairs. Handrails at stairs will be considered part of the stair system.
- Electrical switchgear, electrical panels, transformers, HVAC compressors, chillers, boilers, and emergency generators will not be disassembled in the survey process. These and other "live" devices will only be visually inspected, noting only what is visually discernable on the cabinet or housing, and will not be opened to inspect internal components beyond panel board door.
- Tetra Tech does not guarantee or warrant that the facility or workplace is safe, nor does Tetra Tech's involvement in this property relieve the City of Destin, building owner/operator, or tenant of any continuing responsibility for providing a safe facility or workplace.
- Assessments of site work and grounds will be visual inspections limited to the immediate vicinity of the facility. Tetra Tech will only capture distresses for these assets; inventory and asset cataloging are not included in this pricing. Additional inventory items can be added/included if needed but will require an amendment or modification to the original scope.
- Inventory items outside of the asset(s) property line or beyond a 500 linear foot perimeter around the asset(s), whichever is less, are excluded from this proposal.
- Topographic or other land surveys are not included in this scope of work. Land features will be visually assessed for distresses such as holes, animal infestation, or other hazards impeding use.
- Tetra Tech will have access to the project areas. In areas that are not accessible, binoculars or other means of visual assessment will be used.
- Portable or temporary items are assumed to be excluded from collection scope. Excluded items include, but are not limited to, trash receptacles, dumpsters, mobile storage units, portable toilets, non-lighted signage, traffic signage, and aboveground planters.





PART 5: REFERENCE REVIEWS

The following clients have worked with our Tetra Tech team on projects with similar scope and are provided as references:

Hansen Dam Recreation Area Facility Assessment	BUILDER Implementation for Army IMCOM, Fort Bliss	BUILDER Implementation for Army IMCOM, Fort Campbell
Ms. Elena Maggioni, PhD <i>Environmental Specialist III</i>	Joseph Hand, CESAM-PD-M <i>Technical Manager</i>	Rick Darnell <i>Project/Technical Manager</i>
213.482.6980 elena.maggioni@lacity.org	251.694.3881 Joseph.h.hand@usace.army.mil	251.690.3240 George.r.darnell@usace.army.mil
Los Angeles, CA	Fort Bliss, AL	Fort Campbell, KY
Project budget: \$280,283	Project budget: \$5,801,694	Project budget: \$4,300,000
Completed: May 2021	Completed: December 2021	Completed: May 2021



TETRA TECH

7222 Commerce Center Drive, Suite 150 Colorado Springs, CO 80919
USA

p. +1 (719) 659-7236

Tetra Tech is Leading with Science® to provide innovative, sustainable solutions that help our clients address their water, environment, infrastructure, resource management, energy, and international development challenges. We are proud to be home to leading technical experts in every sector and to use that expertise throughout the project life cycle. Our commitment to safety is ingrained in our culture and at the forefront of every project. We combine the resources of a global, multibillion-dollar company with local, client-focused delivery. tetratech.com

EXHIBIT B
RESPONSIVE BIDDER QUALIFICATION STATEMENT

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Destin
CITY CLERK'S OFFICE
4200 Indian Trail Bayou
Destin, Florida 32541
Telephone: (850) 837-4242

Submitted By:

Name: Tetra Tech, Inc.
Address: 7222 Commerce Center Drive, Suite 150
City, State, Zip: Colorado Springs, CO 80919
Telephone No.: 719.659.7236
Fax No.: NA

Check One

Corporation ☒

Partnership ☐

Individual ☐

Other ☐

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the responsive bidder is:

Tetra Tech, Inc.

The address of the principal place of business is:

3475 East Foothill Blvd. Pasadena, CA 91107-6024

2. If responsive bidder is a corporation, answer the following:

a. Date of Incorporation: 2/4/1988

b. State of Incorporation: Delaware

c. President's name: Leslie Shoemaker

d. Vice President's name: Steven Burdick

e. Secretary's name: Preston Hopson

f. Treasurer's name: Steven Burdick

g. Name and address of Resident Agent: The Corporation Trust Company, Corporation Trust Center,
1209 Orange St., Wilmington, DE 19801

3. If responsive bidder is an individual or a partnership, answer the following:

a. Date of organization: N/A

b. Name, address and ownership units of all partners:

c. State whether general or limited partnership: _____

4. If responsive bidder is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

N/A

5. If responsive bidder is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

N/A

6. How many years has your organization been in business under its present business name?

56 years

Under what other former names has your organization operated?

N/A

7. Indicate registration, license numbers or certificate numbers for the businesses or professions, which are the subject of this Bid. Please attach certificate of competency and/or state registration.

License Number: 2429

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why:

No

9. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary)

Resumes for key personnel are included within the proposal.

10. State the name of the individual who will have personal supervision of the work:

Colby Hoefar, Program Manager

11. State the name and address of attorney, if any, for the business of the responsive bidder:

N/A

12. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the responsive bidder's business and indicate the percentage owned of each such business and/or individual:

N/A

13. State the names, addresses, and the type of business of all firms that are partially or wholly owned by responsive bidder:

N/A

14. Annual Average Revenue of the responsive bidder for the last three years as follows:

		<u>Revenue Index Number</u>
a.	Government Related Work	10.
b.	Non-Governmental Related Work	10.
	Total Work (a +b):	20.

Revenue Index Number

1.	Less than \$100,000
2.	\$100,000 to less than \$250,000
3.	\$250,000 to less than \$500,000
4.	\$500,000 to less than \$1 million
5.	\$1 million to less than \$2 million
6.	\$2 million to less than \$5 million
7.	\$5 million to less than \$10 million
8.	\$10 million to less than \$25 million
9.	\$25 million to less than \$50 million
10.	\$50 million or greater

15. Bank References:

Bank	Address	Telephone
Wells Fargo	1000 Lakes Drive, Suite 250 West Covina, CA 91790	626.919.6620

16. What will be your turnaround time for written responses to City inquiries?
24 - 48 hours

17. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the responsive bidder, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description, the disposition of each such petition.

N/A

18. List all claims, arbitrations, administrative hearings and lawsuits brought by or against the responsive bidder or its predecessor organization(s) during the last five (5) years. The list shall include all

case names, case arbitration or hearing identification numbers, the name of the project which the dispute arose, and a description of the subject matter of the dispute.

None

19. List and describe all criminal proceedings or hearings concerning business related offenses to which the responsive bidder, its principals or officers or predecessors' organization(s) were defendants.

None

20. Has the responsive bidder, its principals, officers or predecessors' organization(s) been CONVICTED OF a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

No

The responsive bidder acknowledges and understands that the information contained in response to this qualification statement shall be relied upon by owner in awarding the contract and such information is warranted by responsive bidder to be true. The discovery of any omission or misstatement that materially affects the responsive bidder qualifications to perform under the contract shall cause the owner to reject the submittal, and if after the award, to cancel and terminate the award and/or contract.

(Signed)

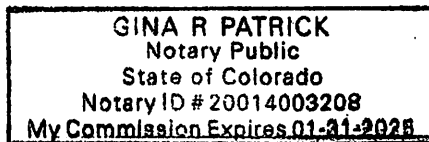
(Title)

Subscribed and sworn to before me

This 8th day of December, 2021

Gina R. Patrick
Notary Public (Signature)

My Commission Expires: 1-31-2025



END OF SECTION

EXHIBIT C
PUBLIC ENTITY CRIMES DISCLOSURE

SWORN STATEMENT UNDER SECTION 287.133 (3) (A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract 21-11-PS

2. This sworn statement is submitted by Colby Hoefar whose business address is 7222 Commerce Center Drive, Suite 150
Colorado Springs, CO 80919

and (if applicable) Federal Employer Identification Number (FEIN) is 95-414-8514 (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____)

3. My name is Colby Hoefar and my relationship to the entity named above is Director of Asset Management

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

- a. A predecessor or successor of a person convicted of a public entity crime; or
- b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding

36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(c), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

☒ Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

☐ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (please attach a copy of the final order)

☐ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (please attach a copy of the final order)

☐ The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)

[Signature]
(Signature)

Date: 12/14/2021

STATE OF FLORIDA
COUNTY OF Okaloosa

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 14 day of December, 2021, and is personally known to me, or has provided FL DL as identification.

[Signature]
Notary Public

My Commission expires: 10-31-23

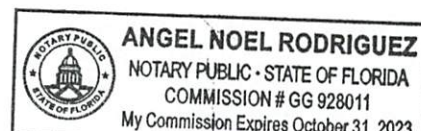


EXHIBIT D
DRUG-FREE WORKPLACE CERTIFICATION

The below signed Bidder certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection 1.
4. In the statement specified in subsection 1., notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on or require the satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

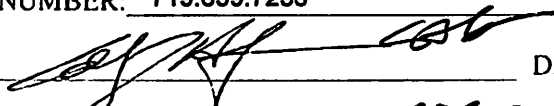
As the person authorized to sign this statement, I certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: Tetra Tech, Inc.

ADDRESS: 3475 East Foothill Blvd.

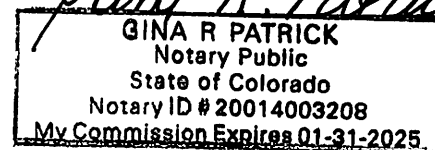
CITY: Pasadena STATE: CA ZIP CODE: 91107-6024

TELEPHONE NUMBER: 719.659.7236

SIGNATURE:  DATE: 12/16/21

NAME (TYPED OR PRINTED): Colby Hoefar *BDA 21*

TITLE: Director of Asset Management



ADDENDUM #1

**CITY OF DESTIN, FL - REQUEST FOR PROPOSALS 21-11-PS
FACILITY CONDITION AND NEEDS ASSESSMENT
NOVEMBER 18, 2021**

This addendum forms a part of the Contract Documents and modifies the original specifications for this project. Acknowledge receipt of this addendum shall be required in the cover letter. Failure to do so may subject the Proposer to disqualification. The following items shall become a part of the proposal for the above referenced project. Clarifications for questions below:

Addendum 1 addresses the following questions/issues submitted by a vendor.

1. We are preparing a proposal for the Facilities Conditions and Needs Assessment RFP (21-11-PS). Within the RFP, there are the following directions, but the url is a broken link. Can you provide the correct link?

The correct link is: <https://www.cityofdestin.com/226/Contractor-Information-Application>

Opening Date Unchanged: December 16, 2021 2:00 P.M. CT

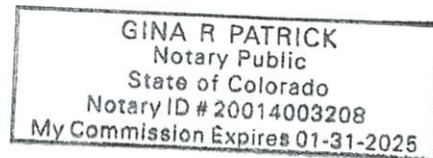
END OF ADDENDUM #1

A copy of this Addendum #1 signed and acknowledged shall precede the mandatory information required in the subject RFP.

Dec. 8, 2021

Receipt of Addendum #1 is hereby acknowledged:

Colby Hoefar *8 Dec 2021*
Print Name




Signature

Gina R. Patrick

12/16/21
Date



1985 Cope Ln.
Pensacola, FL 32526
P. (850) 944-5555

RFP No. 21-11-PS

FACILITIES CONDITION & NEEDS ASSESSMENT CITY OF DESTIN, FLORIDA

Submit RFP To:

City Clerk's Office
City of Destin
4200 Indian Bayou Trail
Destin, Florida 32541

Submittal Due Date:

Thursday, December 16, 2021

Submittal Due Time:

2:00 PM CST

universalengineering.com

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PART 1

Cover Letter/ Executive Summary

Date: December 16, 2021

Attention: Mr. Rey Bailey, City Clerk
p. 850-837-4242
e. clerk@cityofdestin.com

Reference: RFP 21-11-PS, Facilities Condition & Needs Assessment,
City of Destin, Florida

Dear Mr. Bailey and Committee Members:

Universal Engineering Sciences (UES), a privately held company, is pleased to present to the City of Destin our response to RFP # 21-11-PS Facilities Condition and Needs Assessment. UES acknowledges that one addendum was issued, on November 18, 2021.

The professional project team, operating from our Pensacola location, can provide the City with a quality of service unmatched within the inspections and needs assessment realm. This proposal clearly illustrates our team's vast resources, excellent responsiveness, and dedication to excellence. We will also describe our successes with identical scopes and outline our comprehensive and cost-effective approach to the needs of the City of Destin.

Celebrating 57 years of consulting and engineering excellence, UES has established itself as a cultural and technological pioneer and has evolved into one of the industry's most respected and successful privately-owned companies. UES has experienced tremendous growth in the last two years due to extensive strategic mergers. However, our corporate structure remains unchanged, with Mark Israel, PE serving as the CEO, Brian Kirkpatrick as President, and several Regional Presidents influencing their respective divisions.

UES has 67 fully operational, fully staffed offices spanning the U.S. Our strategically located branches provide local experts with knowledge and solutions unique to each region. Our broad distribution of resources also means that we can rapidly respond to clients' needs with an immediate allocation of equipment and staffing.

Our Pensacola office (at 1985 Cope Ln, Pensacola, Florida 32526) employs dedicated professionals. They are familiar with the region's geographic conditions and state, county, and city regulations.

UES' personnel, including inspectors, assessors, professional engineers, geologists, and field technicians are registered throughout the southeastern United States. Most hold advanced degrees in their specialized fields and professional accreditations such as NICET, ACI certification, and State Departments of Transportation (FDOT and GDOT).

Our world-class inspections team works in public and private sectors throughout the U.S., including public and private educational facilities, municipalities, theme parks, hospitality, transportation, residential, higher education, healthcare, and retail. UES prides ourselves on our ability to perform building assessments on any type of building. Our capability makes UES a smart choice for the City's various types of buildings from a construction and use standpoint.

Our mission is to provide the City of Destin with cost-effective, efficient, and accurate Facilities Condition and Needs Assessments. Integrity is the keystone of our business relationship with all of our clients.

Not only are our employees committed to fulfilling your needs, but the principal management team is also readily available to be of service, anywhere at any time.

Main Point of Contact for Consultant

Greg Kinton, AIA
 1985 Cope Ln.
 Pensacola, FL 32526
 P: 321.262.9634
 E: gkinton@universalengineering.com

Greg Kinton, AIA, UES' National Director of Facilities, will serve as Contract Manager for this effort. Greg will assign personnel as projects are awarded and personally oversee each project. He will be involved in defining the scope of services and developing the budget for each. Our additional key team members include:

- Scott C. Rowe, PE - Property Condition Assessor
- Richard A. Rubi, BN, PX - Property Condition Assessor

UES offers a wide range of experience in consulting and performing property condition assessments, needs assessments, and building envelope efforts. Our state of Florida experience includes, but is not limited to:

Project Name/Location* * = Governmental/Commercial Project	Scope of Work	Contract Amount
*Comcast Cell Site West Palm Beach, FL	Property Condition Assessment	\$3,500.00
*1210 W. 13th Street (Factory) Riviera Beach, FL	Property Condition Assessment	\$3,500.00
*8050 Monetary Drive (Manufacturer) West Palm Beach, FL	Property Condition Assessment	\$2,500.00
*1309 South Flagler Drive (Pre-Demolition) West Palm Beach, FL	Building Envelope	\$4,450.00
*2055 Palm Beach Lakes Boulevard (Bank) West Palm Beach, FL	Property Condition Assessment	\$2,500.00
*2100 N. Federal Highway (Retail) Delray Beach, FL	Property Condition Assessment	\$2,500.00
*4003 Seminole Pratt Whitney Road (Warehouse) Loxahatchee, FL	Property Condition Assessment	\$2,500.00
*Ambassador II Condominium (Mid-Rise) Palm Beach, FL	Property Condition Assessment	\$1,500.00
*Riviera Cooperative Condos Palm Beach, FL	Property Condition Assessment	\$10,500.00
*Turner Building - Keiser University West Palm Beach, FL	Roof Survey	\$3,150.00
*Carlyle House Condominiums Palm Beach, FL	Building Envelope	\$8,500.00
*Palm Beach County Sheriff's Office Headquarters West Palm Beach, FL	Building Envelope	\$21,650.00

Our expertise is further highlighted throughout this proposal, including Parts 2 (Experience/Qualifications of Consultant) and 5 (Reference Reviews).

Our Principals have thoroughly reviewed and understood this RFP, its related documents, and the anticipated scope of work. This Request for Proposal package has been made without collusion with any other person or entity submitting a proposal pursuant to this RFP. UES attests that the information provided in this RFP response is complete, current, and factual.

Our team is ready to serve as an extension of your staff, and we will represent the City of Destin in the best possible way. UES' reputation, facilities, and culture attract some of the industry's most experienced and knowledgeable professionals. Many of our staff have been with the company for ten years or more. Our unmistakable passion for excellence is ever-present. We are eager to establish camaraderie with the City and to teach, learn, and contribute to your success.

On behalf of our entire team, we would like to thank you for this opportunity, your time, and your consideration. We look forward to working with the City of Destin and providing reliable facilities condition and needs assessments throughout this contract and beyond. If you need to contact us for any reason, please contact either of the undersigned.

Respectfully,
Universal Engineering Sciences



Greg Kinton, AIA
National Director of Facilities
(321) 262-9634
gkinton@universalengineering.com



Travis Monsalvatge, PE
Branch Manager
(850) 944-5555 ext. 11709
tmonsalvatge@universalengineering.com

ADDENDA ACKNOWLEDGMENT

ADDENDUM #1

**CITY OF DESTIN, FL - REQUEST FOR PROPOSALS 21-11-PS
FACILITY CONDITION AND NEEDS ASSESSMENT
NOVEMBER 18, 2021**

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The correct link is: <https://www.cityofdestin.com/226/Contractor-Information-Application>

Opening Date Unchanged: December 16, 2021 2:00 P.M. CT

END OF ADDENDUM #1

A copy of this Addendum #1 signed and acknowledged shall precede the mandatory information required in the subject RFP.

Receipt of Addendum #1 is hereby acknowledged:

Greg Kinton, AIA

Print Name



Signature

November 19, 2021

Date



PART 2

Experience and Qualifications of Consultant/Team Members

ORGANIZATIONAL CHART



BRIEF RESUMES



Education

Bachelor's of Architecture,
University of Tennessee

Years of Experience

35

Licenses & Certifications

- Architecture (AIA), VA
- Licensed Architect, VA
- Certified Project Manager

Affiliations

- Member, American Institute of Architects

David Gregory Kinton, AIA

National Director of Facilities

David Gregory (Greg) Kinton, AIA, UES' National Director of Facilities, has been providing superior Property Condition Assessments and Building Envelope services to clients throughout the United States for more than 35 years and ADA consulting services for over 15 years. He is responsible for leading and overseeing our experienced team of specialized inspectors who make up the Facilities Division and routinely provides services that include consulting, testing, and Quality Control inspections covering building envelope, roofing, ADA/FHA, PCAs, and water intrusion. He is an expert in property condition assessments, roofing assessments and replacements, failure analysis, accessibility surveys, plans and specifications, forensic evaluations, specialized testing, and project quality assurance.

PROJECT EXPERIENCE

Property Condition Assessment - Six Marina Properties

Florida; Georgia

Mr. Kinton is serving as Project Manager during UES' PCA efforts for six marina locations in Florida and Georgia. UES is performing PCA services on behalf of Bolchoz Marine Advisors.

Carlyle House Condominiums

Palm Beach, FL

This project involved a five-story multi-condominium complex. Greg performed Property Condition Assessment services to address various concerns.

Jupiter Community Center Window Testing

Jupiter, FL

UES was contracted to perform a Property Condition Assessment, including testing the 65,000 SF facility's windows. Greg served as Project Manager.

Miami Beach Convention Center Water Testing

Miami Beach, FL

This project involved the city's 1,400,000 SF convention center. UES was contracted to perform water testing of the doors and roof areas to help determine reasons for failures. Greg served as Project Manager.

Virginia Community College System

Richmond, VA

Program Manager for the community college system for roofing inspection on the new Learning Resource Center at Tidewater Community College in Virginia Beach, Virginia.

Alexandria Square Condominiums

Alexandria, VA

Program Manager for a 13-building condominium complex to determine causes of water infiltration into the building basements. The project included coordination of Geotechnical Engineers, Civil Engineers and Structural Engineers. Multiple waterproofing concerns were identified relating to correcting the wet basements.

Creekside at Snowshoe Condominiums

Snowshoe, WV

Project manager for a 36-unit condominium complex with water infiltration issues, code compliance issues and building envelope construction concerns. Provide full report detailing recommended remediation for identified issues.

SERC Campus

Edgewater, MD

Managed the design team for a Smithsonian Institute re-roof project including new standing seam metal roof, glass skylights and wood framing repair/replacement on a historic building on the SERC campus.

New Fitness Center Building**Dover Air Force Base**

Dover, MD

Project Manager for project consisting of Contract Administration and Quality Assurance Monitoring for quality control in support of the General Contractor during the roofing phases of construction. The project includes the staffing of on-site, full time, level III roof inspectors and the management of daily activity reports as well as roof consulting to the VCCS project management team.

Residential Tower

Bethesda, MD

Project manager on air infiltration investigation with Infrared thermal imaging on a 24-story residential tower with higher than expected energy bills in Bethesda, Maryland.

Big Box Retailer

Gaithersburg, MD

Senior Project Manager on a big box retailer in Gaithersburg, Maryland managing the inspection and repair documents for a masonry wall failure due to local seismic activity.

Virginia Department of Corrections

State of Virginia

Program manager responsible for oversight on multiple locations in the Virginia prison system providing QA inspection for roofing systems installation.

National Geospatial Administration Building

Springfield, VA

Project Manager for the testing of fall protection system as a component of the skylight assembly over the atrium of the new National Geospatial Administration building in Springfield, Virginia.

BAE Systems

Project Manager for the testing of a dissipative floor tile assembly to determine the resistive electrical properties on a raised computer room floor for BAE Systems.

Red Deer Apartment Complex

Hurricane, WV

Authored Contract Documents for an attic ventilation retrofit at the Red Deer Apartment complex in Hurricane, West Virginia.

1425 South Eads Road

Arlington, VA

Greg performed property condition assessment (PCA) and report for this 185,000 sf, 17-story residential apartment tower with two below grade parking levels including review and assessment of mechanical, electrical, and plumbing systems, elevators, roof, fire, life safety and security systems, structure, and ADA accessibility.

Byrd Business Center

Richmond, VA

Prepared comprehensive property condition report on 10 office/warehouse building campus. The 30-40 year old buildings totaled 475,000 square feet. Extensive review of multiple mechanical, plumbing, roof, life safety and electrical systems. This project also included review of site conditions/amenities on the 35 acre site.

Chancellors Village Retirement Community

Fredericksburg, VA

Property condition assessment for a 200,000 SF condominium assisted living retirement community. Complex included 187 individual apartment units. Facility had on site food service, exercise equipment, chapel, and one wing of the property with full time assisted living rooms. Systems assessed included mechanical, electrical, and plumbing systems, roof, fire life safety and security systems, structure, and ADA accessibility.

Bed Bath and Beyond

Vienna, VA

Greg prepared comprehensive property condition report for this 55,500 SF retail building including review and assessment of mechanical, electrical, and plumbing systems, roof, fire life safety and security systems, structure, and ADA accessibility.



Education

BS, Towson University MD,
Geography, Economics.
Credential in Urban
Planning

Continuing Education:
Roof Systems, HVAC, LEED,
ADA, Pumped Systems,
Geology, Physiography,
Dam Safety, Utility
Systems, Plant Design,
Coffer Dam Design,
Contractor Quality Control,
GIS

Years of Experience

35

Licenses & Certifications

- Professional Engineer, MD
- ASTM Training in Property Condition Assessment

Affiliations

- American Society of Civil Engineers (ASCE) - Member
- Florida Engineering Society (FES) - Member

Scott C. Rowe, PE

Facilities Department Manager/Property Condition Assessor

Mr. Rowe has worked in civil engineering since 1986, with experience in Property Condition Assessment, Geotechnical Engineering (soils and foundations), Construction Materials Testing, and Reserve Studies. Scott has performed professional engineering services in South Florida since 2005 and has performed Property Condition Assessments since 2011. Scott manages UES' South Florida Facilities Department and lends support throughout the firm's additional locations.

PROJECT EXPERIENCE

Property Condition Assessment - Six Marina Properties

Florida; Georgia

Mr. Rowe is serving as a Property Condition Assessor during UES' PCA efforts for six marina locations in Florida and Georgia. UES is performing PCA services for Bolchoz Marine Advisors.

Carlyle House Condominiums

Palm Beach, FL

Scott performed an assessment of groundwater impacts for the Condominium Association based on Property Condition Assessment findings, investigation of the drain system, piezometer installation, and groundwater analysis.

Structural Condition Assessment - Ambassador II Condominium

Palm Beach, FL

The assessment included foundation systems, building envelope, and roof with recommendations for additional inspection and repair on behalf of the Property Management and the Condominium Association.

Property Condition Assessment - Miami International Airport

Miami, FL

This project involved a Property Condition Assessment of Hangar, Office, and Cargo Warehouse Facilities, including 0.5 MSF of climate controlled/refrigerated space, on behalf of ASA Engineering and the Bristol Group.

10455 Riverside Drive - Property Condition Assessment

Boca Raton, FL

Scott performed a Property Condition Assessment for the Gardens Commerce Center, a 44,300 SF flexible space. The building contains office and warehouse space as well as a training center capable of accommodating 50 personnel.

1790 N Federal Highway - Property Condition Assessment

Pompano Beach, FL

UES was contracted to perform a Property Condition Assessment (including site visits, observations, and reporting) for this single-story 5,327 SF retail space fronting Riverside Drive. Scott served as Project Manager.

2100 N Federal Highway - Property Condition Assessment

Delray Beach, FL

UES was contracted to perform a Property Condition Assessment for this single-story office and retail space, which houses a Pilates/fitness center. Scott served as Project Manager.

4003 Seminole Pratt Whitney Road - Property Condition Assessment

Loxahatchee, FL

UES performed a Property Condition Assessment (on behalf of REV Partners, LLC) for this industrial warehouse space. The facility encompasses 115,591 SF. Scott served as Project Manager.

2055 Palm Beach Lakes Boulevard - Property Condition Assessment

Palm Beach, FL

UES performed a Property Condition Assessment (on behalf of Freedman's Office Furniture and Supplies) for this retail/office space. The facility encompasses 6,496 SF. Scott served as Project Manager.

8050 Monetary Drive - Property Condition Assessment

West Palm Beach, FL

UES performed a Property Condition Assessment (on behalf of Sage Enterprizes, LLC) for this 16,575 SF industrial space, including bio-tech and laboratory capacity. Scott served as Project Manager.

Brogues Strip/621 Lake Avenue - Property Condition Assessment

Palm Beach, FL

UES performed a Property Condition Assessment (on behalf of the Law Offices of D'Almeida) for this Palm Beach commercial space, located at 621 Lake Avenue. Scott served as Project Manager.



Education

Surveying, Plans Interpretation, Estimating, & Project Management, Miami-Dade College

Years of Experience

12

Licenses & Certifications

- Certified General Contractor - FL #CGC1523473
- Certified Roofing Contractor - FL #CCC1330904
- Certified Plumbing Contractor - FL #CFC1430526
- Standard Building Inspector - FL #BN6741
- Standard Plans Examiner - FL #PX3981

Affiliations

- International Code Council (ICC)
- South Florida Building Officials Associations

Richard A. Rubi

Building Inspections Department Manager/Property Condition Assessor

Richard Rubi has worked in architecture and construction for 12 years. He has over five years' experience in inspections and as a plans examiner. Mr. Rubi manages UES' Miami Building Inspections Department and often supports additional offices. He is a licensed Building Inspector and Plans Examiner. He also holds certifications as a General Contractor, Roofing Contractor, and Plumbing Contractor.

EMPLOYMENT HISTORY/PROJECT EXPERIENCE

UES Building Inspections Department Manager - 5/2021-present

Miami, FL

Mr. Rubi oversees the Building Inspections Department for UES' Miami office. He also conducts property condition assessments where needed.

Property Condition Assessment - Six Marina Properties

Florida; Georgia

Mr. Rubi is serving as an Assessor during UES' PCA efforts for six marina locations in Florida and Georgia. UES is performing property condition assessments for Bolchoz Marine Advisors.

Property Condition Assessment - 1776 Biscayne Blvd.

Miami, FL

Mr. Rubi served as Project Manager during UES' property condition assessment efforts, including structural and waterproofing inspections and reporting for a 150,000 SF building. UES performed PCA services on behalf of Stiles Corporation.

Property Condition Assessment - 5061 Biscayne Blvd.

Miami, FL

Mr. Rubi is serving as Department Manager during UES' property condition assessment efforts for the Pura Vida Miami Restaurant Group. UES is performing PCA services for the group's two-story, 12,012 SF building. The property includes nine offices, a conference room and a commissary kitchen on the lower level.

EXPERIENCE OF TEAM WORKING TOGETHER ON SIMILAR PROJECTS

UES strives to perform efficiently on every effort we undertake. Our project team boasts more than 80 years of collective experience in consulting. Our personnel are stationed throughout our branch locations and are accustomed to traveling when needed to complete assessments.

Many of UES' PCA efforts involve one staff member to maximize efficiency and ensure cost-effective projects. This approach ensures that UES maintains efficiency in facilities consulting and our track record of rapid and timely project completions. However, UES assigns multiple personnel to an effort when a larger team is warranted. Our proposed team has worked on the following projects together.

Property Condition Assessments - Six Marina Locations

Florida; Georgia



UES personnel are performing property condition assessments for six marina locations across two states. Mr. Kinton serves as Project Manager; Mr. Rowe and Mr. Rubi are serving as Property Condition Assessors. UES is performing these services as a consultant for Bolchoz Marine Advisors of Jupiter, FL.

Water Intrusion Consulting - Carlyle House Condominiums

Palm Beach, Florida



UES was contracted by the Carlyle House Condominium Board, to perform water intrusion surveys and investigations for this five-story residential property located in Palm Beach. Mr. Kinton worked as Project Manager and Mr. Rowe served as Property Condition Assessor.

UNDERSTANDING OF OPERATIONS, ACTIVITIES, MAINTENANCE STAFFING NEEDS, AND PUBLIC FACILITIES MAINTENANCE

UES' facilities consulting repertoire encompasses a wide range of experience, from residential efforts and private businesses to educational buildings, industrial and storage structures, and public facilities such as law enforcement buildings and community centers. Our firm has team members established throughout our geographical footprint, able to rapidly perform property condition assessment (PCA) services.

UES personnel have performed PCAs for various governments and public organizations throughout the US. Our state of Florida repertoire includes services provided to clientele such as the cities of Jupiter and Miami Beach and the Palm Beach County Sheriff's Office (depicted below). Our local and nationwide experience with public facilities has enabled us to build - and maintain - robust knowledge of typical operations, activities, staffing requirements, and maintenance needs.

Community Center - Window Testing *City of Jupiter, Florida*

UES performed window testing services as part of a property condition assessment for the 65,000 SF Community Center in Jupiter, Florida. The facility contains a gymnasium, classrooms, multipurpose space, and banquet and meeting rooms. Mr. Kinton served on the assessment team.



Miami Beach Convention Center - Water Testing *City of Miami Beach, Florida*

As a consultant to HKA, UES was contracted to perform water testing of the convention center's doors and roof areas to help determine reasons for failures. Mr. Kinton served as Project Manager during UES' services for the 1,400,000 SF facility.



Sheriff's Office Headquarters - Building Envelope *Palm Beach County, Florida*



UES was contracted to perform building envelope services (including inspections, testing, and consulting) for the county sheriff's office headquarters. Mr. Kinton served as Project Manager.

EXPERIENCE WITH LIFE-CYCLE COST AND VALUE ENGINEERING

Cost Saving Approach

UES' facilities consulting encompasses inspection and testing for existing facilities, including providing expert assessments and comprehensive reports for our clients. We are very familiar with local governments' challenges, including budget constraints, safety issues, and environmental impacts. We apply value methodology (also known as value engineering, value analysis, or value management) to our efforts to save our clients significant time and money. Our approach benefits UES clients and taxpayers by:

- Reducing project costs
- Reducing paperwork
- Simplifying procedures
- Improving project schedules
- Reducing waste
- Increasing efficiency
- Using resources more effectively
- Developing innovative solutions

Value Methodology Applicability

UES applies Value Methodology to improve monetary aspects and other critical factors such as productivity, quality, time, energy, environmental impact, and durability for our contracts. This approach can be applied to several contract or project scope areas to manage costs effectively.

Throughout the contract, UES communicates potential areas for improvement with clients. Our staff resources can be called upon by UES' appointed Contract Manager at any time to provide additional staff for Property Condition Assessments. This approach enables us to respond to workload increases without adding full-time staff, resulting in significant savings for our customers.

Sticking to the Budget: UES Cost Controls

UES values - and understands the importance of - accurate cost estimation and adherence to budget restrictions. We always present our expected rates in advance and do not exceed our estimates without written approval from the client. Using Deltek Vision[®], we track project progress focusing on budget balance information to ensure we meet deadline and cost expectations.

UES approaches cost-conscious service as not only a goal but a necessity. We understand that cost control is crucial to any project; we are dedicated to consistently meeting our clients' cost control needs. We partner with our clients throughout the terms of our contracts to remain responsive to unique requirements without compromising the integrity of our work. This policy has proven effective and successful across numerous UES efforts.

Once awarded a project, UES' management team meets with the client to identify cost estimates for the project scope. We provide recommendations to manage costs before work has begun and once cost issues have been resolved. All fees are all-inclusive.

Upon approval from the client, a Work Order is typically prepared to authorize UES to perform requested services. We invoice only for the actual services provided.

We do not exceed the Work Order amount unless we receive prior approval from the client with the appropriated Change Order. Our mission is to communicate with the client before and during the work to agree upon mutually beneficial cost management terms.

ADDITIONAL PROPOSER INFORMATION

Service Vehicles And Carbon Footprint

As UES employs personnel throughout the United States, we recognize our fleet of vehicles represents our firm's most significant carbon footprint. UES has prioritized reducing the fleet's environmental impact through a series of combined measures. We have decreased fleet gasoline consumption and greenhouse gas emissions. The following practices diminish our fleet's environmental impact:

- GPS technology in more than half of our service vehicles allows us to monitor and reduce miles driven.
- Regular vehicle maintenance and replacement, vehicle-mix modification, and continual fleet updates to stay current with safety and performance features.
- "Right-sizing" transportation to the actual need to help ensure a better blend of smaller, more efficient vehicles. For example, UES now uses more fuel-efficient vehicles rather than larger trucks.



The Fleet

UES makes it a point to own all of the equipment and vehicles that we use. Our lack of debt contributes to our financial stability and gives our field crews and inspectors a sense of pride and ownership—our approach results in better upkeep and care given to our vehicles.

Sustainability Initiative

UES expresses our commitment to corporate social responsibility by encouraging and implementing sustainable practices, decisions, and recommendations among our employees and daily operations.

Our sustainable practices incorporate programs to conserve natural resources and reduce environmental impact while increasing employee awareness. These actions are rooted in our belief that sound environmental stewardship benefits our communities, employees, clients, and company.



Technology And Equipment Capabilities

UES relies upon a comprehensive software system, both licensed and proprietary, to successfully manage our day-to-day operations and all aspects of a project.

At the top level, our company utilizes Microsoft Windows 10 on all PCs in conjunction with Office 365, Sophos Cyber Security, Fortinet Firewall and Ransomware, a secured VPN, and GoToMeeting. However, at the center of our operations lies Deltek Vision. Vision is an established industry standard used extensively throughout the A/E/C community.

This software serves as our primary database capturing every project detail, such as the scope of work, duration, sub-consultants used, and direct personnel. It also houses our client-based information and allows for detailed report generation. Vision also provides billing capability, another essential function of UES' efforts. The book-keeping capabilities of this component are made possible due to the massive amount of captured project and client information. To ensure that all of these systems work seamlessly together, UES employs a full-time Application Business Analyst and Software Developer.

Working With City Staff and Stakeholders

Working effectively with other people in a team is highly valued at UES. Our inspectors/assessors understand the importance of communicating effectively, contributing ideas, listening and receiving feedback, and leading or following when appropriate.

Additionally, UES recognizes that, despite the best efforts of a manager or supervisor, instances may arise when a UES team member's performance becomes unacceptable. When this situation occurs, our supervisors and managers understand they must address the issue immediately, including replacing an individual. Should the City believe a team member warrants replacement on a project, our leadership will support that decision.

UES also recognizes that the City may need to add out-of-scope items or requested services during the life of the contract. Our team can perform all services required in the scope. Should the City stipulate new assessments or inspections out of our team's capabilities, we will work with the City to help identify firms and personnel they can add to our contract to complete the assignment.

Our team will function as an extension of the City. We will complete every assignment with outstanding performance while maintaining our budget and high-quality standards to earn - and retain - your trust.

UES will treat the City of Destin as a most-favored customer, which means that we will dedicate ourselves to - and prioritize - City projects managerially and fiscally.



PART 3

Understanding of Project Scope and Detailed Work Plan



UES' UNDERSTANDING OF PROJECT SCOPE

UES recognizes the scope of this contract will encompass the following tasks:

- Identifying and documenting current conditions of each existing City-owned building as outlined, including structural integrity, physical state of each building, and compliance with current building and life safety codes.
- Assessing the ability of each building to serve current needs, including, its ability to accommodate the number of employees housed in each facility, and identifying whether the building is meeting the City's overall needs.
- Identifying the replacement and/or renovation costs of each building and making recommendations as to which (if any) buildings should be renovated, replaced, relocated, etc. as needed. Further, UES understands we will be expected to recommend alternative locations and/or civic facility combination or consolidation where appropriate.
- Providing current market values of City-owned properties based on current zoning as well as highest and best use.
- Recommending corrections for all identified deficiencies.
- Providing a suggested priority list and/or timeline for accommodating the recommended replacement and/or renovation work that may be necessary for select facilities.
- Providing estimates of probable cost for corrections, replacement and/or reconstruction or renovation work as may be necessary per facility.
- Forecasting future facility renewal/reconstruction, renovation or replacement costs.
- Providing an assessment of maintenance efforts to date as compared to industry standards; providing preventative maintenance recommendations, to include minimum standards for day-to-day upkeep and their associated costs based on industry standards (including but not limited to: ongoing building maintenance needs and staffing, equipment replacement, janitorial needs and staffing, basic cleaning/deep cleaning, paint, flooring replacement, lighting replacement, etc.).
- Assisting and facilitating preparation of a strategic plan for asset management of buildings and property owned by the City of Destin, that provides comprehensive guidelines for more efficient and effective use and management of City property and assets.

- Meeting with City staff to identify all reliable sources of existing information such as facility inventory lists, plans, maps, facilities assessments, and studies, etc.
- Incorporating existing studies and reports (where applicable) into the facility conditions and needs assessment process and final deliverables.



Further, UES understands that our assessors are responsible for gathering a minimum of:

1. **Property Characteristics:** An inventory of all building systems with each system component quantified as a count, an area, a length, and/or height; whichever measurement is most appropriate for each system. Confirmation/validation of building area (square footage) shall be confirmed during inspection.
2. **Age:** Identification/approximation of the year each system component was installed.
3. **Current Condition:** An assessment of the current condition of each system component and a determination of the level of repair necessary to restore or replace these components to achieve optimal condition graded as a Building Condition Index (BCI).
4. **Facility Needs:** A summary of how each facility is being utilized and an analysis regarding the suitability of the facility to its current and potential future use.

Our facilities personnel have a thorough understanding and knowledge of ASTM Designation E2018, Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process, for each subject of the facility condition and needs assessment for each facility identified in Exhibit A.

UES understands that both the City and our personnel shall confirm format for documentation, including individual and summary reports, prior to commencing assessments.

UES' Capabilities: Property Condition Assessments

UES can provide building owners and property managers with a comprehensive assessment of a building under construction or an existing structure. Our subject matter expert, Greg Kinton, AIA, is a 30-year veteran of this specialized and vital service. Mr. Kinton leads UES' efforts to provide superior Property Condition Assessments and Building Envelope services.

The benefits that Facilities Consulting provides to our clients are tremendous. These insights commonly result in more efficient building maintenance programs and fewer repairs while mitigating excessive and uninformed budgets. Property Condition Assessments are preliminary reviews to identify problems and general costs, and are not intended to be as detailed an analysis of each separate system as is possible. PCAs are primarily directed at noting construction defects, components that seem to exhibit less than expected service life, or systems that have been poorly maintained. PCAs are not intended to address routine maintenance items or to develop detailed remedial plans for identified problems. The services proposed herein are qualitative in nature and do not include obtaining and testing materials or performing engineering calculations to determine the adequacy of the existing design.

Although a "standard of care" is exhibited by trained professionals, in this type of preliminary review it is possible that conditions may exist which will affect the value and/or performance of the facility but that will not be discovered by the survey. If the preliminary review identifies problems, which in our opinion need further study, the scope of recommended additional work with an estimated fee will be included in the final report.

Our specialists know past and present construction techniques, local and national codes and regulations, and current A/E design practices. Their extensive knowledge enables them to provide thorough assessments in many areas, including structural, civil, mechanical/electrical/plumbing (MEP), roofing, paving, health/life safety, and coatings and finishes.

UES is also experienced in providing basic visual assessment of select ADA provisions of project sites. UES will perform our assessment in accordance with the "Uniform Abbreviated Screening Checklist for the 2010 Americans with Disability Act" (a sample has been included in this section). This basic assessment will be limited to visual observations of the "common areas" of the site including parking, exterior accessible routes, building entrances, interior accessible routes and amenities, interior doors, elevators, toilet rooms and hospitality guestrooms if present. No measurements or counts of any type will be taken with the exception of counting the total number of parking spaces and handicap-designated parking spaces. A detailed study of the conformance of the property with regard to the requirements of ADA will not be performed as part of our basic ADA assessment. Due to our basic assessment being visual in nature only, the reliability of the results may be less than accurate. Non-compliant conditions may exist which may not be identified as a result of our basic assessment.

METHODOLOGY AND LOGISTICS

UES strives to maintain focus on the following objectives for each project. First, we establish an explicit knowledge of a client's needs, goals, and contractual requirements. Then, we strive to understand the client's work philosophy and preferred operational procedures.

Our facilities consultants have performed numerous PCAs; they are infinitely knowledgeable in understanding what to look for in assessing each property/building. We have developed a set of procedures and documents which our assessors utilize and follow to streamline PCA efforts and ensure timely project completion.

To ensure uniformity, we will use the same template for each report as we use in all PCAs we prepare.

For the City of Destin, we will engage our PCA reporting templates with the following methodology:

First, we systematically observe the exterior site and building conditions. Then, our assessors move to the roof, followed by interior spaces. All the while, our personnel observe MEP system conditions.

Delivery of the reports can occur within 30 days after our individual site inspections. UES

accomplishes our quick turnaround through the use of multiple assessors. Each of these personnel are capable of performing assessments for 3-5 sites per week.

Since a typical evaluation is conducted quickly, UES' availability is virtually constant.

Our prompt project completion time allows our facilities personnel to be in front of a client or on a project site within a very short amount of time.

UES would request various data points from the City of Destin to inform our assessments, including:

- any historical data on each building prior to our site inspection.
- a key contact for each building who is knowledgeable about the building's functions.
- understanding of the city's specific intent to use the data.

The understanding of the City's intent for this data allows UES staff to tailor our information directly to the City's needs. For example, UES personnel may create and provide a joint needs spreadsheet, including summaries of all building sites, with tasks requiring cost repairs.

As requested, UES has included sample report formats on the following pages. During a project, these reports are available in hard copy or electronic format (PDF, Microsoft Word, or Excel files).

PROPOSED WORK PLAN

UES recognizes that there are at least 15 facilities requiring evaluation and assessment during this contract (as specified in Exhibit A).

In order to address each location adequately (while maintaining efficiency), UES will distribute the facilities among our assessors. Contract Manager Greg Kinton, AIA, will assign multiple facilities to each staff member. Our personnel will then perform assessments for their respective buildings, including walk-through surveys, document reviews and interviews of the site personnel and users of each facility.

Walk-Through Surveys

The objective of the walk-through survey is to visually observe the subject property to obtain

information on material systems and components. The walk-through survey will typically assess the following items in the manner described.

- **Site**

- *Topography*

Observe the general topography and any unusual or problematic features or conditions.

- *Storm Water Drainage*

Observe the storm water collection and drainage system and note the presence of on-site surface waters and retention or detention basins.

- *Ingress and Egress*

Observe the major means of ingress and egress.

- *Paving, Curbing and Parking*

Observe the material paving and curbing systems. Identify the types of parking, that is, garage, surface, subsurface, etc., the number and types of parking and loading spaces, and any reported parking inadequacies. Note the source of information relating to the number and types of parking and loading spaces.

- *Flatwork*

Observe sidewalks, plazas, patios, loading dock areas (platforms, exterior stairs, trailer pads), etc.

- *Landscaping and Appurtenances*

Observe landscaping (trees, shrubs, lawns, fences, retaining walls, etc.) and material site appurtenances (irrigation systems, fountains, lighting, signage, ponds, etc.).

- *Recreational Facilities*

Observe on-site recreational facilities.

- *Special Utility Systems*

Identify the presence of any material special on-site utility systems such as water or wastewater treatment systems, special power generation systems, etc. If readily available, identify material system information such as system type, manufacturer, system capacity, system age, system operator, etc.

- **Structural Frame and Building Envelope**

Identify the primary buildings, including parking structures, on the subject property, and identify the basic type of structure (steel frame, wood frame, cast-in-place concrete, precast concrete, concrete block, etc.) for each.

Observe the building substructure, including the foundation system (noting the presence of

cellars, basements, or crawl spaces), building's superstructure or structural frame (floor framing system and roof framing system), building envelope including facades or curtain wall system, glazing system, exterior sealants, exterior balconies, doors, stairways, parapets, etc. Observations of the building's exterior generally are to be limited to vantage points that are on-grade or from readily accessible balconies or rooftops.

- **Roofing**

Identify and observe the material roof systems (exposed membrane and flashings) including parapets, slope, drainage, etc. Observe for evidence and/or the need for material repairs, evidence of significant ponding, or evidence of roof leaks. Inquire as to the age of the material roofing system(s) and whether a roof warranty or bond is reported to be in effect.



UES will access low-slope roofs that are provided with safe, built-in access and low-slope roofs that can be safely accessed by using a 24-foot extension ladder. OSHA recommends allowing top of ladder to extend 3-feet above the point of top support and that the base of the ladder be tilted away from vertical a minimum of $\frac{1}{4}$ the distance from the base of ladder to point of support. UES will not access sloped roofs or roof areas that appear to be unsafe for any reason.

- **Plumbing**

Identify and observe the material plumbing systems including piping (sanitary, storm and supply water), fixtures, domestic hot water production, and note any special or unusual plumbing systems. Optional Advanced Inspection Services are available for this system.

- **Heating**

Identify the basic type of heat generating and distribution system, and the apparent or reported

age of the equipment, past material component replacements/upgrades, and the apparent level of maintenance exercised. If heating equipment is shutdown or not operational at the time of the walk-through survey, provide an opinion of the condition to the extent observed. Also, observe any special or unusual heating systems or equipment present, such as solar heat. Identify in general terms reported material tenant-owned systems that are outside the scope of the PCA.

■ Air Conditioning and Ventilation

Identify the basic type of air-conditioning and ventilation systems including cooling towers, chillers (include type of reported refrigerant used), package units, split systems, air handlers, thermal storage equipment, material distribution systems, etc. Identify the apparent or reported age of the material equipment, past material component upgrades/replacements, apparent level of preventative maintenance exercised, and whether a maintenance contract is reported to be in place.

If air conditioning and ventilation systems are shutdown or not operational at the time of the walk-through survey, provide an opinion of the condition to the extent observable. Identify any special or unusual air conditioning and ventilation systems or equipment, such as refrigeration equipment for ice skating rinks, cold storage system, special computer cooling equipment, etc. Identify in general terms reported material tenant-owned systems that are outside the scope of the PCA.

■ Electrical

Identify the electrical service provided and observe the electrical distribution system including distribution panels, transformers, meters, emergency generators, general lighting systems, and other such equipment or systems. Observe general electrical items, such as distribution panels, type of wiring, energy management systems, emergency power, lightning protection, etc. Identify any observed or reported special or unusual electrical equipment systems, or devices at the subject property.

■ Vertical Transportation

- Identify equipment type, number of cabs/escalators, capacity, etc. Observe elevator cabs, finishes, call and communication equipment, etc.
- Identify whether a maintenance contract is reported to be in place, and if so, identify the

service contractor.

■ Life Safety/Fire Protection

Identify and observe life safety and fire protection systems, including sprinklers and standpipes (wet or dry, or both), fire hydrants, fire alarm systems, water storage, smoke detectors, fire extinguishers, emergency lighting, stairwell pressurization, smoke evacuation, etc.

■ Interior Elements

Observe typical common areas including lobbies, corridors, assembly areas, and restrooms. Identify and observe typical finishes including flooring, ceilings, walls, etc., and material building amenities or special features including spas, fountains, clubs, shops, restaurants, etc.

Document Reviews

The objectives of the document review and interviews are to augment the walk-through survey and to assist UES' understanding of the subject property and identification of physical deficiencies.



Our staff may review records or documents that are readily available and reasonably ascertainable in completion of the assessment. UES requests that the following items be provided if available:

- Contact name and phone number of property managers and maintenance staff familiar with the property.
- Appraisal, either current or previously prepared.
- Certificate of Occupancy.
- Safety inspection records.
- Warranty information (roofs, boilers, chillers, cooling towers, etc.).
- Records indicating the age of material building systems such as roofing, paving, plumbing, electrical, etc.

- Historical costs incurred for repairs, improvements, recurring replacements, etc.
- Pending proposals or executed contracts for material repairs or improvements.
- Descriptions of future improvements planned.
- Outstanding citations for building, fire and zoning code violations.
- Prior ADA surveys and status of any improvements implemented to effect physical compliance.
- Previously prepared property condition reports or studies pertaining to any aspect of the subject property's physical condition.
- Records indicating building occupancy percentage.
- Building rent roll as it relates to tenant count or leasable area.
- Leasing literature, listing for sale, marketing/ promotional literature such as photographs, descriptive information, reduced floor plans, etc.
- Drawings and specifications (as built or construction).

Additional Considerations

In addition to immediate and short-term costs, opinions of costs to remedy physical deficiencies observed will be provided for items that will be performed during the analysis term.

[Preparation of Opinion of Costs to Remedy Physical Deficiencies](#)

Based on the walk-through survey and information obtained, a general opinion of costs will be provided for the suggested remedy of the material physical deficiencies observed. This opinion of costs is to assist the user in developing a general understanding of the physical condition of the subject property.

Opinion of costs will be provided for material physical deficiencies and not for repairs or improvements that could be classified as cosmetic/ decorative, part of a building renovation program, tenant improvements/finishes, enhancements to reposition the property in the marketplace, for warranty transfer purposes or routine/normal preventative maintenance.

Generally, opinion of costs will not be provided for items less than \$3,000. However, material life-safety and code violations will be included regardless of cost. Opinions of immediate and short-term costs will be provided.

Opinion of costs provided in the Property Condition Report are approximations only and should not be interpreted as bids or offers to perform work. More detailed proposals should be obtained for actual construction budgets.

Actual costs will vary according type and design of suggested remedy, quality of materials and installation, manufacturer and type of equipment or system selected, field conditions, whether a physical deficiency is repaired or replaced in whole, phasing of the work, quality of project management exercised, market conditions and whether competitive pricing is solicited. These conditions may not be known at the time our opinion of costs are approximated.

SAMPLE REPORT FORMATS**PCA Report****UNIVERSAL
ENGINEERING SCIENCES**

Consultants In: Geotechnical Engineering • Environmental Sciences
Geophysical Services • Construction Materials Testing • Threshold Inspection
Building Inspection • Plan Review • Building Code Administration

LOCATIONS:

- Atlanta
- Daytona Beach
- Fort Myers
- Fort Pierce
- Gainesville
- Jacksonville
- Miami
- Ocala
- Orlando (Headquarters)
- Palm Coast
- Panama City
- Pensacola
- Rockledge
- Sarasota
- St. Petersburg
- Tampa
- Tifton
- West Palm Beach

Date

Client Name

Client Address

Client City, state, zip

Attention:

Phone:

Email:

Reference: Property Condition Assessment Report
 UES Project No.

Dear:

Universal Engineering Sciences, Inc. (UES) has completed its Enhanced Property Condition Assessment for the referenced property. The purpose of the property condition assessment is to provide a concise report describing the various components of the existing structures, including physical condition, functionality of the various systems, the potential costs associated with correction of noted deficiencies and required maintenance, and any recommendations for additional testing and inspections.

The assessment was based on non-intrusive, non-destructive observations of the readily accessible areas of the property and the information available at the time of our site visit. Therefore, our descriptions, conclusions and recommendations were based solely on our observations of the various components and our experience with similar projects. The Property Condition Assessment report is not a building code, safety, regulatory, environmental, or all-encompassing ADA compliance inspection. We are submitting our findings, along with our assessment and evaluation, in the following report.

We appreciate the opportunity to serve you on this project, and we look forward to a continued association. Please contact us if you should have any questions or we may be of further assistance.

Respectfully submitted,
Universal Engineering Sciences, Inc.



Greg Kinton, AIA (VA)
Building Envelope Consultant
Facilities Consulting

1818 7th Ave. North, Unit 1, Lake Worth, FL 33461
www.universalengineering.com

**UNIVERSAL
ENGINEERING SCIENCES**

Consultants In: Geotechnical Engineering • Environmental Sciences
Geophysical Services • Construction Materials Testing • Threshold Inspection
Building Inspection • Plan Review • Building Code Administration

PROPERTY CONDITION ASSESSMENT REPORT**Property Name****Property Address****City, State Zip**

UES Project No. 0760.21....

Date:

Prepared for:**Client Name**

Client Address

Client Address

Prepared by:**UNIVERSAL ENGINEERING SCIENCES, INC.****1985 Cope Land****Pensacola, FL 32526**www.universalengineering.com**Prepared by:**

Greg Kinton, AIA (VA)**Date:****Building Envelope Consultant**

Project Number: ProjectNumber

ProjectName

ReportDate

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1.0 EXECUTIVE SUMMARY

1.1 GENERAL DESCRIPTION

Property Condition Report (PCR) Summary Table	
GENERAL PROPERTY DESCRIPTION	
<i>Property Name</i>	ProjectName
<i>Address</i>	ProjectAddress, ProjectCounty, ProjectState, ProjectZip
<i>Property Use</i>	Commercial Office Building
<i>Number of Parcels</i>	3
<i>Property Size</i>	Approximately 2.43 acres total per the ProjectCounty Property Appraiser's online portal
<i>Construction Type</i>	Metal framed construction
<i>Number of Buildings</i>	1
<i>Number of Stories</i>	1
<i>SF of Building(s)</i>	BuildingArea
<i>Number of Tennant Spaces</i>	5
<i>Property Age</i>	PropertyAge years
<i>Major Additions</i>	None
<i>Occupancy Status</i>	Occupied
GENERAL PHYSICAL CONDITION	
<i>General Physical Condition (Good / Fair / Poor)</i>	Fair
<i>Apparent Level of Preventative Maintenance Exercised (Good / Fair / Poor)</i>	Fair
<i>Summary of Significant Deferred Maintenance Items (>\$3,000)</i>	N/A
<i>Summary of Significant Pending or In-Progress Capital Improvements (>\$25,000)</i>	None reported
<i>Summary of Significant Recently Completed Capital Improvements (>\$25,000)</i>	None reported
<i>Results of Code Violations Research</i>	UES requested information regarding fire and building code violations from local government agencies. To date, UES has not received responses from these agencies. UES will forward the information upon receipt.
BASIS OF ASSESSMENT	
<i>Purpose of Assessment:</i>	Baseline assessment for a planned real estate transaction
<i>User of Assessment Report:</i>	ClientName, Inc.
<i>Date of Site Visit:</i>	SiteVisitDate
<i>Field Observer(s)</i>	name
<i>Report Author</i>	name
<i>Report Reviewer</i>	name

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Property Condition Report (PCR) Summary Table		
OPINIONS OF COSTS		
Total Analysis Term	10 years	
Inflation Factor	3 %	
Opinion of Costs: Immediate	\$	
Opinion of Costs: Short-Term	\$	
	Uninflated	Inflated
Opinion of Costs: Long-Term	\$	\$
Opinion of Costs: Total Term Needs	\$	\$
Opinion of Costs: Total Term Needs (\$/SF/Yr.)	\$	\$

1.2 SCHEDULE OF MATERIAL PHYSICAL DEFICIENCIES

A schedule of the following material deficiencies or systems were observed during our walk-through:

Summary of Schedule of Material Physical Deficiencies				
Category	Description	Needs Priority		
		Immediate	Short-Term	Long-Term
SITE				
	Perform repairs, clean, re-seal and re-stripe asphalt pavement.		X	X
STRUCTURAL FRAME AND BUILDING ENVELOPE				
	Mechanically remove surface oxidation from structural columns and isolated beams at the buildings and apply protective coating.		X	
	Allowance to perform structural repairs to oxidized steel column bases		X	
	Allowance to perform structural repairs to oxidized steel beam		X	
ROOFING				
	replace deteriorated flexible flashing, replace oxidized fasteners and seal fastener heads.		X	
	Allowance for mid-term roof repairs			X
	Replace oxidized metal roof sections		X	
	Replace oxidized fasteners and seal fastener heads		X	
	Repair damaged lighting equipment	X		
PLUMBING				
	(none)			

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Summary of Schedule of Material Physical Deficiencies				
Category	Description	Needs Priority		
		Immediate	Short-Term	Long-Term
HEATING				
(none)				
AIR CONDITIONING AND VENTILATION				
Allowance for phased split system HVAC replacement.			X	X
ELECTRICAL				
Install electrical junction box cover		X		
VERTICAL TRANSPORTATION				
(none)				
LIFE SAFETY / FIRE SUPPRESSION				
Perform property-wide fire extinguisher and fire suppression system inspection.		X		
INTERIOR ELEMENTS				
(none)				
ADA ACCESSIBILITY ASSESSMENT				
Install compliant handicap accessible van-designated parking space and accessible route		X		
Remove existing ramp and install compliant entrance ramp		X		

1.3 RECOMMENDATIONS OF ADDITIONAL INVESTIGATION

The systems or components summarized below are recommended for further study, research, testing, intrusive survey or exploratory probing. Results of investigation may be used to develop a budget for remediation.

- {Insert text: Example: Structural columns}
- {Insert text: Example: Electrical wiring}
- {Insert text: Example: Fire suppression system}
- {Insert text: Example: ADA provisions}

Project Number: ProjectNumber
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1.4 SUMMARY OF DEVIATIONS FROM THE GUIDE

Universal Engineering Sciences (UES), performed a Property Condition Assessment (PCA) of the subject property in accordance to the scope and limitations of ASTM E2018-15, "Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process" (the "Guide"). The following deviations from the Guide are summarized in the following table:

Summary of Deviations from The Guide	
Deviation	Description
Long-term needs/costs	The assessment of long-term needs and the provision of associated long-term costs is not required by the Guide but has been mutually agreed upon and included as part of this assessment.
Americans with Disabilities Act (ADA) assessment	The assessment of ADA needs and the provision of associated costs is not required by the Guide but has been mutually agreed upon and included as part of this assessment.

1.5 UES / CLIENT RELATIONSHIP DISCLOSURE

UES is an independent contractor who has been engaged by the Client to conduct a Property Condition Assessment. The preparers of this report are not employees of, or subsidiaries of, the Client.

2.0 USE AND QUALIFICATIONS

2.1 RELIANCE

This report was prepared pursuant to the contract Universal Engineering Sciences, Inc. (UES) has with ClientName who will be referred to hereafter as the Client. That contractual relationship included an exchange of information about the property that was unique and between UES and its client and serves as the basis upon which this report was prepared. Because of the importance of the communication between UES and the Client, reliance or any use of this report by anyone other than the Client, is prohibited and therefore not foreseeable to UES.

2.2 USE BY OTHER PARTIES

There are no other third-party beneficiaries (intended or unintended) to this report, except as expressly stated herein.

Reliance or use by any such third-party without explicit authorization in the report does not make said third-party a third-party beneficiary to UES's contract with the Client. Any such unauthorized reliance on or use of this report, including any of its information or conclusions, will be at the third-party's risk. For the same reasons, no warranties or representations, expressed or implied in this report, are made to any such third-party.

Third-party reliance letters may be issued on request and upon payment of the, then current fee for such letters. All third-parties relying on UES's reports, by such reliance, agree to be bound by the proposal and UES's General Conditions. No reliance by any party is permitted without such agreement, regardless of the content of the reliance letter itself.

2.3 STANDARD OF CARE AND WARRANTIES

UES performed the Property Condition Assessment (PCA) using methods and procedures and practices conforming to ASTM E2018-15, "Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process" (the "Guide"). The Guide describes these methodologies as representing good commercial practice for performing a PCA on a parcel of commercial real estate. Findings and conclusions derived from the methodologies described in the Guide contain all the limitations inherent in the methodologies that are referred to in ASTM E2018-15.

UES warrants that the findings contained in this report have been prepared in general accordance with accepted professional practices at the time of report preparation as applied by similar professionals. Future changes in standards, practices, or regulations cannot be anticipated and have not been addressed.

The methodologies include reviewing information provided by other sources. UES treats information obtained from the document reviews and interviews concerning the property as reliable and the Guide does not require UES to independently verify the information. Therefore, UES cannot and does not warrant or guarantee that the information provided by these other sources is accurate or complete.

No other warranties are implied or expressed.

2.4 UES / CLIENT RELATIONSHIP DISCLOSURE

UES is an independent contractor who has been engaged by the Client to conduct a Property Condition Assessment. The preparers of this report are not employees of, or subsidiaries of, the Client.

2.5 QUALIFICATIONS

Statement(s) of qualifications for the individual(s) performing this assessment are appended to this report.

Our services were not intended to be technically exhaustive. There is a possibility that even with proper application of methodologies, conditions may exist on the property that could not be identified within the scope of the assessment or that were not reasonably identifiable from the available information.

Our services and report are not an instrument of professional architectural or engineering service, and UES did not develop architectural or engineering findings, conclusions or recommendations, nor did UES verify designs or design capacities. UES 's observations, opinion, and recommendations may have been developed under time and budgetary constraints inherent to ASTM E2018-15. Our observations do not warrant or guarantee neither the performance of any building components or systems nor adequacy of design.

In accordance with ASTM E2018-15, UES's report is based on a limited ground level (except where otherwise explicitly indicated) visual inspection of the property. UES did not gain access to all areas, perform any exploratory probing or discovery, perform tests, operate any specific equipment or take measurements or samples. The PCA was not a building code, safety, regulatory or environmental compliance inspection.

No PCA can wholly eliminate uncertainty regarding repair and maintenance needs of the property. The PCA was intended to reduce, but not eliminate uncertainty regarding such needs.

An assessment for the presence of visible mold was not include in the scope of work for this assessment. The assessment did not investigate any biological contaminants in or around any structure, and our service was not designed or intended to prevent or lower the risk of the occurrence of the amplification of the same. The client acknowledges that mold is ubiquitous to the environment with mold amplification occurring when building materials are impacted by moisture. The client further acknowledges that site conditions are outside of UES 's control, and that mold amplification will likely occur, or continue to occur, in the presence of moisture. As such, UES cannot and shall not be held responsible for the occurrence or recurrence of mold amplification.

The observations and recommendations presented in this report are time dependent, and conditions will change. This report speaks only as of its date.

3.0 CONTRACT AND PURPOSE OF SERVICES

3.1 CONTRACT

Contract Summary	
Client Name	ClientName
Authorizing Person's Name	Name
Authorizing Person's Title	Staff
Contract Identification	UES proposal No. ProposalNumber dated ProposalDate
Authorization Date	Revised, authorized by email and accepted by UES on ProposalAuthorizationDate.

3.2 PURPOSE OF SERVICES

UES understands that the Client's purpose for having the PCA performed is to conduct a baseline survey of the general physical condition of the improvements located on the subject property as requested for a planned real estate transaction.

4.0 SCOPE & METHODOLOGY

4.1 SCOPE OF SERVICES

4.1.1 PROPERTY CONDITION ASSESSMENT

UES performed a Property Condition Assessment of the subject property that conforms to the scope and limitations of ASTM E2018-15 “Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process” (the Guide).

4.1.2 NON-ASTM SCOPE CONSIDERATIONS

Under the same limitations and qualifications as the ASTM E 2018-15 scope, UES performed tasks that are beyond the consideration of ASTM E 2018-15. They are summarized below:

- Provision of Long-Term needs
- ADA Accessibility Assessment

4.2 METHODOLOGY

4.2.1 PROPERTY CONDITION ASSESSMENT

The Property Condition Assessment includes:

- Documentation Review and Interviews
- Walk-Through Survey
- Preparation of Opinions of Costs to Remedy Physical Deficiencies
- Preparation of a Property Condition Report

4.2.2 DOCUMENTATION REVIEW AND INTERVIEWS

The purpose of the document review and interviews was to augment the walk-through survey and to assist understanding of the subject property and identification of physical deficiencies. Records or documents that are readily available and reasonably ascertainable may be reviewed in completion of the assessment.

UES reviewed pertinent portions of practically reviewable documents. In addition, the PCA normally includes interviews with persons knowledgeable about the site. Sources of information that UES reviews are listed in subsequent sections of this report.

4.2.3 WALK-THROUGH SURVEY

The purpose of the walk-through survey was to visually observe the subject property to obtain information on material systems and components.

UES employee (Mr./Ms. Staff) performed a walk-through survey on SiteVisitDate. Our observer was generally escorted by Mr. John Smith of ClientName during the site visit.

The walk-through survey consisted of observing obvious, easily visible items from the periphery of the property and from accessible adjacent public thoroughfares, as well as representative portions of the property's interior and building systems. These items were conspicuous and patent, and may be observed without intrusion, removal of materials, exploratory probing, use of special protective clothing, or use of special equipment.

4.2.4 PREPARATION OF OPINIONS OF COSTS TO REMEDY PHYSICAL DEFICIENCIES

Based upon the walk-through survey and information obtained in accordance with the Guide, general-scope opinions of costs have been prepared for the suggested remedy of the material physical deficiencies observed. These opinions of costs are intended to assist the User in developing a general understanding of the physical condition of the property.

The opinion of costs are preliminary, order-of-magnitude budgets for the need or remedy. Actual cost of recommended repairs most probably will vary based on such factors as type and design of suggested remedy, quality of materials and installation, manufacturer and type of equipment or system selected, field conditions, whether a physical deficiency is repaired or replaced in whole, phasing of the work, quality of project management exercised, market conditions and whether competitive pricing is solicited.

The costs assume repair and replacements to be “in-kind” with those existing and do not anticipate an upgrade or improvement of existing conditions.

Note that our assessment does not identify minor, inexpensive repairs or maintenance items that are clearly part of the property owner’s current operating budget so long as these items appear to be maintained on a regular basis. The assessment does include infrequently occurring maintenance items, such as exterior paint, deferred maintenance repairs and replacements that normally involve significant expense or outside contracting.

Our opinion of costs is presented on the Opinion of Costs spreadsheet that is appended to this report.

Estimation of Physical Condition

UES used its experience and judgment to evaluate items observed and assign a condition assessment to them. The condition descriptions used in this report are defined in the Guide and described below. For this assessment, a threshold limit of repairs is established to be equal to or greater than \$3,000.

- Good: In working condition and does not require immediate or short-term repairs above the threshold limit of repairs.
- Fair: In working condition but may require immediate or short-term repairs above the threshold limit of repairs.
- Poor: Not in working condition or requires immediate or short-term repairs substantially above the threshold limit of repairs.

It should be noted that a condition term applied overall to a system does not preclude that a part, section, or component of the system may differ in condition. The items will also be affected by circumstances that occur after the date of the walk-through survey.

Estimation of Age

UES used information gathered about the property to estimate the Expected Useful Life (EUL) and Remaining Useful Life (RUL) of items observed. The use of these terms in this report is defined in the Guide and described below:

- Expected Useful Life (EUL): the average amount of time, in years, that an item, component or system is estimated to function without material repair when installed new and assuming routine maintenance is practiced.
- Remaining Useful Life (RUL): a subjective estimate based upon observations, or average estimates of similar items, components, or systems, or a combination thereof, of the number of remaining years that an item, component, or system is estimated to be able to function in accordance with its intended purpose before warranting replacement. Such period of time is affected by the initial quality of an item, component, or system, the quality of the initial installation, the quality and amount of preventative maintenance exercised, climatic conditions, extent of use, etc.

Estimation of Quantities

UES used the information gathered to estimate quantities of items or materials exhibiting similar conditions or characteristics. These estimates are not exact and were used to understand the magnitude of the representative conditions.

Categorization of Recommended Remedies and Opinion of Costs

UES used information and the estimated age to develop a list of recommended remedies and associated opinion of costs ("Needs") for the property. Needs are divided into three distinct categories:

- Immediate Needs: Items that require immediate action because of any of the following: (1) material existing or potentially unsafe conditions, (2) material building or fire code violations, or (3) physical deficiencies that if left uncorrected would be expected to result in or contribute to critical element or system failure within one year or will result most probably in a significant escalation of its remedial cost. Items deemed as an Immediate Need should receive immediate, prioritized remedial action.
- Short-Term Needs: Items exhibiting physical deficiencies, such as deferred maintenance, that may not warrant immediate attention, but require repairs or replacements that should be undertaken on a priority basis in addition to routine preventative maintenance.
- Long-Term Needs: Items requiring repairs or replacements that should be undertaken during the analysis term in addition to routine preventative maintenance.

Basis of Costs

UES developed the opinion of costs using a combination of sources, typically including one or more of the following:

- Commercially available published cost information such as RS Means
- Site-Specific historical experience costs
- User provided unit costs
- UES's experience, databases or files
- Third-party cost information from contractors, vendors, or suppliers

Costs for Additional Study

UES recognizes that for some physical deficiencies, determining the appropriate suggested remedy or scope may warrant further study/research or design, testing, exploratory probing, and exploration of various repair schemes, or a combination thereof, all of which are outside the scope of this assessment.

Opinion of costs for additional study or investigation are provided based on UES's experience, databases or files, or third-party cost information from contractors, vendors or suppliers.

4.2.5 PREPARATION OF A PROPERTY CONDITION REPORT

UES prepared a Property Condition Report (PCR) of the subject property that conforms to the scope and limitations of ASTM E2018-15.

The PCR incorporates (1) information obtained during documentation review and interview, (2) observations and findings obtained during the walk-through survey and (3) the preparation of opinions of costs to remedy physical deficiencies observed.

4.3 RESOURCES

Information sources are listed or referenced in subsequent sections of the report. Our interpretation of that information is discussed in the appropriate sections of this report. Selected excerpts of the information obtained are appended.

4.3.1 PROVIDED INFORMATION

UES requested that the property ownership/management provide information regarding the property. Information reported to UES or obtained through our walk-through survey is incorporated into and discussed in appropriate sections of the report.

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Provided Information Summary			
Resource	Provided/Sent to UES		
		Obtained during Walk-Through Survey	
			Comments
Pre-Survey Questionnaire	☐	☐	None provided for review
Appraisal	☐	☐	None provided for review
Certificate of Occupancy	☐	☐	None provided for review
Safety Inspection Records	☐	☒	Handheld fire extinguisher and automatic fire suppression system inspection tags.
Warranty Information (roofs, boilers, chillers, cooling towers, etc.)	☐	☐	None provided for review
Records indicating age of major building systems (roofing, paving, plumbing, HVAC, electrical, etc.)	☐	☒	HVAC production tags observed.
Historical costs for repairs, improvements, recurring replacements, etc.	☐	☐	None provided for review
Pending proposals or executed contracts for repairs or improvements	☐	☐	None provided for review
Descriptions of future improvements planned	☐	☐	None provided for review
Outstanding citations for building, fire and zoning code violations.	☐	☐	None provided for review
Prior ADA Surveys and status of any ADA related improvements	☐	☐	None provided for review
Previously prepared PCRs or studies pertaining to any aspect of the property's physical condition	☐	☐	None provided for review
Records indicating building occupancy percentage	☐	☐	None provided for review
Rent roll information	☐	☐	None provided for review
Marketing and/or leasing literature	☐	☐	None provided for review
Drawings and specifications (as built or construction)	☐	☐	None provided for review

4.3.2 PRIOR REPORTS OR INFORMATION

Prior reports or information provided to UES for review:

- “Composite Map, Minnite Family, LLC., Belpre I, II, III, IV, LLC., 601 Plaza LLC., Farson Street, Belpre, Ohio,” prepared for Minnite Family, LLC., Vienna, West Virginia, prepared by Michael W. Pfalzgraf, P.S., Parkersburg, West Virginia, Project No. 042610517, dated February 20, 2016. **(2016 MWP Composite Map)**

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- “Site Plan - Health Bridge Medical Park, Belpre, Ohio – Marietta Memorial Hospital,” prepared by The PM Company, Vienna, West Virginia, dated February 7, 2018. **(2018 PMC Site Plan)**
- “Belpre Campus – Rent Roll,” prepared by The PM Company, Vienna, West Virginia, dated circa-2018. **(2018 PMC Rent Roll)**

4.3.3 INTERVIEWS

UES attempted to interview or interviewed the following parties during this assessment:

Summary			
Name	Title/Function	Affiliation	Communication Type
Name	Staff	Client	Verbal – telephone and in person
Name	Staff	Building Maintenance Staff	Verbal – in person
Staff	Staff	ProjectCounty Fire Department	Emailed – no response at time of report issue
Staff	Staff	ProjectCounty Code Compliance Division	Emailed – no response at time of report issue

4.3.4 OTHER RESOURCES

Other resources and information accessed for purposes of this site assessment are discussed in corresponding sections of the report. Published sources used to complete this PCA but not previously listed are cited at the point they are referenced.

4.4 ACTIVITY EXCLUSIONS

ASTM E2018-15 sets forth limitations in the assessment process. A list of items that are expressly excluded from this assessment are summarized below.

- Identifying Capital Improvements intended to upgrade the property
- Items beyond the limit of the term
- Opening/moving panels, probing, sampling or intrusive investigation
- Determining pressure or flow rate, pipe sizes or point of discharge for underground drains
- Determining NFPA hazards or fire ratings
- Preparing Engineering calculations
- Taking measurements
- Presence or absence of pests, rodents and insects
- Subterranean conditions
- Entering areas that pose a threat to health and safety
- Performing physical assessments that may damage the building
- Providing opinion on the working order of systems or components that are abandoned or shut down. Physical condition is still required.
- Sound transmission

- Flammability
- Security
- Items that are operated by timers or are operated manually by operation staff or service companies, including irrigation sprinklers and lighting
- Environmental
- Items requiring specialized knowledge (flues, chimneys, boiler stacks, electromagnetic fields, elevator and escalator cables, sheaves, tenant owned or maintained equipment)
- Process related equipment or entering plenums or confined spaces, testing of equipment or air flow
- Observation of insides of flues, chimneys, or boiler stacks, tenant owned or maintained equipment, entering or confined space areas

4.5 DEVIATIONS FROM THE GUIDE

Deviations from the Guide are summarized as follows:

- Long-Term needs/costs:
 - An assessment of long term needs and the associated opinions of costs to remedy physical deficiencies for items that will be performed during the total analysis term have been included in this report.
- ADA Assessment:
 - An assessment of ADA provisions and the associated opinions of costs to remedy physical deficiencies were performed and included in this report. Scope of ADA assessment is discussed in Section 6.1.1 of this report.

4.6 LIMITATIONS

Limitations are summarized as follows:

- Access Limitations:
 - The first floor electrical room was locked and not able to be opened by on-site personnel during our site visit.
- Physical Obstructions to Observations:
 - Portions of the building were not fully observable due to interior and exterior finishes and claddings, such as acoustical ceiling tiles or gypsum wall board, limiting observations of the floor/roof deck and walls.
 - Observations of exterior walls were made from the ground level adjacent to the building.
 - Portions of the parking areas were not fully observable due to the presence of parked vehicles.
- Outstanding Information Requests:
 - Not all documents or information requested from the Client were provided for review.
 - UES requested information regarding fire and building code violations from local government agencies. To date, UES has not received responses from these agencies. UES will forward pertinent information upon receipt.

4.7 SIGNIFICANT ASSUMPTIONS

UES made the following assumptions in developing our findings and conclusions:

- Extrapolation: UES extrapolated observations and findings actually made to all typical areas or systems of the subject property for the purposes of describing such condition within the report and preparing opinions of costs for suggested remedies.
- Regulatory Information: UES considers all other information obtained from regulatory or enforcement agencies, such as building departments, to be complete, accurate and current.
- Document Review and Interviews: UES considers all information provided through document review and interviews to be complete and unbiased.

5.0 WALK-THROUGH SURVEY NARRATIVE

5.1 SITE

5.1.1 TOPOGRAPHY

The topography of the site is generally graded flat with engineered slopes which direct drainage away from the property.

Observations / Comments:

The topography of the site appears to be in good condition. The topography appears to be appropriate and adequate. No issues regarding existing topography were observed or reported to UES.

Recommendations:

No Recommended Immediate Needs, Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

5.1.2 STORM WATER DRAINAGE

Storm water generally drains via sheet flow via engineered slopes to inset drop inlet catch basins, drainage swales and drainage inlets located throughout asphalt paved areas of the property. Drainage appears to be conveyed via a sub grade storm water system to a storm water pond at the north property bound. Low-sloped roofs drain via sheet flow to perimeter gutters and downspouts which convey drainage to the grade or to the sub grade storm water system.

Observations / Comments:

The storm water drainage systems appeared to be in good condition. The site appears to be well-draining with no evidence of major ponding observed. UES did not observe the site during a storm water or drainage event. No issues regarding the site's storm water drainage provisions were observed or reported to UES.

Recommendations:

No Recommended Immediate Needs, Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

5.1.3 INGRESS AND EGRESS

Vehicular access to the parcel is provided via a single uncontrolled entrance located at the southwest of the property from 123 Main Street, also situated closely to State Highway 123.

Observations / Comments:

The sites ingress/egress appeared to be in good condition. Site access appears to be adequate for the site's intended use. The site is currently configured for primary vehicle access to the 2743 Silver Star Road parcel from Silver Star Road. No issues regarding ingress/egress were observed or reported to UES.

Recommendations:

No Recommended Immediate Needs, Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

5.1.4 PAVING, CURBING AND PARKING

A combination of asphalt pavement and concrete pavement is present in parking areas and drive lanes. In total, approximately 2,000 square yards (SY) of asphalt pavement and approximately 450 SY of concrete pavement exist at the property. Additional, ancillary areas are paved with crushed aggregate.

Cast in place concrete curbs are present adjacent to drive lanes and parking spaces or are situated adjacent to the grade.

UES counted approximately 129 total parking spaces located on the property. The parking spaces are located along the east and west sides of the building, 84 parking spaces along the west side of the building and approximately 45 on the east side of the building. None of the parking spaces are designated as handicap accessible parking spaces.

Observations / Comments:

The asphalt pavement is in fair condition with isolated areas in poor condition. Specifically, asphalt pavement generally exhibits surface oxidation, cracking and potholes. Isolated areas of pavement repairs were observed. Concrete pavement is in overall fair condition, with isolated areas of cracking observed.

It was not reported to UES when the asphalt or concrete pavement last received maintenance. UES generally recommends cleaning, sealcoating and restriping asphalt pavement on a five-year schedule. Based on age and observed condition, UES has included allowances to perform repairs, clean, re-seal and re-stripe asphalt pavement beginning early in the term. Based on observation, repairs to concrete pavement cracks are believed to total less than \$3,000; therefore, UES has not included an allowance to remediate. Repairs to cracks in concrete pavement should be performed as a maintenance item early in the term.

The concrete curbs appear to be in good condition. No deficiencies were observed or reported during our site visit.

Parking appears to be in good condition and adequate for the site's current use. The current parking configuration does not include handicap designated parking spaces. This is discussed further in section 6.1.2 of this report.

Recommendations:

No Recommended Immediate Needs were observed or reported at the time of our walk-through.

Recommended Short-Term Needs:

- Perform repairs, clean, re-seal and re-stripe asphalt pavement. (Year 1)

Recommended Long-Term Needs:

- Perform repairs, clean, re-seal and re-stripe asphalt pavement. (Year 6)

5.1.5 FLATWORK

Flatwork is limited to concrete mechanical pads, conventional sidewalks, and pedestrian/vehicle ramps located throughout the property.

Observations / Comments:

The concrete flatwork is in generally fair to good condition. No deficiencies were observed or reported during our site visit.

Recommendations:

No Recommended Immediate Needs, Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

5.1.6 LANDSCAPING AND APPURTENANCES

Landscape vegetation consisting of grass, bushes, mulch, and/or trees along the perimeter of the northern side of the property and directly in front of the front entrance to the Suite 1450. No irrigation system was observed on-site.

Site boundaries are bordered by grass, bushes, and/or trees along the north perimeter of the property and asphalt pavement and adjacent property buildings along the south, east and west sides of the property.

Tenant signage consisted of building mounted, painted wood and vinyl signs with vinyl channel letter address markers located adjacent to the front entrance of each tenant space.

No retaining walls were observed at the time of our site visit. Fencing consist of six-foot tall chain link fencing with barbed wire and plastic privacy slats located along the east and west sides of the 1450 tenant space. A portion of the fence along the west side of the property also utilizes wood attached to the chain link fencing for privacy between the two properties.

Observations / Comments:

The landscaping appeared to be in good condition. The site boundaries, signage and fencing appeared to be in relatively good to fair condition at the time of our walk-through. No significant deficiencies were observed or

reported. The wood attached to the fencing along the west side of the property is weathered. UES recommends pressure washing and sealing the wood early in the term and again during the term

Recommendations:

Recommended Immediate Needs:

- Pressure wash and seal wood along the west fencing.

No Recommended Short-Term Needs were observed or reported at the time of our walk-through.

Recommended Long-Term Needs:

- Pressure wash and seal wood along the west fencing. (Year 7)

5.1.7 RECREATIONAL FACILITIES

N/A – None observed on property.

5.1.8 SPECIAL UTILITY SYSTEMS

A septic system tank is reportedly buried on the parcel near the east property line. A photovoltaic power generation system was observed on the south roof.

Observations / Comments:

The septic system appeared to be in good condition. Information regarding the age, functionality or condition of the reported septic tank were not provided to UES. No problems or issues regarding the reported septic tank or associated drain fields were reported or observed during our site visit.

Recommendations:

No Recommended Immediate Needs, Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

5.2 STRUCTURAL FRAME AND BUILDING ENVELOPE

The building foundations were not directly observed and is considered to be a concealed condition. Based on UES's experience with these types of structures, the foundation system likely consists of shallow reinforced concrete perimeter footings. The floor slabs consist of smooth-finished reinforced concrete slab-on-grade. Construction drawings of these systems were not provided for review.

The building structure consists of conventional steel portal frame and beam construction. Steel purlins which bear directly on the steel frames support the low-sloped metal roof deck. Minor build-out areas within the garage/shop areas are of conventional stud frame and drywall construction.

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Exterior walls consist of conventional factory-finished metal panels lined at the interior with insulation panels and fastened to internal steel structural components. The interior garage areas are provided with similar metal finished panels at the ground level only, which are included for consideration as a part of this report section. The west office entrance elevation is provided with a combination of brickwork and stucco veneer. The brick finish extends to the north and south elevations of the office partition.

Windows are limited to operable, metal-framed dual-pane glass windows at the office portion of the building. Service doors consist of hollow-core steel doors set in metal frames. The office entrance is provided with glazed windows and a doorway of aluminum-framed construction. Interior doors are a combination of metal and wood framed systems. Electrically-powered high bay metal overhead doors are provided at the south and west entrances to the garage areas of the building.

Observations / Comments:

Components relying on the substructure for support were observed to be in good condition and did not appear to be exhibiting signs of structural failure from defective subsurface conditions. Therefore, the building foundations are assumed to be performing as intended and in good condition. The concrete slab-on-grade also appeared to be in generally good condition. However, the flexible sealant placed in construction joints located between slabs is deteriorated and in need of replacement. UES has included an allowance to replace deteriorated flexible joint sealants at interior garage concrete slabs.

The structural systems for the building appear to be in good condition and free of readily visual signs of deficiency. No issues regarding the building structure were observed or reported to UES during our walkthrough.

The metal walls are in fair condition, with only several minor exceptions. Isolated portions of interior and exterior walls exhibit minor impact damage and unsealed penetrations. Voiding was observed in flexible sealant at exterior wall panel transitions between the office and garage portions of the building. Wall panel flashings at the west office entrance were observed to not be fully fastened to the stucco façade. Additionally, isolated areas of surface oxidation were observed at exterior wall-to-slab transition flashings. A large deformation in the metal wall panel located next to an overhead bay door on the east building elevation was observed. UES has included an allowance to Perform miscellaneous repairs to exterior wall system, including patching isolated penetrations, replacing minor sections of damaged panels and mechanically removing isolated surface oxidation. The prefinished wall panels exhibit only minor coating oxidation in the factory finish, and UES does not anticipate refinishing the panels within the term.

The brick veneer at the office building appears to be in fair condition.

Voids were observed in the stucco finish above the west office entrance area, exposing the wire lath near a shingled overhang roof transition. UES has included an allowance to seal exposed voids in the stucco, which may include re-flashing at the shingle overhang roof transition.

Doors and windows appeared to be in fair condition and functioning as intended. Isolated damages were observed to various overhead doors. UES has included an allowance to perform isolated repairs to the metal overhead doors.

Recommendations:

No Recommended Immediate Needs were observed or reported at the time of our walk-through.

Recommended Short-Term Needs:

- Replace deteriorated flexible joint sealants at interior garage concrete slabs. (Year 1)
- Perform miscellaneous repairs to exterior wall system, including patching isolated penetrations, replacing minor sections of damaged panels and mechanically removing isolated surface oxidation. (Year 1)
- Patch and fill isolated voids in exterior stucco wall coating at office entrance exterior wall and replace flashing at wall to shingle roof transition. (Year 1)
- Perform isolated repairs to metal overhead garage doors. (Year 1)

No Recommended Long-Term Needs were observed or reported at the time of our walk-through.

5.3 ROOFING

The building is provided with low-sloped overlapping seam structural metal roof panel systems totaling approximately 16,000 SF. The system is supported by steel purlins that bear on steel portal frames. A sloped, shingled overhang roof is located at the west elevation entrance to the office area totaling approximately 200 SF.

The low sloped roofs drain via sheet flow to metal perimeter gutters that direct drainage via downspout to the grade below.

The rooftop accessories are minimal and limited to plumbing and mechanical ventilation penetrations.

Metal panel transitions are sealed with a flexible sealant. Roof accessory penetrations are sealed with a combination of rubber boots and flexible sealant.

Observations / Comments:

The metal roof systems appear to be in overall fair condition commensurate with their age. The roof panels are believed to be original to construction in 1999 and are aged approximately 17 years.

Evidence of past leaks were observed in the form of ceiling tile stains in the office area. The leaks were reportedly repaired within the last three years with no additional instances of leaking reported. Fastener heads and gutter straps are coated with variety of flexible sealants at perimeter locations and near areas suspected of historic leaking within the office area, some of which have begun to deteriorate. Isolated areas of detached insulation were observed in the garage areas of the building. UES recommends re-attaching fallen insulation early in the term as a low-cost maintenance item.

Accessory penetration sealants appear to be in fair condition and functioning as intended. Isolated voids were observed in metal panel roof transition flexible sealants.

No existing warranties were reported to be in place or made available for our review. Metal roofs similar to those observed on site typically have an EUL of 40 years. Based on observations and the age of the roof, UES does not

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anticipate replacement of the roof system within the term. However, due to instances of prior leaks and the presence of existing sealant repairs on fasteners and at material transitions, UES has included an allowance to perform miscellaneous roof repairs periodically within the term.

Please note that typically, manufacturers warranties contain several important stipulations which must be met in order to transfer and maintain the integrity of the warranty including but not limited to annual or even semi-annual inspections. The building owner should carefully review the manufacturer's warranty and take appropriate steps to maintain the warranty.

The shingled overhang roof is believed to be original to construction and aged 17 years. The shingles exhibit minor degranulation, surface oxidation and lifting away from the prior course along their lower perimeters. Based on an EUL of 20 years, UES anticipates replacement of the shingled roof within the term. However, based on an estimated cost of less than \$3,000 for replacement, UES considers this to be a low-cost maintenance item and has therefore not included replacement costs in its analysis.

Roof drainage for the building appears to be in fair condition. Isolated downspout elbows at building perimeters were observed to be damaged. Replacement of damaged downspouts is estimated to total less than \$3,000; therefore, UES has not included a cost to replace in its analysis.

The roof accessories appeared to be in fair condition.

Recommendations:

No Recommended Immediate Needs or Short-Term Needs were observed or reported at the time of our walk-through.

Recommended Long-Term Needs:

- Allowance to periodically perform miscellaneous roof repairs which may include replacing aged flexible sealant and flashing repairs. (Year 3)
- Allowance to periodically perform miscellaneous roof repairs which may include replacing aged flexible sealant and flashing repairs. (Year 7)

5.4 PLUMBING

XYZ Utility provides the water and sanitary sewer services to the building. It appears that typical supply piping for domestic water is copper. Sanitary lines and ventilation conduits are PVC. Sub-grade sanitary lines were not directly observed but are believed to be PVC. The plumbing fixtures for restroom areas are of typical commercial grade vitreous china fixtures.

Hot water is provided by individual water heaters. UES observed four electric water heaters, each with capacity ranging from 10- to 52-gallons. The water heaters were manufactured by Rheem between mid-90s to 2012.

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The plumbing system appears to be in good condition. While the majority of the plumbing lines could not be readily observed, no physical material deficiencies were observed or reported. No issues regarding plumbing system or components were observed or reported during our site visit.

Water heaters range from 6-year old to approximately 20-years old. Based on EUL of 15-years, UES anticipates replacement of most water heaters during the term.

Recommendations:

No Recommended Immediate Needs or Long-Term Needs were observed or reported at the time of our walk-through.

Recommended Short-Term Needs:

- Replace electric water heaters.

5.5 HEATING

N/A – No dedicated, interior atmospheric heating devices were observed or reported to exist on property. Individual split-system HVAC units may contain heating provisions. Split-system HVAC units are discussed further in Section 5.6 of this report.

5.6 AIR CONDITIONING AND VENTILATION

The office portions of the building are provided conditioned air by nine split systems with pad mounted condensing units and air handling units located above ceiling. The condensing units are manufactured by Arcoaire, Bryant, Carrier, and Lennox and each has cooling capacity ranging from 2- to 5-ton. The total cooling capacity is XX tons. The refrigerant type was identified as a combination of R-22 and R410A. Cooling is not provided at the warehouse area. Wall-mounted louvers and ventilation fans provide ventilation to the warehouse areas.

Observations / Comments:

The HVAC systems appears to be in fair condition. HVAC units similar to those installed on the property typically have a 15-year EUL. Out of the 15.5 tons of cooling capacity provided on site, approximately 9.5 tons (61% of total) are anticipated to require replacement within the term based on EUL. Of these, approximately 6.5 tons (42% of total) are expected to require replacement in the first year of the term. Allowances for phased replacement of the HVAC systems at the property have been provided.

Recommendations:

No Recommended Immediate Needs were observed or reported at the time of our walk-through.

Recommended Short-Term Needs:

- Allowance for phased split system HVAC replacement. (Year 1)

Recommended Long-Term Needs:

- Allowance for phased split system HVAC replacement. (Year 2)

5.7 ELECTRICAL

XYZ Utility Company supplies electrical power to the building. The electricity is fed underground from one pad mounted transformer located at the southeast side of the building. Power is then routed to the main distribution panels located along the south wall of the warehouse area. The service provided consisted of an 800-amp, 480Y/277-volts, 3-Phase, four-wire service. Step-down transformers ranging in size from 30- to 112.5-kva are utilized to step down electrical services from 480Y/277-volts to 208Y/120-volt service for receptacles and lighting. Breaker panels range in size from 125- to 600-amps. Branch wiring is believed to be copper, but was not verified.

The lighting throughout the interior of the building consists of fluorescent fixtures. The exterior areas utilize both building and pole mounted HID fixtures throughout the parking areas.

An emergency generator is located at the southeast side of the building. The diesel-powered generator is manufactured by Caterpillar and is rated at 230 kW.

No EMS or lightning protection was observed.

Observations / Comments:

The electrical system appears to be in good condition and appears adequate for the site's present use. Management reported no known problems. Switchgear and power distribution panels typically have an EUL of 40 years. UES expects that the primary components of the site's electrical system will last through the term based upon observed physical condition and the components age. The exterior lighting for the property was reported to be operating properly. However, the lighting was not observed during nighttime conditions. The emergency generator is reportedly run monthly and serviced regular by Caterpillar.

Recommendations:

Recommended Immediate Needs:

- Install electrical junction box cover.
- Perform property-wide electric code compliance survey.

No Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

5.8 VERTICAL TRANSPORTATION

The building utilizes one 2,500-pound capacity passenger elevator system. The elevator system is a hydraulic elevator system manufactured by Otis Elevator Company in 1990. The elevator machinery room houses the

hydraulic elevator pump and elevator controller equipment. The elevator machinery room is located on the first floor of the building, directly adjacent to the rear of the elevator system.

Cab finishes were in good condition. An elevator service contract is reportedly in place with XYZ Company.

Observations / Comments:

The elevator system appeared to be in generally fair to good condition. The site contacts reported that the elevator system has not been modernized in recent years; however, its pump was rebuilt in 2017. The elevator appears to be obsolete and in need of modernization (to include switchgear, controller, cab, shaft-way, hydraulic piston and leveling components). Based on the reported condition and EUL for modernization of 25-years, UES has included an allowance for modernization of the elevator system.

Recommendations:

No Recommended Immediate Needs or Long-Term Needs were observed or reported at the time of our walk-through.

Recommended Short-Term Needs:

- Allowance to modernize elevator system. (Year 1)

5.9 LIFE SAFETY / FIRE SUPPRESSION

Lighted exit signs and emergency lighting mark the emergency exits. Smoke detectors, pull stations, as well as audible and visible alarms are located throughout the building. Life safety systems are reportedly hard wired and battery backed up. A Fire Knight Intelliknight 5820 fire alarm control panel with back-up battery and a Radionics Fire Control Communicator were observed in the building. The building does not appear to have stairwell pressurization or smoke evacuation systems.

The building utilizes a wet-type automatic fire suppression (sprinkler) system. Water is supplied to a 10" main located along the south side of the warehouse area that feeds water to two 6" risers. The fire sprinkler system includes flow switches, alarms and backflow preventers. The fire sprinkler system was last inspected on May 14, 2018 by Tyco Simplex Grinnell. The spare sprinkler heads observed were manufactured by Viking. Fire extinguishers are located throughout the building and were observed to have been last inspected on September 1, 2017 by Century Fire Protection. Fire hydrants are located throughout the site.

Observations / Comments:

The life safety systems appeared to be in fair condition. No deficiencies were reported during our site visit. Fire alarm control panels have EUL of 20 years. Based on EUL, UES anticipates replacement during the term. The fire alarm fixtures and smoke detectors may require replacement for compatibility with the new panel.

The observed fire suppression systems appear to be in fair condition at the time of our site visit. UES observed that the automatic fire suppression system included a yellow tag that indicates there is an issue with the system. Both Mr. Henderson and Ms. Helvin reported that the system was found to have recalled sprinkler heads and is in the process of having all heads replaced. As of the time of our site visit, all the sprinkler heads in the office and

warehouse areas have been replaced. The vehicle maintenance area is the only area where the heads still need to be replaced. UES contacted Alpharetta Fire and Emergency Services to inquire as to any current or outstanding fire code violations. UES was informed of one open fire code violation that is based on the aforementioned yellow tag. The open violation indicates that once the remaining heads are replaced and a green tag is obtained a reinspection will need to be made. Provided no new violations are found a clean record will be documented. Since this issue is in the process of being rectified, UES has not included cost to correct this deficiency.

The observed fire extinguishers appeared to be in good condition at the time of our site visit. Fire extinguishers observed included inspection tags that indicated they were last inspected/serviced by Century Fire Protection on September 1, 2017.

UES recommends inspecting and testing fire extinguishers and fire suppression systems on a yearly basis. Since the inspections are considered a maintenance expense, UES will not include the cost in the Opinion of Costs Spreadsheet.

An inquiry was sent to the local fire code enforcement department regarding outstanding fire code violations at the property with no response at the time of our site visit.

Recommendations:

No Recommended Immediate Needs or Short-Term Needs were observed or reported at the time of our walk-through.

Recommended Long-Term Needs:

- Replace fire alarm control panel. (Year 2)

5.10 INTERIOR ELEMENTS

Interior office build-outs typically consist of carpet or tile flooring, finished gypsum walls and conventional suspended acoustic ceiling tiles and florescent lighting fixtures. Restrooms finishes additionally consist of tile floors. Warehouse interiors are generally unfinished and consist of concrete floors, exposed CMU or concert wall panels and structural metal roof deck ceilings. Warehouse interior illumination is provided by suspended fluorescent light fixtures and translucent skylight panels.

Observations / Comments:

Overall, the interior finishes were observed to be in fair condition commensurate with their ages.

Isolated stained and damaged acoustic ceiling tiles were observed in tenant spaces. Reportedly the staining is historic and not active. No active cause of staining was readily observed. UES recommends replacing isolated stained or damaged ceiling tiles early in the term as a maintenance item.

Common area bathroom interior finishes were in good condition. No additional issues regarding interior finishes were observed or reported to UES.

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An inquiry was sent to the local building code enforcement department regarding outstanding building code violations at the property with no response at the time of our site visit.

Recommendations:

No Recommended Immediate Needs, Short-Term Needs or Long-Term Needs were observed or reported at the time of our walk-through.

6.0 NON-ASTM SCOPE CONSIDERATIONS

6.1 ADA ACCESSIBILITY ASSESSMENT

6.1.1 SCOPE OF SERVICES

A limited, visual, basic accessibility survey and assessment of the “common areas” of the building was performed and the “Uniform Abbreviated Screening Checklist for the 2010 Americans with Disability Act” was completed. The completed checklist is attached to this report in Appendix C.

No measurements of any type were taken. A comprehensive ADA survey was not performed. Any observed items of non-conformance were noted without regard as to whether they were “readily achievable”. Factors to be considered in determining whether an action is readily achievable include the nature and cost of the action, the number of employees at the subject property and the financial resources of ownership and tenants. The decision as to which actions are readily achievable is recommended to be determined by the building owner in consultation with its accountants, attorneys and design/construction professionals. UES recommends a comprehensive ADA survey, which will include measurements, if more detailed or additional information or opinions are required. This portion is not to be considered a complete ADA assessment.

Observations / comments:

To the extent of our assessment, the property appears to be compliant with current ADA requirements for handicap accessibility.

One out of the ten provided marked parking spaces is designated as handicap accessible, which meets requirements for total number of handicap spaces. However, the space is not identified as being van-accessible, does not provide a marked access aisle and does not directly adjoin to a marked accessible route. For the purpose of this assessment, UES considers that the required accessible route should be located between the designated site arrival point (handicap space) and the office area entrance. An allowance has been made to modify the existing space to a compliant van-accessible space, including a compliant access aisle and signage, as well as to adjoin the space to a marked, compliant accessible route.

Path of travel at the entrance areas of the building and door widths appear to be generally accessible.

Office area interiors are generally in compliance. The restrooms generally appeared to be in compliance; however, no under sink piping insulation was observed. UES has included an allowance to install insulation to restroom sink pipes in order to meet compliance.

Elevators are generally compliant with hallway call buttons, signage, cab size, audio and visual indicators control buttons and emergency call system components appearing to meet ADA requirements.

Additional information regarding ADA requirements and compliance as well as the most recent ADA guidelines can be found at www.ada.gov.

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Recommended Immediate Needs:

- Modify the existing handicap accessible parking space to a compliant van-accessible space, including the addition of compliant signage, adjacent access aisle and designating an accessible route to the office entrance.
- Install pipe insulation to restroom sinks.

Uniform Abbreviated Screening Checklist (ADA)



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Uniform Abbreviated Screening Checklist for the 2010 Americans with Disabilities Act

Property Name: Former Furchgotts Dept. Store
 Property Location (City, State): Jacksonville, FL

Assessor: Greg Kinton, AIA (VA)
 Assessment Date: April 11, 2019
 UES Project No.: 0940.1900064.0000

	Item	Yes	No	N/A	Comments
A.	History				
1.	Has an ADA survey previously been completed for this property?				Unknown
2.	Have any ADA improvements been made to the property since original construction?				Unknown
3.	Has building ownership/management reported any ADA complaints or litigation?				Unknown
B.	Parking				
1.	Does the required number of standard ADA-designated spaces appear to be provided?			X	
2.	Does the required number of van-accessible designated spaces appear to be provided?			X	
3.	Are accessible spaces part of the shortest accessible route to an accessible building entrance?			X	
4.	Is a sign with the International Symbol of Accessibility at the head of each space?			X	
5.	Does each accessible space have an adjacent access aisle?			X	
6.	Do parking spaces and access aisles appear to be relatively level and without obstruction?			X	
C.	Exterior Accessible Route				
1.	Is an accessible route present from public transportation stops and municipal sidewalks on the property?	X			
2.	Are curb cut ramps present at transitions through curbs on an accessible route?			X	
3.	Do the curb cut ramps appear to have the proper slope for all components?			X	
4.	Do ramps on an accessible route appear to have a compliant slope?			X	
5.	Do ramps on an accessible route appear to have a compliant length and width?			X	
6.	Do ramps on an accessible route appear to have compliant end and intermediate landings?			X	
7.	Do ramps on an accessible route appear to have compliant handrails?			X	
D.	Building Entrances				
1.	Do a sufficient number of accessible entrances appear to be provided?		X		
2.	If the main entrance is not accessible, is an alternate accessible entrance provided?		X		
3.	Is signage provided indicating the location of alternate accessible entrances?		X		
4.	Do doors at accessible entrances appear to have compliant clear floor area on each side?	X			
5.	Do doors at accessible entrances appear to have compliant hardware?		X		
6.	Do doors at accessible entrances appear to have a compliant clear opening width?	X			
7.	Do pairs of accessible entrance doors in series appear to have the minimum clear space between them?			X	
8.	Do thresholds at accessible entrances appear to have a compliant height?	X			
E.	Interior Accessible Routes and Amenities				
1.	Does an accessible route appear to connect with all public areas inside the building?			X	
2.	Do accessible routes appear free of obstructions and/or protruding objects?			X	
3.	Do ramps on accessible routes appear to have a compliant slope?			X	
4.	Do ramps on accessible routes appear to have a compliant length and width?			X	
5.	Do ramps on accessible routes appear to have compliant end and intermediate landings?			X	
6.	Do ramps on accessible routes appear to have compliant handrails?			X	
7.	Are adjoining public areas and areas of egress identified with accessible signage?			X	
8.	Do public transaction areas have an accessible, lowered counter section?			X	
9.	Do public telephones appear mounted with an accessible height and location?			X	
10.	Are publicly-accessible swimming pools equipped with an entrance lift?			X	
F.	Interior Doors				
1.	Do doors at interior accessible routes appear to have compliant clear floor area on each side?			X	
2.	Do doors at interior accessible routes appear to have compliant hardware?			X	
3.	Do doors at interior accessible routes appear to have compliant opening force?			X	
4.	Do doors at interior accessible routes appear to have a compliant clear opening width?			X	
G.	Elevators				
1.	Are hallway call buttons configured with the "UP" button above the "DOWN" button?		X		
2.	Is accessible floor identification signage present on the hoistway sidewalls?		X		
3.	Do the elevators have audible and visual arrival indicators at the entrances?		X		
4.	Do the elevator hoistway and car interior appear to have a minimum compliant clear floor area?		X		
5.	Do the elevator car doors have automatic re-opening devices to prevent closure on obstructions?		X		
6.	Do elevator car control buttons appear to be mounted at a compliant height?		X		
7.	Are tactile and Braille characters mounted to the left of each elevator car control button?		X		
8.	Are audible and visual floor position indicators provided in the elevator car?		X		
9.	Is the emergency call system at the base of the control panel and not require voice communication?		X		
H.	Toilet Rooms				
1.	Do publicly-accessible toilet rooms appear to have a minimum compliant floor area?	X			
2.	Does the lavatory appear to be mounted at a compliant height and with compliant knee area?	X			
3.	Does the lavatory faucet have compliant handles?	X			
4.	Is the plumbing piping under lavatories configured to protect against contact?		X		
5.	Are grab bars provided at compliant locations around the toilet?	X			
6.	Do toilet stall doors appear to provide the minimum compliant clear width?			X	
7.	Do toilet stalls appear to provide the minimum compliant clear floor area?			X	
8.	Do urinals appear to be mounted at a compliant height and with compliant approach width?			X	
9.	Do accessories and mirrors appear to be mounted at a compliant height?	X			
I.	Hospitality Guestrooms				
1.	Does property management report the minimum required accessible guestrooms?			X	
2.	Does property management report the minimum required accessible guestrooms with roll-in showers?			X	

OPINION OF COSTS SPREADSHEET

	Property Age	77 Years
Number of Buildings	1	
Total Area of Buildings	10	Square Feet
Total Analysis Term	\$0	Years
Immediate Needs	\$0	
Short-Term Needs	\$0	
Long-Term Needs	\$0	
Long-Term Needs UNINFLATED	\$0	
Total Long-Term Needs UNINFLATED	#DIV/0!	\$/SF/Year
Total Long-Term Needs INFLATED	#DIV/0!	\$/SF/Year

[illegible]



PART 4

Delivery Schedule and Timeline

STAYING ON SCHEDULE

UES understands the importance of delivering projects in a timely manner. We understand that our clients often need to make critical decisions under tight time frames, while considering budget, end goals, follow-up actions, and public image. Our staff strives to develop and drive realistic project schedules for every assignment we receive. Our project management team starts every project we undertake by assembling the project team to discuss our approach. One of the first steps for the project manager is to meet with all vested parties to conduct a project kick-off meeting. As part of the meeting, a detailed schedule is developed that involves the UES project team, sub-consultants (as applicable), and the client. One of the key aspects of this meeting is to understand our Client's Objectives and Desired Outcomes (CODO) so that we can present a detailed schedule to the client.

Every PCA project has met budget and schedule requirements (Lump Sum Work).

The project schedule is designed with the complete understanding of the CODO for the client. We consider project aspects including field conditions, scope of services, project logistics, site access, subcontractor availability, laboratory turnaround times, regulatory deadlines, and more.

Once we have a full understanding of our resources, we develop a written schedule that is presented to the client for review. We understand that project conditions and schedules will change during a project. UES takes the approach to be a flexible solution provider when scheduling challenges arise. Good communication with the client is critical for any successful project; therefore, we will discuss and review the schedule with our client and obtain a mutually agreeable final project schedule before we proceed with project assignments.

UES also understands that project delays can occur for various reasons. It is our number one goal to communicate quickly with our clients to discuss the issue. We recognize that these situations are not always desirable, but when quick and solution driven adjustments are presented, we can limit the project delay or at times look for other ways to recover lost project time to still deliver within the client's expectations.

SCHEDULE DEVELOPMENT

Reasonable schedules will be developed using standard scheduling techniques including a project network with critical path layouts, and milestone planning during development of the project schedules. During performance of the project, real-time comparisons will be made against the planned project schedule to monitor the progress of the project. Variances between the planned versus actual schedule will be closely monitored and investigated to determine if any issues are being encountered.

If issues are encountered, corrective actions will be initiated. When these project cost and/or schedule issues are identified, the contract manager will characterize the extent of the issue and devise contingency plans as appropriate, such as:

- Direct the allocation of additional resources as necessary to accomplish the work in a timely and cost-effective manner
- Analyze the schedule logic for a change in sequence of work elements to maintain milestone dates (i.e., expedite up-coming task schedules)
- Establish new dates for task completions/ milestones after consultation and approval

These corrective actions will enable UES to meet established performance goals. UES' network of offices located throughout Florida allow for rapid mobilization to project locations, minimizing travel time. All management and field personnel have smartphones allowing for frequent updates during critical work phases. Immediate access to laptop PCs also allows for the implementation of last minute changes to the workscope as necessary.

Our staff strives to develop and drive realistic project schedules for every task we receive.

As thorough as this process is, UES never forgets that many of our clients require expedited services due to tight schedules. Whether it is speed-to-market demands or site viability, UES will waste no time in providing the professional services necessary for the City of Destin to make decisions based on our results.

Understanding the City's Needs

With UES' dedicated inspection and consulting staff, the City of Destin may expect deliverables and reports provided as scheduled. Additionally, UES is familiar with - and well versed in - providing expedited service to meet time constraints for various situations, such as life safety code upgrades and scheduling/prioritizing of maintenance. We will accommodate the City of Destin's scheduling needs, and complete the Facility Condition and Needs Assessments described in the Scope of Services as the City requires.

PROJECT DELIVERY SCHEDULE/ TIMELINE

UES personnel are able to complete five assessments per week. This duration includes three weeks to perform all site inspections, followed by a two-week period to write reports and summarize corresponding data.

UES would expect that, one week prior to beginning site inspections, our personnel will meet with City staff and the buildings' end-users. These meetings will enable us to understand how the buildings are being used, and the challenges they present. We will also determine the buildings' uses from a staffing standpoint. The staffing determination will inform our answers to these three questions:

1. Are the buildings being under-utilized?
2. Are the over-utilized?
3. Are they experiencing a combination of both under- and over-use?

PROJECT DELIVERY SCHEDULE AND TIMELINE

Schematic Representation

This schedule is based on a scope of work beginning in early January 2022, with five assessments completed per week, and project completion in early March 2022.

Task	Schedule Weeks								
	10-Jan Week 1	17-Jan Week 2	24-Jan Week 3	31-Jan Week 4	7-Feb Week 5	14-Feb Week 6	21-Feb Week 7	28-Feb Week 8	7-Mar Week 9
Meet with staff to discuss project									
Meet with building users and									
Site Inspection Building 1									
Site Inspection Building 2									
Site Inspection Building 3									
Site Inspection Building 4									
Site Inspection Building 5									
Deliver first 5 reports									
Site Inspection Building 6									
Site Inspection Building 7									
Site Inspection Building 8									
Site Inspection Building 9									
Site Inspection Building 10									
Deliver second 5 reports									
Site Inspection Building 11									
Site Inspection Building 12									
Site Inspection Building 13									
Site Inspection Building 14									
Site Inspection Building 15									
Deliver third 5 reports									
Finalize summary of report data tables									



PART 5

Reference Reviews

REFERENCE REVIEWS

**When contacting our references, kindly refer to Greg Kinton, AIA.*

Reference #1	
<i>Name of Project</i>	Southpark Center - 5 Buildings (Property Condition Assessment)
<i>Location</i>	Various Orlando, Florida
<i>Client</i>	Lincoln Property Company of Florida, Inc. Ed Price, Vice President Phone: 407-872-3500 Email: eprice@LPC.com 333 South Garland Avenue Suite 1401 Orlando, Florida 32801
<i>Project Budget</i>	\$18,860
<i>Project Completion Date</i>	May 2021

Reference #2	
<i>Name of Project</i>	Industrial Warehouse (Property Condition Assessment)
<i>Location</i>	612 W Bridgers Avenue Auburndale, Florida 33823
<i>Client</i>	Validor Capital Matthew Pearson, Project Manager Phone: 561-962-2352 Email: mpearson@validorcap.com 1900 Glades Road Boca Raton, FL 33431
<i>Project Budget</i>	\$2,750
<i>Project Completion Date</i>	August 2021

Reference #3	
<i>Name of Project</i>	Walkers Hideaway Marina (Property Condition Assessment)
<i>Location</i>	475 North Road Naples, Florida 34104
<i>Client</i>	Port 32 Marinas Bruce Wallace, Operations Manager Phone: 843-576-2499 Email: bw@port32marinas.com 33 Lockwood Drive Charleston, SC 29401
<i>Project Budget</i>	\$4,625
<i>Project Completion Date</i>	April 2021



Additional Documentation Required

LICENSING REQUIREMENTS

UES Florida Registry/License of Qualifier

Licensee Details

Licensee Information

Name: **UNIVERSAL ENGINEERING SCIENCES, LLC (Primary Name)**
Main Address: **3532 MAGGIE BOULEVARD**
ORLANDO Florida 328116697
County: **ORANGE**
License Mailing:
License Location:

License Information

License Type: **Registry**
Rank: **Registry**
License Number: **549**
Status: **Current**
Licensure Date: **04/27/1983**
Expires:

Special Qualifications

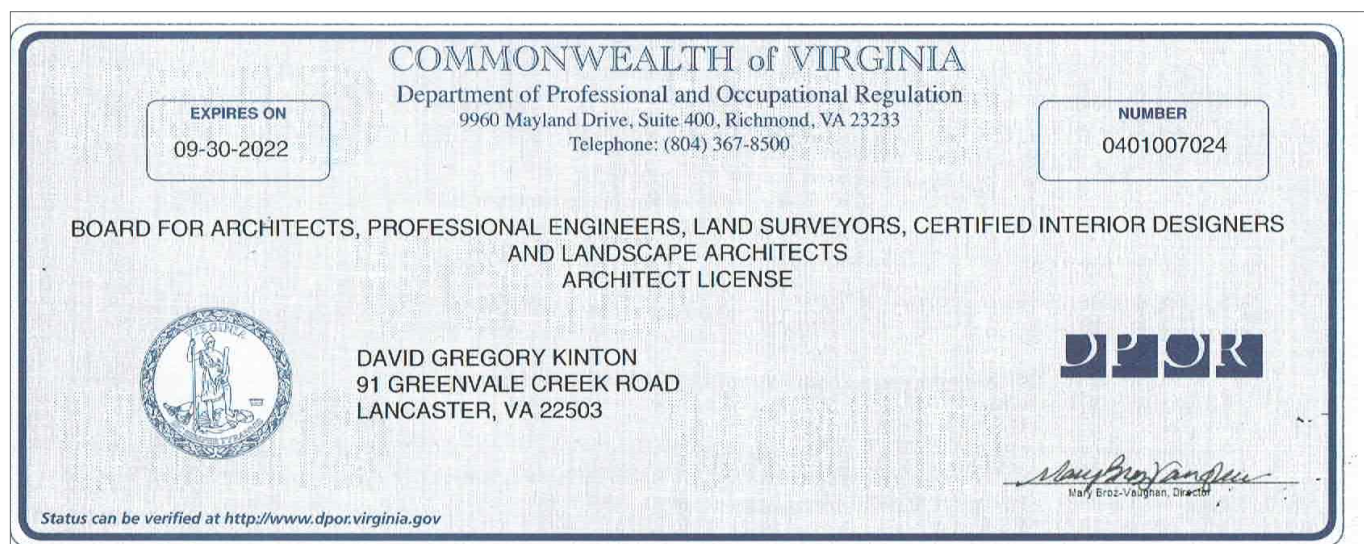
Qualification Effective

Personnel Licenses

Greg Kinton, AIA - National Director of Facilities/Contract Manager

(321) 262-9634

gkinton@universalengineering.com



Scott C. Rowe, PE - Property Condition Assessor

(561) 540-6200 ext. 10608

srowe@universalengineering.com

Name	City	State	Zip	Expiration	Category	Reg. #
SCOTT CARL ROWE	JUPITER	FL	33478	2023-06-13	PROFESSIONAL ENGINEER	29211

Richard A. Rubi, BN, PX - Property Condition Assessor

(305) 249-8434

RARubi@universalengineering.com

Licensee Details	
Licensee Information	
Name:	RUBI, RICHARD A (Primary Name)
Main Address:	*Private Address* *Private Address*
	Private Address
	Private Address
	Private Address
License Mailing:	
License Location:	
License Information	
License Type:	Standard Inspector
Rank:	Inspector
License Number:	BN6741
Status:	Current, Active
Licensure Date:	09/30/2015
Expires:	11/30/2023
Special Qualifications	
Building	Qualification Effective 09/30/2015

Licensee Details	
Licensee Information	
Name:	RUBI, RICHARD A (Primary Name)
Main Address:	*Private Address* *Private Address*
	Private Address
	Private Address
	Private Address
License Mailing:	
License Location:	
License Information	
License Type:	Standard Inspector
Rank:	Inspector
License Number:	BN6741
Status:	Current, Active
Licensure Date:	09/30/2015
Expires:	11/30/2023
Special Qualifications	
Building	Qualification Effective 09/30/2015

LICENSEE DETAILS

4:18:10 PM 12/6/2021

Licensee Information

Name: RUBI, RICHARD A (Primary Name)
 ALL STATE CONSTRUCTION GROUP CORP (DBA Name)
 Main Address: *Private Address* *Private Address*
 Private Address
 Private Address
 Private Address

License Information

License Type: Certified General Contractor
 Rank: Cert General
 License Number: CGC1523473
 Status: Current, Active
 Licensure Date: 08/04/2015
 Expires: 08/31/2022

Special Qualifications
Qualification Effective

Construction Business 06/08/2016

LICENSEE DETAILS

4:22:04 PM 12/6/2021

Licensee Information

Name: RUBI, RICHARD A (Primary Name)
 ALL STATE CONSTRUCTION GROUP CORP (DBA Name)
 Main Address: *Private Address* *Private Address*
 Private Address
 Private Address
 Private Address
 Private Address

License Location: 7420 SW 38 ST
 MIAMI FL 33155

County: DADE

License Information

License Type: Certified Plumbing Contractor
 Rank: Cert Plumbing
 License Number: CFC1430526
 Status: Current, Active
 Licensure Date: 03/09/2020
 Expires: 08/31/2022

Special Qualifications
Qualification Effective

Construction Business 03/09/2020

Registration with City of Destin

UES is aware that (per email clarification from the City Clerk received November 18, 2021) the selected vendor may register with the City of Destin following contract award.

INSURANCE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/2/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Beecher Carlson Insurance Services 6 Concourse Parkway, Suite 2300 Atlanta, GA 30328 www.beechercarlson.com		CONTACT NAME: Lynda Volpe PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: lvolpe@beechercarlson.com															
INSURED Universal Engineering Sciences, LLC 3532 Maggie Blvd Orlando FL 32811		INSURER(S) AFFORDING COVERAGE <table border="1"> <tr> <th>INSURER</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: Valley Forge Insurance Company</td> <td>20508</td> </tr> <tr> <td>INSURER B: Continental Insurance Company</td> <td>35289</td> </tr> <tr> <td>INSURER C: Continental Casualty Company</td> <td>20443</td> </tr> <tr> <td>INSURER D: StarStone Specialty Insurance Company</td> <td>44776</td> </tr> <tr> <td>INSURER E: Landmark American Insurance Company</td> <td>33138</td> </tr> <tr> <td>INSURER F: Evanston Insurance Company</td> <td>35378</td> </tr> </table>		INSURER	NAIC #	INSURER A: Valley Forge Insurance Company	20508	INSURER B: Continental Insurance Company	35289	INSURER C: Continental Casualty Company	20443	INSURER D: StarStone Specialty Insurance Company	44776	INSURER E: Landmark American Insurance Company	33138	INSURER F: Evanston Insurance Company	35378
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INSURER D: StarStone Specialty Insurance Company	44776																
INSURER E: Landmark American Insurance Company	33138																
INSURER F: Evanston Insurance Company	35378																

COVERAGES

CERTIFICATE NUMBER: 65253525

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	☐	☐	7011856226	1/1/2021	1/1/2022	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COM/OP AGG \$2,000,000 Employee Benefits \$1,000,000
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS NON-OWNED AUTOS ONLY	☐	☐	7011857165	1/1/2021	1/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$10,000	☐	☐	7012083093	1/1/2021	1/1/2022	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	☐	☐	7011858185	1/1/2021	1/1/2022	☐ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
D	Excess Liability (GL Only)			771 02C200ALI	1/1/2021	1/1/2022	Limit: 4,000,000
E	Excess Liability (Auto Only)			LHA092746	1/1/2021	1/1/2022	Limit: 2,000,000
F	Professional Liability			MKL77PL0004492	1/1/2021	1/1/2022	Per claim/Aggregate \$5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

REQUEST FOR PROPOSAL RFP 21-11-PS FACILITIES CONDITION & NEEDS ASSESSMENT
 Additional Insured status is granted with respects to General Liability and Auto Liability, on a primary basis, regarding the operations of the named insured, if required by written contract. Waiver of Subrogation status is granted with respects to General Liability, Auto Liability and Workers' Compensation, where required by written contract. Policy provision allows 30 day notice of cancellation, 10 days for non-payment of premium. Excess policies follow form to underlying policies.

CERTIFICATE HOLDER

 City of Destin, Florida
 4200 Indian Bayou Trail
 Destin FL 32541

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

 AUTHORIZED REPRESENTATIVE *Beecher Carlson Insurance Services, LLC*

Beecher Carlson Insurance Services, LLC

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ACORD 25 (2016/03)

The ACORD name and logo are registered marks of ACORD

65253525 | 21 22 UES & CTE Master (Al Primary & WGS word ing) | Lynda Volpe | 12/2/2021 6:53:19 AM (EST) | Page 1 of 1

EXHIBIT B**EXHIBIT B
RESPONSIVE BIDDER QUALIFICATION STATEMENT**

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Destin
CITY CLERK'S OFFICE
4200 Indian Trail Bayou
Destin, Florida 32541
Telephone: (850) 837-4242

Submitted By:
Name: Universal Engineering Sciences
Address: 1985 Cope Ln
City, State, Zip: Pensacola, FL 32526
Telephone No.: (850)-944-5555
Fax No.: (850)-944-5885

Check One
Corporation X
Partnership
Individual
Other

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the responsive bidder is:

Universal Engineering Sciences

The address of the principal place of business is:

1985 Cope Ln Pensacola, FL 32526

2. If responsive bidder is a corporation, answer the following:

a. Date of Incorporation: April 29, 1966

b. State of Incorporation: Florida

c. President's name: Brian Kirkpatrick

d. Vice President's name: Not applicable

e. Secretary's name: Not applicable

f. Treasurer's name: Not applicable

g. Name and address of Resident Agent: Corporation Service Company
1201 Hays St. Tallahassee, FL 32301

3. If responsive bidder is an individual or a partnership, answer the following:

a. Date of organization:

b. Name, address and ownership units of all partners:

Not applicable; UES is not a partnership

c. State whether general or limited partnership:

4. If responsive bidder is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

5. If responsive bidder is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

Not applicable; UES is not operating under a fictitious name.

6. How many years has your organization been in business under its present business name?
55

Under what other former names has your organization operated?

Universal Engineering Testing Company

7. Indicate registration, license numbers or certificate numbers for the businesses or professions, which are the subject of this Bid. Please attach certificate of competency and/or state registration.

Florida Registry/COA 549

State of Florida Certificate of Status - L20000003595

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why:
Not applicable; UES has not failed to complete any awarded work.

9. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary)

Please see brief resumes provided with this proposal in Section 2.

10. State the name of the individual who will have personal supervision of the work:

Greg Kinton, AIA

11. State the name and address of attorney, if any, for the business of the responsive bidder:

Not applicable

12. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the responsive bidder's business and indicate the percentage owned of each such business and/or individual:

OBSIDIAN GROUP ACQUISITIONS, INC.

C/O PALM BEACH CAPITAL

525 S FLAGLER DR STE 201

WEST PALM BEACH, FL 33401

100%

13. State the names, addresses, and the type of business of all firms that are partially or wholly owned by responsive bidder:

Universal Engineering Sciences

4205 Vineland Rd. Suite L1

Orlando, FL 32811

14. Annual Average Revenue of the responsive bidder for the last three years as follows:

		<u>Revenue Index Number</u>
a.	Government Related Work	5
b.	Non-Governmental Related Work	10
	Total Work (a +b):	10

Revenue Index Number

1.	Less than \$100,000
2.	\$100,000 to less than \$250,000
3.	\$250,000 to less than \$500,000
4.	\$500,000 to less than \$1 million
5.	\$1 million to less than \$2 million
6.	\$2 million to less than \$5 million
7.	\$5 million to less than \$10 million
8.	\$10 million to less than \$25 million
9.	\$25 million to less than \$50 million
10.	\$50 million or greater

15. Bank References:

Bank	Address	Telephone
BB&T (now Truist)		
5200 Town Center Circle Suite 102		
Boca Raton, FL 33486		
(561) 653-9583		

16. What will be your turnaround time for written responses to City inquiries?

In most cases, UES is able to respond to City inquiries within 24 hours.

17. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the responsive bidder, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description, the disposition of each such petition.

Not applicable; UES has not filed any bankruptcy petitions, nor had any petitions filed against it.

18. List all claims, arbitrations, administrative hearings and lawsuits brought by or against the responsive bidder or its predecessor organization(s) during the last five (5) years. The list shall include all

case names, case arbitration or hearing identification numbers, the name of the project which the dispute arose, and a description of the subject matter of the dispute.

Please see litigation statement provided.

19. List and describe all criminal proceedings or hearings concerning business related offenses to which the responsive bidder, its principals or officers or predecessors' organization(s) were defendants.

Please see litigation statement provided.

20. Has the responsive bidder, its principals, officers or predecessors' organization(s) been CONVICTED OF a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

Not applicable; neither UES nor its principals or officers
have been convicted of a public entity crime, debarred, or
suspended from bidding.

The responsive bidder acknowledges and understands that the information contained in response to this qualification statement shall be relied upon by owner in awarding the contract and such information is warranted by responsive bidder to be true. The discovery of any omission or misstatement that materially affects the responsive bidder qualifications to perform under the contract shall cause the owner to reject the submittal, and if after the award, to cancel and terminate the award and/or contract.

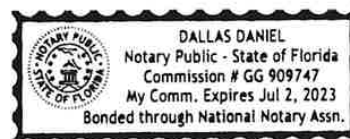
(Signed) *Stu Monsalvo*

(Title) Branch Manager

Subscribed and sworn to before me
 This 13th day of December, 20 21

Dallas Daniel
 Notary Public (Signature)

My Commission Expires: July 2, 2023



END OF SECTION

Item #7: Proposer's Florida License/Registry

Licensee Details

Licensee Information

Name: **UNIVERSAL ENGINEERING SCIENCES, LLC (Primary Name)**
 Main Address: **3532 MAGGIE BOULEVARD**
ORLANDO Florida 328116697
 County: **ORANGE**
 License Mailing:
 LicenseLocation:

License Information

License Type: **Registry**
 Rank: **Registry**
 License Number: **549**
 Status: **Current**
 Licensure Date: **04/27/1983**
 Expires:

Special Qualifications

Qualification Effective

Proposer's Certificate of Status

State of Florida
Department of State

I certify from the records of this office that UNIVERSAL ENGINEERING SCIENCES, LLC is a limited liability company organized under the laws of the State of Florida, filed on January 6, 2020, effective April 29, 1966.

The document number of this limited liability company is L20000003595.

I further certify that said limited liability company has paid all fees due this office through December 31, 2021, that its most recent annual report was filed on January 8, 2021, and that its status is active.



Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Eighth day of January, 2021

Randy Ru
Secretary of State

Tracking Number: 1723081301CC

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Flings/CertificateOfStatus/CertificateAuthentication>

Bidder Litigation Statement

Grounded in Excellence

Geotechnical Engineering
Construction Materials Testing & Inspection
Building Code Compliance
Occupational Health & Safety
Environmental
Building Envelope

From: Dan Phan, Chief Accounting Officer**To:** Files**Subject:** **CONFIDENTIAL – Litigation Summary****Date:** March 2021

Universal Engineering Sciences (the “Company”) is a full service Environmental and Geological consulting organization providing Environmental Consulting, Health & Safety, Geotechnical Engineering, Construction Materials Testing, Inspections, as well as Code Compliance services across a broad spectrum of industries. The Company is considered a pioneer of the industry and stands at the forefront of emerging technology and best practices. Our combined capabilities allow us to deliver cost-effective solutions.

Due to the litigious nature of the development and construction industry, it is impossible to avoid claims. These claims are generally nuisance type claims using the “shotgun” filing method of suing every party involved in the project, no matter how remote the involvement.

Most of these claims are administrated and dismissed with only attorney fees involved. A summary of past cases is available upon request through our corporate appointed attorney. Note: There have been no criminal proceedings or hearings concerning business related offenses in which our company principals or officers were defendants.

Litigation

The Company has never had a judgment ruled against it that has exceeded the deductible portion of professional liability insurance. We have not had requests for equitable adjustment or contract claims, nor have we been declared in default, terminated, or removed from a contract or job related to our services in the past five years.

The Company has not been involved in any litigation or investigation, either civil or criminal, involving a governmental agency, or which may affect the performance of the services to be rendered herein. Additionally, we certify that neither our firm nor its principals have been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any transaction by any federal department or governmental agency.

There is no pending significant litigation whose outcome if unfavorable, probable, and estimable has not been accrued for in the consolidated financial statements as of December 31, 2020.

Dan Phan, Chief Accounting Officer
Universal Engineering Sciences

EXHIBIT C**EXHIBIT C
PUBLIC ENTITY CRIMES DISCLOSURE**

SWORN STATEMENT UNDER SECTION 287.133 (3) (A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract RFP No. 21-11-PS,
Facilities Condition and Needs Assessment

2. This sworn statement is submitted by Universal Engineering Sciences whose business address is 1985 Cope Ln. Pensacola, FL 32526

and (if applicable) Federal Employer Identification Number (FEIN) is 59-1117804 (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____)

3. My name is Travis Monsalvatge, PE and my relationship to the entity named above is Branch Manager

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

a. A predecessor or successor of a person convicted of a public entity crime; or

b. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person. A person who was knowingly convicted of a public entity crime, in Florida during the preceding

36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

X Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

 The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (please attach a copy of the final order)

 The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (please attach a copy of the final order)

X The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)

[Signature]

Date: December 13, 2021

(Signature)

STATE OF FLORIDA

COUNTY OF Orange

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 13 day of December, 2021, and is personally known to me or has provided _____ as identification.

[Signature]
Notary Public

My Commission expires: July 2, 2023

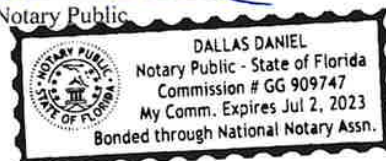


EXHIBIT D**EXHIBIT D
DRUG-FREE WORKPLACE CERTIFICATION**

The below signed Bidder certifies that it has implemented a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection 1.
4. In the statement specified in subsection 1., notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation occurring in the workplace no later than five (5) working days after such conviction.
5. Impose a sanction on or require the satisfactory participation in drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign this statement, I certify that this firm complies fully with the above drug-free workplace requirements.

COMPANY: Universal Engineering Sciences

ADDRESS: 1985 Cope Ln.

CITY: Pensacola STATE: FL ZIP CODE: 32526

TELEPHONE NUMBER: (850) 944-5555

SIGNATURE: *Travis Monsalvatge* DATE: December 13, 2021

NAME (TYPED OR PRINTED): Travis Monsalvatge, PE

TITLE: Branch Manager



universalengineering.com



PROFESSIONAL | PRACTICAL | PROVEN

Statement of Qualifications



Proposal to Provide Services | RFP 21-11-PS
Request for Proposals - Facility Condition & Needs Assessment
City of Destin, Florida
Close Date: Dec 16th 2021, 2:00 PM CST¹

At NOVA, we consistently strive for: excellence, collaboration, integrity, responsiveness, and safety.

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OUR GOALS ON THIS PROJECT:

- SEAMLESS COMMUNICATION
- PROMPT RESPONSE
- MEET OR EXCEED PROJECT GOALS
- MITIGATE RISKS
- SUCCESSFUL PROJECT DELIVERY
- BUILD STRONG RELATIONSHIPS

December 14, 2021

City of Destin
Michael Burgess
City Clerk's Office
4200 Indian Bayou Trail
Destin, Florida 32541

Re: Proposal to Provide Facilities Condition and Needs Assessment
RFP No. 21-11-PS
City of Destin, Florida

Dear Mr. Burgess:

NOVA Engineering and Environmental, LLC (NOVA) appreciates the opportunity to submit our qualifications to provide Facility Condition Assessments for the City of Destin. We are extremely confident that NOVA's qualifications provide you the ideal support and is the right choice to provide these requested services for the following key reasons:

- **Our Mission.** NOVA is truly an unbiased professional engineering, facilities and building envelope consulting firm that provides assessment, consulting, design, inspection and testing services. Our firm is not tied to any manufacturer and we don't sell building system materials and products. Because of this, you get honest professional opinions and recommendations as to what actions and next steps best serve your interest.
- **Diversified Staff.** NOVA's staff consists of multi-disciplined professional engineers, facilities/property consultants, architects, Florida certified building system contractors and varying professionals having building system related certifications such as building code inspectors, plans examiners, infrared thermographers and building diagnostics. Having this collection of diverse experienced individuals provides our client differing relevant opinions to better determine existing conditions and deficiencies which ultimately provides for a better assessment and conclusions. NOVA's staff are full-time employees, no "1099" sub-contracting.
- **Experience with Annual Contracts.** As you will read in the following pages, our firm has been involved with dozens of similar county, city and higher education annual contracts within the Southeastern US. Projects that fell under these contracts required all types of facility assessment consulting. You will find some of these projects described in this proposal.
- **Knowledge of Local Conditions.** NOVA's staff for this project has performed hundreds of Facility and Property Condition Assessments in Florida. In addition, we have performed building envelope and supporting structural related assessments, accessibility assessments, consulting, field testing, designs (retrofit & new), project administration and quality assurance inspections throughout the state.
- **In-House Forensic Capabilities.** If needed NOVA's Orlando office provides In-House forensic field-testing, assessment, consulting and design services. This systematic and calculated approach make us better engineers and consultants for discovering associated problems and deficiencies with historic and aging structures.

NOVA is in receipt of and acknowledges Addendum #1. We look forward to this opportunity with the City of Destin. Should you have any questions concerning the proposal, please contact Desiré Mahanna at 813.334.0373 or dmahanna@usanova.com.

Sincerely,

NOVA ENGINEERING AND ENVIRONMENTAL, LLC

Desiré Mahanna
Project Manager

Jim Keeney, CCC, GC
Vice President/Facilities Service Line Leader

PART 1 - EXECUTIVE SUMMARY

SUMMARY OF FACILITY/PROPERTY CONDITION ASSESSMENT EXPERIENCE

NOVA's experienced FCA/PCA assessment team has completed 1,000's of facility/property assessments along with future capital expenditure budget planning and planning on a wide variation of property types that include: schools, educational facilities, student housing facilities, government facilities, and industrial facilities. Knowing the physical condition and expected service life of the components of your present or prospective facility is valued information when projecting maintenance budgets or for appraising properties for purchase. Below is a brief standard overview of the FCA/PCA components. Know that this is only one standard approach, NOVA will work with you in customizing a program that fulfills all your needs.

FCA/PCA's typically include surveys of the following building/facility systems and information:

- Civil/Site development and amenities including topography, storm water drainage, ingress & egress, landscaping, pavement and parking areas
- Structural frame
- Building envelope
- Roofing
- Mechanical, Electrical, Plumbing (MEP)
- Vertical Transportation Systems (if applicable)
- Fire Protection, Security Systems, and Life Safety Systems
- Interior elements
- Americans with Disabilities Act (ADA) Compliance
- Opinion of Cost of Renovations, Repairs, Replacements, and New Construction
- Opinion of Priority Scheduling

CAPITAL NEEDS OVER THE TERM OPINIONS OF COST

NOVA typically maintains a cost data base of different types of Facility and Building Systems. Our numbers are derived from previously bid projects of similar settings and scope of work. We continually update the data base using the most recent bids and trends.

Our staff have been practicing in the Facility Assessment industry for quite some time, stay current with new replacement materials and systems being utilized, and have a conduit of contractors that keep them informed of pricing trends. That being said, we will utilize our local knowledge of pricing and RS Means Cost Works as a method of back checking cost projections and budgets. Based on this the remediation/repair/renovation opinions of cost that you receive as a result from our site visit and research, you can rely on.

As with all businesses, cost of material and labor fluctuate with supply and demand, so this is an on-going process and escalations do occur at times, but we feel confident that we can provide you realistic budgets for your projects. The NOVA team has the experience and knowledge to fully evaluate your facility's physical condition to help develop your capital and maintenance budgets. Property condition assessments are also commonly performed with Phase I Environmental Assessments. NOVA also provides environmental consulting and testing services which makes us a more valued partner for your consulting and due diligence needs.

ENGINEERING "FACILITIES" CONSULTING, TESTING & INSPECTION SERVICES (FCA/PCA SUPPORT SERVICES)

Our Facilities and Forensic Group actively supports the construction, design profession, property management, financial and due diligence industries. The vast menu of Facilities Services we provide relates to the review, assessment, forensic investigation, inspection and testing of building systems for existing properties or properties which are being designed and constructed. Providing these skill-sets and services in-house allows NOVA to further investigate a properties building systems if needed.

Services we focus on include:

- Property Condition Assessments (PCA)
- Building Envelope Consulting, Design & Testing
- Building Envelope Commissioning
- Structural Assessment, Testing & Consulting
- Building System Assessment & Cost Studies
- Accessibility Consulting & Design (ADA/FHA)
- Forensic Structural Investigation & Repair Design
- Pavement Consulting, Design & Testing
- Plan Review
- Construction Payment Application Review
- Specialized Field & Laboratory Testing

Our firm's unique ability to provide both in-house consulting and testing, prevents the need to employ additional sub-consultants. By offering both consulting and testing, we provide an advantage to our clients through the "hands on" experience of our professionals. This advantage results in a practical approach with realistic constructible solutions, saving both time and money.

To support our Facility/Property System Assessment, Consulting and Design related services, NOVA's In-House Testing and Forensic Investigative capabilities include:

Building Envelope, Roofing, & Waterproofing Services

- Field Water Penetration – Rack & Chamber (ASTM E1105)
- Whole Building Air Barrier Leakage - Door Blower (ASTM E779/ASTM E1186)
- Field Air Leakage Chamber (ASTM E783)
- Wind Uplift Negative Pressure Dome (FM Global, ASTM, FBC)
- Field Water Leakage - Spray Nozzle (AAMA 501.2)
- Infrared Thermography (Roof, Walls, Electrical)
- Roof Management Software
- Nuclear Roof Moisture
- Electronic Leak Detection (ELD)
- Sealant, Fastener Adhesion & Attachment
- Bonded Pull Tests
- Mock-up Testing (moisture & air penetration)
- Concrete Slab Moisture Penetration (ASTM F1869)

Structural Systems/Components Services

- Ground Penetrating Radar (GPR)
- Ultrasonic
- Impact Echo
- Borescope
- Bond/Adhesion Sound Testing
- Load Testing
- Material Sampling & Testing (various ASTMs)
- Pressurized Plumbing System/Pipe Testing (Smoke Canister)
- Repair & Strengthening Design
- Crack Monitors and Reading

In-House Supportive Assessment & Investigative Services

- Environmental Site Assessments, Phase I & II
- Asbestos Sampling/Testing
- Mold Sampling/Testing
- Lead Sampling



ADVANTAGES OF SELECTING NOVA



DEPTH OF EXPERIENCE

NOVA's experienced FCA/PCA assessment team has completed 1,000's of facility/property assessments along with future capital expenditure budget planning and planning on a wide variation of property types.



QUALITY ASSURANCE & QUALITY CONTROL PRACTICES

NOVA has a long established written Technical Operations and Quality System Manual (TOQSM) that has the full support and commitment of our employees, which ensures success of every project we undertake.



BUDGET CONTROL

The NOVA team's ability to meet the obligations of this contract is evidenced by our performance and successful completion of numerous similar contracts. The nature of NOVA's consulting business is the performance of many tasks of relatively short duration for multiple clients.



SAFETY

NOVA believes that everyone must go home that evening better than when they went to work. As such, safety is expressed first in all we do. Our knowledge of roof and project safety will be reflected in our means and methods on every project and in our project design recommendations.

OFFICE LOCATION:

140-A Lurton Street, Pensacola,
Florida 32505
P: 850.607.7782 / F: 850.249.6683

POINT OF CONTACT:

Desiré Mahanna
P: 850.607.7782
E: dmahanna@usanova.com

KEY TEAM MEMBERS:

Desiré Mahanna
James Keeney, CCC, GC

FEDERAL ID #: 26-0347209

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PART 2 - EXPERIENCE AND QUALIFICATIONS

FACILITY AND PROPERTY CONDITION ASSESSMENTS

NOVA's experienced FCA/PCA assessment team has completed 1,000's of facility/property assessments along with future capital expenditure budget planning and planning on a wide variation of property types. Knowing the physical condition and expected service life of the components of your present or prospective facility is valued information when projecting maintenance budgets or for appraising properties for purchase. The following pages reflect a cross-section of our work along with the experience of our selected team at these various sites.

BAY COUNTY JUVENILE COURTHOUSE

Bay County, Florida

NOVA's proposed project team performed a facility condition assessment and expanded roof assessment at the Bay County Juvenile Justice Courthouse. The courthouse is situated on an approximate 2.24-acre parcel of land and is comprised of approximate 25,000 square feet two-story building originally constructed in 2003. A preparation of opinion of costs to remedy physical deficiencies and expected capital expenditures over a ten-year term was prepared.



Services Provided: Limited Building/Condition Assessment

Dates of Service: September 2019 - October 2019

Reference Contact(s): Fred Brown, Bay County Public Works Department, 840 West 11th Street, Panama City, Florida, 32401, 850.248.8132

DERMATOLOGY SPECIALISTS OF FLORIDA PROPERTY CONDITION ASSESSMENTS

9 locations, Pensacola to Panama City

NOVA's proposed project team performed facility condition assessments on nine branch locations for Dermatology Specialists of Florida. The buildings varied in size from 3,000 square feet to 22,000 square feet; age from nine years to 40 years; and in overall construction and condition. A preparation of opinion of costs to remedy physical deficiencies and expected capital expenditures over a ten-year term was prepared. The original assessments were performed just a week before Hurricane Michael affected the area. NOVA subsequently performed follow up assessments post hurricane Michael to determine any impact as a result of the storm that would alter the original findings of the facility condition assessment and associated capital expenditure plan.



Services Provided: Property Condition Assessments and Environmental Site Assessment

Dates of Service: September 2018

Reference Contact(s): Patrick Jones, NAI Talcor, 850-814-5878, patrick@talcor.com

JOHNSON & WALES UNIVERSITY

Miami, Florida

NOVA Engineering and Environmental, LLC (NOVA) performed Property Condition Assessments and Americans with Disabilities Act Surveys on fourteen university owned properties in North Miami, Florida. Building Enclosure Consulting Services. The project was part of a pre-sale due diligence process and was on an expedited time-frame. NOVA's team assessed fourteen properties totaling approximately 400,000 square feet of buildings situated on approximately ten acres of land over the course of three days and prepared and delivered reports within one week of site access.

Services Provided: Property Condition Assessment & Level II ADA Survey

Dates of Service: February 2021

Reference Contact(s): Michael Shackne, PG,
mschackne@langan.com , 813.439.6113



CHARLOTTE COUNTY STRUCTURAL CONDITION ASSESSMENTS

Port Charlotte, Florida

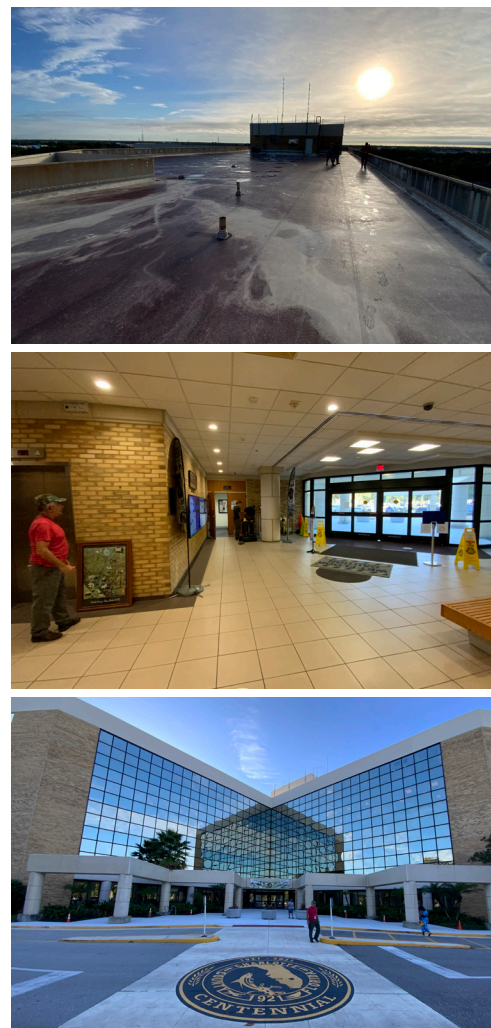
NOVA successfully completed providing visual structural condition survey of these facilities and provide an opinion of structural repair cost of noted distress. The subject buildings for which these services are to be performed are as follows:

- Charlotte County Justice Center located at 350 E. Marion Avenue in Punta Gorda, Florida. The Justice Center was originally constructed in 1999 and is comprised of two adjoining buildings; (A) is a five-story building and (B) is a three-story building. The buildings total approximately 207,980 square feet and are situated on an approximate 10.30 acre parcel of land.
- Charlotte County Administration Building A located at 18500 Murdock Circle in Port Charlotte, Florida. The Administration Building A was originally constructed in the 1980's and is comprised of five-stories totaling approximately 97,303 square feet.
- Charlotte County Administration Building B located at 18500 Murdock Circle in Port Charlotte, Florida. The Administration Building B was originally constructed in the 1980's and is comprised of two-stories totaling approximately 34,966 square feet.

Services Provided: Visual Structural Condition Survey

Dates of Service: November 2021

Reference Contact(s): Mr. Michael Aviles, FLORIDA PREMIER CONTRACTORS, 3691 Tamiami Trail, Punta Gorda, Florida 33950
maviles@fpcbuilds.com



EXPERIENCE OF PROPOSED CONSULTANT TEAM WORKING TOGETHER AS A TEAM ON SIMILAR SCOPE AND TYPE OF PROJECTS

Ms. Mahanna and Mr. Keeney have worked together to manage large facility condition assessment portfolios for over ten years. These portfolios have ranged from five buildings to 450 buildings and have spanned throughout the nation. Additionally, Desiré and team have performed many facility condition assessments on sensitive occupied structures such as municipal and government facilities. We understand the logistical complexities of performing assessments on these type buildings.



UNDERSTANDING OF OPERATIONS, ACTIVITIES, MAINTENANCE STAFFING NEEDS AND MAINTENANCE OF PUBLIC FACILITIES.

Our staff is completely focused on the business of providing quality services. We have been providing these services for over 25 years and have gained a wealth of experience in that period. We have assembled a management team that will provide quick, cost-effective and innovative services to all projects assigned by the City.

The primary focus of our management plan is timely and effective communication combined with a responsive organizational structure. NOVA has a proven track record. We have created an organizational and management structure that will be responsive to the City's needs and will provide the resources and manpower necessary to meet or exceed the requirements of this RFQ. We pride ourselves on building strong working relationships with our clients and completing projects on time, within budget, and to the highest quality standards. We look forward to this opportunity to work with the City.

We have developed a strong “hands on” management approach and well-defined project management systems that help us meet our client's goals and provide maximum responsiveness to our client's expectations of quality and service. We recognize that effective, efficient management procedures and techniques for controlling costs and schedules are imperative. As indicated by our proven track record, we have been very successful in meeting all schedules and budgets while keeping the client informed. We will utilize these same methods on this contract, rather than “re-invent the wheel”. These methods have proven to be effective and yet flexible enough to adapt to any situations that may arise and to varying project needs.

Ms. Desiré Mahanna will be the City's single point of contact for this contract. As such, Ms. Mahanna will be responsible for meeting the needs of the City. She will take an active role in all of your projects, coordinate all assignments of personnel, and review all summary reports and invoices.

Communicating with the City at all levels and during all phases of work is an integral part of NOVA's approach and method of operation. We envision our personnel as an extension of your staff and a dependable resource upon which you can rely.

Our approach to providing each of the services required by the City will be to embrace this vision and will rely on developing an approved project scope and budgetary cost estimate, staffing the project with qualified personnel, proceeding with recommended services after issuance of a task authorization, maintaining communication with your project manager, and providing the requested services within the time frame determine.

We will carry out each project in a timely, thorough and methodical manner and will address all alternatives to provide the most professional and cost-effective services. All tasks will be completed on time and within budget. All final reports will be subject to our internal quality control/quality assurance program.

EXPERIENCE WITH THE USE OF LIFE-CYCLE COST AND VALUE ENGINEERING.

LIFE-CYCLE COST ANALYSIS

NOVA personnel having performed 1000's of Facility Condition Assessments, Life-cycle cost analysis (LCCA) has always been part of our base experience structure, we consider this function directly in our wheel-house. Every FCA performed, whether for existing owner, prospective buyer or lending institution, determining the property and associated building systems LCCA and the cost of is what we do.

Many firms truly don't understand LCCA, so to define LCCA is a method for assessing the total cost of facility ownership. It takes into account all costs of acquiring, owning, maintaining and when applicable disposing of a building or building system. Basically, this is evaluating the economic performance of a building over its entire life. Preferably the LCCA was taken into consideration during the initial design and construction process, but unfortunately less than a third of time this occurred in buildings that were designed prior to 2000. Since 2000 incorporating LCCA awareness has increased.

For this specific RFP, referencing the LCCA is in comparison with existing buildings. By comparing the life cycle costs of various remediation design configurations, LCCA can explore trade-offs between low initial costs and long-term cost savings, identify the most cost-effective system for a given use, and determine how long it will take for a specific system to "pay back" its incremental cost. NOVA's FCA recommendations, remaining useful life estimations and opinions of cost take this into consideration. This process will better assist the City of Destin on how best to budget and spend their money wisely for their intended purpose and needs. Whenever possible, the LCCA process should incorporate the directives and guidance contained in City of Destin publications, guidelines and requirements. Prior to NOVA beginning our field services we will meet with the City to gain this understanding.

VALUE ENGINEERING

NOVA's approach for all clients is to provide the best, most cost-effective recommendations for the conditions encountered and with meeting the clients intent and goals. Value engineering defined is a systematic, organized approach to provide functions in a project at the lowest cost. In the case of this RFP, that means providing less expensive alternatives for existing building system repairs and replacement. NOVA routinely provides multiple solutions to a problem or deficiency which in turn carries with it multiple price tags.

To provide "value added" Value Engineering, a firm must have true real situation knowledge and experience. NOVA's staff consists of multi-disciplined professional engineers, facilities/property consultants, architects, Florida certified building system contractors and varying professionals having building system related certifications such as building code inspectors, plans examiners, infrared thermographers and building diagnostics. Having this collection of diverse experienced individuals provides our client differing relevant opinions to better determine existing conditions and deficiencies ultimately provides for a better assessment and conclusions. NOVA's experienced staff will provide the City of Destin with valued solutions and valued cost estimates.





Desiré Mahanna

Project Manager / Primary Contact
(15 years)



James Keeney, CCC, GC

Senior technical Professional
(36 years)

PROFESSIONAL STAFF



Dany Romero, PE
Professional Engineer
(7 years)



Christine Lowry, RA
Architect
(10 years)



Brian Snell, PE, SI
Structural Engineer
(38 years)

ASSESSORS



Michael Wright
Sr. Facilities Consultant
(40 years)



Brandon Mahanna
Project Manager
(20 years)



Ryan Bunch, ACI, ICC, RRO
Sr. inspector, Registered
Roof Observer (12 years)



Ted Bellanger
Building Envelope
Consultant (28 years)



Ashley Montford
PCA Assessor
(3 years)

* Resumes for support staff available upon request

LEADERSHIP & ABILITY OF TEAM - BRIEF RESUMES

Below are brief resumes of our team's abilities and qualifications.



Desiré Mahanna is an innovative, dependable and proactive building envelope project manager with more than 15 years of a successful track record with the Construction and Civil Engineering Markets. She has experience in the administration of multiple projects of various scale and complexity. With her proven abilities and proficiency to manage and direct numerous projects from start to finish, with an emphasis on client satisfaction, quality service and efficient profitable project execution, she has a broad understanding of overall organization and departmental objectives with maintaining a focused attention to detail. Desiré takes a clinical approach to addressing existing facility concerns and providing quality assurance in new construction and existing structures. She provides detailed site inspections, and review of construction documents to identify building system deficiencies, determine building issues through forensic investigations and provides solutions. Desiré performs and oversees numerous projects relating to building envelope investigations and testing, roof surveys and testing, non-destructive testing, specialty testing, property condition assessments and ADA assessments. Desiré coordinates plans and specifications review, quality assurance and remediation monitoring.

Relevant experience:

- Bay County Juvenile Justice Courthouse, Panama City, FL
- Charlotte County Structural Assessments, Punta Gorda, FL
- Dermatology Specialists of Florida PCA, Various Locations, Florida & Alabama
- Johnson & Wales University PCA, Miami, Florida



Mr. James Keeney, CCC, GC, who brings 35+ years of industry experience, will assume the role of Project Principal. His expertise is in Facilities investigation, surveys, testing, remediation design and construction project administration. Facilities is a term NOVA uses to reference a property's major building systems and components, which in general includes building envelope, roofing, waterproofing, structural, accessibility, mechanical/electrical/plumbing (MEP), pavement and site flatwork and amenities. He has performed these services for school boards, government divisions, healthcare, financial industry, industrial, multi-family, telecommunications, property owners, property managers, developers and contractors. He is also a licensed roofing contractor, wind/hurricane mitigation consultant and general contractor. Mr. Keeney has more than 25 years of Property Condition Assessment (PCA) experience, having developed internal procedures for the execution of these services. Additionally, he has conducted many non-destructive and destructive forensic investigative procedures. These investigations have included utilizing specialized equipment such as; infrared, building pressurization fans and software, moisture intrusion racks, chambers and spray nozzles, borescopes, wind up-lift

domes, ground penetrating radar and other related equipment. Mr. Keeney has worked closely with RCI and has spearheaded the development of internal roof/building envelope inspector training and certification programs.

Education:

- Architectural Studies, Valencia State College & University of Central Florida, 1984

Certifications / Registrations:

- Certified Roofing/ Waterproofing Contractor, CCC-057988, Florida
- Certified Florida Wind and Hurricane Mitigation Consultant, #599, Florida

- Certified Firestop Inspector, #070230
- AIA Continuing Education Presenter
- Expert Witness Experience

Relevant experience:

- Bay County Juvenile Justice Courthouse, Panama City, FL
- Charlotte County Structural Assessments, Punta Gorda, FL
- Dermatology Specialists of Florida PCA, Various Locations, Florida & Alabama
- City of St. Pete PCAs, St. Petersburg, FL
- Shoreline Village - Destin, FL - PCA, Destin, Florida



Dany Romero, PE has more than 7 years' combined experience in the construction industry, concentrating on research initiatives, deep foundation installation and testing and project management. Mr. Romero's building envelope experience developed in graduate and undergraduate research initiatives as a member of the Florida Coastal Monitoring Program at the University of Florida. Dany was involved in numerous investigations evaluating water ingress, wind-borne debris impact and mechanical failure of roofing components during extreme wind events. Dany's professional experience also extends to foundation installation and testing in heavy civil applications, with site work in many regions of North and South America. Dany's responsibilities include field observations and measurements, quality assurance and monitoring, analysis and materials testing and document preparation and review.

Education:

- Master of Civil Engineering, Structures, University of Florida
- Bachelor of Science in Civil and Coastal Engineering, University of Florida

Certifications / Registrations:

- Professional Engineer: FL, # 82402

Relevant experience:

- Charlotte County Structural Assessments, Punta Gorda, FL
- City of St. Pete PCAs, St. Petersburg, FL
- Orange Avenue PCA, Orlando, Florida



Michael Wright has more than 40+ years' experience in the diagnosis and resolution of building envelope problems, including below-grade waterproofing, damproofing, BUR, Modified Bitumen, Single-Ply and sprayed-in-place roof systems. He has extensive experience in waterproofing and curtain wall testing and component evaluation. He is responsible for coordinating all aspects of testing, design and detail review, observations, and asset management program services offered to our clients. In addition, he is responsible for Infrared Thermographic Scanning, Environmental Site Assessments (ESA) and Property Condition Assessments (PCAs), Asbestos Containing Materials Testing and many of the additional services that accompany Facility Condition Assessments. He has hands-on involvement with the review conceptual development of waterproofing and building envelope details, and construction cost estimates, field inspection and evaluations, mold, and spore sampling, building component forensics and the preparation of field and laboratory reports.

Certifications / Registrations:

- Basic Roofing Technology
- Basic Welding Inspection, Hobart School of Welding
- Construction Analysis Seminar, US Small Business Administration
- Inframetrics Thermography
- Roofing Industry Educational Institute
- STO Institute Third Party EIFS Inspection Seminar
- IAQ/IH Mold Sampling Workshop
- EPA/AHERA/ASHARA, Certified Asbestos in Buildings Inspector
- EPA/AHERA/ASHARA, Certified Asbestos Management Planner
- Canon Fabrications Negative Pressure Uplift Testing
- Carlisle CCW Below-Grade Waterproofing Training
- CETCO Waterproofing 3rd Party Inspection Training
- FEMA Disaster Assessment Seminar

Relevant experience:

- 9 Site Portfolio PCA, Panama City Beach, FL
- Centre of Tallahassee Mall PCA, Tallahassee, FL



Our design team includes a Project Architect, **Ms. Christine Lowry, RA**. Ms. Lowry's 15 years of experience includes an extensive history with high profile re-roofing and waterproofing projects. She heads up our CAD design and specifically has over 10 years' experience in that role.

Education:

- Georgia Institute of Technology, Master of Architecture, 2007; Bachelor of Science in Architecture, 2003

Certifications / Registrations:

- Registered Architect: GA, FL

Relevant experience:

- Tampa Maid Facility PCA, Lakeland, FL
- Zynax - 3906 E 21st Ave Tampa FL
ESA/PCA, Tampa, FL



Brian Leigh Snell, PE, SI began his engineering career in 1983. Since that time, he has been the design professional, project engineer or special inspector on many structures throughout Florida. From 1993 to 2016 he started, owned and operated a highly regarded structural engineering firm in Sarasota, FL – providing consulting services to many Architects, Contractors, and Owners. He has been in responsible charge of the work product and inspections for over 2,400 jobs during the 23 years of ownership. He guided a staff of engineers and draftsmen and performed a final review of all documents. Mr. Snell has extensive experience in structural restoration engineering – providing a heightened awareness of the effects of an aggressive environment. Mr. Snell's responsibilities include management of NOVA's Threshold Building Inspection program, review of Threshold reports by Special Inspector Authorized Representatives, conducting threshold/special inspections and ensuring that NOVA's Authorized Representatives are qualified to perform the duties assigned to them

Education:

- University of Florida - Master of Engineering 1983
- University of Florida - Bachelor of Science in Civil Engineer 1981

Certifications / Registrations:

- Professional Engineer FL 42756
- Threshold Inspector FL 2043

Relevant experience:

- OSHA 10

Relevant experience:

- Tampa Maid Facility PCA, Lakeland, FL
- 2111 N Albany ESA/PCA/ACM Combo, Tampa, FL
- Cox Seafood Facility PCA, Tampa



Brandon Mahanna is a Building Envelope Consultant for NOVA's Facilities Service Line where he takes a clinical approach to addressing existing facility concerns and providing quality assurance in new construction as well as existing structures. He provides detailed site inspections, and review of construction documents to identify building system deficiencies, determine the issues through forensic investigations and provide solutions. Mr. Mahanna performs and oversees numerous projects relating to building envelope investigations and testing, roof surveys and testing, non-destructive testing, reinforcement verification, specialty testing, and property condition assessments. Mr. Mahanna coordinates plans and specifications review, quality assurance and quality control, renovation and repair monitoring and construction materials testing and inspection. Mr. Mahanna is a Level I Certified Infrared Thermographer and performs Infrared Surveys on building envelope and roof systems. Mr. Mahanna is also a Certified Uplift Testing Specialist and with experience in performing wind-uplift testing utilizing a wind-uplift chamber. He is also experienced in solutions of reinforcement verification problems utilizing ground penetrating radar technology. Additionally, Mr. Mahanna performs testing services in accordance with AAMA, ASTM, FM, TAS, and ANSI Standards.

Certifications / Registrations:

- Level I Infrared Thermographer
- Certified Uplift Testing Specialist
- GPR Certified Technician
- Open Water Dive Certified – PADI
- OSHA 10

Relevant experience:

- Bay County Juvenile Justice Courthouse, Panama City, FL
- Charlotte County Structural Assessments, Punta Gorda, FL
- Johnson & Wales University PCA, Miami, Florida



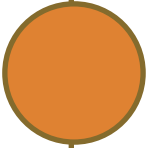
Ryan Bunch, ACI, ICC, RRO Senior Inspector and Service Line Leader for NOVA's Panhandle operations and has over 12 years of industry experience providing Building Envelope, Roofing Inspection, Construction Materials Testing and Civil/Structural Special Inspection services. His portfolio includes providing testing and inspection services for projects spanning from the Southwestern United States to the Florida Panhandle. His project experience includes education, commercial, retail, heavy industrial and multi-family housing projects.

Certifications / Registrations:

- International Code Council (ICC): Commercial Building Inspector, Reinforced Concrete Special Inspector, Structural Masonry Special Inspector
- American Concrete Institute (ACI): Concrete Field Testing Technician - Grade I
- RCI Registered Roof Observer
- Basic Radiation Safety
- MSHA Certified
- Asphalt Institute/Field Quality Control and Testing

Relevant experience:

- Bay County Juvenile Justice Courthouse, Panama City, FL
- Bay County Health Dept Roof Inspections, Panama City, FL
- Bay District Schools Roof Inspections, Panama City, FL



Ted Bellanger is a Building Envelope Consultant in NOVA's Roofing and Building Envelope Services Group. Mr. Bellanger has over 28 years in the construction industry and commercial building BE components. He has expertise and skills in Glass and Glazing installation and fabrication. Mr. Bellanger has been employed with NOVA since 2015.

Relevant experience:

- Charlotte County Forensic Roof/Envelope Testing, Punta Gorda, FL
- Bay Medical Various Inspections, Panama City, FL
- Bay Medical Wind Uplift Testing, Panama City, FL



Ashley Montford is a Property Condition Assessor for NOVA's Building Envelope sector, specializing in building enclosure services for commercial clients. She has built experience in Document Review & Interviews, Walk-Through Survey, Opinion of Costs to Remedy Physical Deficiencies and Property Condition Reports (PCR) based on the ASTM E2018 standard. Ms. Montford has been in the building enclosure industry since 2018.

Relevant experience:

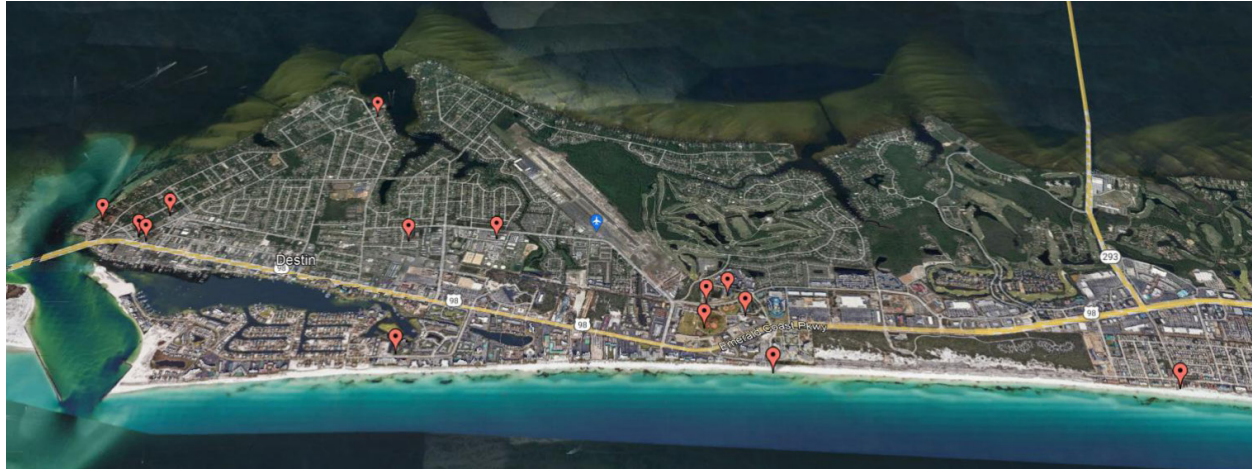
- Panama City Hall- IR Scan, Panama City, FL
- City of St. Pete PCAs, St. Petersburg, Florida
- City of Kennesaw PCA's (Phase 1), Kennesaw, GA

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PART 3 - UNDERSTANDING OF SCOPE & DETAILED WORK PLAN

Our understanding of the Subject Property and requirements for this project are based on information provided via RFP No. 21-11-PS, Facilities Condition and Needs Assessment.

We understand the Subject Properties are located at the following addresses:



FACILITY	ADDRESS	ESTIMATED SQ. FT	NO. OF FLOORS	NO. OF EMPLOYEES
City Hall & EOC	4200 Indian Bayou Trail	14000	1	~20
City Hall Annex	4100 Indian Bayou Trail	10500	1	20+
Destin Public Library	150 Sibert Ave	13250	1	<10
Destin History & Fishing Museum	108 Stahlman Ave	5200	1	<10
Community Center	101 Stahlman Ave	19500	1	~10
Destin Sheriff Substation and EMS	101 Stahlman Ave	6100	1	20+
Food 4 Thought	908 Airport Rd	2900	1	<10
Morgan's Sports Center & Detached Restrooms	3950 Commons Drive	3250	2	<10
Buck Destin Recreational Facility	724 Legion Drive	2000	1	<10
Maintenance Bldg.	3949 Commons Drive	10750	2	20+
Shore Of Crystal Beach Restrooms and Pavilion	2966 Scenic Hwy 98	2000	1	Unattended
June White Decker Restrooms & Maintenance Bldg.	1950 Scenic Hwy 98	625	1	Unattended
Joe's Bayou Restrooms and Office	800 Beach Drive	300	1	<10
Harbor Pump Station	725 Gulf Shore Drive	400	1	Unattended
Leonard Destin Park Restrooms	101 Calhoun Ave	600	1	Unattended

Specifically, for the purposes of this proposal, it is our understanding that you are requesting services that include a Facility Condition Assessment (FCA).

SCOPE OF WORK

FACILITY CONDITION ASSESSMENT (FCA):

As requested, NOVA proposes to perform a Facility Condition Assessment of the noted property in order to provide a baseline assessment of the properties. NOVA proposes to perform this survey in general accordance with ASTM E-2018-15.

The services proposed herein are qualitative in nature and do not include obtaining and testing materials or performing engineering calculations to determine the adequacy of the existing design. FCA's are primarily directed at noting construction defects, components that seem to exhibit less than expected service life, or systems that have been poorly maintained.

FCAs are not intended to address routine maintenance items or to develop detailed remedial plans for identified problems. Facility Condition Assessment are preliminary reviews to identify problems and general costs and are not intended to be as detailed an analysis of each separate system as is possible. Although a "standard of care" is exhibited by trained professionals, in this type of preliminary review it is possible that conditions may exist which will affect the value and/or performance of the facility but that will not be discovered by the survey. If the preliminary review identifies problems, which in our opinion need further study, the scope of recommended additional work with an estimated fee will be included in the final report.

Specifically, the Facility Condition Assessment will consist of the following tasks:

Documentation Review and Interviews

The objective of the document review and interviews is to augment the walk-through survey and to assist the consultant's understanding of the subject properties and identification of physical deficiencies. Records or documents that are readily available and reasonably ascertainable may be reviewed in completion of the assessment. NOVA requests that the following items be provided if available:

1. Appraisal, either current or previously prepared
2. Certificate of Occupancy
3. Safety inspection records
4. Warranty information (roofs, boilers, chillers, cooling towers, etc.)
5. Records indicating the age of material building systems such as roofing, paving, plumbing, heating, air conditioning, electrical, etc.
6. Historical costs incurred for repairs, improvements, recurring replacements, etc.
7. Pending proposals or executed contracts for material repairs or improvements.
8. Descriptions of future improvements planned
9. Outstanding citations for building, fire, and zoning code violations
10. The ADA survey and status of any improvements implemented to effect physical compliance.
11. Previously prepared property condition reports or studies pertaining to any aspect of the subject property's physical condition.
12. Records indicating building occupancy percentage.
13. Building rent roll as it relates to tenant count or leasable area.
14. Leasing literature, listing for sale, marketing/promotional literature such as photographs, descriptive information, reduced floor plans, etc.
15. Drawings and specifications (as built or construction)
16. Contact name and phone number of property managers and maintenance



Walk-Through Survey

The objective of the walk-through survey is to visually observe the subject properties so as to obtain information on material systems and components. As part of this walk-through survey, NOVA will require unrestricted access to mechanical and electrical rooms, and common areas and hallways. The walk-through survey will also assess the following items in the associated manner:

- **Site**

Topography - Observe the general topography and any unusual or problematic features or conditions.

Storm Water Drainage - Observe the storm water collection and drainage system and note the presence of on-site surface waters and retention or detention basins.

Ingress and Egress - Observe the major means of ingress and egress.

Paving, Curbing and Parking - Observe the material paving and curbing systems. Identify the types of parking, that is, garage, surface, subsurface, etc., the number and types of parking and loading spaces, and any reported parking inadequacies. Note the source of the information relating to the number and types of parking and loading spaces.

Flatwork - Observe sidewalks, plazas, patios, etc.

Landscaping and Appurtenances - Observe landscaping (trees, shrubs, lawns, fences, retaining walls, etc.) and material site appurtenances (irrigation systems, fountains, lighting, signage, ponds, etc.).

Recreational Facilities - Observe on-site recreational facilities.

Special Utility Systems - Identify the presence of any special on-site utility systems such as water or wastewater treatment systems, special power generation systems, etc. If readily available, identify material system information such as system type, manufacturer, system capacity, system age, system operator, etc.

- **Structural Frame and Building Envelope**

Identify the primary buildings, including parking structure, on the subject properties, and identify the basic type of structure (steel frame, wood frame, cast-in-place concrete, precast concrete, concrete block, etc.) for each. Observe the building substructure, including the foundation system (noting the presence of cellars, basements, or crawl spaces), building's superstructure or structural frame (floor framing system and roof framing system), building envelope including facades or curtain wall system, glazing system, exterior sealants, exterior balconies, doors, stairways, parapets, etc. Observations of the building's exterior generally are to be limited to vantage points that are on-grade or from readily accessible balconies or rooftops. NOVA will use a remote-controlled drone, operated by a licensed and certified operator, to document the condition of the exterior facade.

- **Roofing**



Identify and observe the material roof systems (exposed membrane and flashings) including, parapets, slope, drainage, etc. Observe for evidence and/or the need for material repairs, evidence of significant ponding, or evidence of roof leaks. Inquire as to the age of the material roofing system(s) and whether a roof warranty or bond is reported to be in effect. NOVA will access low slope roofs that are provided with safe, built-in access and low slope roofs that can be safely accessed by using a 24-foot extension ladder. OSHA recommends allowing top of ladder to extend 3 feet above the point of top support and that the base of the ladder be tilted away from vertical a minimum of one quarter the distance from the base of ladder to point of support. NOVA will not access pitched roofs or roof areas that appear to be unsafe for any reason.

- **Plumbing**

Identify and observe the material plumbing systems including piping (sanitary, storm and supply water), fixtures, domestic hot water production, and note any special or unusual plumbing systems.

- **Heating**

Identify the basic type of heat generating and distribution system, and the apparent or reported age of the equipment, past material component replacements/upgrades, and the apparent level of maintenance exercised. If heating equipment is shutdown or not operational at the time of the walk-through survey, provide an opinion of the condition to the extent observed. Also, observe any special or unusual heating systems or equipment present, such as solar heat. Identify in general terms reported material tenant-owned systems that are outside the scope of the FCA.

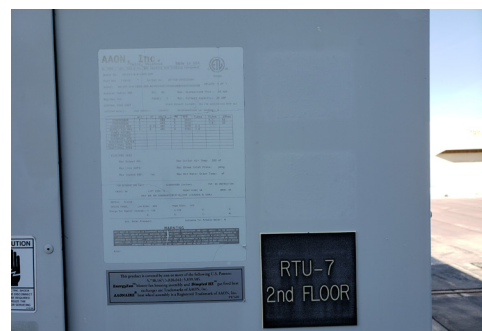
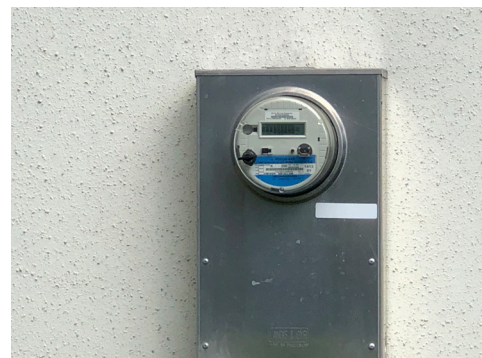
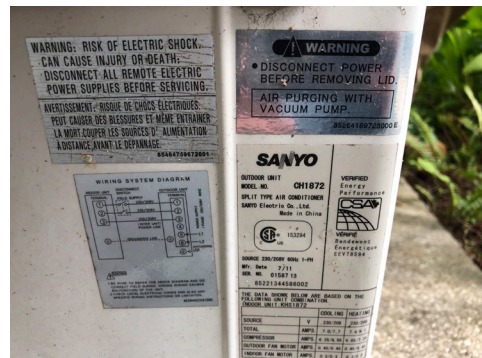
- **Air Conditioning and Ventilation**

Identify the basic type of air-conditioning and ventilation systems including cooling towers, chillers (include type of reported refrigerant used), package units, split systems, air handlers, thermal storage equipment, material distribution systems, etc. Identify the apparent or reported age of the material equipment, past material component upgrades/replacements, apparent level of preventative maintenance exercised, and whether a maintenance contract is reported to be in place.

If air conditioning and ventilation systems are shutdown or not operational at the time of the walk-through survey, provide an opinion of the condition to the extent observable. NOVA will not identify any special or unusual air conditioning and ventilation systems or equipment, such as refrigeration equipment, cold storage systems, special computer cooling equipment, etc. Identify in general terms reported material tenant-owned systems that are outside the scope of the FCA.

- **Electrical**

Identify the electrical service provided and observe the electrical distribution system including distribution panels,



transformers, meters, emergency generators, general lighting systems, and other such equipment or systems. Observe general electrical items, such as distribution panels, type of wiring, energy management systems, emergency power, lightning protection, etc. Identify any observed or reported special or unusual electrical equipment systems, or devices at the subject property.

- **Vertical Transportation (if applicable)**

Identify equipment type, number of cabs/escalators, capacity, etc. Observe elevator cabs, finishes, call and communication equipment, etc. Identify whether a maintenance contract is reported to be in place, and if so, identify the service contractor.

- **Life Safety/Fire Protection**

Identify and observe life safety and fire protection systems, including sprinklers and standpipes (wet or dry, or both), fire hydrants, fire alarm systems, water storage, smoke detectors, fire extinguishers, emergency lighting, stairwell pressurization, smoke evacuation, etc.

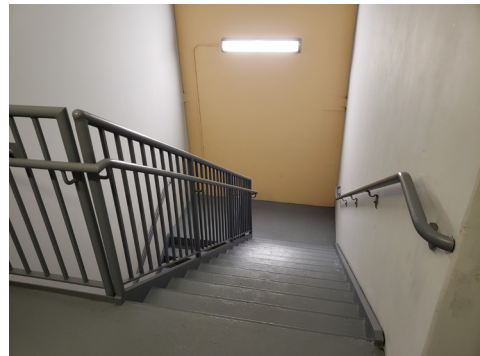
- **Interior Elements**

At commercial/retail buildings we observe typical common areas including lobbies, corridors, assembly areas, and restrooms. Identify and observe typical finishes including flooring, ceilings, walls, etc. Also, common areas of building amenities or special features. NOVA will not observe or comment on equipment dedicated or used for tenant purposes.

- **Additional Considerations**

In addition to the tasks listed above, NOVA will also provide a basic visual assessment of select ADA provisions of the site. NOVA will perform our assessment in accordance with the “Uniform Abbreviated Screening Checklist for the 2010 Americans with Disability Act” as included as figure X2 in Appendix X of ASTM E 2018-15. NOVA’s basic assessment will be limited to visual observations of the “common areas” of the site, including parking, exterior accessible routes, building entrances, interior accessible routes and amenities, interior doors, elevators, toilet rooms and hospitality guestrooms if present. No measurements or counts of any type will be taken with the exception of counting the total number of parking spaces and ADA designated parking spaces. A detailed study of the conformance of the properties with regard to the requirements of ADA will not be performed as part of our basic ADA assessment. Due to our basic assessment being visual in nature only, the reliability of the results may be less than accurate. Non-compliant conditions may exist which may not be identified as a result of our basic assessment.

An option for a more detailed “Level II” ADA assessment that includes measurements of the items listed in the “Uniform Abbreviated Screening Checklist for the 2010 Americans with Disabilities Act” has been included in the Fees section of this proposal. If more detailed information is required for only select ADA provisions, or an even more comprehensive



ADA survey for the properties is required, including measurements of select provisions, please contact the undersigned so that we may develop a scope of assessment that is appropriate for your use.

- **Preparation of Opinions of Costs to Remedy Physical Deficiencies**

Based on the walk-through survey and information obtained, general opinions of costs will be provided for the suggested remedy of the material physical deficiencies observed. These opinions of costs are to assist the user in developing a general understanding of the physical condition of the subject properties. Opinions of costs will be provided for material physical deficiencies and not for repairs or improvements that could be classified as cosmetic/decorative, part of a building renovation program, tenant improvements/finishes, enhancements to reposition the properties in the marketplace, for warranty transfer purposes or routine/normal preventative maintenance. Generally, opinions of costs will not be provided for items less than \$1,000. Unless otherwise stated the term will be ten (10) years.

Opinions of cost provided in the limited property condition report are approximations only and should not be interpreted as bids or offers to perform work. More detailed proposals should be obtained for actual construction budgets. Actual costs will vary according to the extent of work done at one time, the quality of contractors used, the quality of materials specified, and specific work conditions. These conditions may not be known at the time our opinions of costs are approximated.

- **Facility Condition Report**

Upon completion of the reviews and survey, a written report will be prepared summarizing our observations and findings, opinions and recommendations, and conclusions, including referenced sources. When appropriate, the report will be supplemented with photographic documentation and spreadsheets, which list Immediate Repair Needs and Needs-Over-Term (10 years) items, as well as an opinion for the estimated budget to correct these items. Our fee estimate includes submittal of an electronic copy (pdf) and up to a total of three bound copies (upon request) of the report. All buildings will be encompassed on one (1) report.

*****AN EXAMPLE REPORT IS INCLUDED IN THE APPENDIX.***



LIMITATIONS

The following list of items will not be performed or considered as part of our base Limited Facility Condition Assessment. If information regarding any of these items is required, please contact the undersigned for more information.

1. Capital Improvements
2. Items beyond the limit of the term
3. Opening/removing access panels, cutting/probing, intrusive investigation
4. Determining pressure or flow rate, pipe sizes or point of discharge for underground drains
5. Determining NFPA hazards or fire ratings
6. Preparing Engineering calculations
7. Taking measurements
8. Evaluating presence of pests, rodents, and insects
9. Evaluating subterranean conditions
10. Entering areas that pose a threat to health and safety
11. Performing physical assessments that may damage the building
12. Providing opinion on the working order of systems or components that are abandoned or shut down. Visual description of physical condition will be provided.
13. Commentary regarding sound transmission
14. Commentary regarding flammability
15. Commentary regarding security
16. Evaluation of working condition of items that are operated by timers or are operated manually by operation staff or service companies, including irrigation sprinklers and lighting
17. Evaluation of Environmental concerns
18. Items requiring specialized knowledge (flues, chimneys, boiler stacks, electromagnetic fields, elevator and escalator cables, sheaves, controllers, motors, inspection tags or tenant owned or maintained equipment)
19. Process related equipment or entering plenums or confined spaces, testing of equipment or air flow
20. Observation of insides of flues, chimneys, or boiler stacks, tenant owned or maintained equipment, entering or confined space areas

Additionally, the services proposed herein are conventional in nature and do not include any special services that may lessen the risk of conditions that can contribute to moisture, mold or other microbial contaminate amplification in buildings. You may be aware that mold is abundant throughout nature and is comprised of a wide variety of microscopic fungi. Due to its nature, the potential for mold infestations cannot be eliminated.



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PART 4 - DELIVERY SCHEDULE AND TIMELINE

All services will generally follow a series of steps following our Notice to Proceed from the City. Basically, this is how we plan to meet your needs.

1. GETTING STARTED

- Kick-Off meeting between City representatives and key NOVA management and technical project personnel to review and reaffirm project objectives and to establish the scope, required timelines and preliminary schedule. Report format and deliverables will also be finalized. At this meeting the intent is to also work out as many logistical issues as possible.
- Based on meeting results, finalize project team.
- As part of the NOVA team, Senior Technical Professionals will be utilized for final review of reports.
- To assist in preparation of the reports administration personnel and CAD technicians may also be utilized. Research and review any available data.
- Conduct an internal NOVA meeting with all NOVA team members to roll out project requirements, timelines, schedules, formats, etc.

2. PERFORM BUILDING/SITE/INFORMATION ASSESSMENTS

- Schedule building/site assessment activities with designated City personnel.
- A master schedule of all site visits will be prepared.
- Meet with relevant site personnel to review provided building and operational information.
- Assessors will perform field reconnaissance to determine existing systems, conditions and deficiencies as required. Building systems and components to be assessed are outlined above.
- Assessors will utilize prepared building system checklists and data sheets to assist in capturing field information. Some assessors will utilize handheld tablets to capture data.
- If life safety issues are observed NOVA field assessors will notify the City immediately.
- Communicate significant findings to the City.
- Record data obtained during reconnaissance and additional information provided by on-site personnel or records.
- Take digital photographs of existing conditions and deficiencies.

3. REPORT PREPARATION/DELIVERABLE

- Evaluate results of field and data assessments.
- Assessors will prepare “draft” report. The report will follow preapproved format guidelines.
- Draft report will contain system inventory, existing conditions, and deficiencies (all items as outlined above) including construction cost estimates/opinions of cost.
- A capital expenditure spreadsheet
- Draft report will be internally reviewed by a NOVA Senior Technical Professional. Within NOVA, a Senior Technical Professional is a high-level technical person in a specific service line that has the needed registrations, knowledge and proven experience to provide a quality assurance review of a work product.
- Draft report will be submitted to the City of Destin for review and comment.
- Upon draft report review NOVA will discuss applicable comments with the City.
- Edit report as applicable.
- NOVA Principal Consultant will review edited report.
- NOVA will deliver final hard copy and electronic reports.

PROJECT SCHEDULE

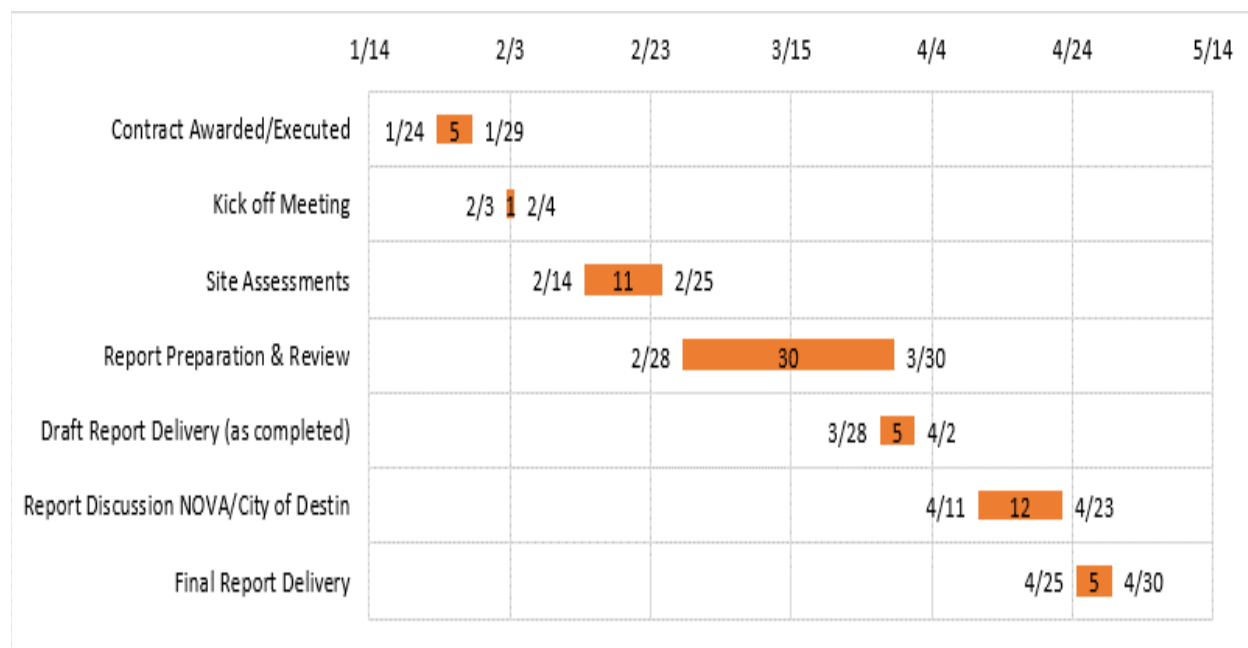
NOVA understands the facility condition assessments and deliverables are due by June 30, 2022. NOVA has the necessary resources and is committed to ensuring completion of this project within the designated time-frame.

INTERNAL PROJECT MEETINGS

NOVA has an established internal quality assurance program for Facility Condition Assessment projects which includes internal pre-construction meetings between the Lead Inspector, Project Manager and Principal Engineer prior to the start of each major construction task in order to review the approved schedule of special inspections and project specific requirements to ensure the entire project team is on the same page regarding the expectations and requirements for all assessments.

SENIOR REVIEW PROGRAM/SENIOR TECHNICAL PROFESSIONAL CERTIFICATION

In addition to our internal project meetings, NOVA operates by utilizing our Senior Review Program. NOVA requires a minimum of two signatures on all documents – one of which is by a Senior Technical Professional (STP). To be considered one of our STP's, a management professional must go through several rounds of training. The final step is a in person examination in front of our Board of Directors. With all of these steps, NOVA ensures that only our most knowledgeable and poised professionals are taking the lead on reviewing the quality of project documents sent to our valued clientele.



NOVA based this chart on the dates provided in the Project Schedule section of the RFP. Dates are subject to change based on contract award date, but the chart provides general time frames for each task.

PART 5 - REFERENCE REVIEWS

REFERENCE #1

- Name of the project study – Johnson & Wales University PCA Portfolio
- Location of the project – North Miami, Florida
- Name, title, and contact information for the client:
Michael Schackne, PG | Senior Project Manager
LANGAN
Direct: 813.439.6113 | Mobile: 813.918.1925 | mschackne@langan.com
Phone: 813.439.6100 | Fax: 813.439.6101 | www.langan.com
400 N. Ashley Drive, Suite 2175, Tampa, FL 33602
- Project budget: \$75,000
- Date of completion of the project – 06/2021

REFERENCE #2

- Name of the project study: Charlotte County Justice Center Forensic Investigation
- Location of the project, Punta Gorda, Florida
- Name, title, and contact information for the client:
Caryn Huff | Sr. Project Manager
Wharton-Smith, Inc. | Construction Group of Choice | www.whartonsmith.com
Cell: (813) 240-4165 | chuff@whartonsmith.com
- Project budget: \$150,000
- Date of completion of the project June 2021.

REFERENCE #3

- Name of the project study – Panama City Marina Civic Center
- Location of the project – Panama City, Florida
- Name, title, and contact information for the client:
City of Panama City
Randy Plank | Project Manager, PMO Office
501 Harrison Ave, Panama City, FL 32401
rplank@pcgov.org | Direct: 850-691-4575
- Project budget: \$143,604.48
- Date of completion of the project July 2021.

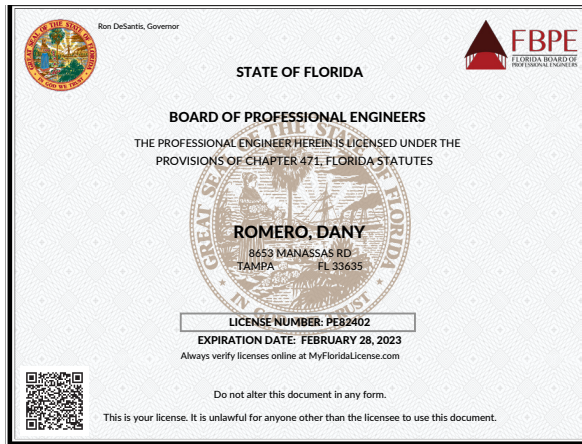
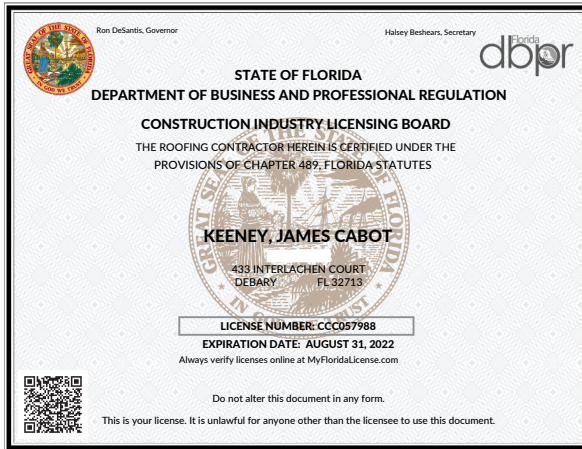
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APPENDIX - ADDITIONAL DOCUMENTATION REQUIRED

Required Licensing

	Ron DeSantis, Governor	Halsey Beshears, Secretary	
STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION BOARD OF PROFESSIONAL ENGINEERS THE ENGINEERING BUSINESS HEREIN IS AUTHORIZED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES NOVA ENGINEERING AND ENVIRONMENTAL, LLC 3900 KENNESAW 75 PARKWAY SUITE 100 KENNESAW GA 30144 LICENSE NUMBER: CA27772 EXPIRATION DATE: FEBRUARY 28, 2021 Always verify licenses online at MyFloridaLicense.com  Do not alter this document in any form. This is your license. It is unlawful for anyone other than the licensee to use this document.			

NOTE: As of 2021, this license no longer has an expiration date per the State of Florida.



6/17/2021

DBPR - LOWRY, CHRISTINE SUSAN, Architect

10:22:12

Licensee Details

Licensee Information

Name: **LOWRY, CHRISTINE SUSAN (Primary Name)**
Main Address: **245 17TH AVE NE
ST PETERSBURG Florida 33704-3557**
County: **PINELLAS**
License Mailing:
License Location:

License Information

License Type: **Architect**
Rank: **Architect**
License Number: **AR97581**
Status: **Current, Active**
License Date: **05/20/2015**
Expires: **02/28/2023**

DBPR - SNELL, BRIAN LEIGH, Professional Engineer

Page 1 of 1

10:53:02 AM 2/13/2019

Licensee Details

License Information

Name: **SNELL, BRIAN LEIGH (Primary Name)**
Main Address: **5023 MINK ROAD
SARASOTA Florida 34235-4345**
County: **SARASOTA**
License Mailing:
License Location:

License Information

License Type: **Professional Engineer**
Rank: **Prof Engineer**
License Number: **42756**
Status: **Current, Active**
License Date: **02/22/1990**
Expires: **02/28/2021**

Special Qualifications

Special Inspector **03/19/2002**
Advanced Building Code **11/29/2018**
Course Credit

Alternate Names

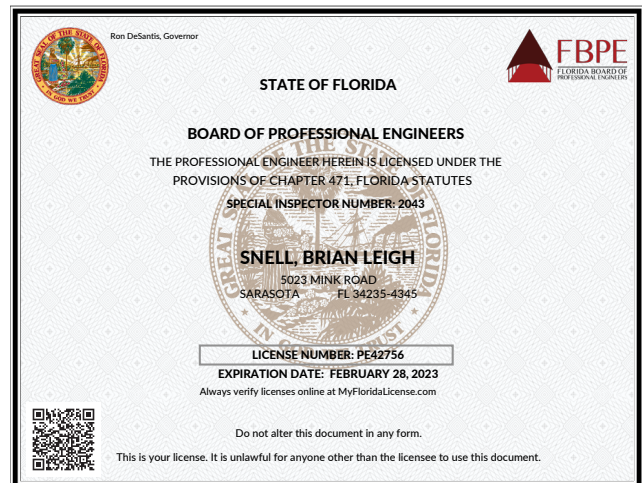
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View License Complaint

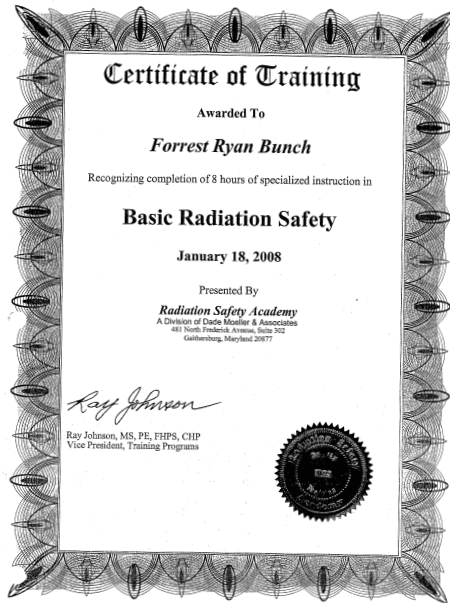
2601 Blair Stone Road, Tallahassee, FL 32302 :: Email: [Customer Contact Center](#) :: Customer Contact Center: 850.487.1395

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<https://www.myfloridalicense.com/LicenseDetail.asp?SID=&id=D1435B51051726F87BE...> 2/13/2019







The ICC Certification Search contains information on individuals who may be currently certified with the International Code **AAA** Council, but is not the official record. Certificates should be verified through viewing the original certificate issued by ICC to the individual or by using the search function below. To maintain the currency of ICC certificates, individuals must renew these every two to three years through retesting or professional development activities. Full details on certificate renewal requirements are found in the [Certification Renewal web pages](#).

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Terms of Use: This listing is provided as a service to the constituents of ICC for the purposes of locating a certified professional or contractor in your area, or confirming status for individuals. Any other use, sale, transfer, or reproduction in any form without the express written consent of ICC is strictly prohibited. ICC reserves the right to incorporate some false names to detect improper use of this service.

First Name: Last Name:

City: State:

Certification Type:

PLEASE NOTE: Search will return a maximum of 500 records, and is limited to that information on record as provided by candidates.

Search Result:

1 records found.

Certified under this name	City	State	Certificates
Forrest Bunch	Pensacola	FL	Commercial Building Inspector (expires 04/22/2022) Reinforced Concrete Special Inspector (expires 11/23/2023) Structural Masonry Special Inspector (expires 04/22/2022)



Required Insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/11/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ironwood, a Marsh & McLennan Agency, LLC Co 4401 Northside Parkway NW Suite 800 Atlanta GA 30327		CONTACT NAME: Laura Newton PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: lnewton@ironwoodins.com	
INSURED Nova Engineering and Environmental, LLC 3900 Kennesaw 75 Parkway Suite 100 Kennesaw GA 30144		INSURER(S) AFFORDING COVERAGE INSURER A: Colony Insurance Company NAIC # 39993 INSURER B: United Specialty Insurance Co. 12537 INSURER C: Travelers Indemnity Company of America 25666 INSURER D: Allied World Surplus Lines Ins Co 24319 INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER: 21-22** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC ☐ OTHER:		X	PACE302573	8/31/2021	8/31/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS		X	FQRAL2021 See attached comments/remarks	8/31/2021	8/31/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Comp / Collision Deductible \$ 1,000
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$		X	EXC302574	8/31/2021	8/31/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	UB-2P642905-21-51-K See attached comments/remarks	04/01/2021	04/01/2022	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
D	Professional Liability			03091788	8/31/2021	8/31/2022	Per Occurrence / Aggregate \$2M / \$4M
A	Pollution Liability			PACE302573	8/31/2021	8/31/2022	Each Poll Condition / Aggregate \$1M / \$2M

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 RFP 21-11-PS
 City of Destin is additional insured on the General Liability, Automobile Liability, and Umbrella Liability policies with respect to the liability resulting from the operations of the Named Insured as required by written contract. 30 day Notice of Cancellation, except 10 days for non-payment, applies to certificate holder per policy provisions.

CERTIFICATE HOLDER City of Destin 4200 Indian Bayou Trail Destin, FL 32541	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Laura Newton/DAPHWI
--	---

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ACORD 25 (2014/01)
INS025 (201401)

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EXHIBIT B
RESPONSIVE BIDDER QUALIFICATION STATEMENT

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Destin
CITY CLERK'S OFFICE
4200 Indian Trail Bayou
Destin, Florida 32541
Telephone: (850) 837-4242

Check One

Submitted By:

Corporation ☒

Name: NOVA ENGINEERING & ENVIRONMENTAL, LLC

Partnership ☐

Address: 140-A Lurton Street

Individual ☐

City, State, Zip: Pensacola, Florida 32505

Other ☐

Telephone No.: 850.607.7782

Fax No.: 850.249.6683

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the responsive bidder is:

NOVA ENGINEERING & ENVIRONMENTAL, LLC

The address of the principal place of business is:

3900 KENNESAW 75 PARKWAY, SUITE 100, KENNESAW, GA 30144

2. If responsive bidder is a corporation, answer the following:

- a. Date of Incorporation: 6/12/2007
- b. State of Incorporation: DELEWARE
- c. President's name: BOB HUGHES, PE
- d. Vice President's name: STEWART PILSCH
- e. Secretary's name: TIMOTHY HALL
- f. Treasurer's name: TIMOTHY HALL

g. Name and address of Resident Agent: **CT CORPORATION SYSTEM, 1200 S PINE ISLAND RD, PLANTATION, FL 33324**

3. If responsive bidder is an individual or a partnership, answer the following:

a. Date of organization: _____

b. Name, address and ownership units of all partners:

c. State whether general or limited partnership: _____

4. If responsive bidder is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

5. If responsive bidder is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

6. How many years has your organization been in business under its present business name?

14 YEARS

Under what other former names has your organization operated?

NOVA ENGINEERING & ENVIRONMENTAL, INC

7. Indicate registration, license numbers or certificate numbers for the businesses or professions, which are the subject of this Bid. Please attach certificate of competency and/or state registration.

PROFESSIONAL ENGINEER LICENSE NUMBER: CA27772

8. Have you ever failed to complete any work awarded to you? If so, state when, where and why:

NO

9. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary)

PLEASE SEE RESUMES IN PART 2 OF THIS RFQ RESPONSE

10. State the name of the individual who will have personal supervision of the work:

DESIRÉ MAHANNA

11. State the name and address of attorney, if any, for the business of the responsive bidder:

DR. KARL J. DUFF, PH.D., J.D.

ATTORNEY AND COUNSELOR AT LAW

PROFESSIONAL LIABILITY CONSULTANTS, LLC

2205 RIVERSTONE BLVD. - SUITE 108

CANTON, GA 30114

12. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the responsive bidder's business and indicate the percentage owned of each such business and/or individual:

NOVA Engineering and Environmental, LLC is a Delaware Limited Liability Company which is owned by Watkins Associated Holdings, LLC, a Georgia Limited Liability Company.

13. State the names, addresses, and the type of business of all firms that are partially or wholly owned by responsive bidder:

NOVA Engineering and Environmental, LLC is a Delaware Limited Liability Company which is owned by Watkins Associated Holdings, LLC, a Georgia Limited Liability Company.

14. Annual Average Revenue of the responsive bidder for the last three years as follows:

		<u>Revenue Index Number</u>
a.	Government Related Work	1
b.	Non-Governmental Related Work	8
	<i>Total Work (a +b):</i>	9

Revenue Index Number

1.	Less than \$100,000
2.	\$100,000 to less than \$250,000
3.	\$250,000 to less than \$500,000
4.	\$500,000 to less than \$1 million
5.	\$1 million to less than \$2 million
6.	\$2 million to less than \$5 million
7.	\$5 million to less than \$10 million
8.	\$10 million to less than \$25 million
9.	\$25 million to less than \$50 million
10.	\$50 million or greater

15. Bank References:

Bank	Address	Telephone
Bank of America Account#: 4451361323 ABA/Routing for checks: 111000012 600 Peachtree Street Atlanta, GA 30308 888-715-1000 ext 22157 Contact: Cicly Gibbs-Manning		

16. What will be your turnaround time for written responses to City inquiries?

24-48 HOURS

17. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the responsive bidder, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description, the disposition of each such petition.

NONE.

18. List all claims, arbitrations, administrative hearings and lawsuits brought by or against the responsive bidder or its predecessor organization(s) during the last five (5) years. The list shall include all case names, case arbitration or hearing identification numbers, the name of the project which the dispute arose, and a description of the subject matter of the dispute.

PLEASE SEE ATTACHED DOCUMENT.

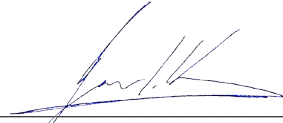
19. List and describe all criminal proceedings or hearings concerning business related offenses to which the responsive bidder, its principals or officers or predecessors' organization(s) were defendants.

NONE

20. Has the responsive bidder, its principals, officers or predecessors' organization(s) been CONVICTED OF a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

NO

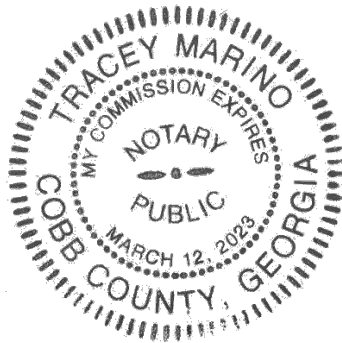
The responsive bidder acknowledges and understands that the information contained in response to this qualification statement shall be relied upon by owner in awarding the contract and such information is warranted by responsive bidder to be true. The discovery of any omission or misstatement that materially affects the responsive bidder qualifications to perform under the contract shall cause the owner to reject the submittal, and if after the award, to cancel and terminate the award and/or contract.

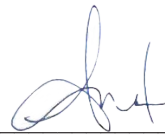
(Signed) 

(Title) Vice President/Facilities Service Line Leader

Subscribed and sworn to before me

This 10 day of December, 20 21




Notary Public (Signature)

My Commission Expires: March 12, 2023

END OF SECTION



December 6, 2021

To: City of Destin

Subject: Response to RFP 21-11-PS
NOVA Engineering and Environmental LLC

The company has never had any alleged, significant prior or ongoing contract failures, licensing or permit violations, claims on bonds, criminal litigation or investigation pending (including wage theft complaints filed) involving the firm or in which the firm was judged guilty or liable.

NOVA has been named as a 3rd party defendant in various residential civil claims pertaining to construction defects alleged by Home Owner Associations, primarily in Florida in which the Developer was served for alleged construction defects. NOVA has not been exclusively singled out in these claims and to date has had no judgement against it regarding professional negligence or fault. These claims do not and will not affect the performance or sustainability of the business or the ability of NOVA to fulfill its contract obligations for this project.

The attached Table details the lawsuits NOVA has been named in over the last ten (10) years and provides a summary regarding the status of each.

If you have any questions regarding this information we are available to answer your questions or provide additional documentation as may be required.

Sincerely,
NOVA Engineering and Environmental LLC

A handwritten signature in blue ink that reads "Bob Hughes". The signature is fluid and cursive, with the first name "Bob" and last name "Hughes" clearly distinguishable.

Bob Hughes
President & C.E.O.

Project/Claim Name	Location	Case #	Brief Description	Status
Waterhaven HOA v. Magnolia Beach, LLC, et al	Circuit Court 14 th Judicial Circuit, Bay Co., FL	2014-CA-001507	3 rd Party Claim alleging Professional Negligence pertaining to Construction Defects, primarily moisture intrusion	Settled March 2016
Marquis Miami Condo Association, Inc. vs. Leviev Boymelgreen Marquis Developers	Circuit Court of The 11 th Judicial Circuit, Miami-Dade Co. FL	13-30105 CA 01	3 rd Party Claim alleging Professional Negligence pertaining to Construction Defects, specifically bathtub assemblies which were beyond NOVA's scope of work.	Settled June 2016
Oasis Tower II Condominium	Lee County (FL) Circuit Court	13-CA-000027	3 rd Party Claim alleging Professional Negligence pertaining to Construction Defects associated with post-tension and balcony reinforcement.	Settled October 2016
Marquis Miami Condo Association, Inc. v. Leviev Boymelgreen Marquis Developers, et al (including NOVA)	Circuit Court of The 11 th Judicial Circuit, Miami-Dade Co. FL	2016-020726-CA-01	HOA filed claim against almost every participant in the design and construction of the project claiming a litany of alleged construction defects beyond the bathtubs.	Settled April 2019
Marina Grande Riviera Beach Condominium Association, Inc. vs. Marina Grande Associates	Circuit Court 15 th Judicial Circuit, Palm Beach Co., FL	50-12-CA-003030 MB AH	3 rd Party Claim alleging Professional Negligence pertaining to Construction Defects, associated with a variety of construction components.	Settled January 2017
The Peninsula II Condominium Assoc., Inc., vs. Gryphon Construction, LLC, et al	Circuit Court of The 11 th Judicial Circuit, Miami-Dade Co. FL	15-00040 CA 21	3 rd Party Claim alleging Professional Negligence pertaining to Construction Defects, associated with a variety of construction components.	Settled October 2017
The Wave Condominium - Property Condition Assessment associated with Condo conversion.	Circuit Court Sixth Judicial Circuit, Pinellas Co., FL	2009-8319 Division CI-20	3 rd Party Claim alleging Professional Negligence associated with existing balcony corrosion	Settled February 2018

Project/Claim Name	Location	Case #	Brief Description	Status
360 Condominium Association vs. Pavarini Construction Company, et al	Circuit Court of The 11 th Judicial Circuit, Miami-Dade Co. FL	2017-22478-CA-43	HOA has alleged construction defects. The HOA believes that NOVA provided Threshold inspection services for the project, but such is not the case.	NOVA dismissed from claim in December 2018.
Camden Landing at Wyndham Lakes HOA vs. Lennar Homes LLC	American Arbitration Association (Circuit Court Ninth Judicial Circuit, Orange Co., FL)	AAA Case No. O 1-18-0000-4618	NOVA received FL Statute 558 Notice from Defendant alleging NOVA's services to Defendant are implicated in this claim which involves alleged construction defects for townhomes. Allegations relate primarily to stucco, waterproofing, and other lesser defects.	Settled March 2019
Heron Bay Community Assoc. vs. WCI Communities, et al	The Circuit Court of the 17 th Judicial Circuit, Broward Co., FL	CACE 16-0003120 (05)	Alleged structural issue (missing bracing or roof trusses) for Clubhouse and Guard House.	Settlement reached by all parties in May 2019. Settlement Agreement finalized February 2020.
Mandarin Lakes Neighborhood Homeowners' Association, Inc. vs. D.R. Horton, Inc., et al	Circuit Court of The 11 th Judicial Circuit, Dade County, FL	2018-039950-CA-01	FL St. 558 Notice received, followed by a formal demand. Plaintiff's expert stated that NOVA's SOW had nothing to do with the alleged defects. HOA's own expert opined that there are no alleged defects attributable to Nova.	Settled January 2020
Heritage Commons Townhomes Association vs. Beazer Homes Corp., et al	In The Circuit Court of The Eighteenth Judicial Circuit in and for Seminole Co., FL	2016-CA-002447-11 E-W	FL 558 Notice and Demand received August 2016. Notice alleges various construction defects associated with this residential development.	Settled July 2020
Emerson Park HOA vs. Lennar Homes LLC	Circuit Court Ninth Judicial Circuit, Orange Co., FL	2018-CA-003910-0	NOVA received FL Statute 558 Notice from Defendant June 29, 2018 alleging NOVA's services to Defendant are implicated in this claim which involves alleged construction defects for several single-family residences. Allegations relate primarily to stucco and waterproofing.	Dismissed May 2020

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Project/Claim Name	Location	Case #	Brief Description	Status
Campus Gators Property Owner, LLC vs. Beal Derkenne Construction LLC, et al	Circuit Court of The 8 th Judicial Circuit, Alachua County, FL	19-CA-002940	Complaint received which alleges water intrusion due to construction defects in this private student housing property.	Settled August 2020
Emerald Preserve – Sumerlin HOA vs. Beazer Homes	Circuit Court of The 4 th Judicial Circuit in and for Duval County FL	16-2019-CA-000760	NOVA received a Summons and Demand pertaining to alleged construction defects (stucco, roofing & waterproofing) for townhomes built between 2004 and 2006.	Settled December 2020
Towns of Westyn Bay Community Association vs. Transeastern Properties Inc., et al	Circuit Court Ninth Judicial Circuit, Orange Co., FL	2018-CA-003184-0	HOA has alleged construction defects with several single-family homes, primarily moisture intrusion and stucco-related issues. NOVA's scope of work did not pertain to these issues, so we are unsure why we have been included in this claim.	Settled March 2021
Cypress Reserve at Flora Ridge HOA vs. Intervest Construction of Orlando, Inc., et al	Circuit Court of The 9 th Judicial Circuit, Osceola County, FL	2018-CA-002383-0	Complaint alleges various construction defects from 2004 to 2007 pertaining to this residential development.	Settled March 2021.
Stonehaven at Aberdeen HOA v D.R. Horton, et al	The Circuit Court of The Seventh Judicial Circuit in and for St. Johns Co. FL	2020-CA-000662-A-000XX	3 rd Party Claim alleging Construction Defects, associated with a variety of construction components and numerous design professionals and subcontractors named.	Summons On Amended Complaint received February 2021. Tolling Agreement reached in March 2021 as NOVA's services do not appear to be implicated.
Ricardo Rodriguez and Marjorie Stone vs. Nova Engineering	Circuit Court of The 11 th Judicial Circuit, Dade County, FL	2018-11482 CA	Plaintiff has alleged construction defects associated with the renovation of a single-family residence in which NOVA provided inspections services.	Settled November 2021
Summer Key Condominium Association, Inc. vs. DR Horton, et al	In The Circuit Court, Fourth Judicial Circuit in and for Duval Co., FL	16-2020-CA-000652	3 rd Party Claim alleging Construction Defects, associated with a variety of construction components and numerous design professionals and subcontractors named.	FL 558 Notice and Demand received in December 2019. NOVA filed a Motion to Dismiss with the Court in February 2021. REH deposited April 2021

8.c

Project/Claim Name	Location	Case #	Brief Description	Status
Magnolia Park at Riverview Homeowners Association vs. Pulte Homes	Circuit Court of The 13 th Judicial Circuit in and for Hillsborough Co., FL	Unassigned	NOVA received FL Statute 558 Notice from Defendant alleging NOVA's services to Defendant are implicated in this claim which involves alleged construction defects for several townhome residences. Allegations relate primarily to stucco and waterproofing.	Notice received September 28, 2018 and amended FL. 558 Notice received May 6, 2019. Discovery ongoing between all parties. Mediation unsuccessful July 2021.
One Paraiso Condominium Association, Inc. (HOA) vs. Plaza Construction Group Florida, LLC, et al	Circuit Court of The 11 th Judicial Circuit, Dade County, FL	FL Statute \$558.004(3) Notice only, no case number assigned	Notice alleges various construction defects regarding the post-tension cables associated with this residential development.	Notice received February 2020. No developments in case since notice was received.
The Flora Ridge Condominium Association, Inc. v Intervest Construction, et al	Circuit Court of The Ninth Judicial Circuit in and for Osceola Co. FL – Civil Division	2018 CA 925 CN	3 rd Party Claim alleging Construction Defects, associated with a variety of construction components and numerous design professionals and subcontractors named.	Notice received November 2020. Mediation unsuccessful in February 2021. Mediation #2 ongoing.
Koch Development Skywheel at Pier Park	Panama City Beach	Unassigned	Alleged structural issue (missing bracing) for foundation. Noted in our initial reports; however, construction allowed to progress for amusement ride.	Settled - 2020
Midblock Miami Condominium Association MBLOCK vs. Capri Engineering	Miami Dade County Florida	Claim 2018011972 CSK 1902.0370-00	Construction defects associated with threshold services.	Mediation Settlement - Dismissed w/prejudice – 9-23-2019.

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EXHIBIT C
PUBLIC ENTITY CRIMES STATEMENT

SWORN STATEMENT UNDER SECTION 287.133 (3) (A)

FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Bid, Proposal or Contract [RFP 21-11-PS FACILITIES CONDITION & NEEDS ASSESSMENT](#)

2. This sworn statement is submitted by [NOVA ENGINEERING & ENVIRONMENTAL, LLC](#) whose business address is [140-A Lurton Street, Pensacola, Florida 32505](#) and (if applicable) Federal Employer Identification Number (FEIN) is [26-0347209](#) (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement:

3. My name is [William M. Cantrell, Sr.](#) and my relationship to the entity named above is [Executive Vice President](#).

4. I understand that a "public entity crime" as defined in Paragraph 287.133(a)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in paragraph 287.133(a)(b), Florida Statutes, means finding of guilt or a conviction of a public entity crime with or without an adjudication of guilt, in any federal or state trial court of records relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

1. A predecessor or successor of a person convicted of a public entity crime; or

2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one of shares constituting a controlling income among persons when not for fair interest in another person, or a pooling of equipment or income among persons when not for fair market value under a length agreement, shall be a prima facie case that one person controls another person.

A person who was knowingly convicted of a public entity crime, in Florida during the preceding 36 months shall be considered an affiliate.

7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of the state or of the United States with the legal power to enter into a binding contract for provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

8. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies)

x Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (please attach a copy of the final order)

____ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in public interest to remove the person or affiliate from the convicted vendor list. (please attach a copy of the final order)

____ The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by, or pending with, the Department of General Services.)



(Signature)

Date: 12/6/2021

STATE OF FLORIDA

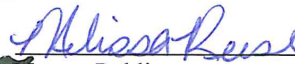
COUNTY OF Bay

PERSONALLY APPEARED BEFORE ME, the undersigned authority, who, after first being sworn by me, affixed his/her signature at the space provided above on this 6th day of December, 2021, and is personally known to me, or has provided as identification.

My Commission expires:

12/28/2023





Notary Public

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Addendum Acknowledgment

ADDENDUM #1

CITY OF DESTIN, FL - REQUEST FOR PROPOSALS 21-11-PS FACILITY CONDITION AND NEEDS ASSESSMENT NOVEMBER 18, 2021

This addendum forms a part of the Contract Documents and modifies the original specifications for this project. Acknowledge receipt of this addendum shall be required in the cover letter. Failure to do so may subject the Proposer to disqualification. The following items shall become a part of the proposal for the above referenced project. Clarifications for questions below:

Addendum 1 addresses the following questions/issues submitted by a vendor.

1. We are preparing a proposal for the Facilities Conditions and Needs Assessment RFP (21-11-PS). Within the RFP, there are the following directions, but the url is a broken link. Can you provide the correct link?

The correct link is: <https://www.cityofdestin.com/226/Contractor-Information-Application>

Opening Date Unchanged: December 16, 2021 2:00 P.M. CT

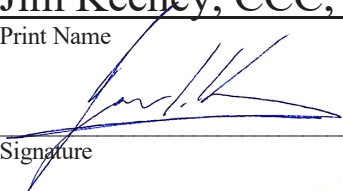
END OF ADDENDUM #1

A copy of this Addendum #1 signed and acknowledged shall precede the mandatory information required in the subject RFP.

Receipt of Addendum #1 is hereby acknowledged:

Jim Keeney, CCC, GC

Print Name


Signature

December 10, 2021

Date

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PROPERTY CONDITION ASSESSMENT REPORT

JOHNSON & WALES UNIVERSITY

Wildcat Recreation Center
Lot 21
North Miami, Florida



PREPARED FOR:

[REDACTED]



PROFESSIONAL | PRACTICAL | PROVEN

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PROPERTY CONDITION ASSESSMENT REPORT

JOHNSON & WALES UNIVERSITY

Wildcat Recreation Center

Lot 21

North Miami, Florida



PREPARED FOR:

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PROFESSIONAL | PRACTICAL | PROVEN

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Appendices:

- A: Estimated Expenditure Spreadsheet
- B: Qualifications of Recommendations
- C: Personnel Qualifications
- D: Level II ADA Checklist

COMMONLY USED ACRONYMS

Following are regulatory and technical acronyms commonly used in NOVA Property Condition Assessment reports:

ADA	The Americans with Disabilities Act
ACM	Asbestos-Containing Materials
AST	Aboveground Storage Tank
ASTM	ASTM International
BOMA	Building Owners and Managers Association
BUR	Built-up Roof
EIFS	Exterior Insulation and Finish System
EMF	Electro Magnetic Fields
EMS	Energy Management System
EUL	Expected Useful Life
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Act
FHA	Fair Housing Act
FIRMS	Flood Insurance Rate Maps
FOIA	U.S. Freedom of Information Act
FOIL	Freedom of Information Letter
FM	Factory Mutual
HVAC	Heating, Ventilation and Air Conditioning
IAQ	Indoor Air Quality
LUST	Leaking Underground Storage Tank
NFPA	National Fire Protection Association
OSHA	Occupational Safety and Health Administration
PCA	Property Condition Assessment
PCB	Poly-chlorinated Biphenols
PCR	Property Condition Report
PML	Probable Maximum Loss
RCRA	Resource Conservation and Recovery Act
RTU	Rooftop Unit
RUL	Remaining Useful Life
STC	Sound Transmission Class
UST	Underground Storage Tank

CODING GROUPS

CC – Code Compliance

Projects required modifying or replacing existing building systems in order to comply with current codes. (Code violations will have an additional indicator, which will low them separation within this code & within the total body of work.

CR – Capital Renewal

Projects required replacing building systems and components at the end of their projected life. Capital renewal projects will be for future years only.

DR – Deferred Renewal

Projects required for replacement of a failed building system or component in order to restore proper function. Replacement need is determined by the repair cost exceeding 60% of the replacement cost. Projects in this group will not have a future need year; they will only have a current need year.

DM – Deferred Maintenance

Projects required for repair of a failed building system or component in order to restore proper function. Projects in this group are typically defined by a repair cost greater than \$40,000 or exceeding 30% of the replacement cost, but not exceeding 60% of the replacement cost. Projects in this group will not have a future need year; they will only have a current need year.

RM – Routine Maintenance

Projects required for repair of a failed building system or component in order to restore proper function. Typical repair costs will be less than 30% of the replacement cost.

HL – Health and Life Safety

Building and site conditions that when reviewed deal with the adequacy of health, safety, regulatory, and related considerations.

TR – Timely Repair and Replacements

These are system and equipment conditions that when corrected within certain time constraints should reduce the probability of operational failure.

DI – Desirable Improvements

Projects required for repair of a failed building system or component in order to restore proper function. Typical repair costs will be less than 30% of the replacement cost.

EC – Energy Conservation

Energy conservation measures for the reduction of energy consumption having an expected payback of less than 7 years.

1.0 SUMMARY

NOVA Engineering and Environmental, LLC (NOVA) has completed the authorized Property Condition Assessment (PCA) for the Wildcat Recreation Center, located at 1600 NE 126th Street in North Miami, Florida. The PCA work was performed in general accordance with ASTM International *Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process, Designation: E2018-15*, unless otherwise stated herein. The Property was visited on January 21st by NOVA's Dany Romero.

The subject property consists of one building that encompasses approximately 35,465 net square feet. The building is situated on an approximate 1.24-acre land parcel.

Property Name	Wildcat Recreation Center
Property Address	1600 NE 126 th Street
Building Use	Office Building – Multistory
Property Size	One (1) parcel totaling approximately 1.24 acres. Parcel number 0622290070330
FEMA Flood Plain Zone	Based on the National Flood Insurance Program, the flood map for the selected area is number 12086C0143L, effective on 9/11/2009 the above described property is determined to be zone AE, within the special flood hazard area.
Seismic Zone	Based on the US Seismic Zones Map, the site is in Zone 0 and has a maximum Ground Acceleration Rating of 0.4g. The FEMA Earthquake Hazard Map has this area in Seismic Design Category “A”, very small probability of experiencing damaging earthquake effects.
Current Building Zone Category	Colleges and Universities
Lot Configuration	One parcel that is primarily rectangular in shape
Parking Area	13 parking spaces (including 2 designated accessible)
Number of Buildings	One (1)
Number of Stories	Three (3)
Type of Design	Office Building - Multistory
Building Layout	Office
Year Constructed	2012
Estimated Insured Value	Not provided

The building expenditure summary section provides an executive overview of the findings from the assessment. Further details of these expenditures are included within each respective report section and within the Estimated Expenditure forecast, in Appendix A of this report.

Building Expenditure Summary

BUILDING ELEMENT	CONDITION	COST IMMEDIATE	COST YEARS 1 - 10
SITE ELEMENTS			
Topography	Good		
Storm Water	Good		
Ingress & Egress	Good		
Paving, Curbing & Parking	Good		\$11,051
Flatwork	Good		
Landscaping & Appurtenances	Good	\$500	
Recreational Facilities	Good		
Utilities	Good		
STRUCTURAL FRAME AND BUILDING ENVELOPE			
Foundation	Good		
Building Frame	Good		
Exterior Walls	Fair		\$158,000
Exterior Windows and Doors	Good		\$15,000
Awnings	Good		
Exterior & Interior Stairs	Good		
Roofing	Poor	\$11,500	\$392,000
INTERIOR ELEMENTS			
Interior Finishes	Good		
MECHANICAL AND ELECTRICAL			
HVAC Systems	Fair		\$231,000
Plumbing	Good		\$4,750
Electrical	Good		
VERTICAL TRANSPORTATION			
Vertical Transportation	Good		
LIFE SAFETY / FIRE PROTECTION			
Life Safety / Fire Protection	Good		
ACCESSIBILITY			
Americans with Disabilities Act	Good	\$5,500	
TOTAL, UNIFLATED		\$17,500	\$811,801
Inflation Factor, 3% over Term		N/A	\$120,505
TOTAL, INFLATED		\$17,500	\$932,306

This summary is provided for convenience and should not be substituted for review of the full report, including all attachments as provided herein. See cost analysis sheet in Appendix A.

2.0 INTRODUCTION

2.1 GENERAL

NOVA Engineering and Environmental, LLC (NOVA) was authorized Michael Schackne (Senior Project Manager with Langan, the Client/User) on January 19, 2021 to perform the PCA.

2.2 PURPOSE

This PCA was performed to assist the Client in evaluating the physical aspects of the Subject Property by identifying and communicating readily observable physical deficiencies to the Client. The term “physical deficiencies” includes the presence of conspicuous defects and material deferred maintenance of a Subject Property’s material systems, components, or equipment as observed during completion of the PCA. This definition specifically excludes deficiencies that may be remedied with routine maintenance, miscellaneous minor repairs, normal operating maintenance, etc., and excludes de minimis conditions that generally do not present material physical deficiencies of the Subject Property.

This PCA addresses existing conditions relating to the Subject Property. NOVA makes no representation regarding the future or potential use of the Subject Property, except for those items explicitly stated in this report.

This assessment was conducted in general accordance with the scope and limitations of ASTM International *Standard Guide for Property Condition Assessments: Baseline Property Condition Assessment Process, Designation: E2018-15*, unless otherwise stated herein. Our assessment, conclusions and recommendations are based on site conditions, observations, interviews, and a review of readily available information, as they existed at the time of our assessment.

2.3 SCOPE OF SERVICES

PCAs are described as general characterizations of physical conditions that are identifiable through practically reviewable information and visual, non-invasive observations for the purpose of identifying physical deficiencies. The areas viewed on the Subject Property were randomly selected by NOVA’s field observer and were considered to be representative. Please note that viewing was limited to only those areas that were readily accessible, did not contain unsafe conditions and where access permission was granted. NOVA did not evaluate any concealed conditions such as behind locked doors, above ceilings, behind walls, underground, etc.

Services performed for this project include a process involving and/or considering the following:

- Review of information provided by the Client.
- Interview of the on-site Owner representative, and others knowledgeable about the Subject Property.
- A walk-through survey of the subject property to observe material systems and components and identify physical deficiencies and any unusual features.
- A baseline evaluation of Americans with Disabilities Act (ADA) accessibility using a limited scope visual survey.
- Estimate costs for repair and/or capital reserve items based on a 10-year evaluation period requested by the Client.
- Preparation of this PCA report summarizing our services, findings, and conclusions.

Testing, measuring, or preparing calculations for any system or component to determine adequacy, capacity, or compliance with any standard is outside the scope of this PCA. This PCA also does not identify routine repair or maintenance items.

The sampling and testing of soil, air and/or other materials is beyond the scope of this study. The identification of corrosive drywall (Chinese drywall), asbestos containing materials (ACM), radon, vapor encroachment, lead based paint (LBP), lead in drinking water, wetlands, Waters of the United States, Waters of the State, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, rare or endangered species, air quality, noise impacts and biological agents are also beyond the scope of this PCA. No implication is intended as to the relative importance of these additional items, and this list of items is not intended to be all inclusive.

2.4 TERMINOLOGY

The physical condition of building components is typically defined as being in one (1) of three (3) categories:

- 1) **Good Condition** — In working condition and does not require immediate or short-term repairs; however, may be subject to routine maintenance and repair due to age and normal wear and tear.
- 2) **Fair Condition** — In working condition; but, may require immediate or short-term repairs or replacement. Defects or deferred maintenance items to major elements will require substantial repair or replacement in the near future to prevent further deterioration, restore it to good condition, prevent premature failure, or to prolong its expected useful life.
- 3) **Poor Condition** — Not in working condition or requires immediate or short-term repairs or replacement. Present condition could contribute or cause the deterioration of contiguous elements or systems.

	Good	Fair	Poor
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It should be noted that a term applied overall to a system does not preclude that a part, section, or component of the system may differ in condition.

2.5 ASSUMPTIONS

The information gathered during this assessment was information that was “reasonably ascertainable” and “practically reviewable.” This is, by definition, information that is publicly available and obtainable within reasonable time and cost constraints and is provided by the source in a manner and in a form that, upon examination, yields information relevant to the Subject Property without the need for extraordinary analysis of irrelevant data. Records that cannot be feasibly retrieved by reference to the location of the property (such as records that are sorted chronologically) are not considered practically reviewable.

2.6 LIMITATIONS AND EXCEPTIONS

NOVA has performed a PCA in accordance with ASTM E2018-15, which is a limited inquiry into a property's physical condition and is not sufficient to discover every physical deficiency. No PCA can wholly eliminate uncertainty regarding the potential for physical deficiencies in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty

regarding the potential for physical deficiencies in connection with a property, and this practice recognizes reasonable limits of time and cost.

The appropriate level of inquiry is variable and is not to be construed as technically exhaustive. Not every property will warrant the same level of assessment. Consistent with good commercial or customary practices, the appropriate level of assessment will be guided by the type of property subject to assessment, the expertise and risk tolerance of the Users, and the information developed in the course of the inquiry.

NOVA's findings, opinions, and conclusions are based on information which is reasonably ascertainable and practically reviewable from standard sources at the time of the assessment through site reconnaissance, visual assessment of physical conditions, records review, interviews and other standard investigative techniques used in the industry at this time. It is possible that other information exists or may subsequently become known that may impact or change the assessment after NOVA's services are complete. Opinions of costs are approximations and not intended to be confirmed pricing. True pricing can only be determined by qualified contractor bidding.

In conducting this PCA and preparing this report, NOVA reviewed, interpreted, and relied upon information provided by others, including, but not limited to individuals, government authorities, subcontractors, and other entities. NOVA has not performed an independent evaluation of the accuracy or completeness of such information.

NOVA's assessment represents our professional opinion, only. Therefore, NOVA cannot, under any circumstances, make a statement of warranty or guarantee, expressed or implied, that physical deficiencies are limited to those that are discovered while we are performing the PCA.

NOVA's professional opinion regarding the significance and/or materiality of these limiting conditions, exceptions, and/or data gaps/failures is provided in Section 15.0.

2.7 SPECIAL TERMS AND CONDITIONS

The Terms and Conditions for this PCA were set forth in NOVA's Proposal Number 009-05210308 dated January 12, 2021. No additional special terms and/or conditions were established for this PCA.

2.8 USER RELIANCE

NOVA's PCA report, along with the findings and conclusions contained in the report, either in completed form, summary form, or by extraction, is prepared, and intended, for the sole use of the Client and therefore may not contain sufficient information for other purposes or parties.

The contents of NOVA's report will continue to be the property of NOVA. NOVA's report may not be disclosed to, used by, or relied upon by, any person or entity other than the Client without the express written consent of NOVA. A reliance letter will be issued to other related parties as discussed with and agreed to by NOVA.

Authorization for disclosure to a third party or authorization for third-party reliance on a final report will be considered by NOVA upon the written request of the Client. NOVA reserves the right to deny authorization to allow disclosure or reliance of NOVA's report to third parties.

3.0 SITE DESCRIPTION

3.1 LOCATION AND LEGAL DESCRIPTION

The subject property consists of one building constructed in 2012, encompassing approximately 35,465 net square feet. The building is situated on an approximate 1.24-acre land parcel.

3.2 SUBJECT PROPERTY AND VICINITY GENERAL CHARACTERISTICS

The vicinity of the Subject Property is generally developed with a mixture of multifamily residential and commercial land uses and is bordered by the following:

DIRECTION	LAND USE DESCRIPTION/OBSERVATIONS
NORTH	Johnson & Wales parking lot and dormitories.
EAST	Three-story parking garage
SOUTH	Arch Plaza Rehab & Nursing Center
WEST	Coronado Towers Condominium

Select photographs of the Subject Property taken by NOVA during the site reconnaissance activities are included throughout this report.

3.3 CURRENT USE OF THE PROPERTY

The building currently houses administrative offices, a gymnasium and mixed-use areas as part of the Johnson & Wales Recreation center.

3.4 DESCRIPTIONS OF PROPERTY IMPROVEMENTS

The site is developed with a three-story building. The building has associated parking on the west side and a drop-off lane on the north side.

4.0 USER PROVIDED INFORMATION

The Client provided the following information or knowledge:

4.1 PRE-SURVEY QUESTIONNAIRE

A Pre-Survey Questionnaire was not provided to NOVA.

4.2 PREVIOUSLY PREPARED PROPERTY CONDITION ASSESSMENT REPORTS

No prior PCA reports for the Subject Property were provided to NOVA.

4.3 SYSTEM OR COMPONENT STUDIES

The Client has stated that they are not aware of any previous component studies for the Subject Property.

4.4 ACTUAL OR PURPORTED KNOWLEDGE

No knowledge of actual or purported physical deficiencies of the Subject Property were provided or discussed with NOVA.

4.5 DOCUMENTS

No documents were provided by the Client and/or current property owner.

5.0 GOVERNMENT RECORDS REVIEW

5.1 BUILDING AND FIRE CODE COMPLIANCE

NOVA contacted the Miami-Dade Fire Department via a Freedom of Information Act (FOIA) request letter for the purpose of conducting a records search of outstanding fire code violations associated with the subject property. No open violations were reported.

NOVA contacted the Miami-Dade Code Enforcement Department via a FOIA request letter for the purpose of conducting a records search of outstanding building code violations associated with the subject property. No response from the department was received at the time this report was issued. Any pertinent information, when obtained, will be forwarded.

This PCA does not include overall costs associated with potential outstanding violations or fines imposed on the subject property, as specific information was not provided to NOVA to confirm what potential violations or fines are outstanding, if any. Providing potential costs for outstanding violations or fines is considered beyond the scope of this PCA.

6.0 INTERVIEWS

As part of the PCA, interviews are typically attempted to be conducted with select persons familiar with the Subject Property to provide insight into conditions material to recognized physical deficiencies in connection with the Subject Property.

6.1 INTERVIEW WITH OWNER

No interviews with owners were conducted.

6.2 INTERVIEWS WITH SITE MANAGER

NOVA was escorted Mareus from the Johnson & Wales maintenance department. Mareus provided general comments about building observations. No major building related issues were reported during our visit.

6.3 INTERVIEWS WITH OCCUPANTS

No interviews with building staff were conducted.

6.4 INTERVIEWS WITH OTHERS

No interviews were conducted with any other persons. Requests for information were made to Miami-Dade County.

7.0 SITE ELEMENTS

7.1 TOPOGRAPHY AND SIGNAGE

7.1.1 Description

The property is generally flat in all directions. The site consists mainly of asphalt parking/paving, drive lanes and concrete sidewalks and curbing that surround the building on all sides. Landscaping is provided around the building and a detention pond is located at the west end of the property. A courtyard is provided on the north east side along the main entrance to the building. A large statue of the school mascot is installed at the entrance courtyard.

Signage is provided over the main entrance on the north east side identifying the building as the Wildcat Center as well as along the north sidewalk. Building mounted signage is also provided on the buildings.

7.1.2 Condition

Topography is in generally good overall condition with no erosion or movement observed. Signage was also observed to be in generally good overall condition.

Good	Fair	Poor
------	------	------

7.1.3 Recommendation

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 1: Property Boundaries



Photo 2: Typical building mounted signage.



Photo 3: Building mounted signage and statue at main entrance courtyard.



Photo 4: Monumental signage on NE 126th Street

7.2 STORM WATER DRAINAGE

7.2.1 Description

Storm water is conveyed via sheet flow over the asphalt paved and landscaped areas to stormwater drainage drop inlets placed in ground. Storm water from the building roof drains via internal roof drains to the below grade drainage system.

7.2.2 Condition

Storm water drainage at the property appeared to be in good overall condition. No assessment for compliance with Federal, State or Local rules and regulations concerning storm water run-off was made as part of this PCA.

Good	Fair	Poor
------	------	------

7.2.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 5: Stormwater drop inlet in drop-off lane.



Photo 6: Stormwater drop inlet located at west side parking area.



Photo 7: Sewer inlet at south side property line.



Photo 8: Drainage at detention pond on west side of property.

7.3 INGRESS AND EGRESS

7.3.1 Description

Pedestrian access is provided to the site via concrete sidewalks connecting to the public sidewalk NE 126th Street and NE 17th Avenue. Concrete pavers are installed at the main entrance courtyard. A concrete sidewalk provides access from the west parking lot to the building. A vehicular drop off lane is provided on the north side of the property.

7.3.2 Condition

Ingress and egress at the property appears adequate. NOVA did not observe any issues or concerns regarding access to the property or the building.

Good	Fair	Poor
------	------	------

7.3.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed



Photo 9: Ingress/Egress to north east courtyard with paver surface.



Photo 10: View of pedestrian and vehicular access from NE 126th Street.



Photo 11: Ingress/Egress from west parking lot.



Photo 12: Ingress/Egress from NE 17th Avenue to south side of building.

7.4 PAVING, CURBING AND PARKING

7.4.1 Description

Surface parking areas are constructed of approximately 650 square yards asphalt pavement primarily located to the west of the building. A drop off lane accesses the north entrance to the building gymnasium. Curbing consists of cast-in-place molded concrete that outlines the parking, isolated landscaped areas and sidewalks. The surface parking includes 13 spaces at the west side parking lot. Two of the parking spaces are striped for accessibility.

7.4.2 Condition

The asphalt pavement and concrete curbing at the property was observed to be in overall good condition. A parking lot across NE 126th Street and a parking garage across NE 17th Avenue provide additional parking for building occupants. These parking areas are not part of the subject property. Parking striping was observed to be in fair condition. Asphalt sealcoating and parking striping should be performed periodically throughout the term.

Good	Fair	Poor
------	------	------

7.4.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term:

- Sealcoat asphalt and restripe parking spaces, Years 3 and 8.
- Overlay asphalt pavement, Year 8



Photo 13: Asphalt parking on west parking lot.



Photo 14: Asphalt drop off lane on north side.



Photo 15: Typical concrete curbing observed at sidewalks and landscaping.



Photo 16: Typical curbing at drop off lane.

7.5 FLATWORK

7.5.1 Description

Flatwork consists of concrete sidewalks and concrete pavers that generally provide access to the building. Sidewalks are located at the perimeter of the building and pavers are located at the north east courtyard leading to the main entrance. City owned sidewalks border the property perimeter along the east and north.

7.5.2 Condition

The concrete sidewalks, entrance flatwork and pavers were observed to be in generally good condition.

Good	Fair	Poor
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7.5.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs observed.

Recommended Needs Over Term:

- No Recommended Needs Over Term were observed.



Photo 17: Sidewalk and stairs at west side of building.



Photo 18: Sidewalk at west building perimeter.



Photo 19: concrete flatwork and pavers at main entrance.



Photo 20: Flatwork at north gym entrance.



Photo 21: Public concrete sidewalk at north perimeter

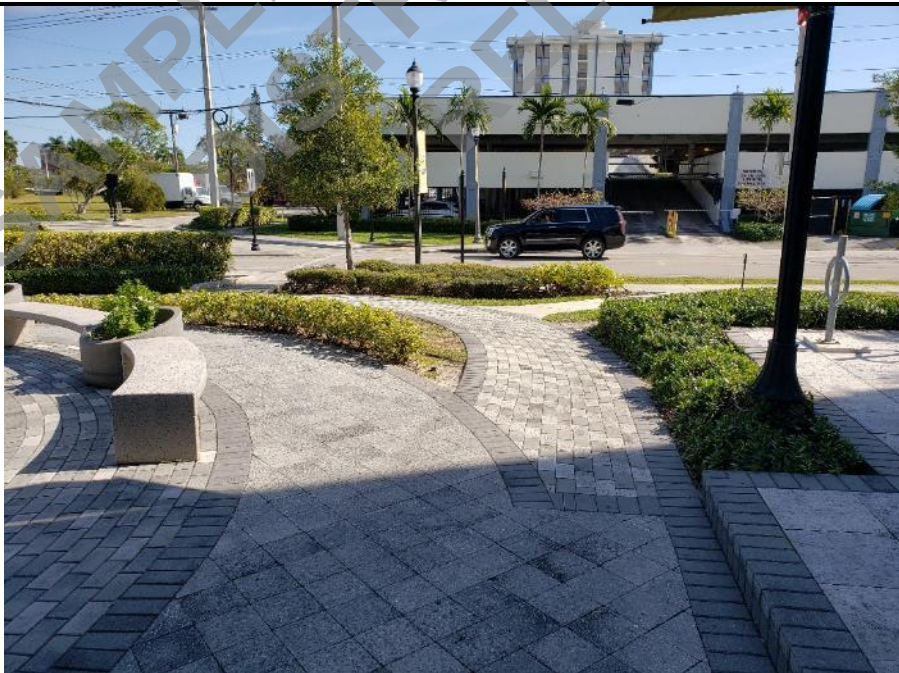


Photo 22: Flatwork at east side of courtyard.

7.6 LANDSCAPING AND APPURTENANCES

7.6.1 Description

Landscaping at the property is primarily limited to mature trees, bushes, plants and grassy areas along the property and building perimeter. A detention pond is located at the west end of the property. An irrigation system was observed.

7.6.2 Condition

The properties landscaping was observed to be in good overall condition. Trees close to the building's exterior walls were observed to have limbs touching the walls causing deterioration of painted surfaces. Trees should be trimmed back. NOVA did not witness the irrigation system in operation, but no deficiencies were reported.

Good	Fair	Poor
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7.6.3 Recommendations

Recommended Immediate Needs:

- Trim trees that are touching exterior walls of building.

Recommended Needs Over Term

- Trim trees periodically as required as a maintenance item.



Photo 23: Typical site landscaping.



Photo 24: Typical landscaping along building perimeters.



Photo 25: Typical site landscaping.



Photo 26: Detention pond on west side of property.

7.7 RECREATIONAL FACILITIES

7.7.1 Description

The building houses athletic facilities for the university sports teams, including a basketball court. The basketball court includes retractable bleachers.

An exercise room with heavy lifting equipment and aerobics studio are located on the second floor. Locker rooms are located adjacent to the basketball court entrance.

7.7.2 Condition

The recreational facilities appeared to be in good overall condition. Equipment, seating, accessories and court will most likely need refurbishing/replacement during the term. NOVA considers this a business function of the facility and has not included these costs.

Good	Fair	Poor
------	------	------

7.7.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over the Term were observed.



Photo 27: Basketball court housed in building.



Photo 28: Exercise room.

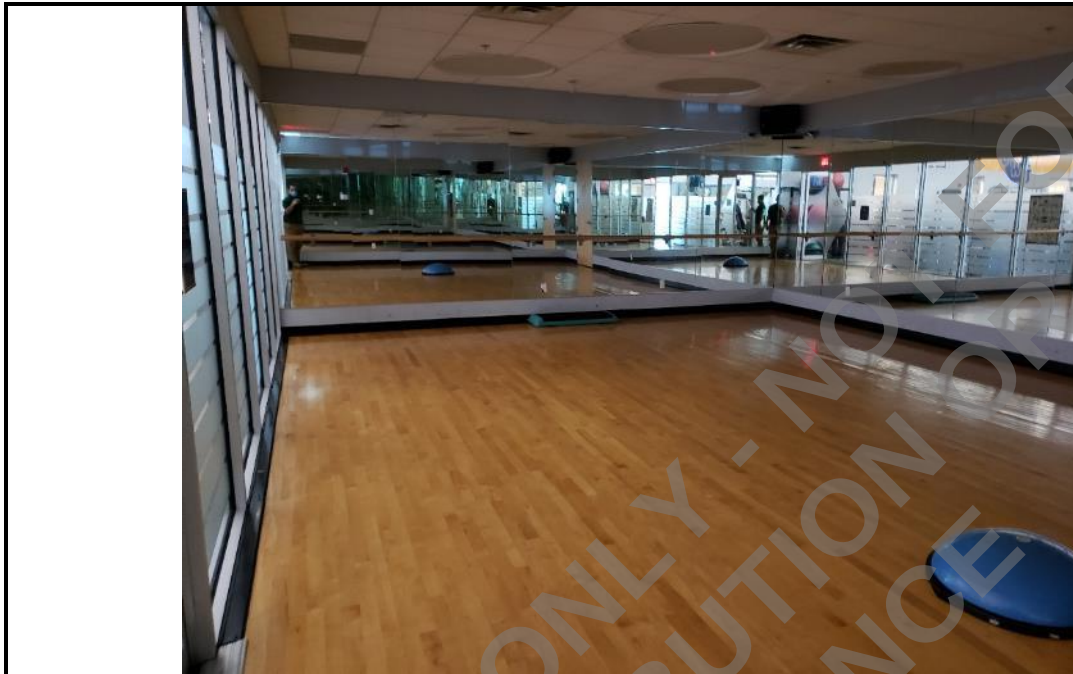


Photo 29: Aerobics studio located adjacent to the exercise room on the second floor.



Photo 30: Locker rooms adjacent to basketball court.

7.8 UTILITIES

7.8.1 Description

Electric service is provided by Florida Power and Light via underground feeders. A three-phase 480/277 volt transformer and electrical meter are located at the east side of the property. Water and sewer services are provided by the City of North Miami.

7.8.2 Condition

The site utilities appeared to be in good condition.

Good	Fair	Poor
------	------	------

7.8.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 31: Transformer provided by Florida Power and Light.



Photo 32: Electrical meter at east side of building.



Photo 33: Water service near main north east courtyard.

8.0 STRUCTURAL FRAME AND BUILDING ENVELOPE

8.1 FOUNDATIONS

8.1.1 Description

Architectural construction drawings were not made available for NOVA to review concerning the buildings foundation systems. The foundation systems appear to consist of a shallow foundation system with perimeter reinforced poured footings, reinforced poured footings at structural steel support columns and reinforced slab on grade.

8.1.2 Condition

While the footings and foundations were not directly observed, no notable settlement was observed in the exterior of the structure to suggest any detrimental or significant settlement or movement has occurred.

Good	Fair	Poor
------	------	------

8.1.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate needs were observed to be required.

Recommended Needs Over Term:

- No Recommended Needs Over Term were observed.

8.2 BUILDING ENVELOPE FRAME

8.2.1 Description

The building is constructed of concrete tilt-up wall panels with interior steel columns, steel framed second and third floors, metal decking and steel joists supporting the corrugated metal roof decking supporting the low sloped roof system.

8.2.2 Condition

Framing members where visible were observed in overall good condition. There were no indications visible corrosion or moisture intrusion.

Good	Fair	Poor
------	------	------

8.2.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate needs were observed.

Recommended Needs Over Term:

- No Recommended Needs Over Term were observed.

8.3 EXTERIOR WALLS

8.3.1 Description

The exterior walls are primarily comprised of painted concrete tilt-up panels with aluminum framed fixed double pane aluminum storefront window and entry systems. A curtainwall system encloses the main entrance lobby.

8.3.2 Condition

Exterior walls are in generally overall fair condition. The exterior walls were observed to have deteriorating paint and buildup of an algae-like substance. Cleaning and painting of applicable exterior surfaces will be required during the term. The control joints in between tilt panels were observed to be in overall good condition. Cleaning of window curtainwall will be needed throughout the term but is considered a maintenance expense.

Good	Fair	Poor
------	------	------

8.3.3 Recommendations

Recommended Immediate Need:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- Clean and paint applicable exterior surfaces, Years 1 and 8
- Remove and replace control joint sealant during repainting, Year 8.



Photo 34: Exterior elevation view, main entrance.



Photo 35: Typical exterior view of building elevation, north side.



Photo 36: Concrete tilt-up wall panels and aluminum framed entrances and storefronts make up the exterior elevations of the buildings.



Photo 37: View of south elevation.



Photo 38: Typical framing consisting of steel joists supporting a corrugated metal deck.

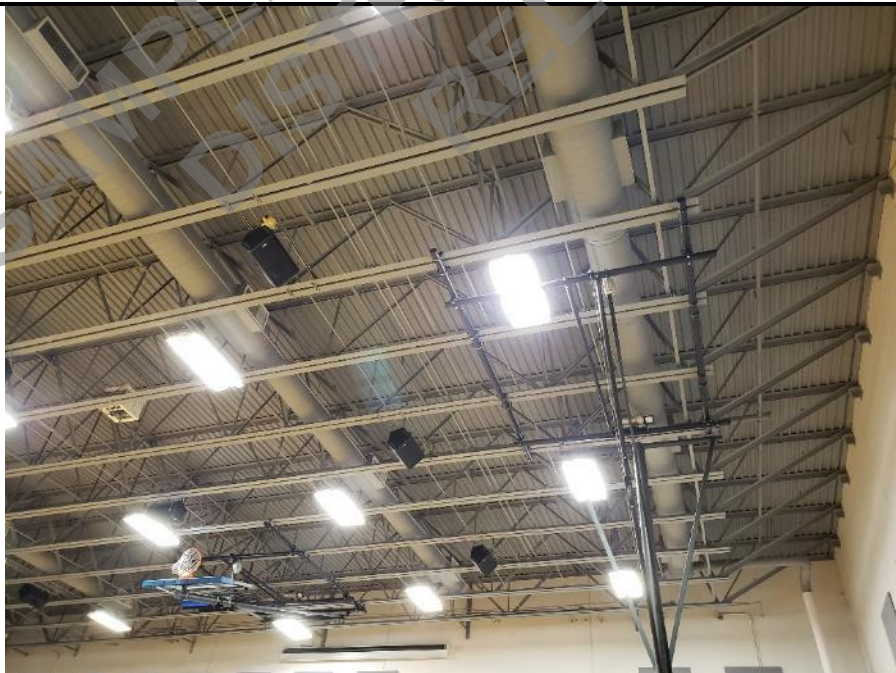


Photo 39: Typical framing consisting of steel joists supporting a corrugated metal deck and low slope roof.



Photo 40: Curtainwall system at main entrance lobby.



Photo 41: Concrete tilt panels and curtainwall at east elevation.



Photo 42: Deteriorating paint on exterior walls.



Photo 43: Deteriorating exterior paint and accumulation of a mold-like substance.



Photo 44: Exterior elevation, south side.



Photo 45: Typical control joint observed for tilt-wall panels.

8.4 EXTERIOR WINDOWS AND DOORS

8.4.1 Description

Aluminum framed glass store front entrance systems manufactured by Delta Doors are located on the north and east elevations of the buildings. The glass storefronts rest on and appear secured to the concrete slab. Additional aluminum framed storefront type windows are present along the north, east and south elevations. A curtainwall system is installed at the main entrance lobby and at the east elevation.

Metal doors are installed at the west and south elevations leading out of the basketball court and 1st floor common areas on the south elevation. A metal framed ticket booth window manufactured by C.R. Laurence Company Inc. is located adjacent to the north side entrance into the gymnasium.

8.4.2 Condition

The store front/window systems and exterior doors were observed to be in overall good condition. No issues or problems related to the doors and windows were observed or reported during our site visit. Cleaning of window curtainwall will be needed throughout the term but is considered a maintenance expense.

Good	Fair	Poor
------	------	------

8.4.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- Replace window and curtainwall perimeter sealants, Year 8.



Photo 46: Typical aluminum framed storefront entrances.

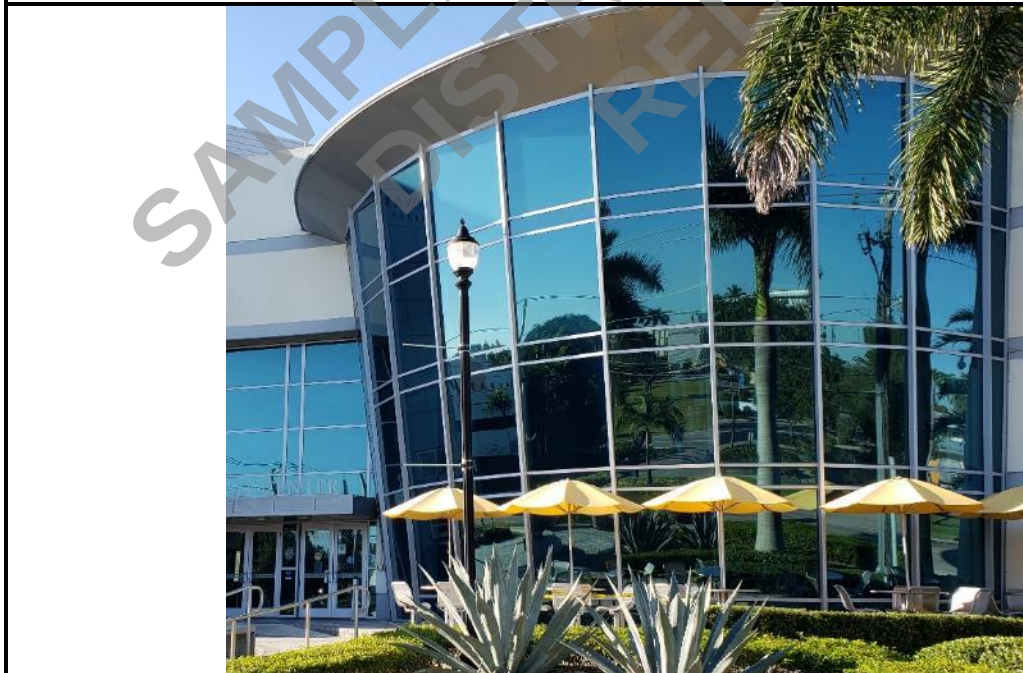


Photo 47: Curtainwall system at main entrance.



Photo 48: Curtainwall system at east elevation.



Photo 49: Typical aluminum framed storefront.



Photo 50: Metal exterior doors at west elevation.



Photo 51: Ticket window at north gym entrance.

8.5 AWNINGS/SHUTTERS

8.5.1 Description

Horizontal metal awnings are installed over entrances and doors throughout the building perimeter. The north side awning over the gym entrance extends along the north sidewalk adjacent to the building. Lighting is installed on the east and north entrance awnings.

8.5.2 Condition

The awnings appeared to be in good overall condition. Debris should be cleaned regularly from the tops of the awnings to avoid buildup of moisture and mold.

Good	Fair	Poor
------	------	------

8.5.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 52: Awnings over main entrance.



Photo 53: Awning over north entrance extending along sidewalk.



Photo 54: Typical awning at west elevation.



Photo 55: Typical awning at south elevation.

8.6 EXTERIOR AND INTERIOR STAIRS

8.6.1 Description

Interior premanufactured steel and concrete staircases are provided at the main entrance lobby and near the south east corner of the building. Metal railings are installed at both staircases. The staircase at the entrance lobby runs from the first floor to the mezzanine on the 2nd floor. The staircase at the south east end of the building runs up to the 3rd floor in the office area. Stairs were not observed on the building exterior.

8.6.2 Condition

The interior stairs were observed to be in overall good condition. No issues or problems related to the doors and windows were observed or reported during our site visit.

Good	Fair	Poor
------	------	------

8.6.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 56: Stairs at entrance lobby.



Photo 57: Staircase at south east side of building.

8.7 ROOFING

8.7.1 Description

The building's primary roof system is a low sloped roof with an asphalt modified bitumen membrane system. There are three distinct roof areas throughout the building. The roof system is original to the 2012 construction date. The roof areas are bound by parapet walls on all sides. The modified bitumen membrane runs up the parapet walls and terminates under a surface mounted counter flashing. The roofs drain via internal roof drains with emergency through wall scuppers as secondary/emergency drainage. Rooftop penetrations typically include plumbing vent stacks, HVAC curbs, HVAC housing wall structure supports and exhaust fans and a sky light over the entrance lobby.

8.7.2 Condition

The roofing was observed to be in overall poor condition for its age. Deterioration of the cap sheet was observed throughout. The UV protecting granules have washed/deteriorated away through the majority of the roof surface. Cracking sealants and flashing at pipe penetrations was observed at multiple locations. However, according to Johnson & Wales personnel present during our visit, no leaks have been reported recently throughout the building. Without remediation the roof will deteriorate quickly and most likely need replacement within the next few years. NOVA recommends an Investigative Roof Assessment be performed as an immediate need. Based on the conclusions of this assessment there is a likelihood remediation procedures can be put in place to extend the remaining useful life of the roof system through the term. For purposes of this report, we have roof replacement in Year 3.

Good	Fair	Poor
------	------	------

8.7.3 Recommendations

Recommended Immediate Needs:

- Repair cracked flashing and sealants throughout to prevent moisture intrusion.
- Investigative Roof Assessment

Recommended Needs Over Term:

- Replace Modified Bitumen Roofing System, Year 3



Photo 58: Roof system overview over 3rd floor offices.



Photo 59: Roof system overview over lobby entrance.



Photo 60: Roof system overview over basketball court.



Photo 61: Typical cap sheet weathering observed throughout.



Photo 62: Skylight over main entrance lobby.



Photo 63: Typical interior drain with overflow scupper.



Photo 64: Cracked and deteriorated liquid flashing at penetrations.



Photo 65: Cracked sealants at surface mounted counter flashing.



Photo 66: Deteriorated flashing at coping cap.



Photo 67: Typical roof membrane termination at parapet wall.

9.0 INTERIOR ELEMENTS

9.1 INTERIOR FINISHES

9.1.1 Description

The interior floor finishes consist of linoleum and carpeting in the lobby, offices and meeting rooms. Hardwood flooring covers the basketball court and rubber tiles are installed in the exercise room. The interior wall finishes consist of painted gypsum board throughout the offices and common areas and painted concrete at the basketball court. The interior ceiling finishes include painted gypsum board and acoustical grid-type suspended ceiling tiles in the lobby and office areas. Exposed steel joists make up the ceiling finishes at the exercise room and basketball court. Restroom interiors include typical stall partitions, laminate vanities and typical commercial type fixtures.

9.1.2 Condition

Interior finishes were observed to be in overall good condition.

Good	Fair	Poor
------	------	------

9.1.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over the Term were observed.



Photo 68: Typical interior finishes at main entrance lobby.



Photo 69: Typical interior finishes in office areas.



Photo 70: Typical interior finishes in event rooms.



Photo 71: Typical interior finishes at basketball court.



Photo Typical interior finishes in exercise room.



Photo 72: Typical interior finishes in large restroom.



Photo 73: Typical interior finishes in single occupancy restroom.



Photo 74: Typical interior finishes in locker rooms.

10.0 MECHANICAL AND ELECTRICAL SYSTEMS

10.1 HVAC SYSTEMS

10.1.1 Description

The building is provided primary conditioned air via rooftop mounted package unit HVAC equipment. The building has a total of nine AAON RTUs. Some tenant spaces utilize independently metered Sanyo electric split systems to condition particular areas during non-building hours. Only three of the nine labels on the roof mounted RTUs were legible and indicated those two units were manufactured in 2011. For the purposes of our observation, we have assumed that all RTUs were manufactured in 2011. Due to missing labels on most RTUs, the total tonnage is not known. Duct work consists of a combination of galvanized metal and insulated flex duct. The units are controlled by an Eaton Pow-R-Line Switchboard.

RTU #	Manufacturer	Model #	Serial #	Tonnage	Year
1	AAON	Unknown	Unknown	Unknown	Unknown
2	AAON	Unknown	Unknown	31	Unknown
3	AAON	Unknown	Unknown	Unknown	Unknown
4	AAON	RN01330EB09122	201105ANEK05089	13	2011
5	AAON	Unknown	Unknown	16	Unknown
6	AAON	RN00930EB09000	201105ANCQ03985	9	2011
7	AAON	RN01130L809000	200105ANCZ03984	11	2011
8	AAON	Unknown	Unknown	20	Unknown
9	AAON	Unknown	Unknown	9	Unknown
Split System AC Units					
CU #	Manufacturer	Model #	Serial #	BTU	Year
1	Sanyo	CH1872	0158713	18,000	2011
2	Sanyo	CH1872	0159613	18,000	2011
3	Sanyo	CH1872	0159813	18,000	2011

10.1.2 Condition

The HVAC equipment was observed to be in overall fair condition. This type of rooftop mounted package unit HVAC equipment in this general geographic location typically has an expected useful life of 15-20 years. Based on overall appearance and maintenance, the units should begin to be replaced between years 6 and 10. Split system air conditioners typically have an expected useful life of 15-20 years in this geographic location.

These units should begin to be replaced at the end of the term.

Good	Fair	Poor
------	------	------

10.1.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- Replacement of RTUs, Years 6-10.
- Replacement of Split System air conditioners, Year 10.



Photo 75: Typical view of roof mounted HVAC.



Photo 76: Typical view of roof mounted HVAC.



Photo 77: Typical view of roof mounted HVAC.



Photo 78: Roof mounted split system air conditioner.



Photo 79: Identification labels faded/not visible on most RTUs.



Photo 80: Identification labels faded/not visible on most RTUs.

10.2 PLUMBING

10.2.1 Description

Plumbing systems consist of water distribution piping and valves, sewer and systems within the building and property. Plumbing components were observed to be stainless steel and PVC. The domestic water supply for the building enters from underground piping to the building.

Plumbing provisions in the building consist of janitorial sinks and typical restroom fixtures. The restrooms appear to have stainless steel supply lines that bring the water into the sink areas and feed the building with water. Plumbing waste lines underneath sinks in bathrooms are constructed of PVC and metal with a chrome finish.

The location of water heaters could not be determined during our visit.

10.2.2 Condition

The plumbing and piping systems appear to be in overall good condition based on an accessible visual inspection. Although water heaters were not observed and not observed by NOVA during our visit, based on the age of the building and an expected useful life of 12-15 years, such will likely require replacement during the term.

Good	Fair	Poor
------	------	------

10.2.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- Replace water heaters, Year 5.



Photo 81: Typical plumbing fixtures with automated faucets



Photo 82: Typical plumbing fixtures in restrooms.



Photo 83: Typical plumbing fixtures in common area sinks.



Photo 84: Typical plumbing fixtures in locker room showers

10.3 ELECTRICAL

10.3.1 Description

Electric power appears to enter the site via underground feeders that connect to an electrical bank with transformers. The service is 500 kVa 480/277 volt 3-phase 4-wire alternating current system. Electrical wiring is reportedly copper installed in metallic conduit. The building contains an electrical room on the first floor with electrical panels, step down transformers and main switch gear. Electrical panels are also located throughout the building in multiple maintenance closets.

Electrical lighting systems include pole mounted site lighting, building and ground mounted lighting. Interior lighting includes recessed and fluorescent lighting. The lighting is reportedly controlled by manual controls in the common areas and offices. The outside lighting was not tested or observed at night. Surveillance cameras are installed throughout the exterior building perimeter.

10.3.2 Condition

The electrical system appears in overall good condition. Panels and devices appear to be in good operable condition.

Good	Fair	Poor
------	------	------

10.3.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 85: FPL transformer located at east side of property.



Photo 86: Main electrical room located on first floor



Photo 87: Typical electrical panels observed on site.



Photo 88: Electric meter located on building exterior.



Photo 89: Typical interior lighting in office areas.

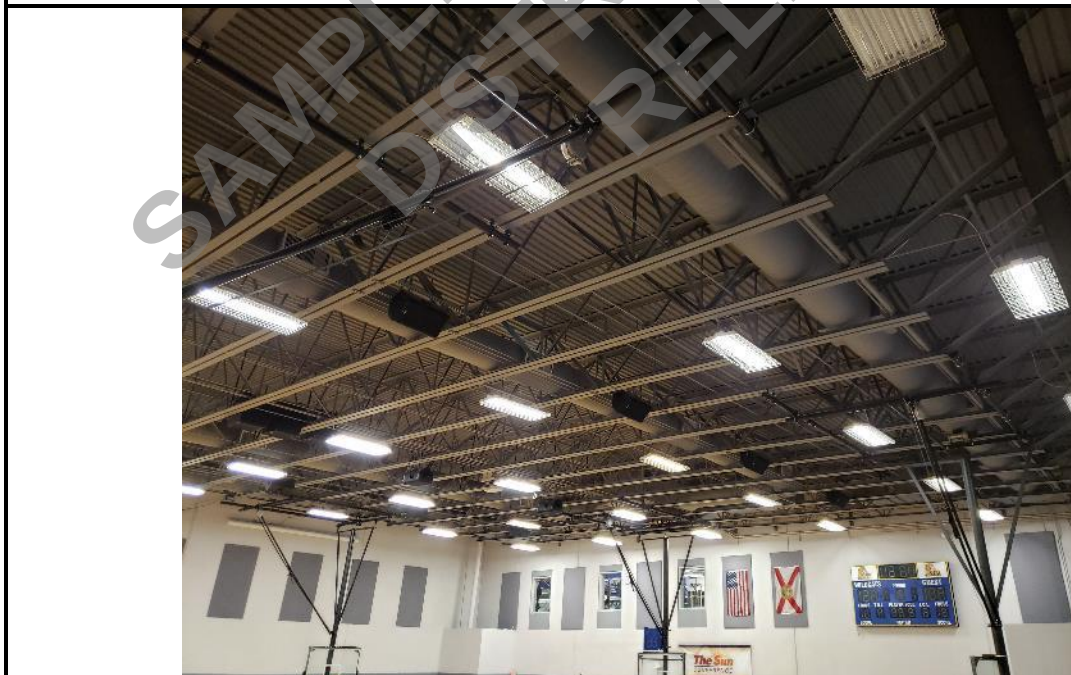


Photo 90: Interior lighting in basketball court.



Photo 91: Outside pole mounted lighting.



Photo 92: Exterior surveillance cameras mounted throughout building perimeter.

11.0 VERTICAL TRANSPORTATION

11.1.1 Description

The building is provided with one 2500lb capacity hydraulic elevator. The elevator is manufactured by Thyssenkrupp Elevators.

11.1.2 Condition

The elevator appears in overall good condition.

Good	Fair	Poor
------	------	------

11.1.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 93: Elevator at lobby mezzanine.



Photo 94: Elevator interior control panel.



Photo 95: Elevator call buttons.



Photo 96: Elevator signage.

12.0 LIFE SAFETY / FIRE PROTECTION

12.1 LIFE SAFETY / FIRE PROTECTION

12.1.1 Description

Life safety systems consist of sprinkler fire suppression systems, fire department hose valves, hydrants located on the property, lighted exit signs, audible and visual alarms and portable fire extinguishers and smoke detectors.

12.1.2 Condition

Life Safety components were observed to be in overall good condition. The fire extinguishers appeared to have tags indicating up-to-date inspections. The fire alarm control panels are reportedly original to construction. Replacement of the fire alarm control panels should be expected early in the term.

Good	Fair	Poor
------	------	------

12.1.3 Recommendations

Recommended Immediate Needs:

- No Recommended Immediate Needs were observed.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.



Photo 97: Audible fire alarm.



Photo 98: Lighted exit signs.



Photo 99: Typical fire extinguisher.



Photo 100: Fire suppression system risers.



Photo 101: Fire alarm control panel.



Photo 102: Fire department hose valves located on the property.



Photo 103: Typical fire hydrant located on the property.

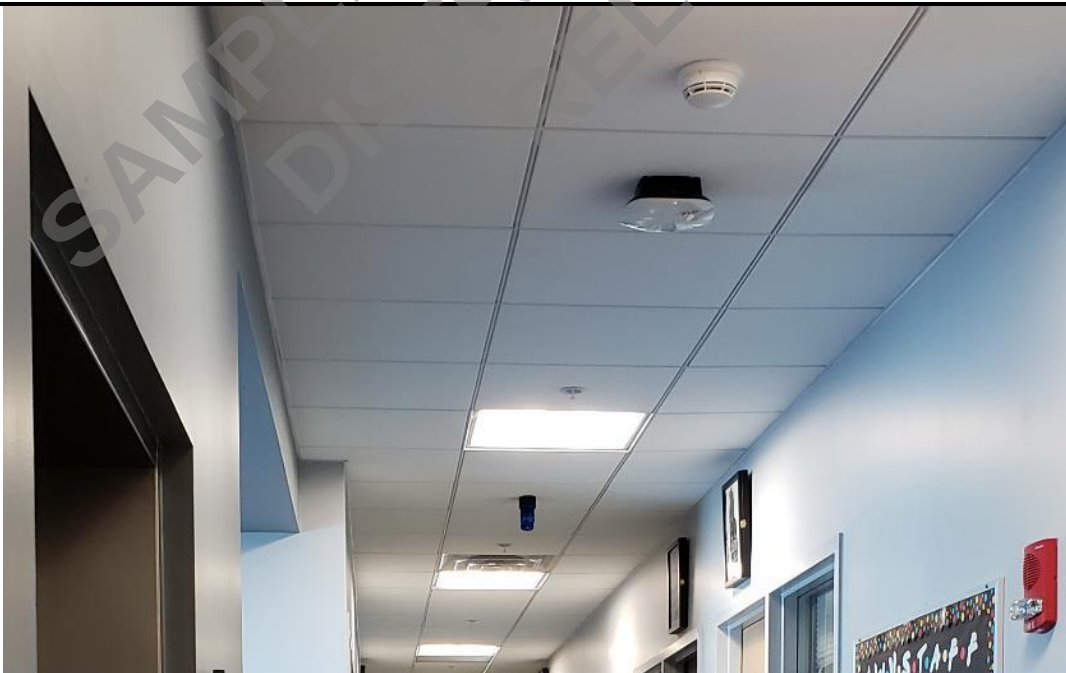


Photo 104: Smoke alarms and sprinklers located throughout building.

13.0 ACCESSIBILITY

13.1 AMERICANS WITH DISABILITIES ACT

13.1.1 Description

As a publicly accessible facility, access to and within the building for disabled building users will be governed (where applicable) by the 1991 Americans with Disability Act (ADA) Accessibility Guidelines. Two areas of the ADA have significant effect on the physical aspects of the Property.

Title I is intended to address employment discrimination, and requires that employers not discriminate against a disabled person in hiring or employment. This can affect the configuration and features of buildings and those employers are expected to make “reasonable accommodation”, including making facilities readily accessible to disabled employees.

Title III requires that public accommodation provide goods and services to disabled patrons on an equal basis with the non-disabled patrons. This title is the part of the Act with perhaps the greatest impact on buildings, which provide public accommodations.

The ADA has provided a benchmark for measuring accessibility, primarily orientated towards new construction. It also provides guidance for modification of existing facilities to eliminate barriers to access. This benchmark is the ADA Accessibility Guidelines (ADAAG). The ADAAG was written by the Architectural and Transportation Barriers Compliance Board, and first issued in final form in July 1991. The stated purpose of the guidelines is to ensure that newly constructed facilities and altered portions of existing facilities covered by the ADA are readily accessible to disabled persons.

This report has been based upon the ADAAG issued in July 1991. Discussion has been made by the Architectural and Transportation Barriers Compliance Board for modification to the presently enforceable ADAAG. The details and enforcement date of these modifications have yet to be released. Considering this information, we recommend that prior to conducting any improvement, advice is sought from legal counsel and current guidelines be followed.

Regulatory implementation of the ADA includes the following priorities for barrier removal in existing facilities:

Accessible Entrances. Providing access from public sidewalks, parking or public transportation that enables disabled individuals to enter the facility

Access to Goods and Services. Providing access to areas where goods and services are made available to the public.

Usability of Restrooms. Providing access to restroom facilities

Removal of Remaining Barriers. Providing access to the goods, services, facilities, privileges, advantages, or accommodations.

The ADA in its purist form relates only to facilities Occupied or significantly altered after March 13, 1991. For facilities with Certificates of Occupancy issued prior to March 13, 1991 and not significantly alter after this date, the ADA is seen as a “good practice guide” with a requirement to complete accessibility upgrades typically made by civil suit and employee / user request.

The first consideration of the ADAAG relates to measures that will enable individuals with disabilities to physically approach and enter a place of public accommodation. The priority of “getting through the door” recognizes that providing actual physical access to a facility from public sidewalks, public transportation, or parking, is generally preferable to any alternative arrangement in terms of both business efficiency and the dignity of individuals with disabilities. In general, terms this can mean exterior access to the building.

The ADAAG requires that signs that identify permanent rooms and spaces, such as those identifying restrooms and exits or providing room numbers, must have Braille and raised letters or numbers, so that they may be read visually or tactilely. The signs must also meet specific requirements for mounting location, color contrast, and non-glare surface.

Title III is the focus of this PCA. A Level II ADA Survey was performed which is visual in nature and included select measurements of accessible components.

13.1.2 Condition

There are a total of 13 parking spaces located at the site of which two are designated as accessible. This meets the requirements for a site this size. Clearly defined signage is provided that indicates the location of the accessible parking spaces. Based on the total parking spaces provided, there are presently a sufficient number of accessible designated parking spaces located at the property. The parking spaces are located along an assessable route which connects to both accessible building entrances. One of the parking spaces (left) The accessible parking spaces are provided a marked crosswalk from the spaces to the building sidewalk.

Entrance doors generally were accessible as to door handle type and heights and thresholds. The slope of the public entrances appeared to meet the requirements.

The interior common area elements generally complied with the standards set forth in the ADA. The restrooms were provided with accessible stalls with proper clearance, turning space and properly configured components. Toilets appeared to meet required heights and distances from the walls, grab bars were provided, dispensers and mirror heights were within compliant levels. Braille markings were observed throughout the building signage. The elevator was observed to meet requirements as to cab size, audible and visual alarms and braille on call buttons.

Good	Fair	Poor
------	------	------

13.1.3 Recommendations

Recommended Immediate Needs:

- Remediate left parking space and access aisle to meet slope requirements.
- Remediate curb ramp at west parking area to meet slope requirements.
- Remediate curb ramp at east main entrance to meet slope requirements.

Recommended Needs Over Term

- No Recommended Needs Over Term were observed.

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Photo 105: Designated ADA parking spots at west side of building.



Photo 106: Marked cross walks leading to building



Photo 107: ADA restroom signage with Braille Markings



Photo 108: Typical ADA stall



Photo 109: Automatic faucets in restrooms



Photo 110: Braille markings on elevator controls.



Photo 111: Main entrance ramp with ADA signage and automatic door opener.



Photo 112: Threshold at elevator cab.



Photo 113: Running slope being obtained at north entrance. Measurement was observed to be 7.4% which meets the requirements.



Photo 114: Cross slope measurement being obtained at north entrance ramp. Measurement was observed to be 0.2% which meets the requirements.



Photo 115: Automatic door opener at north entrance.

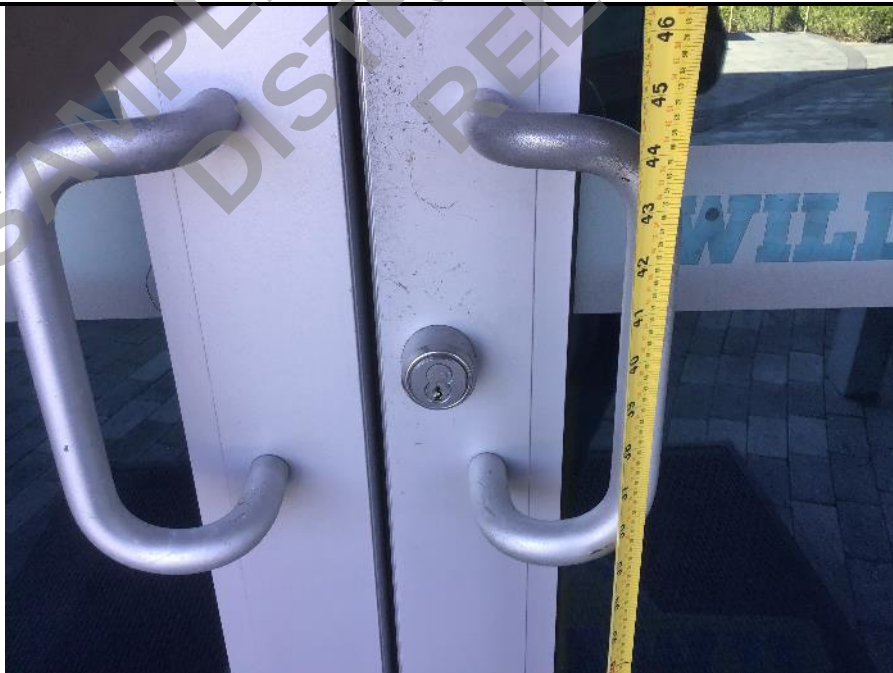


Photo 116: Door handle heights and type were observed to meet requirements.



Photo 117: Slope measurements were obtained along the accessible route at the east entrance to the building. All measurements obtained were within acceptable thresholds, under 5% for running slope and 2.08% for cross slope.



Photo 118: Running slope at main entrance ramp at east elevation being obtained. Measurement was observed to be 9.7%, which exceeds the maximum allowable of 8.3%.



Photo 119: Cross slope measurement being obtained at east elevation ramp to main entrance. Measurement of 0.4% meets the requirements.



Photo 120: Automatic door opener at east elevation entrance.



Photo 121: Overview of accessible parking spaces located at the west parking lot.



Photo 122: Measurements being obtained at the two accessible parking spaces. Measurements of 160" (L) and 156" (R) were observed to exceed the minimum requirements of 140".



Photo 123: Running slope measurement obtained of left parking spot was 2.8% which exceeds the maximum allowable of 2.08%.



Photo 124: Running slope of access aisle obtained was 3.5% which exceeds maximum allowable of 2.08%.



Photo 125: Running slope of ramp at access aisle exceeds maximum allowable for 8.3% with a measurement of 9.3%.



Photo 126: Accessible route from parking to building entrance was measured in various locations and was observed to meet requirements.



Photo 127: Typical restroom configuration meeting accessible requirements.

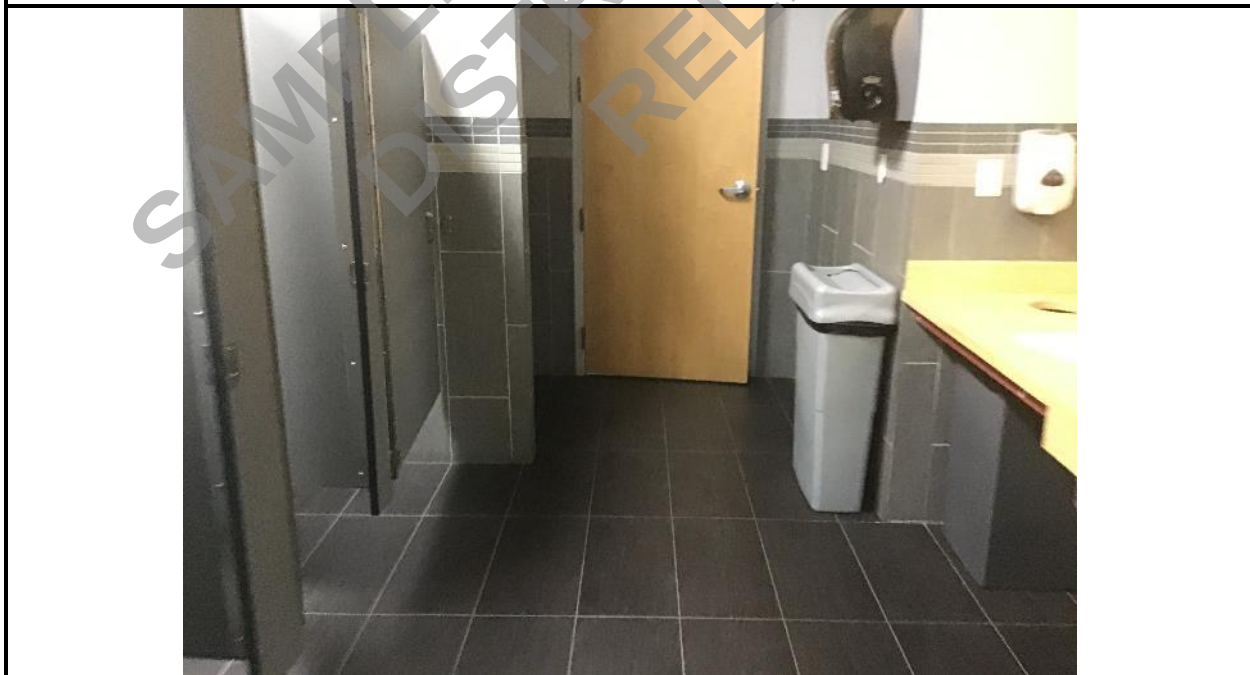


Photo 128: Adequate path of travel in restroom from entrance to accessible stall.

14.0 DEVIATIONS AND DATA GAPS

Deletions or substantial deviations from the ASTM E2018-15 standard practice was not noted. The spaces assessed provide a general representative overview of the finishes and condition of the building.

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15.0 ADDITIONAL SERVICES

No additional Non-ASTM services were requested by the Client for inclusion of this PCA.

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RELIANCE

APPENDIX A
Estimated Expenditure Forecast

ESTIMATED EXPENDITURES OVER TERM



Estimated Reserve Expenditure Forecast Spreadsheet

Property Age	9	Years
Number of Buildings/Units	1	
Building/Unit Gross S.F.	35,465	Square Feet
Reserve Term	10	Years
Total IMMEDIATE NEEDS	0	\$
Total OVER-THE-TERM NEEDS (UNINFLATED)	811,801	\$
Total OVER-THE-TERM NEEDS (INFLATED)	932,306	\$
Reserve UNINFLATED	2.29	\$/SF/Year
Reserve INFLATED	2.63	\$/SF/Year

Wilcat Recreation Center
1600 NE 126th Street
North Miami, Florida 33181

Report Section	Description	CONDITION	GROUP	Estimated Useful Life	Remaining Useful Life	Quantity	Unit	Unit Cost	IMMEDIATE	2022 YEAR 1	2023 YEAR 2	2024 YEAR 3	2025 YEAR 4	2026 YEAR 5	2027 YEAR 6	2028 YEAR 7	2029 YEAR 8	2030 YEAR 9	2031 YEAR 10	TOTAL
7.1	Topography	Good	RM																	\$0
7.2	Storm Water Drainage	Good	RM																	\$0
7.3	Ingress and Egress	Good	RM																	\$0
7.4	Paving, Parking and Curbing	Fair	RM																	\$0
	Sealcoat asphalt and restripe parking spaces.	Fair	RM	5	3	650	SY	\$2.25				\$1,463					\$1,463			\$2,926
	Overlay asphalt and restripe parking	Good	TRR	20	8	650	SY	\$12.50									\$8,125			\$8,125
7.5	Flatwork	Fair	RM																	\$0
	Landscaping and Appurtenances	Good	RM																	\$0
7.6	Trim trees that are touching the building	Fair	RM	N/A	N/A	1	LS	\$500.00	\$500											\$0
	Periodically trim trees as maintenance item	Fair	RM	N/A	N/A			\$0.00												\$0
7.7	Recreational Facilities	Good																		\$0
7.8	Utilities	Good	RM																	\$0
8.1	Foundation	Good	RM																	\$0
8.2	Building Frame	Good	RM																	\$0
	Exterior Walls	Good	RM																	\$0
8.3	Clean and paint applicable exterior surfaces.	Fair	RM	7	1	30000	SF	\$2.50		\$75,000							\$75,000			\$150,000
	Remove and replace control joint sealant	Good	RM	10	8	1	LS	\$8,000.00									\$8,000			\$8,000
8.4	Exterior Windows and Doors	Fair	RM																	\$0
	Replace window and curtainwall perimeter sealants	Good	TRR	8	8	1	LS	\$15,000.00									\$15,000			\$15,000
8.5	Awnings & Shutters	Good	TRR																	\$0
	Roofing	Poor	RM																	\$0
8.6	Repair cracked flashing and sealants throughout to	Poor	TRR	N/A	N/A	1	LS	\$6,000.00	\$6,000											\$0
	Investigative Roof Assessment	Poor	RM	N/A	N/A	1	LS	\$5,500.00	\$5,500											\$0
	Replace roof system	Poor	TRR	20	3	28000	SF	\$14.00				\$392,000								\$392,000
9.1	Interior Finishes	Good	RM																	\$0
	HVAC Systems	Fair	RM																	\$0
10.1	Replace package units	Fair	TRR	15	Varies	150	Ton	\$1,500.00							\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$225,000
	Replace split system units.	Fair	TRR	20	10	3	EA	\$2,000.00											\$6,000	\$6,000
10.2	Plumbing	Good	RM																	\$0
	Replace water heaters	Good	TRR	15	5	1	LS	\$4,750.00						\$4,750						\$4,750
10.3	Electrical	Good	RM																	\$0
11	Vertical Transportation	Good	RM																	\$0
12	Life Safety and Fire Protection	Good	RM																	\$0
	Accessibility	Poor	CC																	\$0
	Remediate left parking space and access aisle to meet slope requirements	Poor	CC	N/A	N/A	1	LS	\$2,500.00	\$2,500											\$0
	remediate curb ramp at west parking area to meet slope requirements	Poor	CC	N/A	N/A	1	LS	\$1,250.00	\$1,250											\$0
	Remediate curb ramp at eas main entrance to meet slope requirements	Poor	CC	N/A	N/A	1	LS	\$1,750.00	\$1,750											\$0
	INFLATION FACTOR								\$17,500	\$75,000	\$0	\$393,463	\$0	\$4,750	\$45,000	\$45,000	\$152,588	\$45,000	\$51,000	\$811,801
									0%	1.03	1.06	1.09	1.12	1.15	1.18	1.21	1.24	1.27	1.31	
									\$17,500	\$77,250	\$0	\$428,874	\$0	\$5,463	\$53,100	\$54,450	\$189,209	\$57,150	\$66,810	\$932,306

CC = Code Compliance
CR = Capital Renewal
DR = Deferred Renewal
DM = Deferred Maintenance
RM = Routine Maintenance
HS = Health and Life Safety
TRR = Timely Repair and Replacement
DI = Desirable Improvements
EC = Energy Conservation

Year 1 begins 12 months after site occupancy
Actual inflation rate will vary.
NOVA assumes no responsibility or liability arising out of an actual inflation different from the projected inflation.

APPENDIX B
Qualifications of Recommendations

QUALIFICATIONS OF RECOMMENDATIONS

The findings, conclusions and recommendations presented in this report represent our professional opinions concerning the general building component conditions at the site. The opinions presented are relative to the dates of our site work and should not be relied on to represent conditions at later dates or at locations not explored. The opinions included herein are based on information provided to us, the data obtained at specific locations during the study and our experience. If additional information becomes available that might impact our opinions, it will be necessary for NOVA to review the information, reassess the potential concerns, and re-evaluate our conclusions and recommendations.

Regardless of the thoroughness of a property condition assessment, there is the possibility that conditions are not as anticipated by the designers and/or the contractors, or that either natural events or the construction process have altered the component conditions. These changes are an inherent risk associated with construction and the investigative methods used to obtain the data.

This report is intended for the sole use of CLIENT only. The scope of work performed during this study was developed for purposes specifically intended by CLIENT and may not satisfy other users' requirements. Use of this report or the findings, conclusions or recommendations by others will be at the sole risk of the user. NOVA is not responsible or liable for the interpretation by others of the data in this report, nor their conclusions, recommendations or opinions.

Our professional services have been performed, our findings obtained, our conclusions derived and our recommendations prepared in accordance with generally accepted assessment principles and practices and in general accordance with ASTM E2018-15. This warranty is in lieu of all other statements or warranties, either expressed or implied.

APPENDIX C
Personnel Qualifications



JAMES C. KEENEY, CCC, GC

Vice President, Facilities Service Line Leader

PROFESSIONAL EXPERIENCE

Mr. Keeney has more than 30 years of Facilities Consulting and Testing experience and is NOVA's Vice President and Facilities Service Line Leader. His expertise is in Facilities investigation, surveys, testing, remediation design and construction project administration. Facilities is a term NOVA uses to reference a property's major building systems and components, which in general includes building envelope, roofing, waterproofing, structural, accessibility, mechanical/electrical/plumbing (MEP), pavement and site flatwork and amenities. He has performed these services for school boards, government divisions, healthcare, financial industry, industrial, multi-family, telecommunications, property owners, property managers, developers and contractors. He is also a licensed roofing contractor, wind/hurricane mitigation consultant and general contractor. Mr. Keeney has more than 25 years of Property Condition Assessment (PCA) experience, having developed internal procedures for the execution of these services. Additionally, he has conducted many non-destructive and destructive forensic investigative procedures. These investigations have included utilizing specialized equipment such as; infrared, building pressurization fans and software, moisture intrusion racks, chambers and spray nozzles, borescopes, wind up-lift domes, ground penetrating radar and other related equipment. Over the past 20 years approximately 5% of Mr. Keeney's time has been dedicated to performing expert witness and related services. Mr. Keeney works closely with RCI and has spearheaded the development of internal roof/building envelope inspector training and certification programs. He has been involved in the development of computerized facilities and roofing management programs.

Education:

Architectural Studies, Valencia
State College & University of
Central Florida, 1984

Certifications / Registrations:

Certified Roofing/
Waterproofing Contractor, CCC-
057988, Florida
Certified Florida Wind and
Hurricane Mitigation
Consultant, #599, Florida
Certified Firestop Inspector,
#070230
AIA Continuing Education
Presenter
Expert Witness Experience

Affiliations:

Air Barrier Association of
America (ABAA)
National Roofing Contractors
Association (NRCA)
Roof Consultants Institute (RCI)

REPRESENTATIVE PROJECT EXPERIENCE

Education

University of Florida
Orange County Schools, 15
Campus Sites, Orlando, FL*
Brevard County Schools, 72
School Sites FL*
University of Central Florida

Healthcare

Seventh Day Adventist – Florida
Hospitals – Central Florida
Orlando Hospital – Central Florida
Baptist Hospital – South and
North Florida
MedExpress Urgent Care –
Nationwide
Senior Lifestyle - Nationwide

Municipal/Government/Military

General Services Administration
(GSA), Miami, FL*
General Services Administration
(GSA), Richmond, FL*
Military Base Housing –
Government Initiative 2006 – 2016
Nationwide
Palm Beach County, ADA for
14 Campus Sites, West Palm
Beach, FL*
City of Lakeland

Recreational

Walt Disney World - Orlando, FL
Busch Gardens – Florida, Virginia,
Colorado
Cape Canaveral

Office / Retail

Jones Lang Lasalle – Properties and Services Nationwide

Allstate Westbrook Partners, 88-site multi-story PCA portfolio, Nationwide*

Crossman Companies – Florida and Georgia

Residential/Hospitality

Harrison Street – Nationwide

Crossman Companies – Florida and Georgia

Darden Restaurants - Nationwide

Aviation/Transportation

Orlando International Airport

Industrial

Anheuser-Busch, Nationwide – All 13 US based brewery's and 23 Can and Support properties

Verizon - Nationwide

Multi-Family/Mixed Use

JPI Companies, Texas and California

Lincoln Property Company – Nationwide

Greystar Partners - Nationwide

Financial

WP Carey – Nationwide

Gramercy Financial Group – Nationwide

ING Financial - Nationwide

Prudential – Nationwide



DANY ROMERO, P.E.

Business Unit Manager

Private Provider / Facilities & Building Enclosure Services

PROFESSIONAL EXPERIENCE

Mr. Romero has more than 10 years' combined experience in the construction industry, concentrating on building envelope test programs and forensic evaluations, deep foundation installation and testing and project management. Mr. Romero has worked closely with government entities, private owners and non-profit organizations during consulting and testing efforts. As part of the Florida Coastal Monitoring Program, Mr. Romero was involved in numerous investigations evaluating water ingress, windborne debris impact and mechanical failure of roofing components during extreme wind events such as named hurricanes and tropical storms. Much of Mr. Romero's focus at NOVA includes forensic investigation of roofing and cladding components as well as property condition assessments for all types of construction and building types. These investigations have included the use of specialized equipment such as water spray nozzle arrays, building pressurization fans, infrared cameras and other related equipment. As the service line leader for Private Provider and Facilities services in Central Florida, Dany's responsibilities include field observations and measurements, quality assurance and monitoring, review of consulting services, documentation and final report preparation.

Education:

Master of Civil Engineering,
Structures, University of
Florida

Bachelor of Science in Civil
and Coastal Engineering,
University of Florida

Certifications / Registrations:

Professional Engineer - FL
License #82402

IPMA Level D – Certified
Project Management
Associate

REPRESENTATIVE PROJECT EXPERIENCE

● **Aloft-Element Tampa/Project Manager/Tampa, Florida**

Project Manager and field observer during the ground up construction of a 183,000 square foot hotel in Tampa's Midtown development. NOVA performed a peer review of the waterproofing details, completed moisture intrusion testing and field observations during construction.

● **Hyatt House Tampa/Project Manager/Tampa, Florida**

Project Manager and field observer during the ground up construction of a 105,000 square foot hotel. Water penetration testing on over 40 Aluminum Entrances and Storefronts in general accordance with ASTM E1105 and AAMA 501.2.

● **Port Tampa Bay Office Building/Project Manager/Tampa, Florida**

Project Manager and roof assessor during a roof condition assessment of the 23,000 square-foot modified bitumen roof system. The evaluation concluded that the roof system needed to be replaced. NOVA provided the design documents for the new roof system and completed periodic observations during the reroof process.

● **Charlotte County Justice Center/Project Engineer/Punta Gorda, Florida**

Project Engineer during a five-week full time forensic investigation of the five-story, 207,908 square foot courthouse. The investigation included electronic leak detection, spray nozzle testing, building pressurization and removal of cladding components to observe as-built conditions. NOVA identified and communicated readily observable physical deficiencies with regards to air and moisture intrusion.

- **Charlotte County Murdock Administration Building/Project Engineer/Port Charlotte, Florida**

Project Engineer during a forensic investigation of the four-story, 97,303 square foot administration building. The investigation included electronic leak detection, spray nozzle testing of select physical aspects and removal of cladding components to observe as-built conditions. NOVA identified and communicated readily observable physical deficiencies and assisted with review of the submittal documents and quality assurance observations and testing during repairs.

- **St. Petersburg Marina PCAs/Project Manager/St. Petersburg, Florida**

Project Manager and PCA assessor during the completion of Property Condition Assessments for four individual buildings at the St. Petersburg Marina. The evaluation included recommendations for maintenance and repair of building components dating back to the 1970's over a future 20-year life cycle.

- **The Bartram/Project Manager/Gainesville, Florida**

Provided consulting services during renovations at the 125,000 square-foot four story apartment building. Services included recommendations and field observations during re-roofing. During window sealant replacement, subcontractor submittals were reviewed, and field observations were performed to confirm sealant application and to perform sealant pull testing. The existing roof drainage system was evaluated and recommendations were provided to improve drainage conditions.

- **Alvin's Island #10/Project Manager/Panama City Beach, Florida**

Performed a building envelope evaluation of the existing components at the 55,000 square-foot retail center constructed in the 1960's. The evaluation included visual condition assessments of the structural framing, roofing and fenestration systems.

- **Goodwill Superstore/Project Manager/St. Petersburg, Florida**

Completed a structural evaluation of cracking developed along exterior walls of a 30,000 square-foot store following construction completion. The evaluation included mapping crack width and locations for long term monitoring as well as mapping the location of control joints and structural members in relation to the observed cracking. Construction documents were reviewed for deviations from plans and any noted modifications to the design.

- **Big Storm Brewing PCAs/PCA Assessor/Tampa, Florida**

PCA assessor during the completion of Property Condition Assessments for two individual buildings in the Tampa Bay area to be converted into breweries. The evaluation included recommendations for maintenance and repair of building components dating back to the 1920s for one building and 1960s for the second building over a future 10-year life cycle.

- **Tampa Bay Cigar Factory/Building Envelope Consultant/Tampa, Florida**

Provided a condition assessment of the building envelope components for a 33,000 square-foot former cigar factory constructed in 1903. The evaluation included providing recommendations for roofing and flashing repairs, window replacement and repairs to the exterior brick façade.

- **Roof Installation Observation/Project Engineer/Bradenton, Florida**

Performed full time roof observations during installation of 125,000 square feet of single ply TPO membrane at new Home Depot location. Confirmed roof system installation in accordance with project plans and submittals.

APPENDIX D
Level II ADA Checklist



Level II Uniform Abbreviated Screening Checklist for the 2010 Americans with Disabilities Act

	Item	Yes	No	NA	Comments																								
A.	History																												
1.	Has an ADA survey previously been completed for this property?		X																										
2.	Have any ADA improvements been made to the property since original construction?			X																									
3.	Has building ownership/management reported any ADA complaints or litigation?		X																										
B.	Parking																												
1.	Does the required number of standard ADA-designated spaces appear to be provided?				Total Spaces: 13 Accessible Spaces: 2																								
	<table border="1"> <thead> <tr> <th>Total Number of Parking Spaces</th> <th>Min. Number of Accessible Parking Spaces</th> </tr> </thead> <tbody> <tr><td>1 to 25</td><td>1</td></tr> <tr><td>26 to 50</td><td>2</td></tr> <tr><td>51 to 75</td><td>3</td></tr> <tr><td>76 to 100</td><td>4</td></tr> <tr><td>101 to 150</td><td>5</td></tr> <tr><td>151 to 200</td><td>6</td></tr> <tr><td>201 to 300</td><td>7</td></tr> <tr><td>301 to 400</td><td>8</td></tr> <tr><td>401 to 500</td><td>9</td></tr> <tr><td>501 to 1000</td><td>2 percent of total</td></tr> <tr><td>1001 and over</td><td>20, plus 1 for each 100 over 1000</td></tr> </tbody> </table>	Total Number of Parking Spaces	Min. Number of Accessible Parking Spaces	1 to 25	1	26 to 50	2	51 to 75	3	76 to 100	4	101 to 150	5	151 to 200	6	201 to 300	7	301 to 400	8	401 to 500	9	501 to 1000	2 percent of total	1001 and over	20, plus 1 for each 100 over 1000				
Total Number of Parking Spaces	Min. Number of Accessible Parking Spaces																												
1 to 25	1																												
26 to 50	2																												
51 to 75	3																												
76 to 100	4																												
101 to 150	5																												
151 to 200	6																												
201 to 300	7																												
301 to 400	8																												
401 to 500	9																												
501 to 1000	2 percent of total																												
1001 and over	20, plus 1 for each 100 over 1000																												
2.	Does the required number of van-accessible designated spaces appear to be provided? Note: One van accessible space is to be provided for every 6 or fraction of 6 accessible spaces.	X																											
3.	Are accessible spaces part of the shortest accessible route to an accessible building entrance?	X																											
4.	Is a sign with the International Symbol of Accessibility at the head of each space? Note: Bottom of sign should be a minimum of 60" above parking space grade.	X																											
5.	Does each accessible space have an adjacent access aisle?	X																											
6.	Do parking spaces and access aisles meet minimum width requirements? Parking spaces: 96 inches wide / Access Aisles: 60" Van Accessible Parking Spaces: 96" wide with 96" access aisle or 132" wide with 60" access aisle.	X																											



Level II Uniform Abbreviated Screening Checklist for the 2010 Americans with Disabilities Act

7.	Do parking spaces and access aisles appear to be relatively level and without obstruction? Note: Parking Spaces and Access Aisles should not exceed 2.08% in any direction.		X		Left Parking space and access aisle exceed maximum allowable running slope
C. Exterior Accessible Route					
1.	Is an accessible route present from public transportation stops and municipal sidewalks on the property?	X			
2.	Are curb cut ramps present at transitions through curbs on an accessible route?	X			
3.	Do the curb cut ramps appear to have the proper slope for all components? Note: Running Slope not to exceed 8.3%, Cross slope not to exceed 2.08%, Flares (if applicable) not to exceed 10%				Curb Ramp at east main entrance and curb ramp at west parking area exceed maximum allowable slope.
4.	Do curb ramps protrude into access aisles or drive lanes?			X	
5.	Do ramps on an accessible route appear to have a compliant slope? Note: Running Slope not to exceed 8.3%, Cross Slope not to exceed 2.08%.	X			
6..	Do ramps on an accessible route appear to have a compliant length and width?	X			
7.	Do ramps on an accessible route appear to have compliant end and intermediate landings?	X			
7.	Do ramps on an accessible route appear to have compliant handrails?			X	
D. Building Entrances					
1.	Do a sufficient number of accessible entrances appear to be provided? (60% of all public entrances to be accessible)	X			
2.	If the main entrance is not accessible, is an alternate accessible entrance provided?	X			
3.	Is signage provided indicating the location of alternate accessible entrances?	X			
4.	Do doors at accessible entrances appear to have compliant clear floor area on each side?	X			
5.	Do doors at accessible entrances appear to have compliant hardware? Located within 36" to 48' AFF?	X			



Level II Uniform Abbreviated Screening Checklist for the 2010 Americans with Disabilities Act

6.	Do doors at accessible entrances appear to have a compliant clear opening width of a minimum of 32"?	X		X	
7.	Do pairs of accessible entrance doors in series appear to have the minimum clear space between them?	X		X	
8.	Do thresholds at accessible entrances appear to have a compliant height?	X		X	
E.	Interior Accessible Routes and Amenities				
1.	Does an accessible route appear to connect with all public areas inside the building?	X			
2.	Do accessible routes appear free of obstructions and/or protruding objects?	X			
3.	Do ramps on accessible routes appear to have a compliant slope of no more than 8.3% running slope and 2.08% cross slope?	X			
4.	Do ramps on accessible routes appear to have a compliant length and width?	X			
5.	Do ramps on accessible routes appear to have compliant end and intermediate landings?	X			
6.	Do ramps on accessible routes appear to have compliant handrails?	X			
7.	Are adjoining public areas and areas of egress identified with accessible signage?	X			
8.	Do public transaction areas have an accessible, lowered counter section?	X			
9.	Do public telephones appear mounted with an accessible height and location?	X			
10.	Are publicly-accessible swimming pools equipped with an entrance lift?	X			
F.	Interior Doors				
1.	Do doors at interior accessible routes appear to have compliant clear floor area on each side?	X			
2.	Do doors at interior accessible routes appear to have compliant hardware mounted within 36" – 48" AFF?	X			
3.	Do doors at interior accessible routes appear to have compliant opening force of no more than 5lbs?	X			
4.	Do doors at interior accessible routes appear to have a compliant clear opening width of a minimum of 32"?	X			
G.	Elevators				
1.	Are hallway call buttons configured with the "UP" button above the "DOWN" button?	X			
2.	Is accessible floor identification signage present on the hoistway sidewalls?	X			



Level II Uniform Abbreviated Screening Checklist for the 2010 Americans with Disabilities Act

3.	Do the elevators have audible and visual arrival indicators at the entrances?	X			
4.	Do the elevator hoistway and car interior appear to have a minimum compliant clear floor area?	X			
5.	Do the elevator car doors have automatic re-opening devices to prevent closure on obstructions?	X			
6.	Do elevator car control buttons appear to be mounted at a compliant height?	X			
7.	Are tactile and Braille characters mounted to the left of each elevator car control button?	X			
8.	Are audible and visual floor position indicators provided in the elevator car?	X			
9.	Is the emergency call system at the base of the control panel and not require voice communication?	X			
H.	Toilet Rooms				
1.	Do publicly-accessible toilet rooms appear to have a minimum compliant floor area?	X			
2.	Does the lavatory appear to be mounted at a compliant height and with compliant knee area?	X			
3.	Does the lavatory faucet have compliant handles?	X			
4.	Is the plumbing piping under lavatories configured to protect against contact?	X			
5.	Are grab bars provided at compliant locations around the toilet?	X			
6.	Do toilet stall doors appear to provide the minimum compliant clear width?	X			
7.	Do toilet stalls appear to provide the minimum compliant clear floor area?	X			
8.	Do urinals appear to be mounted at a compliant height and with compliant approach width?	X			
9.	Do accessories and mirrors appear to be mounted at a compliant height?	X			
I.	Hospitality Guestrooms				
1.	Does property management report the minimum required accessible guestrooms?			X	
2.	Does property management report the minimum required accessible guestrooms with roll-in showers?			X	



140-A Lurton Street, Pensacola, Florida 32505
P: 850.607.7782 / F: 850.249.6683

usanova.com

City of Destin
Engineering Services 21-11-PS
Rating Criteria Guidance

Rating Standards		
Rating	Range of Scoring (points)	Descriptors of Rating (not a comprehensive list)
Very Good	Cover Letter/Exec. Summary (4 or 5)	- Cover Letter/Executive Summary specifically meets all requirements found on pg. 9 of the RFP. - Firm has completed three or more similar projects and has clearly communicated an understanding of municipal operations and renewal/replacement programs for such. Proposal communicates the firm's experience in both life-cycle cost determinations and value engineering. - Proposal includes a methodology for satisfying both the facility condition and the needs assessment requirements of this project. Proposal includes a standard report format or copies of reports from past projects. - Proposal includes a detailed timeline for project execution and close-out. Gantt charts or similar representations are provided. - References provided return highly favorable comments with no negative reviews.
	Experience/Qualifications (21-30)	
	Understanding of Project Scope & Detailed Work Plan (23-35)	
	Delivery Time & Schedule (15-20)	
	Reference Reviews (8-10)	
Acceptable	Cover Letter/Exec. Summary (3)	- Cover Letter/Executive Summary generally meets most of the requirements found on pg. 9 of the RFP. - Firm has completed fewer than three similar projects but has clearly communicated an understanding of municipal operations and renewal/replacement programs for such. Proposal communicates their experience in both life-cycle cost determinations and value engineering. - Proposal includes a methodology that would mostly satisfy both the facility condition and the needs assessment requirements of this project. Proposal may not include a standard report format or copies of reports from past projects. - Proposal includes a generalized timeline for project execution and close-out. Gantt charts or similar representations may be provided. - References provided return favorable comments with no negative reviews.
	Experience/Qualification (11-20)	
	Understanding of Project Scope & Detailed Work Plan (11-22)	
	Delivery Time & Schedule (10-15)	
	Reference Reviews (7)	
Not Acceptable	Cover Letter/Exec. Summary (0, 1, or 2)	- Cover Letter/Executive Summary meets few of the requirements found on pg. 9 of the RFP. - Firm has completed fewer than three similar projects or has not clearly communicated an understanding of municipal operations and renewal/replacement programs for such. Proposal does not communicate any experience with life-cycle cost determinations and/or value engineering. - Proposal includes a methodology that would not satisfy both the facility condition and the needs assessment requirements of this project. Proposal may not include a report format or copies of reports from past projects. - Proposal does not include a timeline for project execution and close-out. Gantt charts or similar representations have not been provided. - References provided return mostly favorable comments with one or more critical reviews.
	Experience/Qualifications (0-10)	
	Understanding of Project Scope & Detailed Work Plan (0-10)	
	Delivery Time & Schedule (0-10)	
	Reference Reviews (0-6)	

21-11-PS, Scoring Sheet (for Comments, use additional pages as necessary)

Firm: Universal	Score	Comments
Cover Letter/Exec. Summary	/5	Total Committee Points 345
Experience and Qualifications of Team Members	/30	
Understanding of Project Scope & Work Plan	/35	
Delivery Schedule & Timeline	/20	
Reference Reviews	/10	
Total	/100	
Firm: NOVA	Score	Comments
Cover Letter/Exec. Summary	/5	Total Committee Points 344
Experience and Qualifications of Team Members	/30	
Understanding of Project Scope & Work Plan	/35	
Delivery Schedule & Timeline	/20	
Reference Reviews	/10	
Total		
Firm: Tetra Tech	Score	Comments
Cover Letter/Exec. Summary	/5	Total Committee Points 354.5
Experience and Qualifications of Team Members	/30	
Understanding of Project Scope & Work Plan	/35	
Delivery Schedule & Timeline	/20	
Reference Reviews	/10	
Total	/100	
Firm: Matrix	Score	Comments
Cover Letter/Exec. Summary	/5	Total Committee Points 375
Experience and Qualifications of Team Members	/30	
Understanding of Project Scope & Work Plan	/35	
Delivery Schedule & Timeline	/20	
Reference Reviews	/10	
Total	/100	

Name of Reviewer: Jeff Cozadd Date: 1/20/2022

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022
TYPE OF AGENDA ITEM: Announcement
AGENDA OUTLINE NUMBER: 4.C.

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: Announcements

I. BACKGROUND:

II. DISCUSSION:

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: Public Hearing

AGENDA OUTLINE NUMBER: 5.A.

TO: City Council

THRU: Lance Johnson, City Manager
Webb Warren, Deputy City Manager
Louis Zunguze, Community Development Director
Krystal Strickland, Finance Director
Kyle Bauman, City Attorney

FROM: Michael Burgess, Public Services Director

DATE: 01/31/2022

SUBJECT: Second reading of Ordinance 22-04-CN - Reduction of Speed Limit on Airport Road, 98 Palms Blvd, and Azalea Drive

I. BACKGROUND: During its August 30, 2021 meeting, the City Council passed a motion to have staff bring back an ordinance that would lower the speed limit city-wide to 30mph unless otherwise posted.

II. DISCUSSION: The ordinance that would accomplish the goal of the Council motion is provided for approval. The Ordinance is attached as ATT1.

A. Link to Strategic Goals / Objectives: from Strategic Goals 2026:

4. Enhance quality of life and safety for families

B. Effect on Budget (EOB): New signage required for this project is estimated to cost less than \$2000 and will be funded by 30558500-563000-TRSAF, which currently has an available budget of \$100,000.

C. Level of Service (LOS): This ordinance will lower the speed limit on Airport Road, 98 Palms, and Azalea Street from 35mph to 30mph.

III. CONCLUSION: Council had also previously had discussion of only lowering the speed limit on Airport Road. If Council wishes to only lower the speed limit on Airport Road (or any other combination of these three roads), then Council should direct that the Ordinance be amended in that fashion, at which point it will be amended and brought back for first reading again.

IV. RECOMMENDED MOTION: I move to approve Ordinance 22-04-CN on second reading.

Attachments:

1. ATT1: Ordinance 22-04-CN -
Reduction of Airport Road 98 Palms
Blvd and Azalea Drive - final

ORDINANCE NO. 22-04-CN

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA; PROVIDING FOR THE REDUCTION OF THE SPEED LIMIT ON THE ENTIRETY OF AIRPORT ROAD FROM ITS INTERSECTION WITH US HIGHWAY 98 TO ITS INTERSECTION WITH MAIN STREET, A DISTANCE OF 8500+/- FEET; PROVIDING FOR THE REDUCTION OF THE SPEED LIMIT ON THE ENTIRETY OF 98 PALMS BOULEVARD FROM ITS INTERSECTION WITH MAIN STREET TO ITS TERMINATION AT A PRIVATE ROAD SERVICING A SHOPPING COMPLEX, A DISTANCE OF 1200+/- FEET; PROVIDING FOR THE REDUCTION OF THE SPEED LIMIT ON THE ENTIRETY OF AZALEA DRIVE FROM ITS INTERSECTION WITH STAHLMAN AVENUE TO ITS INTERSECTION WITH BENNING DRIVE, A DISTANCE OF 3700+/- FEET; PROVIDING FOR AUTHORITY; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Airport Road is a municipal road located within the municipal limits of the City of Destin, Florida (the “City”); and

WHEREAS, the entirety of Airport Road consists of an 8500+/- feet section of roadway existing between Airport Road’s intersection with US. Highway 98 and Airport Road’s intersection of Main Street; and

WHEREAS, Airport Road carries traffic to include traditional vehicles and low-speed vehicles; and

WHEREAS, Airport Road contains a large bend and turn adjacent to the Destin Executive Airport; and

WHEREAS, a disproportionately large number of traffic accidents have occurred along Airport Road and it has posed a continued public health, safety, and welfare risk to the traffic utilizing it, particularly in the section of the bend and turn; and

WHEREAS, these traffic accidents have occurred at least partially because of vehicles traveling at too high a rate of speed on Airport Road and specifically, the bend and turn in Airport Road; and

WHEREAS, the current posted speed limit on Airport Road is 35 miles per hour; and

WHEREAS, a reduction of speed on Airport Road is in the public’s best interest to mitigate the traffic and pedestrian accidents and best protect the public’s health, safety, and welfare; and

WHEREAS, 98 Palms Boulevard is a municipal road located with the municipal limits of the City; and

WHEREAS, the entirety of 98 Palms Boulevard consists of an 1200+/- feet section of roadway existing between 98 Palms Boulevard's intersection with Main Street and 98 Palms Boulevard's termination at a private road servicing a shopping complex; and

WHEREAS, 98 Palms Boulevard carries traffic to include traditional vehicles and low-speed vehicles; and

WHEREAS, the current posted speed limit on 98 Palms Boulevard is 35 miles per hour; and

WHEREAS, pedestrians, to include children, frequently use the sidewalks located adjacent to 98 Palms Boulevard to recreate; and

WHEREAS, a reduction of speed on 98 Palms Boulevard is in the public's best interest to mitigate traffic and pedestrian accidents and best protect the public's health, safety, and welfare; and

WHEREAS, the entirety of Azalea Drive consists of an 3700+/- feet section of roadway existing between Azalea Drive's intersection with Stahlman Avenue and Azalea Drive's intersection with Benning Drive; and

WHEREAS, Azalea Drive carries traffic to include traditional vehicles and low-speed vehicles; and

WHEREAS, the current posted speed limit on Azalea Drive is 35 miles per hour; and

WHEREAS, pedestrians, to include children, frequently use the sidewalks located adjacent to Azalea Drive to recreate; and

WHEREAS, a reduction of speed on Azalea Drive is in the public's best interest to mitigate the traffic and pedestrian accidents and best protect the public's health, safety, and welfare; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. The authority for enactment of this Ordinance is section 1.01 (b) and (c) of the City Charter and sections 166.021 and 316.189, Florida Statutes (2021).

SECTION 2. REDUCTION OF SPEED LIMIT TO 30 MILES PER HOUR ON AIRPORT ROAD. The maximum speed limit along the entire 8500+/- feet of Airport Road from its intersection with US Highway 98 to its intersection with Main Street is established and shall be posted at 30 miles per hour.

SECTION 3. REDUCTION OF SPEED LIMIT TO 30 MILES PER HOUR ON 98 PALMS BOULEVARD. The maximum speed limit along the entire 1200+/- feet of 98 Palms Boulevard from its intersection with Main Street to its termination at a private road servicing a shopping complex is established and shall be posted at 30 miles per hour.

SECTION 4. REDUCTION OF SPEED LIMIT TO 30 MILES PER HOUR ON AZALEA DRIVE. The maximum speed limit along the entire 3700+/- feet of Azalea Drive from its intersection with Stahlman Avenue to its intersection with Benning Drive is established and shall be posted at 30 miles per hour.

SECTION 5. PENALTY. Violations of this Ordinance shall be charged as a non-criminal infraction and penalized pursuant to sections 316.189(4), 318.14, and 318.18, Florida Statutes (2021), as amended from time to time.

SECTION 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon approval by Council and signature of the Mayor.

ADOPTED THIS ____ DAY OF _____ 2022.

BY: _____
Gary Jarvis, Mayor

ATTEST:

Lance Johnson, City Manager

The form and legal sufficiency of the foregoing
has been reviewed and approved by the City Attorney
for the City of Destin, only.

Rey Bailey, City Clerk

Kyle S. Bauman, Esq., City Attorney

First Reading: _____
Second Reading: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022**TYPE OF AGENDA ITEM:** Action Item**AGENDA OUTLINE NUMBER:** 5.B.**TO:** City Council**THRU:** Lance Johnson, City Manager**FROM:** Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney**DATE:** February 15, 2022**SUBJECT:** Proposed Annotations for Land Development Code Articles I and II

I. BACKGROUND: Over the past three (3) years, the City has diligently and judiciously undertaken the task of updating and aligning the City's Comprehensive Plan with the Future Land Use Map and the Zoning Map. That task is now complete. The City now needs to update and align the City's Land Development Code (LDC) with the recent changes to the Comprehensive Plan. To accomplish this task, on April 5, 2021, Staff brought the **Scope of Work** and **Budget** to completely rewrite the Land Development Code for approval to the City Council, both of which were approved unanimously. Since that time, Staff has worked with the consultants of 3TP to diligently and systematically move forward with drafting the new LDC. To provide overall context to the City Council regarding the Staff's approach to the LDC rewrite, the Staff would like to take this opportunity to provide both a framework and methodology for the LDC update. The discussion tonight seeks a decision from the Council on the annotations from 3TP below. This report provides both the Local Planning Agency's (LPA) and Harbor and Waterways Board's recommendations to the City Council.

One important item to note is that although 3TP made several recommendations that the LPA take final action on various types of development applications, the LPA generally disagreed with changing its role in that regard. As further detailed below, the LPA consistently recommended that final decisions on development applications remain with the City Council, as the Council is the governing body that is made up of the citizens' elected officials. The LPA did recommend that in the future it review additional types of development applications prior to such applications being forwarded to Council for consideration.

II. DISCUSSION: Framework:

First, the updated Code will include only the regulations necessary to implement the City's Comprehensive Plan and meet Florida Statutes. As such, all design-related requirements will be provided in a "**Design Manual**" to be developed as part of the LDC rewrite.

Second, the regulations will be grouped by zoning district, and the Planning Areas, will be the guiding elements of the new regulations.

In addition, the LDC rewrite will involve rearranging the existing language into a new format. The first draft of the Articles will be annotated to include notes, actions, and terms that need further input or direction. There are two types of annotations in the articles:

1. Annotations include proposed text changes, notes, and actions based on an analysis of the Comprehensive Plan, Florida Statutes, and current City practices.
2. Annotations that require input or direction from the City Council. The strikethrough and underlined items are necessary text edits.

Methodology:

The first two Articles are attached for your review. The breakdown below provides the methodology behind the format of these two Articles and the major issues or comments that have been identified as requiring special attention.

Article I: General Provisions and Legal

The two existing Articles, "**General Provisions**" and "**Legal**" in the LDC, are combined to create one new Article. This is being done to reduce redundancy (repetitive or very similar information within the two Articles). In addition, the language will be condensed and simplified in the new LDC.

Article II: Administration

The Administration Article is intended to serve as the "**User Guide**" for the LDC. The idea is that a staff member, design professional, or citizen will find all the procedural information needed in one location within the LDC. In addition, the new Article will consolidate all existing Administrative procedures and requirements relating to development review. This has led to the new Administration Article being much larger and more comprehensive than the existing one.

The annotations below, *italicized*, are recommendations from 3TP; however, they were highlighted as important topics for discussion and direction. The LPA's recommendation is in **bold underline**. Staff has discussed the recommendations internally, received input from the Local Planning Agency (LPA), and now seeks discussion and input from the City Council Members tonight on these annotations:

1. *2.05.02.C.4 - 3TP recommended that Final Action for major subdivisions is the Local Planning Agency, however the LPA disagreed.*

LPA Recommendation: Major Subdivisions should be an LPA recommendation to City Council for Final Decision. City Council's final decision on Final Plats can be a Consent Agenda item, or the Final Plat can be pulled off for discussion at the Council Hearing.

2. 2.05.03.B -3TP recommended that final action for all major developments, except those which also have Conditional Uses or are also Planned Unit Developments (PUD), is changed to the Local Planning Agency. If the development includes a Conditional Use or PUD, the LPA will provide a recommendation to City Council. However, the LPA disagreed.

LPA Recommendation: The LPA should review all Major Development Orders (DO) and send a recommendation to City Council for final decision.

3. 2.05.03.D - 3TP recommended that final action for major deviations to existing development orders is by the Local Planning Agency, unless one or more of the following conditions exist:

1. A proposed change to a condition imposed by City Council
2. Attached to a conditional use
3. A proposed change to a PUD, or
4. A proposed change that the City Manager determines should be reviewed by the City Council due to the community impact of the proposed change

If one of the above conditions exists, the LPA will provide a recommendation to City Council."

LPA Recommendation: Agreed and further recommended that #4 should read: A proposed change that the City Manager determines should be reviewed by the City Council due to the community impact or compatibility of the proposed change.

4. 2.05.04 - 3TP commented as follows: There are several revisions to the Planned Unit Development (PUD) section needed in order to be consistent with the Comprehensive Plan. Will there be a PUD design manual or chapter within the manual? The following requirements are needed in order for the LDC to be consistent with the Comprehensive Plan. Additionally, it is recommended that certain requirements be unable to be deviated from, such as lot size minimums, and landscaping requirements.

LPA Recommendation: No, there will not be a PUD Design Manual. However, the regulations for a PUD need to clarify what can and cannot be a PUD. Additionally, it is recommended that certain requirements be unable to be deviated from, such as lot size minimums, and landscaping requirements. The values of the community, as noted in the Planning Areas and Comprehensive Plan Policies, should be reviewed to set a minimum of what can and cannot be deviated from, and then develop detailed PUD minimum requirements.

5. 2.05.06.B - 3TP recommended this section includes specific criteria related to the extension of a development order (hardships related to permits, contractors, etc.) What type of criteria would be acceptable to the City to extend a Development Order (DO)? Delete section related to special economic condition – deadline has passed.

LPA Recommends that Staff research other municipalities' regulations for DO extensions and authority on who (staff/board/council) may extend the DO. LPA also recommended keeping a special economic hardship condition. City Land Use Attorney also clarified that many extensions are due to executive orders of the

Governor, pursuant to State law.

6. 2.06.02.G & 2.06.04 - 3TP recommended that marine construction is reviewed solely through the building permit process unless the proposal includes a marina (commercial or residential) with 10 or more slips. In that case, the application will be required to be reviewed by the Harbor and Waterways Board and City Council.

LPA and Harbor and Waterways Board Recommendation: Any self-certification from FDEP (state) level is staff level approval. Residential docks, not qualifying for self-certification or with 3-9 slips, or require U.S. Army Corps of Engineering Approval, requires Harbor and Waterways Board (HWB) recommendation to City Council on consent agenda. Any residential dock with 10 slips or more requires HWB recommendation and a public hearing before City Council. All Commercial docks require HWB recommendation with a public hearing before City Council.

A. Link to Strategic Goals / Objectives:

#2. A green and sustainable environment, #3. Improve mobility and connectivity, #4. Enhanced quality of life and safety for families, #5. Economic development and revitalization, #6. Effective, efficient, and aesthetically pleasing infrastructure

B. Effect on Budget (EOB): Budget for this work already approved

C. Level of Service (LOS):

Develop and implement processes for consistent and streamlined application of codes and procedures.

III. CONCLUSION:

Staff is seeking a formal recommendation from City Council on the annotations from the draft LDC Articles I & II. Staff incorporated the LPA's input based on the discussions on January 6 and February 3, 2022, and input from the Harbor and Waterways Board (HWB) January 24, 2022, meeting.

IV. RECOMMENDED MOTION:

I move that the City Council direct staff and the City Land Use Attorney to prepare an ordinance codifying the referenced updates to LDC Articles 1 & 2, with such codification to include recommendations from the LPA.

Attachments:

1. Article 1_General_Provisions_Legal Draft
2. Article 2_Administration Draft

ARTICLE I. GENERAL PROVISIONS/LEGAL

Section 1.01 Legal

It is recommended that this section be reviewed by the City's Land Use Attorney for legal sufficiency.

Whereas, the Florida Legislature has enacted the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. § 163.3161 et seq.) which mandates the preparation of comprehensive plans and unified land development codes for all units of local government; and

Whereas, the City Council of the City of Destin, Florida, has determined that the Comprehensive Plan, 2000, is compatible with and furthers the state comprehensive plan, the West Florida Comprehensive Regional Policy Plan and the Okaloosa County Comprehensive Plan; and

Whereas, the adoption of a unified land development code is required to implement the comprehensive plan; and

Whereas, F.S. § 163.3194(1)(b) requires that land development regulations be consistent with the comprehensive plan and F.S. § 163.3202 details the minimum requirements for content of the city's land development code (LDC); and

Whereas, the City Council of the City of Destin finds that the regulations contained within this Code are necessary to protect the public health, safety, general welfare, natural environment and economic vitality of the city; now

Therefore be it ordered by the City Council of Destin, Florida, that this ordinance is hereby adopted in conformance with F.S. ch. 163, and provides an effective date and repeals all provisions of ordinances or resolutions in conflict herewith.

The code (LDC) is developed pursuant to F.S. § 163.3202, the current Destin Comprehensive Plan, the city Charter and the general powers provided local government in F.S. ch. 166.

Section 1.02 Title

This Code shall be known as the "Destin Land Development Code" and may be referred to also as the "Code" or "LDC."

~~It follows in structure and format the current Destin Comprehensive Plan.~~

The above sentence will be removed, as the new format of the Land Development Code does not entirely follow the Comprehensive Plan in structure and format.

Section 1.03 Jurisdiction

The lands subject to this Code shall include all areas within the corporate limits of the City of Destin (and, as applicable, any areas to which the City provides municipal services).

Section 1.04 Intent

This Code provides public policy mechanisms and regulations for growth management (development and redevelopment) in order to serve the residents and property owners of Destin and maintain and improve the quality of life for all citizens of the city. This Code is intended to implement the Destin comprehensive

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plan and, toward that end, is to be construed liberally in favor of the goals, objectives and policies of the plan.

Section 1.05 Applicability

The provisions of this Code apply to all development in Destin. It takes precedence over any other ordinance, resolution or procedure affecting land use and no development may be undertaken without prior authorization pursuant to this Code.

1.05.01. Exceptions.

A. Previous development permits. Neither this Code nor amendments thereto shall affect the validity of a lawfully issued development permit if the following conditions are effective:

1. The permitted development activity has commenced prior to the effective date of this Code or any amendment thereto, or will be commenced after the effective date of this Code but within six months of issuance of the building permit; and
2. The development activity continues without interruption until the development is complete. If the development permit expires, any further development on that site shall occur only in conformance with the requirements of this Code or amendment thereto.

B. Consistency with plan. Nothing in this section shall be construed to authorize development that is inconsistent with the adopted comprehensive plan.

Section 1.06 Conflicting Ordinances, Plans, Regulations, or other Language

Should the requirements of this Code conflict with those of any other regulation or ordinance of the city, the regulation or ordinance requiring the higher standard shall prevail. In their interpretation and application, the provisions of this Code shall be held to be minimum requirements.

Section 1.07 Abrogation

This Code is not intended to repeal, abrogate or interfere with any existing easements, covenants or deed restrictions duly recorded in the public records of the City or Okaloosa County.

Section 1.08 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held by any court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining portions of this Code shall continue in full force and effect.

ARTICLE II - ADMINISTRATION

Section 2.01 Administrator

- A. The City Manager or his or her designee shall administer and enforce this Code.
- B. It is the intent of this Code that all questions of interpretation and enforcement shall be first presented to the City Manager or his or her designee, and that recourse from the decisions of the City Manager or his or her designee shall be to the Board of Adjustment.

Section 2.02 General Administration Procedures

This article sets forth application and review procedures required for obtaining development orders and permits as may be required. Procedures for appealing decisions also are provided.

Section 2.03 Guide for Users

Unified land development regulations. This Code was enacted to provide a consolidated reference source for land development regulations of the City of Destin. It replaces and updates certain ordinances that are outdated or redundant. In other cases, it supplements ordinances previously enacted pertaining to land development. Where no regulatory instruction mandated by the Comprehensive Planning Act of 1985 has been previously addressed or codified by city ordinance, this Code provides the requirements in accordance with the current Comprehensive Plan. In all cases, therefore, where there may be a conflict between this Code and existing ordinances, the LDC (this Code) shall take precedence. In summary, the code establishes a single set of site design criteria and provides procedures for the expeditious processing of development projects and permit applications.

This section will be updated with project type classifications and the criteria for those project types (development orders, deviations, subdivisions, exemptions, permits), as well as a table directing the user to the code section which describes the procedure for that project type. The preliminary layout of the table is:

<i>Project Type</i>	<i>Size</i>	<i>DO Issued</i>	<i>Project Classification</i>	<i>Criteria and Procedures</i>
<i>Nonresidential addition</i>	<i>Over 10,000 sq. ft.</i>	<i>Yes</i>	<i>Major Deviation to a Development Order</i>	<i>Section XX.XX</i>

Section 2.04 Procedures for Ordinance and Zoning Map Amendments

The regulations, restrictions, and zoning district boundaries set forth in the land development code may be amended, supplemented, or changed. Proposed changes may be suggested by the City Council, the City Manager or designee, by a single property owner, or by petition of the owners of 51 percent or more of an area involved in the proposed change. Applications for an ordinance or rezoning amendment must be submitted to the Community Development Department. The Community Development Department will then review and forward the application and a staff report with a recommendation for approval, approval with conditions, or denial to the Local Planning Agency (LPA) for its review. The LPA, after a public hearing and due public notice, will then forward its staff report and recommendation to the City Council for approval, approval with conditions, or denial. The City Council shall then approve, approve with conditions, or deny the application. If an application for an ordinance or rezoning amendment is

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disapproved by the City Council, the applicant shall not reapply for the same ordinance or rezoning amendment for a period of one year from the date of disapproval by the City Council.

Section 2.05 Procedures for Subdivision, Development, and Planned Unit Development Review

Section 2.05.01 Authorization for Development Permit, Development Classification and Pre-Application Procedures

- A. Authorization for a Development Permit. No development activity may be commenced without a final development order.
- B. Prerequisites to issuance of a development permit. No development order or permit shall be issued unless the proposed development activity:
 - 1. Is authorized by a development order issued pursuant to this Code; and
 - 2. Conforms to the Florida building codes and fire codes as adopted by the City; and
 - 3. Conforms to the engineering standards labeled "TECHNICAL CONSTRUCTION STANDARDS" and any other engineering standard for stormwater, sewage, water, streets, traffic and other engineering concerns as may be adopted by the City of Destin.
- C. Exceptions to the requirements for a development order. A construction permit may be issued without a development order if any of the following conditions apply:
 - 1. Construction has begun or was approved prior to the adoption of this ordinance

This is no longer relevant and will be removed.

- 2. Alterations to existing improved properties that will not alter gross floor area, use of structure or land, or change/add to the impervious surface of the site;
- 3. The construction or alternation of a one or two-family dwelling on a lot in a valid recorded subdivision approved prior to the adoption of this Code;

The inconsistency between residential types in the LDC and Comprehensive Plan (Policy 1-2.1.1) is a larger issue throughout the LDC. This section will be revised to be consistent with the Comprehensive Plan, and be changed to include construction or alteration of detached or attached single-family dwellings.

- 4. The resurfacing of a vehicle use area that conforms to all requirements of this Code;
- 5. A minor replat granted pursuant to procedures in Section ~~2.19.01~~ 2.05.02 of this Code;

This will be revised to include minor subdivision and lot split as well.

- 6. Clearing and grading of land:
 - a. Single-family lots: the clearing and grading is limited to the proposed development area. The applicant shall submit a site plan indicating the proposed development area prior to issuance of a clearing permit.
 - b. All other lots: the clearing and grading is limited to the proposed development area. The applicant shall submit:
 - i. A site plan indicating the proposed development area;

- ii. An existing tree survey with all trees of 12-inch diameter at breast height or greater;
- iii. A landscape plan, in accordance with Section ~~12.04.07~~, which identifies the trees and landscaping to be replanted (reforestation, front perimeter, common areas, and soil erosion control) after the clearing and grading is completed;
- iv. An erosion and sedimentation control plan; and
- v. All applicable federal and state permits.

All items identified within the submitted landscape plan must be planted within 30 days after the completion of the clearing/grading. Clearing, grading, and replanting activities shall be completed within 90 days of the issuance of the permit. Failure to satisfy these requirements will result in a code violation and the doubling of the required tree counts for the site; and

- 7. Minor alterations to existing improved properties, for which a development order has not been previously issued, that will alter gross floor area, use of structure or land, or change/add to the impervious surface of the site provided that:
 - a. The proposed change does not require additional parking spaces beyond those already existing on the site;
 - b. The proposed change cannot increase impervious surface area beyond 750 square feet. An increase in impervious surface up to 750 square feet must meet the requirements of Section ~~10.03.02.1.2.b~~;
 - c. The proposed change does not exceed de minimis level of service standards for concurrency; and
 - d. Sufficient information (site plan drawn to scale, existing versus proposed development, existing conditions, etc.) generally in accordance with Section ~~2-18.02~~. General plan requirements must be provided at the time a building permit application is submitted to the City.

All references to checklists in item d will be removed.

It is the intent of this subsection to exempt projects that adhere to the criteria listed in letters a, b, and c, above from the formal development order process, but not the requirements of the Land Development Code. This process moves the review of a project against the Land Development Code requirements from the Development Order stage to the Building Permit stage. A building permit cannot be issued for a project that does not meet the requirements of the Land Development Code.

Does the City want to continue to require Development Order Exemption Applications? If so, the procedures for this application type will be included in this section. If not, no procedural amendment is required and the applicant can move to permitting phase.

- D. Pre-Application Procedures. Prior to filing for a formal and scheduled review of proposed development plans, if required by this Code, by the Technical Review Committee, the applicant shall request the Community Development Director, or designee, to set a time for

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discussion of the proposed development. Checklists ~~set forth in Article 17~~ appropriate to the proposed development shall be provided to the applicant by the Planning Director, or designee. In addition, the applicant shall be directed to the appropriate City departments or other agencies so that the applicant may obtain information from such department(s) and/or agency(s) prior to filing for formal review, if necessary, by the City Technical Review Committee.

Note: No comment made by any persons associated with the City during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development or development plans.

- E. Designation of plans as minor or major developments. Before submitting a development plan for formal review, the applicant shall provide the City with sufficient information to make a determination as to whether or not the plan will be designated a major or minor development. For purposes of these procedures, all development plans shall be designated, in writing, by the City Manager, or his designee, as either exempt from the development order process (in accordance with Section ~~2.05.02~~), a minor development, or major development according to the criteria below.

All criteria related to project type will be moved to "Guide for Users" Section.

1. Major development. A development order application shall be deemed a major development if it satisfies one or more of the following criteria:
 - a. Non-residential and mixed-use development plans consisting of more than 10,000 square feet of gross floor area.
 - b. Ten thousand square feet or more of "land development activity generating traffic." "Land development activity generating traffic" means (a) any change in land use, (b) any construction of buildings or structures, or (c) any change in the use of any structure, that generates vehicle trips.

This will be revised to remove quotation marks and "traffic" will be linked to ITE manual traffic generation.

- c. Residential development plans consisting of ten or more dwelling units.
 - d. Subdivisions.

This will be revised so that only Major Subdivisions will automatically be classified as Major developments.

- e. All planned unit developments (PUDs).
2. Minor development. A development plan shall be designated as a minor development if it is neither a major development nor a development exempt under Section ~~2.05.02~~ of this Code.
3. Simple deviations to a development order. A simple deviation to a development order is a project that does not require review by the Technical Review ~~Team (TRT)~~ Committee (TRC) members, but instead requires review only by City staff members involved in the development review process. Simple deviations to a final

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development order shall be determined by the Community Development Director or designee using the following criteria:

- a. Changes to the previously approved development plan cannot require approval by non-City staff members of the (TRCT) (e.g. Destin Water Users, Destin Fire Control District, Okaloosa Gas Company, etc...). If a proposed change triggers this requirement then the application is required to be processed according to the procedures stated in Section ~~2.07.00~~ and either Section ~~2.07.01, 2.07.02 or 2.07.03~~; and
- b. The proposed changes to the development plan only include rearranging or reducing, in accordance with Code provisions, any driveways/accessways, parking, impervious surface, stormwater management facilities, or buildings on the subject property.

All references to "TRT" will be changed to "TRC".

Vending, whether permanent, temporary, or mobile, on the exterior of a developed site shall be considered a change of use and shall be processed as a simple deviation unless it does not meet the criteria listed in Subsections A. and B. listed above.

"Temporary" and "mobile" vending will be removed from being processed through the simple deviations as these are now processed through Change of Use permit.

Section 2.05.02 Procedures for Subdivision and Re-subdivision of Land

A. Generally.

1. These regulations shall be administered by the community development and engineering departments. It is the responsibility of such community development and engineering departments to carry out the provisions of this section and make recommendations as to the suitability of proposed subdivisions.
2. Except as provided by Section ~~7.08.08~~, no person shall divide any parcel of property into two or more parcels without complying with the provisions of this section.

B. Preliminary Approval.

1. Preliminary approval is not required. However, the developer is encouraged to request preliminary approval whenever the developer is not certain that the proposed subdivision will meet all requirements of applicable laws and regulations. Preliminary submittals shall consist of three copies of drawings or other data indicating the concept of the proposed subdivision. The Community Development Director or designee will return comments, if any, from the Technical Review Committee to the developer.

This section will be revised to remove the encouragement regarding uncertainty of proposal meeting laws and requirements.

2. The public hearing, after the due public notice requirement specified in Section ~~4.01.00~~ is fulfilled for any given project when advertised and held in the preliminary approval process and any later consideration on preliminary or final approval, may be considered without readvertising under old business.
3. Upon preliminary approval the developer may proceed with producing the required documents and request final approval.

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4. If the proposed subdivision is disapproved upon consideration for preliminary approval, before further consideration the developer must resubmit his plans as a completely new design indicating substantial differences from the disapproved design.
- C. Final Approval.
 1. Final plat requirements. The developer shall submit to the community development department three copies of the mylar or other reproducible drawing of the final plat as prescribed by F.S. § 177.0971, size 24 inches by 36 inches, duly signed as required.

The Florida Statute no longer requires three mylars or a specific size. The section will be revised to require one mylar and two paper copies of the plat, revise the Florida Statute reference, and remove mention of statutory requirements related to size.

2. Construction drawings. The developer shall submit to the community development department three copies of the final construction drawings conforming to the requirements set forth in Section ~~7.08.00~~ including specifications for drainage, streets and other improvements, and applicable laws and regulations. Final drawings and specifications shall be prepared, signed, dated and sealed by a professional engineer registered in the State of Florida. One copy of the final drawings will be returned to the developer.
3. Other approvals. Approvals by the City Engineer, Destin Water Users, Inc., and the Destin Fire Department are required. Approvals by other concerned agencies may be required.
4. Final action by City Council. Where proposed major development includes the subdivision or resubdivision of land and the dedication of right-of-way, final approval of such subdivision or resubdivision shall be made by the City Council in accordance with this Code and general law. Upon receiving the recommendation of the ~~T~~technical ~~R~~eview ~~C~~committee, the City Council will consider the subdivision for approval.

It is recommended that Final Action for major subdivisions is the Local Planning Agency.

5. Recording plats. The plat will then be submitted by the developer to the office of the clerk of court for recording. After recording, one recorded mylar copy (size 24 inches by 36 inches), two paper copies of the recorded copy (size 24 inches by 36 inches), two reduced paper copies of the recorded copy (size 11 inches by 17 inches) and one copy of the recorded homeowners association documents, if applicable, shall be filed with the community development department within ten days.

The section will be revised to remove the requirement for two paper copies to be submitted to the City.

6. Disapproval. If the proposed subdivision is disapproved, upon final consideration, before further consideration, the developer must resubmit his plans as a completely new design indicating substantial differences from the disapproved design.

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- D. Minor Replats/Minor Subdivisions. Where development involves a minor replat or minor subdivision as defined in Article 3, the City may issue a construction permit without requiring a final development order. However, City approval of the minor replat or minor subdivision is required prior to the issuance of a construction permit. Minor replats or minor subdivisions do not follow the procedures outlined in Sections ~~2.19.02 or 2.19.03~~, but rather follow the procedures outlined in this subsection only.
1. Submittals consisting of an application and supporting documentation (agent affidavit, proof of ownership, etc...) three copies of drawings and other data indicating the concept of the proposed subdivision shall be delivered to the Community Development Department. The City Manager or designee will return comments, if any, to the developer.
 2. Prior to approval of a minor replat or minor subdivision by the City Manager or designee, the following standards shall be met:
 - a. Each proposed lot must conform to the requirements of this Code, adopted ordinances of the City, and those standards specified by F.S. chapter 177.
 - b. If any lot abuts a street right-of-way that does not conform to the design specifications provided in this Code, the owner may be required to dedicate one-half the right-of-way width necessary to meet the minimum design requirements.
 3. In the case of minor replats/minor subdivisions which involve a total of three or fewer lots, one single-family residential structure shall be permitted on each lot as a matter of right, provided the minimum lot size, dimension, and setback requirements of this Code are met.
 4. After receiving City approval, the developer is required to record the minor replat or minor subdivision in the official county records at no expense to the City. After recording, one recorded mylar copy (size 24 inches by 36 inches), two paper copies of the recorded copy (size 24 inches by 36 inches), two reduced paper copies of the recorded copy (size 11 inches by 17 inches) and one copy of the recorded homeowners association documents, if applicable, shall be filed with the Community Development Department within ten days.
- This section will be revised to remove the requirement of four paper copies submitted to the City.*
5. If the proposed subdivision is disapproved, upon final consideration, before further consideration, the developer must resubmit his plans as a completely new design indicating substantial differences from the disapproved design.
- E. Lot splits. The Community Development Director may grant waivers from the platting requirements of this chapter for divisions of land that constitute a lot split:
1. For purposes of this section, the term "lot split" shall mean a division of a tract of land or lot that will result in either a lot line adjustment between two platted lots or tracts of land or the creation of exactly one (1) additional lot or tract of land provided the following conditions are met:
 - a. The lot or tract of land to be split is a previously platted lot or legal description of record.

- b. Each lot or tract of land created hereunder shall abut a public or approved private street, unless perpetual cross-access easements already exist on the lot to be split or are determined not to be necessary, or, if necessary, are provided by separate instrument.
 - c. The lot split shall in every respect meet the criteria established elsewhere in this chapter and the City Land Development Code for the category of zoning and other relevant Codes under which the property is zoned.
2. Every lot split shall be processed in the following manner:
- a. An application form provided by the community development department shall be completed and filed with the department, accompanied with the following:
 - i. An application fee approved by the city council by resolution;
 - ii. Three paper copies of the proposed lot split;
 - This will be revised to remove this requirement, as all applications are now reviewed digitally.*
 - iii. A statement indicating whether new streets, water, sewer, drainage structures, or other infrastructure are required off-site to provide sufficient access and services to the subject land; and
 - iv. Legal descriptions and acreage of the two proposed lots or tracts of land and a scaled drawing showing the intended division shall be prepared by a duly licensed land surveyor registered in the state. If a lot or tract of land contains any principal or accessory structures, a survey showing the structures on the lot or tract of land shall accompany the application.
 - b. Upon approval of the lot split by determination of the Community Development Director, the determination shall be duly recorded in the public records of Okaloosa County and recorded on the appropriate city maps and documents.
3. No further division of an approved lot split is permitted under this section, unless a plat is prepared and approved in accordance with this chapter.

Section 2.05.03 Procedures for Development Review

- A. All applications for a major or minor development order or a major or minor deviation to a development order shall be processed in a timely manner and in accordance with F.S. § 166.033. This shall entail prompt review and responses from both the applicant and the City. No property shall have more than one development order application under review by the City at any one time. The applicant shall adhere to the following procedures when seeking approval for a major or minor development order or a major or minor deviation to a development order:
- 1. A pre-application meeting is required prior to the submittal of a Development Order Application. The applicant for a proposed development order shall submit a complete application package (i.e. application, development plans, applicable fees, etc. ...) to the Community Development Department.

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2. Within 30 working days of receipt of the application package for review, the Community Development Department shall perform an application completeness review and either:
 - a. Determine that the application package is incomplete and inform the developer, in writing, of the deficiencies. The applicant shall submit an amended application package for application completeness review by the Community Development Department within 30 days. If the applicant fails to submit an amended application package within 30 calendar days, the application is considered withdrawn; or
 - b. Determine that the application package is complete as received, inform the developer, in writing of completeness, or of the TRC meeting date, if such a meeting is required in the discretion of the community development director.
 - c. Within 120 days after the City has deemed the application complete or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the City must approve, approve with conditions, or deny the application. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. An approval, approval with conditions, or denial of the application must include written findings supporting the City's decision, which shall be reviewed by the City Land Use Attorney prior to finalization.
3. TRC Procedures. The Community Development Department shall make available to each TRC member a copy of the application package, which at a minimum shall contain all information which is pertinent to the member's functional area(s) and the TRC meeting date at which the application submittal comments will be reviewed. The TRC members shall review the proposed application package and submit comments, if any, in writing to the Community Development Department. Each TRC member shall limit their review to their area of expertise, which shall be defined at the time the TRC member's appointment is approved by the City Council. Staff shall either approve, approve with conditions, approve with modifications, or deny and shall:
 - a. Determine conformity of the proposed development with the Comprehensive Plan, this Code, other applicable requirements and the items enumerated in subsection ~~2B.~~ above.
 - b. Hear and address concerns and desires of surrounding landowners and other affected persons.
 - c. Consider any rule, objective or policy of the Comprehensive Plan or any other criterion applicable to the particular development proposals in formulating a recommendation to either approve, approve with conditions, approve with modifications or deny the application.
- B. Major developments. The following procedures, in addition to those listed in Section XX, shall apply to all major development order applications:
 1. Once the application has been to the TRC meeting and each individual TRC member, as it pertains to their area of expertise, has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications or denied, the Community Development Department shall prepare and forward each TRC member's written recommendation, through the City Manager to the City Council. A

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list of all pending Major developments shall be provided by the Community Development Director to the City Council, each month, prior to the first regularly scheduled Council meeting, or the tenth day of the month, whichever occurs first. In addition to the written recommendations of each TRC member, information provided to the City Council in the technical staff report shall include, but not be limited to, the following:

- a. Characteristics of the site and surrounding area, including important natural and manmade features, the size and accessibility of the site and surrounding land uses.
 - b. Impact on concurrency requirements and level of service standards (LOS).
 - c. The nature of the proposed development, including land use types and densities; the placement of proposed buildings and other improvements on the site; the location, type and method of maintenance of open space and public use areas, if any; the preservation of natural features or protection of sensitive lands, if any; proposed parking areas; internal traffic circulation systems, if any; the approximate total ground coverage of paved areas and structures; stormwater management, and water and sewage distribution, collection and treatment systems.
 - d. Conformity of the proposed development with the Comprehensive Plan, this Code and other applicable regulations.
 - e. Other applicable factors, rules, regulations or criteria prescribed by the Comprehensive Plan, this Code or other law.
2. Following the required public notice and hearing, the City Council shall either approve, approve with conditions, approve with modifications or deny the Community Development staff's recommendation and shall:
- a. Determine conformity of the proposed development with the Comprehensive Plan, this Code, other applicable requirements and the items enumerated in A. above.
 - b. Hear and address concerns and desires of surrounding landowners and other affected persons.
 - c. Consider any rule, objective or policy of the Comprehensive Plan or any other criterion applicable to the particular development proposals in formulating its recommendation to either approve or deny the development proposal.
 - d. If the proposal is approved or approved with conditions, the City Council shall instruct the City Manager, or designee, to authorize the issuance of a development order that complies with Section ~~2-08.00~~
 - e. If the proposal is approved with modifications, a development order may be authorized by the City Manager, or his designee, once the required modifications have been completed and approved by the appropriate TRC ~~CF~~ members.
 - f. If the proposal is denied based upon the applicant's failure to meet the requirements of this Code in the proposed development plan(s), the application will become null and void, the applicant will lose in-line priority consideration for concurrency. The applicant will have to submit a new application and start the review process over in order to secure consideration for approval of the proposal.

It is recommended that final action for all major developments, except those which also have Conditional Uses or are also Planned Unit Developments, is changed to the Local Planning Agency. If the development includes a Conditional Use or PUD, the LPA will provide a recommendation to City Council.

- C. Minor developments. The following procedures, in addition to those listed in Section ~~2.07.00~~, shall apply to all minor development order applications:
1. Once the application has been reviewed and each individual TRC member, as it pertains to their area of expertise, has come to the conclusion that the proposal can be approved, approved with conditions, approved with modifications, or denied, the Community Development Department shall authorize the issuance of a development order that complies with Section ~~2.08.00~~. A list of all pending Minor developments shall be provided by the Community Development Director to the City Council, each month, prior to the first regularly scheduled Council meeting, or the tenth day of the month, whichever occurs first.
 2. If the proposal is approved with modifications, a development order may be authorized by the Community Development Director, or his designee, once the required modifications have been completed and approved by the appropriate TRC members.
 3. If the proposal is denied based upon the applicant's failure to meet the requirements of this Code in the proposed development plan(s), the application will become null and void, the applicant will lose in-line priority consideration for concurrency. The applicant will have to submit a new application and start the review process over in order to secure consideration for approval of the proposal.
- D. Major or minor deviations to a development order. Deviations to a development order may constitute either a major deviation or a minor deviation, as defined within Article ~~3~~, Definitions of this Land Development Code. The following regulations establish the procedures for processing such deviations.
1. Deviations which have been determined as a minor deviation(s) shall necessitate a formal amendment of such order. Such an amendment shall be reviewed and processed pursuant to the requirements of Sections ~~2.07.00 and 2.07.02~~.
 2. Deviations which have been determined as a major deviation(s) shall necessitate a formal amendment of such order. Such an amendment shall be reviewed and processed pursuant to the following requirements:
 - a. Major deviations to an existing minor development order shall be reviewed and processed pursuant to the requirements of Sections ~~2.07.00 and 2.07.02~~. However, should the deviation satisfy any of the criteria set forth in Section ~~2.06.01.A.~~, when combined with the initial approval and any other authorized deviations, the deviation shall then be reviewed and processed pursuant to the requirements of Section ~~2.07.01~~.
 - b. Major deviations to an existing major development order shall be reviewed and processed pursuant to the requirements of Sections ~~2.07.00 and 2.07.01~~.

It is recommended that final action for major deviations to existing development orders is by the Local Planning Agency, unless one or more of the following conditions exist:

- 1. A proposed change to a condition imposed by City Council*
- 2. Attached to a conditional use*
- 3. A proposed change to a PUD, or*
- 4. A proposed change that the City Manager determines should be reviewed by the City Council due to the community impact of the proposed change*

If one of the above conditions exist, the LPA will provide a recommendation to City Council.

Section 2.05.04 Procedures for Planned Unit Development Review

There are several revisions to the Planned Unit Development section needed in order to be consistent with the Comprehensive Plan. Will there be a PUD design manual or chapter within the manual? The following requirements are needed in order for the LDC to be consistent with the Comprehensive Plan:

- 1. promote the dedication of public beach and dune walkovers or other dedications of land for public recreation and open space uses for access to water within private developments (Policy 7-1.1.11),*
- 2. require the provision of recreation facilities, parks and open space (Policy 7-1.4.2),*
- 3. require tree preservation due to enhanced design flexibility (Policy 1-1.1.1(3)(c)), and*
- 4. include specific guidance regarding mixed use projects and larger sites that require more sensitive planning and quality place-making (Policy 1-3.2.5(2)).*

Additionally, it is recommended that certain requirements be unable to be deviated from, such as lot size minimums, and landscaping requirements.

- A. Purpose and intent. Planned unit developments are designed to provide an alternate method of land development not otherwise available within the framework of the land development code. For the purposes of this section, single-family dwellings, duplexes, townhouses, patio houses, atrium houses, multi-family dwellings, motels, and hotels, along with other forms of residential development, may be considered as planned unit developments. Specifically, this use may be assigned to land which is to be developed utilizing innovative design techniques for the purpose of achieving one or more of the following development objectives:
1. To preserve or be otherwise sensitive to significant environmental or topographical features which exist on the site.
 2. To accommodate a mixture of uses on a single parcel of land made internally and externally compatible through use limitations, sign control, building orientation, buffering, or other techniques which may be appropriate to a particular development proposal.
 3. To accommodate a juxtapositioning of buildings with exceptional setback or separation distances made internally and/or externally compatible through strategic landscape and spatial design.
 4. To accommodate a comprehensively planned and phased development or redevelopment project involving multiple ownerships which provides for interrelated

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uses, circulation patterns (both vehicular and pedestrian), building orientations, parking areas, architectural motifs, signs, open spaces, vistas, amenity areas and like features which positively contribute to the area being developed or redeveloped in the city.

- B. Permitted uses. A PUD is not limited as to types of land usage which may be permitted; however, proposed uses must be consistent with the zoning district which implements the future land use designation for the property.
- C. Conformance. All planned unit development applications shall conform to all applicable provisions of the comprehensive plan and land development code.
- D. Maximum residential densities permitted. Maximum density for any residential or mixed-use PUD shall be in compliance with the maximum density set forth in the future land use designation for the property as specified on the future land use map (map 1-1) of Comprehensive Plan: 20~~2010~~.
- E. Procedures. All PUD's shall be processed according to the provisions set forth in section ~~2-07.00~~ procedures for development plan review.
- F. Specific requirements.
 - 1. No minimum lot size shall be required within a PUD. The frontage on dedicated public or private rights-of-way shall observe a front yard setback requirement in accordance with the zoning district. For detached structures, there shall be a minimum of a five-foot side yard and rear yards shall be a minimum of ten feet. For detached single-family dwellings exceeding three stories, the side yard shall be increased by two feet for each story above the third story. Corner lots and through lots shall provide the full front setback along the street frontage to which the structure is oriented and a minimum of ten-foot setback along the other street frontage.
 - 2. Two or more freestanding structures located on the same lot shall be a minimum of ten feet apart. Properties located in the SHMU, NHMU, and TCMU future land use designations are exempt from this provision.
 - 3. Every dwelling unit or other use permitted in PUD developments shall have access to a public road or street, either directly or via an approved road, pedestrian way, court, or other area dedicated to public use or reserved for private use, or common element guaranteeing access.
 - 4. Access, circulation, parking and loading shall be provided in accordance with the provisions of article ~~8~~ of this Code. For projects that are located within the TCMU designation, required parking spaces can be located on local private or public rights-of-way provided that said rights-of-way are created within the boundary of the proposed PUD.
 - 5. All streets shall be constructed to meet or exceed all city standards, except as provided for in 6. below.
 - 6. Private streets, as principal means of access to individually owned lots in the PUD that are required to comply with the provisions of this chapter, shall be prohibited unless the developer establishes a homeowners' association complying with state statutes. In such cases, the homeowner's association shall be responsible for construction, maintenance and control of such roadways. Private streets are required to be constructed to meet or exceed all applicable city standards. The right-of-way for private streets and cul-de-sac within the PUD may be reduced to 40 feet in width and

90 feet in diameter, respectively, provided the developer can show that all sidewalks, utilities and stormwater are provided for within the right-of-way. Alternatively, utilities and stormwater may be provided for through easements. The city shall not, however, accept a private street which fails to meet the minimum right-of-way standards of the city.

Section 2.05.05 Procedures for the Coordination of Plat and Development Plan Approval

- A. This procedure applies to all projects that require plat and development plan approval. This procedure is established to ensure efficient processing of approved developments seeking building permits and will also eliminate piecemeal plat approvals.
1. Plats and development plans may be processed simultaneously through the required approval procedures identified in Sections ~~2.07.00~~. Procedures for development plan review and ~~2.19.00~~. Procedures for subdivision or resubdivision of land.
 2. If the applicant wishes to process these items (plat and development plan) separately, approval of the plat will be required prior to the approval of the development plan.
 3. At no time will the City approve a site plan, which requires plat, prior to the plat being approved by the appropriate approving body (e.g., City Manager or City Council).
 4. Projects approved prior to the effective date of this code that, as a condition, require plat approval prior to issuance of building permits are not affected by this Code. However, any requests for amendments to active development orders will not be processed until the required plat has been approved.

Section 2.05.06 Development Orders

- A. Provided the development plan meets all requirements of the Land Development Code and Code of Ordinances the City shall issue a development order to the developer within seven calendar days from the approval date of said development order application. The development order is not a construction permit. An approved development order is required prior to the City's issuance of any construction permit(s). A development order shall, as a minimum, include the following:
1. An approved final development plan with findings and conclusions;
 2. A listing of federal, state or regional permits, if any, which must be obtained prior to the issuance of any development permit;
 3. If modifications must be made to the development plan before a development order may be issued, a listing of those modifications and the time limit for submitting a modified plan (not more than 14 calendar days);
 4. Notification that development shall commence within a 12-month period and continue until completion in accordance with terms and conditions of approval;
 5. If necessary to maintain concurrency, a schedule of construction phasing consistent with the availability of capacity of one or more services and/or facilities;
 6. If necessary or required, a schedule of public services or public facilities to be provided by the applicant, prior to the issuance of any certificate of occupancy or within specified time periods;
 7. Any alternate service impact mitigation measures to which the applicant has committed in a recordable written instrument;

8. A security in the amount of 120 percent of the cost of any public improvements required as a result of the anticipated impact of the development or as required by regulations in this Code or other law; and
 9. Such other conditions as may be required to assure compliance with this Code, the comprehensive plan or other law.
- B. Final Development order and extension of the commencement of construction deadline. A final development order is valid for a period of one year from the date of issuance. However, a building permit must be issued for either the construction of infrastructure or construction of the entire project and construction must commence within said one year period after which the permitted development activity may be completed provided the conditions of this section continue to be satisfied. If a building permit is not issued within one year from the date of issuance of the final development order or a building permit is issued and construction has not commenced within one year from the date of issuance of the final development order, then the development order becomes null and void. "Construction of infrastructure" shall be defined as site work, grading, or other construction activity (not including land clearing and grubbing or demolition of existing structures) related to installation of roadways, access drives, parking lots, underground utilities, stormwater or drainage facilities, or building foundations. If construction activity ceases for a period of one year after a building permit for construction of the infrastructure or construction of the entire project has been issued, the development order will be considered null and void. No extensions to this deadline shall be allowed, except as set forth in section ~~2.21.01~~.
1. Criteria for a request to extend the 12-month deadline to obtain a building permit and commence construction.
 - a. An applicant who desires to extend the 12-month deadline shall submit a written request to the community development department, no less than 30 days, prior to the expiration of the 12-month deadline to obtain a building permit and commence construction.
 - b. An applicant may receive only one extension, and such extension shall not exceed one year.
 - c. As a condition of approval for such an extension, the applicant's project shall meet any and all applicable code requirements that were adopted subsequent to the approval of the final development order for which an extension is being requested. The applicant will have to file an application, to amend to the previously approved development order, with the City prior to the issuance of any City permit for the subject property.
 - d. Special economic condition extension. An applicant who desires to extend a previously approved active final development order shall submit a written request to the community development department, no later than April 30, 2014, which extension shall be deemed automatically granted. The extension shall commence from the current expiration date of the active final development order for a period of one year. Nothing herein shall be deemed to affect any other extension otherwise allowed by either this Code or general law, except that it is expressly intended the expiration date of a final development order that has been previously extended by operation of general law may be further extended by operation of this subsection.

It is recommended this section include specific criteria related to the extension of a development order (hardships related to permits, contractors, etc.) What type of criteria would be acceptable to the City to extend a DO? Delete section related to special economic condition – deadline has passed.

2. Determination regarding request for extension. All applications for extensions, as identified in section ~~2.21.01~~, shall be reviewed by the community development director with input from the appropriate technical review committee members for approval, approval with conditions, or disapproval.
3. Establishing an application fee. The City reserves the right to establish, by resolution, an application fee, for processing and reviewing requests for extensions of time authorized by section ~~2.21.01~~.

Section 2.05.07 Development Agreements

Recommend removing development agreements from the LDC. It doesn't appear that a new development agreement has been drafted through this process in 10+ years.

- A. Definitions. For the purpose of this section, the definitions set forth in F.S. § 163.3221, are hereby adopted by reference and shall apply and control all development agreements entered into by the City of Destin.
- B. Development agreement requirements.
 1. All development agreements shall, at a minimum, include the following:
 - a. A legal description of the land subject to the agreement.
 - b. A statement identifying the legal and equitable interest of all persons having any interest in the property described in a. above. The statement of ownership interests of any joint ventures, partnerships or corporations shall reveal all principals or directors and officers, as appropriate. Such statements shall be certified by a title company or an attorney-at-law licensed to practice in the State of Florida.
 - c. The duration of the agreement, which shall meet the terms set forth in subsection C. of this section.
 - d. The development uses permitted on the land, including population densities, and building intensities and height.
 - e. The land use designation under the City's Comprehensive Plan for all property included within the terms of the proposed agreement.
 - f. The current zoning classification of the property.
 - g. A description of public facilities that will service the development, including who shall provide and maintain such facilities.
 - h. The date any new facilities, if needed, will be constructed.
 - i. A schedule to assure public facilities are available concurrent with impacts of the development.
 - j. A description of any reservations or dedications of land for public purposes.
 - k. A description of all local development permits approved or needed to be approved for the development of the land.

- E.

- a. Applications requesting consideration by the City of a developer's proposed or amended development agreement shall be submitted on such forms as may be provided by the City. In addition to the information required by Subsection B. of this section, the application shall contain such information as is reasonably necessary to process and fully consider the application.
 - b. Application packages shall be accompanied by such fees and charges as may be imposed by the City Council by resolution for proper filing and processing.
 - c. Payment of application fees, submission of applications, engineering plans, surveys or any other expenditures shall not vest any rights to complete development or to obtain any requested zoning or land use classification amendments.
2. Negotiation of development agreements.
 - a. The City Manager and City staff shall review the developer's application package and negotiate such further terms and conditions as the City Manager shall deem to be appropriate and necessary to protect the public's interest, safety, health or welfare.
 - b. Once a tentative agreement has been reached as to the terms and conditions of a development agreement, or further negotiations are not anticipated or will not reach a consensus on the development agreements' terms or conditions, the City Manager and staff shall draft a report, including any recommendations, of the City Council consideration along with the tentative agreement.
 - c. The existence of a tentative agreement, staff report or recommendation shall not be sufficient governmental acts upon which reliance may be placed, such that further expenditures by a developer would vest any right to continue development; nor shall such actions constitute partial performance entitling the owner to a continuation or extension of the development agreement.
3. Adoption, amendment, extension, modification, revocation and cancellation procedures:
 - a. Following such notice and public hearings as may be otherwise required, the City Council by majority vote, may act to adopt, amend, extend, modify, revoke or cancel any proposed or existing development agreement.
 - b. Where mutual consent is required by law, the City Council may act to authorize such consent prior to all other parties so doing only upon the condition that the act is not complete or official until a binding agreement is contemporaneously signed by the mayor and the representatives of all other parties.
- F. Recording the development agreement.
 1. Within 14 days after the City enters into, extends, amends, modifies, revokes, or cancels a development agreement, the City Clerk shall have the agreement or the action on the agreement recorded with the Clerk of the Circuit Court in the Official Records of Okaloosa County.
 2. A copy of the recorded development agreement and any recorded action on the agreement shall be submitted to the [State Land Planning Agency](#)~~Florida Department of Community Affairs~~ within 14 days after the agreement is recorded.

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3. Pursuant to F.S. § 163.3239, no development agreement shall be effective until 30 days after having been received by the [State Land Planning Agency-Department of Community Affairs](#).
 4. Prior to the City's review of the status of a development agreement, the developer or property owner shall, within 14 days of the City's annual review of the development agreement, submit to the City a progress report indicating all activities and achievements since the execution of the development agreement and, if applicable, since the previous periodic report.
- G. Periodic review.
1. The City may review the land and progress of development subject to the development agreement at least once every 12 months to determine if there has been compliance with the terms and conditions of the development agreement during the period under review. The agreement shall continue in force as is, pending the next review.
 2. If as part of its review, the City makes a finding on the basis of substantial competent evidence that there has been a failure to comply with the terms of the development agreement, the City, following the notice and hearing provisions of Subsection D., may:
 - a. Modify the agreement as necessary to obtain and ensure compliance with the terms of the agreement; or
 - b. Revoke the agreement in order to protect the public's interest, health, safety or welfare.
- H. Amendment, modification, extension, revocations and cancellation of agreements.
1. In addition to being extended pursuant to Subsection C. development agreements may be amended or canceled by mutual consent of the parties to the agreement or by their successors in interest upon proper notice and hearing set forth in Subsection D.
 2. In the event state or federal laws are enacted after the execution of a development agreement which are applicable to and preclude the parties' compliance with the terms or conditions of a development agreement, then such agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws upon proper notice and hearing set forth in Subsection D.
- I. Legal status of development agreements.
1. The burdens of a development agreement shall be binding upon, and the benefits of the agreement shall inure to all successors in interest to the parties to the agreement.
 2. The City's regulations and policies governing the development of land in effect at the time of execution of a development agreement shall govern the development of all land specified in the development agreements for its stated duration.
 3. The City may only apply subsequently adopted laws and policies to then existing development agreements if, after one duly noticed public hearing, the City determines any one of the following:
 - a. That such laws and policies are specifically anticipated and provided for in a development agreement; or
 - b. That such laws and policies are not in conflict with the prior laws and policies governing existing development agreements, and do not prevent

- development of the land uses, intensities, or densities set forth in existing development agreements; or
 - c. That such laws and policies are essential to the public health, safety or welfare, and expressly state that they shall apply to existing development agreements; or
 - d. That substantial changes have occurred in pertinent conditions existing at the time of approval of certain development agreements; or
 - e. That certain development agreements were based upon substantially inaccurate information supplied by the owner/developer.
- J. Enforcement.
1. The following may file an action for injunctive relief in the Circuit Court of Okaloosa County to enforce the terms of a development agreement with the provisions of F.S. §§ 163.3220—163.3242:
 - a. Any aggrieved or adversely affected party as defined in F.S. § 163.3215(2); or
 - b. The state land planning agency.
 2. Violations of this section or a development agreement shall be subject to penalties provided in Section 1-9 of the Code of Ordinances.

Section 2.05.08 Notice

- A. Written notice shall be provided to owners of property within 300 feet of land subject to all development related applications. Development related applications shall include all of the following types of applications: deed of gift, lot reconfigurations, minor replats, major and minor subdivisions, major and minor development orders, major and minor deviations to previously approved development orders, conditional uses, variances, right-of-way vacations, future land use map amendments and zoning map amendments. Notice for Harbor and Waterways Board applications need only be provided to adjacent property owners.

This will be revised to state "Notice for Harbor and Waterways Board applications need only be provided to adjacent property owners and for water bodies less than 100 feet in width, the owners of property on the opposing shore."

The written notice shall include, at a minimum, the following: the name of the owner of the property, the name of the authorized agent (if applicable), the address of the subject property or tax parcel identification number if an address has not been issued for the property, project description, location map of the subject property, and a statement informing the public of the location where the proposed application package can be viewed, unless otherwise provided in Florida Statutes. Unless otherwise provided by law, regulation or decision, addresses for a mailed notice required by this code shall be obtained from the records of the Okaloosa County Tax Collector. The failure of any person to receive notice shall not invalidate an action if a good faith effort was made to comply with the notice requirements of this code.

- B. Any development related application or applicant requiring a public meeting with the Local Planning Agency or Board of Adjustment shall post a sign, meeting the following requirements, on the property:
1. The sign must be prominently placed on the development site, shall be visible from the adjacent right-of-way and shall not be located further than five feet from the

adjacent right-of-way. The required content of the sign shall be legible as viewed from the adjacent right-of-way;

2. Such sign shall be not larger than 24 inches by 36 inches and not smaller than 18 inches by 24 inches in size;
3. The sign must clearly indicate the name of the project, name of the applicant, and 24 hours a day, seven days a week emergency contact phone number of the responsible party for said development site; and
4. The sign must be continuously on the property of the development site and shall be removed from said property within five working days after the issuance of Certificate of Completion or Certificate of Occupancy (whichever applies).

Section 2.05.09 Submittals

- A. Applications. Applications for development review shall be available from the Community Development Department. A completed application shall be signed by all owners, or their agent, of the property subject to the proposed development plan. Signatures by other parties will be accepted with notarized proof of authorization by the owners. In the case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and embossed with the corporate seal.
- B. General plan requirements. All preliminary and final development plans submitted pursuant to this code shall conform to the ~~following~~ standards outlined in the City of Destin's Development and Subdivision checklists.

All checklists will be removed from the Land Development Code.

Section 2.05.10 Guarantees and Sureties

- A. Guarantees and Sureties.
 1. Applicability. The provisions of this section apply to all proposed developments in the City, including, but not limited to, subdivisions, PUD's, private road subdivisions and private developments.
 - a. Nothing in this section shall be construed as relieving the developer or applicant of any requirement relating to concurrency or maintenance of level of service as may be required by this Code or the comprehensive plan.
 - b. Any item which may be deemed as a health, safety and welfare issue by the City Manager, or his or her designee, is not subject to the posting of security/surety.
 - c. Infrastructure is the only items which are subject to the posting of a security/surety. No buildings or portions thereof shall be applicable for the posting of security/surety under this section. Securities/sureties may be posted for provisions of the landscape plan in accordance with Section ~~12.04.07.E.~~
 - d. The City retains the right to refuse an applicant or developer the option of posting security/surety based upon the past performance of an applicant.
 2. Improvements, agreements required. The approval of any development plan shall be subject to the developer providing assurance that all required improvements, including, but not limited to, storm drainage facilities, streets and highways, water and sewer lines, street lights, signage, striping, parking facilities, sidewalks, open

space and recreation facilities shall be satisfactorily constructed according to the approved development plan. The following information shall be provided by applicant:

- a. Agreement that all improvements, whether required by this Code or constructed at the developer's option, shall be constructed in accordance with the standards and provisions of this Code.
 - b. The term of the agreement indicating that all required improvements shall be satisfactorily constructed within the period stipulated. The term shall not exceed five years from the recording of the plat or 30 percent occupancy of the development, whichever comes first. NOTE: Nothing in this section shall be construed to relieve the applicant of meeting any concurrency requirements applicable to the project.
 - c. The projected total cost for each improvement. Cost for construction shall be proposed by an estimate prepared and provided by a Florida-registered Professional Engineer (signed, sealed and dated).
 - d. Specification of the improvements to be made together with the time table for making improvements.
 - e. Agreement that upon failure of the applicant to make required improvements (or to cause them to be made) according to the schedule for making said improvements, the City shall utilize the security/surety provided in connection with the agreement.
 - f. The amount and type of security/surety provided to insure performance.
 - g. Provisions that the amount of the security/surety may be reduced periodically as construction proceeds and improvements are made.
 - h. All developers upon application shall sign an agreement to indemnify and hold harmless the City, its officer, employees and agents who perform improvements not fulfilled by the developer or owner as identified in security/surety documents.
 - i. Developers agree to provide property access to City employees and/or their authorized agents who perform improvements not fulfilled by the developer or owner and identified in security/surety documents. Property access will be unrestricted to areas necessary to complete necessary work elements.
 - j. Prior to release of bond or security/surety, the City shall review the project account records for any unpaid invoices or fees due to the City. All developers and applicants agree and consent to the City recovering all unpaid invoices and fees from the security/surety prior to the release of security/surety.
3. Amount and type of security/surety:
- a. The City Manager, or his or her designee, shall be responsible for determining the adequacy of the security/surety proposed to be provided by the developer. Should the security/surety be forfeited and, for any reason, the funds from the security/surety are not sufficient to complete all required work, the developer and/or contractor shall be responsible for any fund amount above the original surety, security or any other form of guarantee.
 - b. Security/Surety requirements may be met but are not limited to the following:

- i. Deposit in the form of Cash, Certified Check, Cashier's Check or Money Order (required for Certificate of Occupancy);
 - ii. Irrevocable letter(s) of credit (Commercial/Designated Places of Assembly/Multi-Family only);
 - iii. Performance or surety (insurance) bond(s) issued by insurance companies licensed to do business in the State of Florida (Commercial/Designated Places of Assembly/Multi-Family, subdivision, P.U.D., Plat release only); or
 - iv. Certificates of Deposit issued by State or Federally licensed banks provided that the Certificate of Deposit can be converted to cash (or any other asset) only with the prior approval of the City (for Commercial/Designated Places of Assembly/Multi-Family only).
NOTE: Interest earned on the Certificate of Deposit shall be retained by the applicant if the applicant completes the required improvements secured by the Certificate of Deposit within the time limits established in the Final Development Order. The City shall retain all interest earnings on the Certificate of Deposit if, for any reason, the City is required to use the Certificate of Deposit, or any portion thereof, for completion of improvements required of the applicant. Use of this technique will require evidence of agreement between the applicant, the bank issuing the Certificate of Deposit, and the City.
- c. The amount of security/surety for single family residential development shall be a minimum of \$1,500.00 or 120 percent, whichever is greater, of the total construction costs for the required improvements (public and private). The amount of security/surety for all other developments shall be a minimum of \$5,000.00 or 200 percent, whichever is greater, of the total construction costs for the required improvements (public and private). Upon approval of the City Manager, or his or her designee, the amount of security/surety may be reduced commensurate with the completion and final acceptance of required improvements not more than once during the term of the improvements. In no case, however, shall the amount of the security/surety be reduced to less than the designated minimum, necessary for completing the remaining required improvements. The following conditions also will apply to the posting of any security/surety:
- i. Amount of security/surety which will be permitted shall not exceed 10% of the project cost provided on the building permit application.
 - ii. Administrative fee of \$250.00 shall be assessed and paid at the time of application and post of security/surety. The Administrative fee does not include any inspection fees.
 - iii. Security/surety handling fee of ten percent of the total amount of security/surety shall be assessed and paid prior to reduction or release of said security/surety.
 - iv. Inspection fees are outlined in most current fee resolution and shall be assessed and paid prior to reduction or release of security/surety.

- d. Security/surety documents must reflect the names of the subdivision or planned unit development and the developer and developer's authorized agents.
 - e. Security/surety shall be provided prior to the issuance of the final development order.
 - f. Expiration of surety may be extended in time, not more than two occasions for a total of 16 months, after which the security/surety shall be forfeited in accordance with this section. Extension of time shall be based on merits of completion of bonded items as inspected and determined by the City Manager or his or her designee.
4. Inspection of improvements.
- a. Inspection of the following phases of construction may be conducted by the City Engineer. These phases shall be inspected and certified by the developer's engineer:
 - i. Subgrade or stabilized subgrade;
 - ii. Curbs and concrete work;
 - iii. Roadway base;
 - iv. Surface course;
 - v. Drainage structures and systems.
 - b. The developer's engineer shall provide certification(s) that all infrastructure, including potable water and wastewater systems, have been constructed in accordance with the approved development plan. Testing documentation shall be provided to the City Engineer, along with copies of DEP certification(s). Inspection by the developer's engineer will not preclude the City Engineer from inspecting any and all aspects of construction.
 - c. The City Engineer shall be given 48-hour advance notification of scheduled inspections.
 - d. The City Engineer shall have the authority to reject materials or suspend work when not in conformity with approved plans and specifications.
 - e. If a developer does not schedule any inspections required by this section, the inspection fees for that unscheduled inspection shall be triple the usual inspection fee.

Revise language to read "The City Engineer or designee" throughout section.

5. Procedures for acceptance by the City.
- a. Preliminary acceptance. Preliminary acceptance of physical improvements is subject to:
 - i. Within two weeks prior to presentation to City Council for preliminary acceptance, the City Engineer shall inspect the facilities, review all documentation, including test data, submitted by the developer and determine that the project improvements were built to approved plans and specification.
 - ii. The developer has posted the required security/surety as specified in section ~~2-20.00.F.1.c~~ to insure maintenance for a period of one year from the date of preliminary acceptance by the City Council. The security/surety provided for the installation of physical improvements

as specified in Section ~~2.20.00.B~~ shall not expire until the installation of physical improvements has been preliminarily accepted by the City. Responsibility of acquiring preliminary acceptance shall be the developer's.

- b. Permanent acceptance. The infrastructure will not be permanently accepted into the City's maintenance program until all defects are corrected by the developer within 60 days of notification of deficiencies by the City Engineer. In addition, failure to make required corrections specified by the City Engineer shall result in a forfeiture of securities/sureties. Responsibility for acquiring permanent acceptance shall be the developer's.
 - c. The City of Destin shall establish an administrative procedure for the acceptance of developments in the City. These developments shall include, but not be limited to subdivisions, planned unit developments (PUD's), private road subdivisions and private developments.
6. Maintenance of improvements (subdivisions, planned unit developments (PUD's), private road subdivisions or private developments).
- a. A maintenance agreement and security/surety shall be provided for all streets to assure the City that all required improvements shall be maintained by the developer according to the requirements of this Code, including but not limited to roads, streets, stormwater drainage, sidewalks, street lights, open space and recreation areas.
 - i. There shall be a minimum maintenance period of one year.
 - ii. The maintenance period shall begin with the preliminary acceptance by the City Council of construction of the improvements. (section E. herein)
 - iii. During the maintenance period, the developer shall schedule bi-annual inspections to be done jointly by the City Engineer and a representative of the developer. These inspections shall be scheduled at mid-year and prior to permanent acceptance by the City Council. The City Engineer shall advise the developer, in writing, of any corrective measures to be made during the maintenance period. It shall be the developer's responsibility to make required corrections prior to the expiration of the maintenance security/surety.
 - iv. The security/surety shall be in an amount equal to 25 percent of the construction cost of the improvements and will be held for a period of 18 months or upon permanent acceptance, whichever is greater.
 - b. Whenever proposed development provides for the creation of facilities or improvements which are not proposed for dedication to the City, a legal entity shall be created to be responsible for the ownership and maintenance of such facilities and/or improvements.
 - i. When the proposed development is to be organized as a condominium under the provisions of Chapter 718, F.S., common facilities and property shall be conveyed to the condominium association pursuant to that law.

- ii. When no condominium is to be organized, an owner's association shall be created, and all common facilities and properties shall be conveyed to that association.
 - iii. When a development requires an owner's association, proof of the establishment of the association must be filed with the community development director prior to a development order being issued. A recorded copy of the documents must be provided to the City before preliminary acceptance.
 - iv. The developer shall submit a proposed infrastructure maintenance plan and budget. The proposed budget must be submitted for review by the City Engineer.
 - c. An organization established for the purpose of owning and maintaining common facilities not proposed for dedication to the City shall be created by covenants running with the land. Such covenant shall be included with the final plat. Such organization shall not be dissolved nor shall it dispose of any common facilities or open space by sale or otherwise without first offering to dedicate the same to the City.
7. ~~Penalty. Any person who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this article shall be punished as provided in Section 1-9 of Destin's Code of Ordinances.~~

All Citation Authority for the Land Development Code will be included in the new Citation Authority article.

- B. Future improvement payment.
1. Applicability: The provisions of this section apply to all proposed developments in the City of Destin or adjacent to public rights-of-way.
 - a. Nothing herein shall be construed as relieving the developer or applicant of any requirement relating to concurrency or maintenance of level of service as may be required by this Code or the Comprehensive Plan.
 - b. This section does not modify existing agreements between a developer and the City for final development orders granted prior to the effective date of this section.
 - c. This section shall apply to situations when improvements can not be installed or constructed within a public right of way, easement, or City owned property within the City of Destin, due to circumstances outside of the City of Destin or the developer's immediate control. Examples of such situations include, but are not limited to improvements to and along the U.S. Highway 98 corridor, including Emerald Coast Parkway and unimproved public rights of way within the City of Destin and when a City improvement schedule coincides with an adjacent development.
 2. Improvements required: The approval of any development plan shall be subject to the developer providing an assurance payment that all required improvements within a public ROW, easement, or City owned property, including, but not limited to, sidewalks, pedestrian tracks or pathways, signage other than traffic control, handrails and permanent striping will be constructed according to the approved development

plan at an undisclosed later date by the City of Destin. The following information shall be provided by the developer:

- a. The projected total cost for each improvement. Cost for construction shall be proposed by a signed and sealed and dated estimate prepared and provided by the developer's Florida Professional Engineer.
- b. The amount and type of payment provided to assure construction.
3. Amount and type of future improvement payment:
 - a. The City Manager, or his or her designee, shall be responsible for determining the adequacy of the amount of the payment proposed to be provided by the developer.
 - b. Payment requirements shall be one of the following:
 - i. Certified check;
 - ii. Cashiers check;
 - iii. Money order; or
 - iv. Cash.
 - c. The amount of payment shall be 120 percent of the total construction cost for the required improvements ("future improvement payment").
 - d. In addition to the future improvement payment, developer shall pay an administrative fee.
4. Future improvement payment shall be made prior to the ~~to~~ issuance of a development order for commercial projects or a building permit for residential projects.
5. Future improvement payment. At such time that the improvements can be made to the public right-of-way, easement, or City-owned property, the City shall construct such improvements and use the future improvement payment to pay for the costs of the improvements. After completion of the improvements, any unused portion of the future improvement payment shall be returned to developer. If the future improvement payment is not sufficient to pay for the improvements, developer shall pay any shortfall to the City.

Section 2.05.11 Appeals

- A. When it is alleged that there is error in any order, requirement, decision, or determination made by an administrative official or the ~~L~~ocal ~~P~~lanning ~~A~~gency in the enforcement of any requirement of this code, the Code of Ordinances or Land Development Code, now existing or to be promulgated in the future by the City, the issue in dispute shall be taken before the Board of Adjustment. Such issue may include, but it not limited to, a finding of concurrency deficiency or refusal on the part of the City to issue a final development order
- B. Any appeal by any citizen must be filed in writing with the City Manager, or designee, within 30 calendar days of rendition of the decision in question, and the reasons for such appeal shall be set forth therein. The City Manager, or designee, shall arrange for an appeal hearing before the Board of Adjustment and notify the appellant in writing of the date, time and place of the hearing.
- C. The appellant shall have the burden of affirmatively demonstrating that the decision in question was in error. The administrative official(s) involved, or chairman of the Planning Commission, shall have the opportunity to present information and argument to support their decision.

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- D. The Board of Adjustment shall base its decision on the requirements of the City's Comprehensive Plan and this Code. The Board shall make its decision based upon its usual voting procedures, the decision shall be issued in writing stating the reasoning involved, and it shall be rendered within 60 days of the close of the hearing. No further administrative appeal is available beyond this stage, though the appellant retains the right of appeal through the judicial system as provided by law.

Section 2.06 Procedures for Construction and Building Permit Review

Section 2.06.01 Construction Permits

- A. After a development order has been issued, the applicant may, within 12 months of the issuance of the development order, apply for the necessary construction permits. The City shall issue the necessary construction permits if the proposed construction is consistent with and approved pursuant to the development order. If the application for a construction permit deviates from the development plan the City shall notify the applicant within five working days of the construction permit application. Warning: If the applicant has not obtained a construction permit(s) within 365 days of issuance of the development order, the development order is void and the application for plan approval must be re-initiated.

The necessary construction permits may include building permits, harbor construction permits and engineering permits.

Section 2.06.02 Building Permits

- A. No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the City Manager or his designee. No building permit shall be issued by the City Manager or his designee except in conformity with the provisions of this article, unless he receives an order from the Board of Adjustment in the form of an administrative review, special exception, or variance as provided by this article.
- B. No permit for erection, alteration, moving or repair of any building shall be issued until an application has been reviewed and approved by the Community Development Director or his or her designee.
- C. No nonconforming use shall be maintained until a certificate of zoning noncompliance shall have been issued by the City Manager or his designee. The certificate of zoning noncompliance shall state specifically wherein the nonconforming use differs from the provisions of this article; provided that, upon amendment of this article owners or occupants of nonconforming uses shall have six months to apply for certificates of zoning noncompliance. In cases where nonconforming uses existed at the time of enactment of Okaloosa County Ordinance No. 74-4 on March 11, 1974, certificates of zoning noncompliance shall be issued based upon facts stated in affidavits. Failure to make such application within six months shall be presumptive evidence that the property was in nonconforming use at the time of the enactment or amendment of such ordinance.

The entire section "C" related to certificates of zoning noncompliance will be deleted, as the deadline has passed.

- D. The City Manager or his designee shall maintain a record of all certificates of zoning compliance, and a copy shall be furnished upon request to any person.

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- E. Upon application, the City Manager or his designee may issue a 12-month permit for the temporary parking of a construction trailer on a lot during the construction of a permanent structure on such lot; the construction trailer is to be removed within two weeks following the completion of construction. Renewal of a 12-month permit shall be at the discretion of the City Manager or his designee.
- F. In addition to all other building permit requirements, all construction involving the paving or increasing of the impervious coverage of properties will require a building permit subject to City Engineer approval.
- G. Building permits are required for docks, piers, boathouses, bulkheads and seawalls, which are allowed in all zoning districts except that commercial docks are allowed only in specified districts. Applications for structures shall be presented by the city manager or his designee to the City Council for final approval or disapproval. Approvals by other concerned agencies are required for all structures in the water or adjacent thereto. All new commercial marinas and additions to existing commercial marinas shall provide sanitary sewer pump-out stations.

It is recommended that marine construction is reviewed solely through the building permit process, unless the proposal includes a marina (commercial or residential) with 10 or more slips. In that case, the application will be required to be reviewed by the Harbor and Waterways Board and City Council.

- H. Building permits are not required for dredging and filling. Approval by the City Council is required in the same manner as for docks. Approvals by concerned agencies are required.

Clarify application type – not listed in COMPASS.

Section 2.06.03 Application for Building Permits

- A. All applications for building permits shall be accompanied by plans and a survey or plot plan in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and location on the lot of buildings or improvements already existing, if any; the location of any existing easements; and the location and dimensions of the proposed buildings or alterations. The application shall include only such other information as lawfully may be required by the City Manager or his designee, including existing or proposed uses of the building and land, the number of families, housekeeping units or rental units the building is designed to accommodate, conditions existing on the lot, and such matters as may be necessary to determine conformance with, and provide for the enforcement of, this article. The application shall be certified as correct by the applicant. Complete plans are not required for buildings which are exempt from requiring an architect's signature and seal by Florida Statutes. Architects' affidavits are required in accordance with the Standard Building Code.
- B. One copy of the plans shall be returned to the applicant by the Chief Building Inspector, after he shall have marked such copy either as approved or disapproved. One copy of the plans, similarly marked, shall be retained by the City Manager or his designee for at least two years.

Section 2.06.04 Marine Construction Permits and Harbor and Waterways Board Applications

It is recommended that marine construction is reviewed solely through the building permit process, unless the proposal includes a marina (commercial or residential) with 10 or more slips. In that case, the application will be required to be reviewed by the Harbor and Waterways Board and City Council.

- A. Permitting Procedures. Permitting procedures. The following procedures shall be adhered to by persons desiring to construct a new dock or add to, alter or remodel, add riprap to, or reconstruct an existing dock:
1. Persons desiring to construct a new dock or add to, alter, remodel, add riprap to, or reconstruct an existing dock shall apply for and obtain a permit and other authorization from the City prior to construction.
 2. Each applicant shall designate the location of his property on the or waterways of Destin and attach this to the building permit application and must complete the City application form(s).
 3. Application shall be made by filing with the City, the City's permit application form and a copy of the joint application form used by the United States Army Corps of Engineers, and the Florida Department of Environmental Protection, the requirements of which are expressly adopted herein as they existed on the effective date of this Code, and as they are hereafter amended by said respective agencies.
 4. A building permit shall be obtained from the City prior to beginning construction, in accordance with City ordinances.
 5. If the dock is to have more than two slips for commercial use or for use by persons other than the owner, the applicant/owner shall supply a certified copy, from the Okaloosa County Tax Appraiser, of all names, addresses, and property I.D. numbers of the owners of adjacent waterfront property.
 6. The Harbor and Waterways Board shall review all timely received applications at the next regularly scheduled Harbor and Waterways Board meeting. The City Council shall take final action on the application within 30 days of receipt of all state and federal permits and the Board's recommendation.
 7. Marinas having ten or more slips and/or non-residential docking facilities shall require a public hearing before the City Council prior to approval.
 8. Building permits must be obtained within one year of final approval by the City Council or the approval expires and must be resubmitted for reconsideration by both the Harbor and Waterways Board and City Council. The project will be subject to all current regulations of the City.
 9. The application must be signed by the title of record owner(s) or any long-term lessee of the abutting upland property.
 10. Applications for permission for dock construction shall include scaled drawings, prepared and certified by a land surveyor or architect, if requested by the Harbors and Waterways Board at the public hearing, and said plans shall include at a minimum:
 - a. Accurate measurements for depth and width in several locations in the vicinity of the proposed dock.
 - b. Channels, shoals, obstructions, docks, markers, and proposed improvements.

- c. Accurate location of the applicant's shoreline, and the opposing shoreline with corresponding measurements.
 - d. Riparian lines.
 - e. Other site specific information.
- 11. In water bodies of less than 100 feet in width, owners of property on the opposing shore to the proposed construction shall be provided with written notification of the proposed construction. Any objections received will be provided to the Harbor and Waterways Board and the City Council.
- 12. Where multiple slips extend from the shore and on multiple-slip docks and for any slip in a canal, aerators or circulation devices shall be required as determined by the City. Such devices shall be required where it is determined that circulation is deemed to be interfered with by the proposed facilities.
- 13. Shorelines shall require protection from erosion as determined by the City.
- 14. A net positive environmental benefit (NPEB), equal to 25 percent of the cost of construction shall be made to the City of Destin by the applicant prior to issuance of a building permit for each construction project authorized by this Article, which is located within the Destin Harbor.
- 15. No permit shall be issued by the City until the applicant obtains all authorizations and permits from federal and state agencies, and until the required NPEB funds are paid, if applicable.
- 16. All applicants shall apply to the City and must receive preliminary approval for the proposed construction prior to taking any other action. Preliminary approval shall be considered for issuance by the City Council after review and recommendations of the Harbor and Waterways Board. If the application is for joint ownership of a dock, the applicant must obtain written permission from all title of record owners and long-term lessees of the abutting upland property. Upon approval of all appropriate federal and state agencies, final approval from the City Council shall be obtained before a permit is issued.
- 17. The following procedures shall apply to transferring permits:
 - a. The permit is not transferable without the written consent of the City, which consent shall not be unreasonably withheld. The City Manager, or his designee, shall determine transferability upon recommendation of the Board. The decision may be appealed to the City Council.
 - b. Whenever, during a construction project, a permittee transfers title of record to the abutting upland property or leases that property by long-term lease, a request by the original permittee shall be made to the City to transfer the permit. Forms for this purpose may be obtained from the City. Failure to apply for such a transfer within 30 days from the date the abutting upland property is sold or conveyed by long-term lease will result in an additional fee being charged to the original permittee by the City.
 - c. At the time of transfer, all construction shall be inspected for compliance with the City's minimum plumbing, electrical and structural requirements and for compliance with the conditions of the existing permit. Fees for said inspections are set forth in Article 18 of this Code. All deficiencies shall be corrected prior to final transfer of the dock.

Remove this section, as construction permits cannot be transferred, and development approvals run with the land, not the property owner or applicant.

18. All construction in the Harbor and waterways of Destin shall require a permit from the City.
 19. The applicant shall be responsible for personal injury or property damage which arises from construction and use of the project to the extent provided by common law.
 20. The City shall retain the right to revoke any permit issued under this Article if the health, safety or welfare of any person or property is in jeopardy, or for any other good cause. If the applicant fails to remove such structure within the time specified upon revocation of the permit, the City shall have the right to immediately remove the same at the cost and expense of the applicant. Good cause shall include, but not be limited to, violation of any permit conditions, or any provision of this Article.
 21. Upon completion of a dock, or other structure requiring a construction permit, a final inspection shall be conducted by the City. After the final inspection is complete, a certificate of occupancy will be issued which shall be a permanent permit for such dock or structure.
- B. Inspection and repairs. All construction shall be inspected by the City Building Inspector for compliance with applicable building codes. The permittee shall be responsible for the condition and repair of permitted docks and failure to maintain said docks in a safe condition shall constitute grounds for revocation of the permit.
 - C. Permit revocation. The City reserves full right, power and authority to revoke a permit at any time for good cause. In the event that permittee fails to remove said structure within the time specified upon revocation of the permit, the City shall have the right to immediately remove same at the cost and expense of the permittee. Good cause shall include, but not be limited to, violation of any permit condition, or any provision of this ordinance.
 - D. Liveaboards. Except in an emergency, no person(s) shall live aboard any boat in Harbor and waterways of Destin for a period exceeding 48 hours without notifying the Environmental Officer, or other City official as designated by the City Manager, and receiving a registration permit. In cases of an emergency, such notification shall be given to the Environmental Officer within three hours after the immediate emergency situation ceases. Proof that each live-aboard boat has an operable holding tank must be furnished to the Environmental Officer at time of notification. All liveaboards must comply with all applicable regulations of the U.S. Coast Guard, Florida Marine Patrol, and City of Destin.
 - E. Joint ownership docks. Permits may be granted for joint ownership of a dock at the common riparian boundary, subject to the following conditions:
 1. No permits shall be granted to persons other than the title of record owner or long-term lessee of the abutting upland property.
 2. The permit application must be signed by the owner of record or long-term lessee of all abutting upland property having access to the facility.
 3. The permit shall provide that all parties shall have equal rights under the permit and shall be held jointly responsible for compliance with all rules, regulations and conditions set forth in the permit and this ordinance.
 4. The regulations for setbacks apply to joint ownership docks with the exception that docks may be extended over the common property lines.

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- F. Permit for maintenance and cosmetic improvements. The City Manager, or his designee, may issue permits within the Harbor and waterways of Destin for which maintenance or cosmetic improvement is accomplished to existing facilities. No permit shall be issued for facilities which do not conform to the standard Harbor drawings and the adopted marina siting requirements.
- G. Registration of structures. All existing docks, seawalls and bulkheads located within the Harbor and waterways of Destin shall be registered with the City as follows:
 - 1. The title of record or long-term lessee of all existing structures at the time of adoption of this ordinance shall register such structure with the City within 90 days after adoption of this ordinance.
 - 2. Each structure shall be re-registered upon any change in ownership or long-term lessee of the abutting upland property.
 - 3. The City shall be notified upon the expiration of an existing long-term lease by the title of record owner of the abutting upland property.
 - 4. The City shall be notified by the title of record owner and long-term lessee of the abutting upland property upon the destruction of 50 percent of the replacement value of the structure. The City shall maintain a registration of all docks, seawalls and bulkheads located within the Destin Harbor.

This section will be removed as it is not currently enforced, and building permits serve as the City's record for dock construction.

- H. Exceptions. Exceptions from the provisions of Section ~~11.05.01~~ are as follows:
 - 1. The Board of Adjustment may approve an exception for docks and pilings to be extended beyond the limits allowed in paragraphs M and N of Section ~~11.05.01~~ provided that, in addition to the criteria listed in Section ~~2.25.03.G~~, the following criteria is also met:
 - a. That site-specific environmental conditions would impede placement of slips near or next to the shoreline.
 - b. That site specific environmental conditions exist that prohibit dredging.
 - c. That the proposed layout of the dock and pilings does not create a hazard to navigation.
 - d. That no additional slips are obtained than would otherwise fit into a dock of the maximum size allowed without the exception.
- I. Reconstruction of existing facilities. For existing facilities which are damaged by accidents, vandalism, ordinary wear and tear or acts of God, the provisions of paragraphs F, G, M, and N of Section ~~11.05.01~~ shall not be applicable to reconstruction so long as the damaged facilities are reconstructed in the same or lesser dimensions and so long as the construction permit is applied for from the City within six months of the sustaining damage.
- J. Penalties. Any person found in violation of this article shall be punished by a fine not exceeding \$500.00 or imprisoned for a term not exceeding 60 days or by both such fine and imprisonment. Each day any violation of any provision of this Code continues shall constitute a separate offense.

This section will be removed as all penalty information will be included in the Citation Authority article of the new LDC.

Section 2.06.05 Post-Permit Changes

- A. After a construction permit has been issued, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms and conditions of the development order without first obtaining a deviation to the order. Similarly, except for minor field modifications as may be allowed by the building codes and associated mechanical, electrical, plumbing, gas and fire safety codes (reference article 7 and Section ~~2.05.01~~ of this Code), it shall be unlawful to change, modify, alter or otherwise deviate from the terms and conditions of the construction permit without first obtaining a City-approved modification to the permit. Note: Construction standard field changes must be made available to the City Inspector for inspection purposes consistent with the building, mechanical, electrical, plumbing, gas and fire safety codes adopted by the City.
- B. Construction and Use to be as Provided in Application, Plans, Permits, and Certificates of Occupancy. Building permits or certificates of zoning compliance issued on the basis of plans and applications approved by the City Manager or his designee authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this article.

Section 2.06.06 Expiration of Building Permit

- A. If the work described in any building permit has not been initiated within six months after the date of issuance thereof, such permit shall expire. No further work as described in the expired permit shall proceed unless and until a new building permit has been obtained. Additionally, if work described in the building permit issued was commenced within six months after the date of issuance thereof, then work must be substantially completed within two years from the date of issuance.

Section 2.06.07 Inspections and Certificates of Occupancy

- A. Inspection requirements. The building inspector shall inspect the construction site during each phase of construction to ensure compliance with the approved site plans and applicable codes and regulations of the city.
- B. Inspection procedures. Upon successful completion of the final inspection of a building or structure for which utilities are required, the building inspector will authorize the utilities to be turned on. The building inspector shall conduct an operational check of all electrical, water, sewer, gas, air conditioning and heating systems, and:
 - 1. All units or systems that are found to be defective or inoperative shall be identified by the building inspector on a discrepancy form, with the original provided to the builder, contractor or developer, as appropriate, and a copy to the planning and inspections department.
 - 2. The builder, contractor or developer shall correct all discrepancies noted on the discrepancy form within 14 days of notification and shall certify on the original discrepancy form that corrective action has been completed. One 14-day extension may be authorized by the planning and inspections department in cases where the discrepancy cannot be corrected due to circumstances beyond the control of the builder, contractor or developer.

3. The building inspector shall notify the planning and inspections department when the building and/or structure has received a successful final inspection, whereupon the planning and inspections department will issue a certificate of occupancy.
- C. Purpose. This article establishes the requirement for builders and/or developers to obtain a "certificate of occupancy" prior to using any building or structure for business, residential or other uses in which the public health, safety and welfare are involved.
- D. Certificate of occupancy requirement. A certificate of occupancy shall be obtained from the planning and inspections department for all buildings and structures for which utility service is required. No building or structure within the city for which utility service is required shall be occupied or used without first obtaining a certificate of occupancy from the city.

Section 2.06.08 Certificates of Zoning Compliance

- A. It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part thereof, hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of zoning compliance shall have been issued therefore by the City Manager or his designee stating that the proposed use of the building or land conforms to the requirements of this article. Failure to obtain a certificate of zoning compliance shall be a violation of this article.

This section will be deleted as there is no "certificate of zoning compliance" currently in use by the City or required prior to building occupation.

Section 2.06.09 Surveys for Certain Work

- A. Foundation survey requirement. For all building projects which require construction of a foundation of 100 square feet or more, a foundation survey shall be submitted to the City Building Division prior to the dry-in inspection. Such foundation survey shall be prepared by or under the direct supervision of a registered land surveyor and certified by same. Any work undertaken prior to submission of the foundation survey shall be done at the builder's risk.
- B. As-built survey. For all building projects requiring a foundation survey, an as-built survey shall also be submitted to the City Building Division prior to the issuance of a certificate of occupancy. The as-built survey shall be prepared by or under the direct supervision of a registered land surveyor and certified by same. No certificate of occupancy shall be issued until the Building Division has received and the Planning Division has examined the survey to determine there are no violations of city code requirements. If a violation is determined to exist, no certificate of occupancy shall be issued, no permanent electric power shall be connected and the structure shall not be occupied until the violation has been remedied.

Section 2.06.10 Unsafe Building Abatement Procedures

Recommend moving this section out of the Land Development Code and into the Code of Ordinances as it doesn't pertain to development.

- A. All buildings, structures, premises, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, or which are otherwise unfit for human habitation, as may be

further defined hereinbelow, are considered unsafe buildings. All such unsafe buildings, structures or premises are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the provisions of this Code or other applicable local ordinance.

- B. Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Unsafe Building. Any building, structure or property that has any of the following conditions, such that life, health, property or safety of the general public or the building its occupants, either permanent or occasional, of the general public are endangered:

- a. Any means of egress or portion thereof is not of adequate size, or is not arranged to provide a safe path of travel in case of fire or panic, or otherwise does not conform to the Florida Building Code or Florida Life Safety Code as related to the requirements for existing buildings or to the approved plans, if any.
- b. Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire resistive ratings, is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- c. The stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the stress allowed in the Florida Building Code as related to the requirements for existing buildings.
- d. The building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirements established by the Florida Building Code as related to the requirements for existing buildings.
- e. Any exterior appendage or portion of the building or structure is not securely fastened, attached or anchored such that it is incapable of resisting wind, seismic or similar loads as required by the Florida Building Code as related to the requirements for existing buildings.
- f. If, for any reason, the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- g. The building, structure or portion thereof as a result of damage, decay, deterioration or dilapidation is likely to fully or partially collapse.
- h. The building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of the Florida Building Code, was not constructed according to the approved plans, if any, or was constructed without first obtaining a building construction permit, where a building permit was required.
- i. Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

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- j. Any building, structure or portion thereof that displays any of the above is in such a condition so as to constitute a public nuisance or an unsafe or dangerous attractive nuisance.
- k. Any building, structure or property rendered unsafe or dangerous to human health by the presence of unlawful hazardous materials or toxic substances.
- l. Any violation of **Chapters 2 and 3 (except Section 309) of the Standard Housing Code, 1994 Edition**, which is hereby adopted by the City for the purpose of establishing minimum rules and regulations for the use, occupancy and maintenance of buildings on residential properties; in addition to the provisions hereinabove, the provisions of such code shall be controlling as to the use, occupancy and maintenance of buildings on residential properties in the corporate limits of the City.

Update reference for the Standard Housing Code.

- C. Determination of Unsafe Building. The Building Official (in consultation with and the Fire Official, where applicable) shall determine when a building is unsafe, or a portion of it may be unsafe. The Determination of Unsafe Building shall include a statement indicating the building or structure has been declared unsafe by the City and a detailed report documenting the conditions determined to have rendered the building or structure unsafe under the Code and shall be signed by the Building Official. Such determination shall be forwarded to the Code ~~Compliance Enforcement~~ Officer for further action according to the following procedures, and the procedures in Chapter 14, Article III, ~~Code Enforcement Board; Special Magistrate~~, Destin Code of Ordinances.
- D. Notice. The Code ~~Compliance Enforcement~~ Officer, upon receiving a Determination of Unsafe Building from the Building Official, shall prepare with coordination from the Building Official and issue a combined Notice of Unsafe Building and Notice of Violation directed to the owner of record of the building or structure. The Notice shall be provided as required in Section 14-84, Destin Code of Ordinances and shall also be posted in a conspicuous place on or about the structure. Once posted, it shall be unlawful for any person, firm, corporation, or other entity, or any agent thereof, to remove, deface or destroy the Notice of Unsafe Building and Notice of Violation without permission, or for any person to enter or otherwise occupy the building except for the purpose of making the required repairs or demolishing the building or structure based on applicable permitting and approvals by the Building Official. The Notice shall contain, but not be limited to, the following information:
 - 1. The street address or location on which road, if no address is assigned and the property I.D. of the structure, building or property.
 - 2. The Determination of Unsafe Building shall be included in its entirety.
 - 3. A statement advising that if the following required actions, as determined by the building official, are not commenced within or completed by the time specified, the matter will be referred to the Code Enforcement Board or Special Magistrate for a hearing, which may result in a finding of violation and an order imposing fine and costs and requiring that the building, structure or property will be repaired or ordered vacated and, if applicable, demolished and all costs incurred, together with any accrued fines; and that the order imposing fine and costs may be filed in the public records, and as such, thereafter will constitute a lien against the land on which

the violation exists and upon any other real or personal property owned by the violator.

- a. If the building or structure is to be repaired, the notice shall require that all necessary permits be secured and the work commenced within 60 days and continue to completion within such time as allowed per code.
 - b. If the building or structure is to be vacated, the notice shall indicate the time within which vacation is to be completed and the building or structure secured against further occupancy, which time shall not exceed 30 days.
 - c. If the building or structure is to be demolished, the notice shall require that the premises be vacated within 30 days, that all required permits for demolition be secured in 60 days and completed within such time as allowed per code.
 4. A statement that the Building Official has the authority to authorize disconnection of utility service to any structure where necessary to eliminate an immediate hazard to life or property or when such utility connection was made without proper authorization.
 5. A statement providing notice that it is unlawful for any person, firm, corporation, or other entity, or any agent thereof, to remove, deface or destroy the Notice of Unsafe Building and Notice of Violation without the permission, or for any person to enter or otherwise occupy the building except for the purpose of making the required repairs or demolishing the building or structure based on applicable permitting and approvals by the Building Official.
- E. Additional Powers and Duties of the Building and Fire Officials.
 1. The Building and Fire Officials may enter any building, structure or property at all reasonable times to make an inspection or enforce this code.
 - a. When entering a building, structure or property that is occupied, the officials shall first identify themselves, present proper credentials and request entry.
 - b. If the building, structure or property is unoccupied, the officials shall make a reasonable effort to locate the owner or other persons having charge of the building and demand entry.
 - c. If the officials are unable to obtain authorization to enter and inspect a building, structure or property, the officials may enter and inspect such building, structure or property by any other lawful means, including through the inspection warrant process as provided in Chapter 933, Florida Statutes.
 2. The Building Official shall have the authority to authorize disconnection of utility service to any structure where necessary to eliminate an immediate hazard to life or property or when such utility connection is made without proper authorization. The Building Official shall notify the serving utility and, whenever possible, the owner or occupant of the structure, of the decision to disconnect such service prior to taking such action. The Building Official shall use best efforts to determine those instances where service is connected to more than one customer to avoid unintentional disconnection of utilities of innocent third parties.
 3. Regardless of whether notice has been issued by the Code Enforcement Officer as provided in Section ~~20.06.03~~ hereinabove, the Building Official is authorized to take

the following emergency measures where, in the opinion of the Building Official, there is imminent danger of fire, failure, or collapse of a building or structure which endangers life, or when any portion of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the structure's occupants or those in proximity because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials:

- a. Disconnection of utility service as provided hereinabove.
 - b. Order and require that the occupants vacate the building, structure or property immediately.
 - c. Posting the building, structure or property at each entrance informing all persons that it is unlawful for any person to enter the building, structure or property except for the purpose of securing the building or structure, making an inspection, making required repairs, removing the hazardous condition, cleanup or remediation of hazardous materials or toxic substances, or for demolition and removal.
 - d. Temporarily close or board up buildings or structures against further entry, or order the authority having jurisdiction to close sidewalks, streets, public rights-of-way, and places adjacent to such buildings, structures or property.
 - e. When there is an imminent danger due to the condition of the building, structure or property, order emergency work to reduce or eliminate such condition to be performed by the property owner, or if the owner fails to perform such work within such reasonable time as specified by the Building Official, take such steps as are necessary to eliminate such condition and present such costs to the Code Enforcement Board or Special Magistrate for an Order authorizing the placement of a lien to be recorded against the property for the costs of such work if the finding of imminent danger is confirmed by the code enforcement hearing.
4. The Notice of Unsafe Building shall be removed at such time as the defect or defects upon which the Notice is based have been eliminated.
- F. Code Enforcement Hearing. Upon failure of the owner to comply with the remedial measures and actions as required in the Notice of Unsafe Building and Notice of Violation, the Code Enforcement Officer shall schedule the matter to be heard by the Code Enforcement Board or Special Magistrate as provided in Section 14-79, Destin Code of Ordinances. If the Code Enforcement Board or Special Magistrate determines that there is a violation and affirms the Code ~~Compliance-Enforcement~~ Officer's Determination of Unsafe Building, the Board or Special Magistrate shall in its order provide a reasonable time for the owner to correct the unsafe or dangerous condition, subsequent to which the Code Enforcement Officer may be directed to take any necessary remedial measures to have the building, structure or property secured by repair, closing up all entrances, or demolition. All such costs of remedial measures incurred by the City shall be charged against the real property upon which the building or structure is located and shall be a lien upon such real estate, and upon any other real or personal property owned by the violator, and may be collected in any legal manner.
- G. Method of Demolition or Repair.
1. The Code Enforcement Board or Special Magistrate shall order either the demolition or repair of a building or structure as follows:

- a. Demolition and removal shall be ordered when any building or structure is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation or occupancy to such an extent that it is unreasonable to repair the building or structure. Such order shall specify a time in which demolition is to be completed and shall require that the owner board up such building or structure pending demolition and removal.
 - b. Repair shall be ordered where such building or structure is capable of being made safe by repair. Such order shall specify the time in which such repairs are to be made and shall require the owner to board up the building or structure pending such repair.
2. Boarding up a building or structure for future demolition or repair pursuant to an order of the Code Enforcement Board or Special Magistrate shall not extend beyond one year, unless approved by the Code Enforcement Board or Special Magistrate upon a showing of good cause.
3. When any building or structure is to be demolished and removed by the City, the City, or any entity under contract to the City, may enter onto the real property that is the subject of the order and undertake such demolition by any lawful means. The City, or any entity under contract with the City, shall have the right to sell salvage and valuable materials at the highest price obtainable. The proceeds of the sale, after deducting the expenses of such demolition and removal, shall be promptly remitted to the owner with a report of such sale of transaction, including the items of expense and the amounts deducted. If there is not surplus to remit to the owner, the report shall so state.

Section 2.06.11 Contractors

Recommend moving this section out of the Land Development Code and into the Code of Ordinances.

- A. Insurance. All contractors shall furnish proof of compliance with the following:
1. The applicant has a public liability insurance policy for the ensuing year with an insurance company authorized to do business in the State of Florida with the following minimum liability limits:

	Liability	Property Damage
General Contractor	\$300,000	\$50,000
Building Contractor	\$300,000	\$50,000
Residential Contractor	\$100,000	\$25,000
Sheet Metal Contractor	\$100,000	\$25,000
Air Conditioning Contractor	\$100,000	\$25,000
Roofing Contractor	\$100,000	\$25,000
Mechanical Contractor	\$100,000	\$25,000
Pool Contractor	\$100,000	\$25,000
Plumbing Contractor	\$100,000	\$25,000

Underground Utility and Excavation Contractor	\$100,000	\$25,000
Solar Contractor	\$100,000	\$25,000
Pollutant Storage System Specialty Contractor	\$100,000	\$25,000
Specialty Contractors, unless specified otherwise	\$100,000	\$25,000

- a. The policy shall contain a provision adding the City of Destin as an additional insured or a provision holding the City of Destin, its officers, agents, employees, assigns, mayor and councilmen, both individually and collectively harmless from any liability caused by the negligence, carelessness, or wanton act of the contractor or his agents, employees or assigns. If the policy does not contain either provision, the contractor shall sign a hold harmless form provided by the City of Destin.
 - b. The policy shall contain a provision or statement from the company that the policy will not be canceled without ten days' prior notice to the City of Destin. If at any time the said liability policy becomes canceled or terminated, the certificate so issued shall become null and void.
 2. The applicant has worker's compensation insurance for the ensuing year with an insurance company authorized to do business in the State of Florida or an exemption certificate accepted by State of Florida Department of Labor and Employment Security, Bureau of Workers' Compensation Compliance.
- B. Revocation. The city may suspend or revoke any permit, license or contractor registration for the following:
1. Fraud, deceit or misrepresentations in obtaining a permit, city license or contractor registration;
 2. Incompetence or negligence in conducting work which is in violation of existing codes;
 3. Fraudulent departure from or willful disregard of plans or specifications in any material manner, without the consent of the owner or his duly authorized representative, or the commission of any fraudulent act by the contractor which results in injury to the owner or supplier;
 4. A contractor permitting any other person, firm, corporation or other entity to use the contractor's certificate of competency for the purpose of obtaining permits or performing work under such certificate of competency.

Section 2.06.12 Fire District Review

- A. Review of projects located in the Destin Fire District by such district is required. All Building Permits for non-residential and multi-family projects shall be approved by the Destin Fire Control District. Minor alterations, single-family and duplex dwellings are exempt. Approvals or disapprovals by the fire district are not required for issuing certificates of completion or occupancy.

Revise section to change "Destin Fire District" to "City of Destin". Additionally, revise last sentence so that approvals by the fire district (if required) are required prior to issuance of Certificate of Occupancy.

Section 2.07 Procedures for Right-of-Way Construction and Vacation Review

Section 2.07.01 Right-of-Way Construction Permits

- A. No unauthorized encroachment shall be permitted onto existing rights-of-way. Further, strict adherence to the building setback requirements described in Article 7 of this Code shall serve to protect rights-of-way from encroachment. All activity (e.g. paving, landscaping, sprinkler system installation, etc.), with the exception of the installation and repair of mailboxes, installation of sod, or installation of streets trees and other streetscape features in compliance with the design standards for the Multimodal Transportation District located in Section ~~8.09.03~~ in a public ROW is prohibited unless the applicant submits a plan detailing the proposed activity to the City Engineer's office and obtains a ROW construction permit, prior to the undertaking of said activity. A copy of said permit shall be available on-site for the duration of the project.

Include hold harmless language regarding pavers, etc. in the right-of-way.

Section 2.07.02 Utilities in the Right-of-Way

- A. No public utility shall commence any construction or maintenance project which involves work in a public place within the city without first obtaining a permit therefore from the city.
- B. A fee shall be required for securing public utility construction project permits required by section 18-60.
- C. Application.
1. Any public utility seeking a permit for a construction project as required by section 18-60 shall file an application for such permit with the city's public works office. The application shall be made in writing, upon forms provided by the city, and shall be filed in the office of public works.
 2. The application shall provide the information, acknowledgments and agreements provided in the application form attached hereto and made a part hereof by reference and such other information as shall be deemed necessary for a particular project by the city building inspector, or the city manager when his review is required.
- D. Application Referral to City Manager. All projects the permit application for which proposes to involve or require pavement, sidewalk, driveway or drainage facility cuts or disturbances, or boring under improved streets, sidewalks, driveways or drainage structures or facilities or areas, shall be referred to the city manager within two (2) working days for review.
- E. Application Review and determination by the City Manager. The city manager is authorized to require the applicant for a permit required by section 18-60 to post a construction warranty or surety performance and indemnity bond, at the election of the public utility, assuring restoration of public property and rights-of-way to the satisfaction of the city manager, or his designee, for those projects which the city manager determines to be sensitive in nature. Public utilities chartered by the state legislature are excluded from the requirements of this section.
- F. Construction Warranty. If the public utility elects to issue its construction warranty to the city as provided for in section 18-64, it shall be in the form prescribed by the city.

- G. Bond. If the public utility elects to file a bond as provided in section 18-64, it shall be in the form of a performance and indemnity bond as is normally used for such purposes in this state. The required warranty or bond shall be filed with the city manager prior to commencement of the project by the public utility.

Is this consistent with the current process for reviewing and approving utilities in the right-of-way? Recommend revising process so that it is reviewed and approved by Community Development Director and/or City Engineer. Additionally, it is recommended this language is transferred from the Code of Ordinances to the Land Development Code.

Section 2.07.03 Communications Facilities in the Right-of-Way

Sections 2.07.03 "Communications Facilities in the Right-of-Way" and 2.07.04 "Wireless Facilities in the Right-of-Way" will be combined into one section, as there is duplicate information in the two sections. If communications facilities are not currently being registered, that requirement will be removed. Additionally, it is recommended that these two sections be moved from the Code of Ordinances to the Land Development Code.

- A. Intent and Purpose. It is the intent of the city to promote the public health, safety and general welfare by: providing for the placement or maintenance of communications facilities in the public rights-of-way within the city; adopting and administering reasonable rules and regulations not inconsistent with state and federal law, including F.S. § 337.401, as it may be amended, the city's home-rule authority, and in accordance with the provisions of the Federal Telecommunications Act of 1996 and other federal and state law; establishing reasonable rules and regulations necessary to manage the placement or maintenance of communications facilities in the public rights-of-way by all communications services providers; and minimizing disruption to the public rights-of-way. In regulating its public rights-of-way, the city shall be governed by and shall comply with all applicable federal and state laws.
- B. Definitions. For purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given. Where not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "will" are mandatory, and "may" is permissive. Words not otherwise defined shall be construed to mean the common and ordinary meaning.
1. Abandonment shall mean the permanent cessation of all uses of a communications facility; provided that this term shall not include cessation of all use of a facility within a physical structure where the physical structure continues to be used. By way of example, and not limitation, cessation of all use of a cable within a conduit, where the conduit continues to be used, shall not be "abandonment" of a facility in public rights-of-way.
 2. City shall mean Destin, Florida, a municipality incorporated under the laws of the State of Florida.
 3. Communications facility or facility or system shall mean any permanent or temporary plant, equipment and property, including but not limited to cables, wires, conduits, ducts, fiber optics, poles, antennae, converters, splice boxes, cabinets, hand holes,

manholes, vaults, drains, surface location markers, appurtenances, and other equipment or pathway placed or maintained or to be placed or maintained in the public rights-of-way of the city and used or capable of being used to transmit, convey, route, receive, distribute, provide or offer communications services.

4. Communications services shall mean the transmission, conveyance or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, by or through any electronic, radio, satellite, cable, optical, microwave, or other medium or method now in existence or hereafter devised, regardless of the protocol used for such transmission or conveyance. Notwithstanding the foregoing, for purposes of this article "cable service", as defined in F.S. § 202.11(2), as it may be amended, is not included in the definition of "communications services," and cable service providers may be subject to other ordinances of the city.
5. Communications services provider shall mean any person including a municipality or county providing communications services through the placement or maintenance of a communications facility in public rights-of-way. "Communications services provider" shall also include any person including a municipality or county that places or maintains a communications facility in public rights-of-way but does not provide communications services.
6. FCC shall mean the Federal Communications Commission.
7. In public rights-of-way or in the public rights-of-way shall mean in, on, over, under or across the public rights-of-way.
8. Ordinance shall mean this article.
9. Person shall include any individual, children, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, organization or legal entity of any kind, successor, assignee, transferee, personal representative, and all other groups or combinations, and shall include the city to the extent the city acts as a communications services provider.
10. Place or maintain or placement or maintenance or placing or maintaining shall mean to erect, construct, install, maintain, place, repair, extend, expand, remove, occupy, locate or relocate. A communications services provider that owns or exercises physical control over communications facilities in public rights-of-way, such as the physical control to maintain and repair, is "placing or maintaining" the facilities. A person providing service only through resale or only through use of a third party's unbundled network elements is not "placing or maintaining" the communications facilities through which such service is provided. The transmission and receipt of radio frequency signals through the airspace of the public rights-of-way does not constitute "placing or maintaining" facilities in the public rights-of-way.
11. Public rights-of-way shall mean a public right-of-way, public utility easement, highway, street, bridge, tunnel or alley for which the city is the authority that has jurisdiction and control and may lawfully grant access to pursuant to applicable law, and includes the surface, the air space over the surface and the area below the surface. "Public rights-of-way" shall not include private property. "Public rights-of-way" shall not include any real or personal city property except as described above and shall not include city buildings, fixtures, poles, conduits, facilities or other structures or improvements, regardless of whether they are situated in the public rights-of-way.

12. Registrant shall mean a communications services provider that has registered with the city in accordance with the provisions of this article.
 13. Registration or register shall mean the process described in this article whereby a communications services provider provides certain information to the city.
 14. Stealth technology shall mean communications facilities designed in such a way that the facilities and their various component parts (antennae, cables, wires, lattice support) are camouflaged and compatible with the structure upon which they are mounted.
- C. Registration for placing or maintaining communications facilities in public rights-of-way.
1. A communications services provider that desires to place or maintain a communications facility in public rights-of-way in the city shall first register with the city in accordance with this article. Subject to the terms and conditions prescribed in this article, a registrant may place or maintain a communications facility in public rights-of-way.
 2. A registration shall not convey any title, equitable or legal, to the registrant in the public rights-of-way. Registration under this article governs only the placement or maintenance of communications facilities in public rights-of-way. Other ordinances, codes or regulations may apply to the placement or maintenance in the public rights-of-way of facilities that are not communications facilities. Registration does not excuse a communications services provider from obtaining appropriate access or pole attachment agreements before locating its facilities on the city or another person's facilities. Registration does not excuse a communications services provider from complying with all applicable city ordinances, codes or regulations, including this article.
 3. Each communications services provider that desires to place or maintain a communications facility in public rights-of-way in the city shall file a single registration with the city which shall include the following information:
 - a. Name of the applicant;
 - b. Name, address and telephone number of the applicant's primary contact person in connection with the registration, and the person to contact in case of an emergency;
 - c. For Registrations submitted prior to October 1, 2001, the applicant shall state whether it provides local service or toll service or both;
 - d. Evidence of the insurance coverage required under this article and acknowledgment that registrant has received and reviewed a copy of this article, which acknowledgment shall not be deemed an agreement; and
 - e. The number of the applicant's certificate of authorization or license to provide communications services issued by the Florida Public Service Commission, the Federal Communications Commission, or other federal or state authority, if any.
 - f. For an applicant that does not provide a Florida Public Service Commission certificate of authorization number, if the applicant is a corporation, proof of authority to do business in the State of Florida, such as the number of the certificate from or filing with the Florida Department of State.
 4. The city shall review the information submitted by the applicant. Such review shall be by the city manager or his or her designee. If the applicant submits information in accordance with subsection (c) above, the registration shall be effective and the city

shall notify the applicant of the effectiveness of registration in writing. If the city determines that the information has not been submitted in accordance with subsection (3) above, the city shall notify the applicant of the non-effectiveness of registration, and reasons for the non-effectiveness, in writing. The city shall so reply to an applicant within thirty (30) days after receipt of registration information from the applicant. Non-effectiveness of registration shall not preclude an applicant from filing subsequent applications for registration under the provisions of this article.

5. A registrant may cancel a registration upon written notice to the city stating that it will no longer place or maintain any communications facilities in public rights-of-way within the city and will no longer need to obtain permits to perform work in public rights-of-way. A registrant cannot cancel a registration if the registrant continues to place or maintain any communications facilities in public rights-of-way.
 6. Registration does not in and of itself establish a right to place or maintain or priority for the placement or maintenance of a communications facility in public rights-of-way within the city but shall establish for the registrant a right to apply for a permit, if permitting is required by the city. Registrations are expressly subject to any future amendment to or replacement of this article and further subject to any additional city ordinances, as well as any state or federal laws that may be enacted.
 7. A registrant shall renew its registration with the city every two (2) years. If no information in the then-existing registration has changed, the renewal may state that no information has changed. Failure to renew a registration may result in the city restricting the issuance of additional permits until the communications services provider has complied with the registration requirements of this article.
 8. In accordance with applicable city ordinances, codes or regulations, a permit may be required of a communications services provider that desires to place or maintain a communications facility in public rights-of-way. An effective registration shall be a condition of obtaining a permit. Notwithstanding an effective registration, permitting requirements shall apply. A permit may be obtained by or on behalf of a registrant having an effective registration if all permitting requirements are met.
- D. Notice of Transfer, sale or assignment of assets in public right-of-way. If a registrant transfers, sells or assigns its assets located in public rights-of-way incident to a transfer, sale or assignment of the registrant's assets, the transferee, buyer or assignee shall be obligated to comply with the terms of this article. Written notice of any such transfer, sale or assignment shall be provided by such registrant to the city within twenty (20) days after the effective date of the transfer, sale or assignment. If the transferee, buyer or assignee is a current registrant, then the transferee, buyer or assignee is not required to re-register. If the transferee, buyer or assignee is not a current registrant, then the transferee, buyer or assignee shall register as provided in section 18-44 within sixty (60) days of the transfer, sale or assignment. If permit applications are pending in the registrant's name, the transferee, buyer or assignee shall notify the city manager or his designee that the transferee, buyer or assignee is the new applicant.
- E. Placement or maintenance of a communications facility in public rights-of-way.
1. A registrant shall at all times comply with and abide by all applicable provisions of the state and federal law and city ordinances, codes and regulations in placing or maintaining a communications facility in public rights-of-way.

2. A registrant shall not commence to place or maintain a communications facility in public rights-of-way until all applicable permits, if any, have been issued by the city or other appropriate authority, except in the case of an emergency. The term "emergency" shall mean a condition that affects the public's health, safety or welfare, which includes an unplanned out-of-service condition of a pre-existing service. Registrant shall provide prompt notice to the city of the placement or maintenance of a communications facility in public rights-of-way in the event of an emergency and shall be required to obtain an after-the-fact permit if a permit would have originally been required to perform the work undertaken in public rights-of-way in connection with the emergency. Registrant acknowledges that as a condition of granting such permits, the city may impose reasonable rules or regulations governing the placement or maintenance of a communications facility in public rights-of-way. Permits shall apply only to the areas of public rights-of-way specifically identified in the permit. The city may issue a blanket permit to cover certain activities, such as routine maintenance and repair activities, that may otherwise require individual permits.
3. As part of any permit application to place a new or replace an existing communications facility in public rights-of-way, the registrant shall provide the following:
 - a. The location of the proposed facilities, including a description of the facilities to be installed, where the facilities are to be located, and the approximate size of facilities that will be located in public rights-of-way;
 - b. A description of the manner in which the facility will be installed (i.e. anticipated construction methods or techniques);
 - c. A maintenance of traffic plan for any disruption of the public rights-of-way;
 - d. Information on the ability of the public rights-of-way to accommodate the proposed facility, if available (such information shall be provided without certification as to correctness, to the extent obtained from other persons);
 - e. If appropriate given the facility proposed, an estimate of the cost of restoration to the public rights-of-way;
 - f. The timetable for construction of the project or each phase thereof, and the areas of the city which will be affected; and
 - g. Such additional information as the city finds reasonably necessary with respect to the placement or maintenance of the communications facility that is the subject of the permit application to review such permit application.
4. To the extent not otherwise prohibited by state or federal law, the city shall have the power to prohibit or limit the placement of new or additional communications facilities within a particular area of public rights-of-way.
5. All communications facilities shall be placed or maintained so as not to unreasonably interfere with the use of the public rights-of-way by the public and with the rights and convenience of property owners who adjoin any of the public rights-of-way. The use of trenchless technology (i.e., directional bore method) for the installation of Facilities in the public rights-of-way as well as joint trenching or the co-location of facilities in existing conduit is strongly encouraged, and should be employed wherever feasible. The city may promulgate reasonable rules and regulations concerning the placement or maintenance of a communications facility in public rights-of-way consistent with this article and other applicable law.

6. All safety practices required by applicable law or accepted industry practices and standards shall be used during the placement or maintenance of communications facilities.
7. After the completion of any placement or maintenance of a communications facility in public rights-of-way or each phase thereof, a registrant shall, at its own expense, restore the public rights-of-way to its original condition before such work. If the registrant fails to make such restoration within thirty (30) days, or such longer period of time as may be reasonably required under the circumstances, following the completion of such placement or maintenance, the city may perform restoration and charge the costs of the restoration against the registrant in accordance with F.S. § 337.402, as it may be amended. For twelve (12) months following the original completion of the work, the registrant shall guarantee its restoration work and shall correct any restoration work that does not satisfy the requirements of this article at its own expense.
8. Removal or relocation at the direction of the city of a registrant's communications facility in public rights-of-way shall be governed by the provisions of F.S. §§ 337.403 and 337.404, as they may be amended.
9. A permit from the city constitutes authorization to undertake only certain activities in public rights-of-way in accordance with this article, and does not create a property right or grant authority to impinge upon the rights of others who may have an interest in the public rights-of-way.
10. A registrant shall maintain its communications facility in public rights-of-way in a manner consistent with accepted industry practice and applicable law.
11. In connection with excavation in the public rights-of-way, a registrant shall, where applicable, comply with the Underground Facility Damage Prevention and Safety Act set forth in F.S. Ch. 556, as it may be amended.
12. Registrant shall use and exercise due caution, care and skill in performing work in the public rights-of-way and shall take all reasonable steps to safeguard work site areas.
13. Upon request of the city, and as notified by the city of the other work, construction, installation or repairs referenced below, a registrant may be required to coordinate placement or maintenance activities under a permit with any other work, construction, installation or repairs that may be occurring or scheduled to occur within a reasonable time frame in the subject public rights-of-way, and registrant may be required to reasonably alter its placement or maintenance schedule as necessary so as to minimize disruptions and disturbance in the public rights-of-way.
14. A registrant shall not place or maintain its communications facilities so as to interfere with, displace, damage or destroy any facilities, including but not limited to, sewers, gas or water mains, storm drains, pipes, cables or conduits of the city or any other person's facilities lawfully occupying the public rights-of-way of the city.
15. The city makes no warranties or representations regarding the fitness, suitability, or availability of the city's public rights-of-way for the registrant's communications facilities and any performance of work, costs incurred or services provided by registrant shall be at registrant's sole risk. Nothing in this article shall affect the city's authority to add, vacate or abandon public rights-of-way, and the city makes no warranties or representations regarding the availability of any added, vacated or abandoned public rights-of-way for communications facilities.

16. The city shall have the right to make such inspections of communications facilities placed or maintained in public rights-of-way as it finds necessary to ensure compliance with this article.
17. A permit application to place a new or replace an existing communications facility in public rights-of-way shall include plans showing the location of the proposed installation of facilities in the public rights-of-way. If the plans so provided require revision based upon actual installation, the registrant shall promptly provide revised plans. The plans shall be in a hard copy format or an electronic format specified by the city, provided such electronic format is maintained by the registrant. such plans in a format maintained by the registrant shall be provided at no cost to the city.
18. The city reserves the right to place and maintain, and permit to be placed or maintained, sewer, gas, water, electric, storm drainage, communications, and other types of facilities, cables or conduit, and to do, and to permit to be done, any underground and overhead installation or improvement that may be deemed necessary or proper by the city in public rights-of-way occupied by the registrant. The city further reserves without limitation the right to alter, change, or cause to be changed, the grading, installation, relocation, or width of the public rights-of-way within the limits of the city and within said limits as same may from time to time be altered.
19. A registrant shall, on the request of any person holding a permit issued by the city, temporarily raise or lower its communications facilities to permit the work authorized by the permit. The expense of such temporary raising or lowering of facilities shall be paid by the person requesting the same, and the registrant shall have the authority to require such payment in advance. The registrant shall be given not less than thirty (30) days advance written notice to arrange for such temporary relocation.
20. A wireless facility that is a portion of a communication facility, such as an antenna ("wireless facility(ies)"), which is attached to a legally maintained vertical structure in the public rights-of-way, such as a light pole or utility pole ("vertical structure(s)"), shall be subject to the following criteria:
 - a. Such wireless facilities may not extend more than ten (10) feet above the highest point of the vertical structure;
 - b. Such wireless facilities that are attached to a vertical structure located in public rights-of-way shall utilize stealth technology;
 - c. Such wireless facilities shall not have any type of lighted signal, lights, or illuminations unless required by an applicable federal, state, or local rule, regulation or law;
 - d. Such wireless facilities shall comply with any applicable Federal Communications Commission Emissions Standards;
 - e. The design, construction, and installation of such wireless facilities shall comply with any applicable local building codes;
 - f. No commercial advertising shall be allowed on such wireless facilities; and
 - g. Any accessory equipment and related housing in the public rights-of-way that are used in conjunction with such a wireless facility shall comply with any applicable local rules, regulations, ordinances, or laws governing the placement and design of such equipment.
21. Vertical structures, such as towers, whose sole purpose is to serve as a mounting device for antennae, are expressly prohibited from being placed in the public rights-of-way

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unless applicable zoning and land use laws or regulations allow such structures to be placed within the zoning district in which such public rights-of-way are located or to which they are adjacent.

- F. Suspension of Permits.
 - 1. The city may suspend a permit for work in the public rights-of-way for one (1) or more of the following reasons:
 - a. Violation of permit conditions, including conditions set forth in the permit, this article or other applicable city ordinances, codes or regulations governing placement or maintenance of communications facilities in public rights-of-way;
 - b. Misrepresentation or fraud by registrant in a registration or permit application to the city; or
 - c. Failure to properly renew or ineffectiveness of registration.
 - d. Failure to relocate or remove facilities as may be lawfully required by the city.
 - 2. The city manager or his or her designee shall provide notice and an opportunity to cure any violation of (a) through (d) above, each of which shall be reasonable under the circumstances.
- G. Appeals. Final, written decisions of the city manager or his or her designee suspending or denying a permit, denying an application for a registration or denying an application for renewal of a registration are subject to appeal. An appeal must be filed with the city manager within thirty (30) days of the date of the final, written decision to be appealed. Any appeal not timely filed as set forth above shall be waived. The city shall consider, or appoint a hearing officer to consider, the appeal. The hearing shall occur within thirty (30) days of the receipt of the appeal, unless waived by the registrant, and a written decision shall be rendered within twenty (20) days of the hearing. Upon correction of the grounds that gave rise to a suspension or denial, the suspension or denial shall be lifted.
- H. Involuntary termination of registration.
 - 1. The city may terminate a registration if:
 - a. A federal or state authority suspends, denies, or revokes a registrant's certification or license to provide communications services;
 - b. The registrant's placement or maintenance of a communications facility in the public rights-of-way presents a danger to the general public or other users of the public rights-of-way and the registrant fails to remedy the danger promptly after receipt of written notice; or
 - c. The registrant ceases to use all of its communications facilities in public rights-of-way and has not complied with section 18-56 of this article.
 - 2. Prior to termination, the registrant shall be notified by the city manager or his or her designee with a written notice setting forth all matters pertinent to the proposed termination action, including which of (1) through (3) above is applicable as the reason therefore, and describing the proposed action of the city with respect thereto. The registrant shall have sixty (60) days after receipt of such notice within which to address or eliminate the reason or within which to present a plan, satisfactory to the city manager or his or her designee, to accomplish the same. If the plan is rejected, the city manager or his or her designee shall provide written notice of such rejection to the registrant and shall make a recommendation to the city council regarding a decision as to termination of registration. A decision by the city to terminate a registration may only be accomplished by an action of the city council. A registrant shall be notified by written

notice of any decision by the city council to terminate its registration. Such written notice shall be sent within seven (7) days after the decision.

3. In the event of termination, the former registrant shall: (a) notify the city of the assumption or anticipated assumption by another registrant of ownership of the registrant's communications facilities in public rights-of-way; or (b) provide the city with an acceptable plan for disposition of its communications facilities in public rights-of-way. If a registrant fails to comply with this subsection (c), which determination of non-compliance is subject to appeal as provided in section 18-48, the city may exercise any remedies or rights it has at law or in equity, including but not limited to taking possession of the facilities where another person has not assumed the ownership or physical control of the facilities or requiring the registrant within ninety (90) days of the termination, or such longer period as may be agreed to by the registrant, to remove some or all of the facilities from the public rights-of-way and restore the public rights-of-way to its original condition before the removal.
4. In any event, a terminated registrant shall take such steps as are necessary to render safe every portion of the communications facilities remaining in the public rights-of-way of the city.
5. In the event of termination of a registration, this section does not authorize the city to cause the removal of communications facilities used to provide another service for which the registrant or another person who owns or exercises physical control over the facilities holds a valid certification or license with the governing federal or state agency, if required for provision of such service, and is registered with the city, if required.
- I. Existing communications facilities in public rights-of-way. A communications services provider with an existing communications facility in the public rights-of-way of the city has sixty (60) days from the effective date of this article to comply with the terms of this article, including, but not limited to, registration, or be in violation thereof.
- J. Insurance.
 1. A registrant shall provide, pay for and maintain satisfactory to the city the types of insurance described herein. All insurance shall be from responsible companies duly authorized to do business in the State of Florida and having a rating reasonably acceptable to the city. All liability policies shall provide that the city is an additional insured as to the activities under this article. The required coverages must be evidenced by properly executed certificates of insurance forms. The certificates must be signed by the authorized representative of the insurance company and shall be filed and maintained with the city annually. Thirty (30) days advance written notice by registered, certified or regular mail or facsimile as determined by the city must be given to the city of any cancellation, intent not to renew or reduction in the policy coverages. The insurance requirements may be satisfied by evidence of self-insurance or other types of insurance acceptable to the city.
 2. The limits of coverage of insurance required shall be not less than the following:
 - a. *Worker's Compensation and Employer's Liability Insurance*
Worker's Compensation-Florida Statutory Requirements
Employer's Liability - \$100,000 limit each accident
 - b. *Comprehensive General Liability*
\$1,000,000.00 for property damage per occurrence;
\$2,000,000.00 for property damage aggregate;

\$5,000,000.00 for personal bodily injury or death to any one person; and
\$10,000,000.00 bodily injury or death aggregate per single accident or occurrence.

c. Automobile Liability

\$1,000,000.00 for bodily injury and consequent death per occurrence;
\$1,000,000.00 for bodily injury and consequent death to any one person; and
\$500,000.00 for property damage per occurrence.

K. Indemnification.

1. A registrant shall, at its sole cost and expense, indemnify, hold harmless, and defend the city, its officials, boards, members, agents, and employees, against any and all claims, suits, causes of action, proceedings, judgments for damages or equitable relief, and costs and expenses incurred by the city arising out of the placement or maintenance of its communications system or facilities in public rights-of-way, regardless of whether the act or omission complained of is authorized, allowed or prohibited by this article, provided, however, that a registrant's obligation hereunder shall not extend to any claims caused by the negligence, gross negligence or wanton or willful acts of the city. This provision includes, but is not limited to, the city's reasonable attorneys' fees incurred in defending against any such claim, suit or proceedings. The city agrees to notify the registrant, in writing, within a reasonable time of the city receiving notice, of any issue it determines may require indemnification. Nothing in this section shall prohibit the city from participating in the defense of any litigation by its own counsel and at its own cost if in the city's reasonable belief there exists or may exist a conflict, potential conflict or appearance of a conflict. Nothing contained in this section shall be construed or interpreted: (a) as denying to either party any remedy or defense available to such party under the laws of the State of Florida; or (b) as a waiver of sovereign immunity beyond the waiver provided in F.S. § 768.28, as it may be amended.
2. The indemnification requirements shall survive and be in effect after the termination or cancellation of a registration.

L. Construction Bond.

1. Prior to issuing a permit where the work under the permit will require restoration of public rights-of-way, the city may require a construction bond to secure the restoration of the public rights-of-way. Notwithstanding the foregoing, a construction bond hereunder may only be required to the extent that the cost of the restoration exceeds the amount recoverable against the Security Fund as provided in section 18-54.
 - a. Twelve (12) months after the completion of the restoration in public rights-of-way in accordance with the bond, the registrant may eliminate the bond. However, the city may subsequently require a new bond for any subsequent work in the public rights-of-way.
 - b. The construction bond shall be issued by a surety having a rating reasonably acceptable to the city; shall be subject to the approval of the city manager or his or her designee; and shall provide that: "For twelve (12) months after issuance of this bond, this bond may not be canceled, or allowed to lapse, until sixty (60) days after receipt by the city, by certified mail, return receipt requested, of a written notice from the issuer of the bond of intent to cancel or not to renew."

2. The rights reserved by the city with respect to any construction bond established pursuant to this section are in addition to all other rights and remedies the city may have under this article, or at law or equity.
 3. The rights reserved to the city under this section are in addition to all other rights of the city, whether reserved in this article, or authorized by other law, and no action, proceeding or exercise of a right with respect to the construction bond will affect any other right the city may have.
- M. Security Fund. At or prior to the time a registrant receives its first permit to place or maintain a communications facility in public rights-of-way after the effective date of this article, the registrant may be required to file with the city, for city approval, an annual bond, cash deposit or irrevocable letter of credit in the sum of (twenty-five thousand dollars (\$25,000.00) or other appropriate amount) having as a surety a company qualified to do business in the State of Florida, and acceptable to the city manager or his or her designee, which shall be referred to as the "security fund." The security fund shall be maintained from such time through the earlier of: (a) transfer, sale, assignment or removal of all communications facilities in public rights-of-way; or (b) twelve (12) months after the termination or cancellation of any registration. The security fund shall be conditioned on the full and faithful performance by the registrant of all requirements, duties and obligations imposed upon registrant by the provisions of this article. The security fund shall be furnished annually or as frequently as necessary to provide a continuing guarantee of the registrant's full and faithful performance at all times. In the event a registrant fails to perform its duties and obligations imposed upon the registrant by the provisions of this article, subject to section 18-85 of this article, there shall be recoverable, jointly and severally from the principal and surety of the security fund, any damages or loss suffered by the city as a result, including the full amount of any compensation, indemnification or cost of removal, relocation or abandonment of any facilities of the registrant in public rights-of-way, plus a reasonable allowance for attorneys' fees, up to the full amount of the security fund. Notwithstanding the foregoing, the city may in its discretion not require a security fund or may accept a corporate guarantee of the registrant or its parent company.
- N. Enforcement Remedies.
1. A registrant's failure to comply with provisions of this article shall constitute a violation of this article and shall subject the registrant to the code enforcement provisions and procedures as provided in Chapter 14, Article III, sections 14-78 through 14-85 of the Destin City Code. In addition, at the city's discretion, violation of this article may be punishable as provided in section 1-9, Destin City Code.
 2. Failure of the city to enforce any requirements of this article shall not constitute a waiver of the city's right to enforce that violation or subsequent violations of the same type or to seek appropriate enforcement remedies.
- O. Abandonment of a communications facility.
1. Upon abandonment of a communications facility owned by a registrant in public rights-of-way, the registrant shall notify the city within ninety (90) days.
 2. The city may direct the registrant by written notice to remove all or any portion of such abandoned facility at the registrant's sole expense if the city determines that the abandoned facility's presence interferes with the public health, safety or welfare, which shall include, but shall not be limited to, a determination that such facility: (a) compromises safety at any time for any public rights-of-way user or during construction

- or maintenance in public rights-of-way; (b) prevents another person from locating facilities in the area of public rights-of-way where the abandoned facility is located when other alternative locations are not reasonably available; or (c) creates a maintenance condition that is disruptive to the public rights-of-way's use. In the event of (b), the city may require the third person to coordinate with the registrant that owns the existing facility for joint removal and placement, where agreed to by the registrant.
3. In the event that the city does not direct the removal of the abandoned facility, the registrant, by its notice of abandonment to the city, shall be deemed to consent to the alteration or removal of all or any portion of the facility by the city or another person at such third party's cost.
 4. If the registrant fails to remove all or any portion of an abandoned facility as directed by the city within a reasonable time period as may be required by the city under the circumstances, the city may perform such removal and charge the cost of the removal against the registrant.
- P. Force majeure. In the event a registrant's performance of or compliance with any of the provisions of this article is prevented by a cause or event not within the registrant's control, such inability to perform or comply shall be deemed excused and no penalties or sanctions shall be imposed as a result, provided, however, that such registrant uses all practicable means to expeditiously cure or correct any such inability to perform or comply. For purposes of this article, causes or events not within a registrant's control shall include, without limitation, acts of God, floods, earthquakes, landslides, hurricanes, fires and other natural disasters, acts of public enemies, riots or civil disturbances, sabotage, strikes and restraints imposed by order of a governmental agency or court. Causes or events within registrant's control, and thus not falling within this section, shall include, without limitation, registrant's financial inability to perform or comply, economic hardship, and misfeasance, malfeasance or nonfeasance by any of registrant's directors, officers, employees, contractors or agents.
- Q. Reservation of rights and remedies.
1. The city reserves the right to amend this article as it shall find necessary in the lawful exercise of its police powers.
 2. This article shall be applicable to all communications facilities placed in the public rights-of-way on or after the effective date of this article and shall apply to all existing communications facilities in the public rights-of-way prior to the effective date of this article, to the full extent permitted by state and federal law.
 3. The adoption of this article is not intended to affect any rights or defenses of the city or a communications service provider under any existing franchise, license or other agreements with a communications services provider.
 4. Nothing in this article shall affect the remedies the city or the registrant has available under applicable law.
 5. Any person who uses the communications facilities of a registrant, other than the registrant that owns the facilities, shall not be entitled to any rights to place or maintain such facilities in excess of the rights of the registrant that places or maintains the facilities.

Section 2.07.04 Wireless Facilities in the Right-of-Way

Sections 2.07.03 "Communications Facilities in the Right-of-Way" and 2.07.04 "Wireless Facilities in the Right-of-Way" will be combined into one section, as there is duplicate information in the two sections. If communications facilities are not currently being registered, that requirement will be removed. Additionally, it is recommended that these two sections be moved from the Code of Ordinances to the Land Development Code.

A. Findings, Intent and Purpose.

1. The city hereby makes and declares the following findings and declares its legislative intent as follows:
 - a. The public rights-of-way within the City of Destin are a unique and physically limited resource and important amenity that are critical to the travel and transport of persons and property in the city.
 - b. The demand for wireless telecommunications services has grown exponentially in recent years, requiring the continual upgrading of wireless telecommunications equipment and services to satisfy such demand.
 - c. The placement of wireless telecommunications equipment and facilities in the public rights-of-way to satisfy the demand for telecommunications services raises important issues with respect to the city's responsibility to manage its public rights-of-way.
 - d. The public rights-of-way must be regulated, managed and controlled in a manner that ensures minimal inconvenience to the public, and enhances the health, safety and general welfare of the city and its citizens.
2. It is the intent of the city to promote the public health, safety and general welfare by:
 - a. Establishing reasonable rules and regulations governing the placement and/or maintenance of wireless facilities in the public rights-of-way by all wireless providers, including both wireless providers and wireline wireless providers as well as pass-through providers;
 - b. Adopting and administering reasonable rules and regulations not inconsistent with state and federal law, including but not limited to, the Federal Communications Act of 1934, Sections 332 and 253, Section 6409(a) of 47 USC § 1455(a), or as hereinafter amended;
 - c. Minimizing disruption to the public rights-of-way; voiding potential damage to public rights-of-way caused by wireless facilities by ensuring that such wireless facilities are soundly and carefully designed, constructed, modified and maintained.

B. Definitions. For purposes of this article, the following terms, phrases, words and their derivations shall have the meanings given. The words "shall" and "will" are mandatory , and "may" is permissive. Words not otherwise defined shall be construed to have their common and ordinary meaning. The following definitions apply only for purposes of this article:

1. Antenna means communications equipment that transmits or receives electromagnetic radio frequency signals used in providing wireless services.
2. Applicant means any person who submits an application and is a wireless provider.
3. Application means a request submitted by an application to an authority for a permit to place or co-locate wireless facilities.
4. Authority means a county or municipality having jurisdiction and control of the public rights-of-way of any public road.

5. Authority utility pole means a utility pole owned by an authority in the public rights-of-way. The term does not include a utility pole owned by a municipal electric utility, a utility pole used to support municipally owned or operated electric distribution facilities, or a utility pole located in the public rights-of-way pursuant to F.S. § 337.401(7)(b)6.
6. Co-location or co-locate or attach means to install, mount, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole. The term does not include the installation of a new utility pole or wireless support structure in the public rights-of-way.
7. Day(s). In computing any period of time expressed in day(s) in this article, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday, or legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday, or legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.
8. Distributed antenna system or DAS is a network of spatially separated antenna modes connected to a common source within a geographic areas or structure. A DAS is a wireless facility.
9. Existing structure shall mean a structure within the public rights-of-way that exists at the time an application for permission to place a wireless facility on the preexisting structure is filed with the city. The term includes any structure that:
 - a. Can structurally support the attachment of a wireless facility;
 - b. Can be modified or repurposed to support the attachment of a wireless facility;
 - c. Can be removed and replaced with a structure of similar design and purpose as the original existing structure that supports the attachment of a wireless facility; or
 - d. Other facilities in compliance with applicable codes and laws.
10. FCC shall mean the Federal Communications Commission.
11. In public rights-of-way or in the public rights-of-way shall mean over, above, in, on or under the public rights-of-way within the city over which the city has jurisdiction, control and authority to regulate.
12. Maintain shall mean to exercise physical control over a wireless facility in the public rights-of-way, including ownership or the right to maintain and repair. A person providing service only through resale or only through use of a third party's unbundled network elements is not "maintaining" the wireless facilities through which such service is provided. The transmission and receipt of radio frequency signals through the airspace of the public rights-of-way does not constitute "maintaining" facilities in the public rights-of-way.
13. Micro wireless facility means a small wireless facility having dimensions no larger than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height and an exterior antenna, if any, no longer than eleven (11) inches.
14. Pass-through provider means any entity or person who, upon registering with the city, places or maintains a wireless facility the city's rights-of-way and that does not remit communications service taxes as imposed by the city pursuant to F.S. ch. 202

and F.S. § 337.401. A pass-through provider can also be a wireless infrastructure provider pursuant to F.S. § 337.401 as amended.

15. Permit means the public rights-of-way permit that must be obtained before a person may construct in the public rights-of-way and shall include, but not be limited to the city's public rights-of-way engineering and construction permits issued by the city engineer or his or her designee.
16. Person means any natural person or corporation, business association or other business entity, including, but not limited to a partnership, a sole proprietorship, a political subdivision, a public or private agency of any kind, a utility, a successor or assign of any of the foregoing or any other legal entity and shall include the city to the extent the city acts as a wireless provider.
17. Place or placement or placing shall mean to erect, construct, install, place, extend, remove, occupy, locate, relocate, or significantly alter the configuration of a wireless facility.
18. Pole attachment means any attachment of a wireless facility by a wireless provider, to an existing utility pole or existing structure within a public rights-of-way.
19. Public rights-of-way or rights-of-way shall mean property or any interest therein, which is acquired for or devoted to a public road, including but not limited to, roadways, highway, street, or bridge for which the city is the authority and may lawfully grant access to pursuant to applicable law, and includes the surface, the air space over the surface and the area below the surface.
20. Registration or register means the process described in this ordinance whereby a wireless provider or pass-through provider provides certain information to the city.
21. Small cell means small, low-powered wireless facilities, consisting of a transmit-receive antenna that communicates with wireless devices, a wireless backhaul antenna that connects the facility to the carrier's core network, and compact radio equipment mounted on either existing structures or utility poles.
22. Utility pole means a pole or similar structure that is used in whole or in part to provide wireless services or for electric distribution, lighting, traffic control, signage, or similar function. The term includes the vertical support structure for traffic control, signage, or similar function.
23. Wireless facility means equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber-optic cable or other cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration, and equipment associated with wireless communications. The term includes small wireless facilities. The term does not include:
 - a. The structure or improvements on, under, within, or adjacent to the structure on which the equipment is collocated;
 - b. Wireline backhaul facilities; or
 - c. Coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.
24. Wireless infrastructure provider means a person who has been certificated to provide telecommunications service in the state and who builds or installs wireless

communication transmission equipment, wireless facilities, or wireless support structures but is not a wireless services provider.

25. Wireless provider shall mean a wireless infrastructure provider or a wireless services provider.
26. Wireless services provider means a person who provides wireless services.
27. Wireless support structure means a free-standing structure, such as a monopole, a guyed or self-supporting tower, or other existing or proposed structure designed to support or be capable of supporting wireless facilities. The term does not include a utility pole.

C. Registration.

1. Registration required. A wireless provider or pass-through provider that desires to place or maintain a wireless facility in a public rights-of-way shall first register in accordance with this article. Subject to the terms and conditions prescribed in this article, a registrant may place or maintain a wireless facility in public rights-of-way.
2. Registration. Each wireless provider or pass-through provider that desires to place or maintain a wireless facility in public rights-of-way shall file a single registration with the city, that shall include the following information:
 - a. Name of the registrant;
 - b. Name, address and telephone number of the registrant's primary contact person in connection with the registration and the person to contact in case of an emergency;
 - c. Evidence of the insurance coverage, or self-insurance status adequate to defend and cover claims;
 - d. A copy of federal or state certification authorizing the registrant to provide wireless services as a wireless services provider or telecommunications services as a wireless infrastructure provider; and
 - e. If the registrant is a corporation or limited liability company, proof of authority to do business in the State of Florida.

D. Notice of transfer, sale, or assignment in public rights-of-way.

1. An applicant shall not sell, transfer, lease, assign, sublet or dispose of, in whole or in part, either by forced or involuntary sale, or by ordinary sale, consolidation or otherwise, a registration granted pursuant to this article without having first provided the city with at least thirty (30) days written notice of the same. Further, any such person to whom such transfer has been made, must register with the city in accordance with this article and shall provide proof of insurance coverage in accordance with sections 13-178 and 13-184 of this Code.
2. If permit applications are pending in the applicant's name, the transferee, buyer or assignee shall notify the city engineer that the transferee, buyer or assignee is the new applicant.
3. A violation of the requirements of this section shall be a violation of this Code and the applicant who is alleged to have violated any of the provisions of this section may be subject to the enforcement remedies set forth in this Code.

E. Permit requirements and conditions.

1. Permit required. An applicant shall not commence to place or maintain a wireless facility in public rights-of-way until all applicable permits have been issued by city, except in the case of an emergency as provided for in the city emergency section

herein. Permits shall apply only to the areas of public rights-of-way specifically identified in the permit. The city engineer shall consider the following in the review and consideration of an application and imposition of reasonable permit conditions:

a. Permit applications. Applications to place a wireless facility in public rights-of-way shall contain the following:

- i. An engineering plan signed and sealed by a Florida Registered Professional Engineer, or prepared by a person who is exempt from such registration requirements as provided in F.S. § 471.003, identifying the location of the proposed facility, including a description of the facilities to be installed, where it is to be located, and the approximate size of facilities and equipment that will be located in public rights-of-way;
- ii. A description of the manner in which the facility will be installed (i.e. anticipated construction methods and/or techniques);
- iii. If appropriate given the facility proposed, the timetable for construction of the project or each phase thereof, and the areas of the city which will be affected;
- iv. Application fee of one hundred fifty dollars (\$150.00), to cover the city's costs of reviewing and processing the application; and
- v. Such additional information requested by the city that the city finds reasonably necessary to review the application.

b. Permitting timeline. Within fourteen (14) days after receiving an application, the city must determine and notify the applicant, by electronic mail, if the application is deemed complete. If an application is deemed incomplete, the city must specifically identify the missing information. An application is deemed complete if the city fails to provide notification to the applicant within fourteen (14) days. A complete application is deemed approved if the city fails to approve or deny the application within sixty (60) days after receipt of the application.

- i. Within fourteen (14) days after the date of filing an application, the city may request that the proposed location of a wireless facility be moved to another location in the public rights-of-way and placed on an alternative city pole or existing structure or wireless support structure or may place a new utility pole.
- ii. City and applicant may negotiate the alternative location for thirty (30) days after the date of the request. At the end of the thirty-day negotiation period, if the alternative location is agreed upon by the applicant, the applicant will notify city of this acceptance. The application is deemed granted for any new location where there is agreement, and all other locations in the application.
- iii. If no agreement is reached, the applicant will notify city of the nonagreement and city shall grant or deny the original application within ninety (90) days after the date the application was filed. A request for an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

- iv. City and applicant may agree to extend the sixty-day application review period.
 - v. A permit issued pursuant to an approved application shall remain effective for one (1) year unless extended by the authority.
 - c. Permit denial. The city will notify the applicant of approval or denial by electronic mail. The city will specify, in writing, any basis for denial, including the specific code provisions on which the denial was based. This denial letter will be sent to applicant via electronic mail on the day the city denies the application.
 - i. Applicant may cure the deficiencies identified by the city and resubmit the application within thirty (30) days after notice of the denial is sent to applicant.
 - ii. City shall approve or deny the revised application within thirty (30) days after receipt, or the application will be deemed approved. Any additional review will be limited to the deficiencies cited in the denial.
 - iii. City may deny a proposed co-location of a wireless facility if the co-location:
 - a. Materially interferes with the safe operation of traffic control equipment.
 - b. Materially interferes with sight lines or clear zones for transportation, pedestrians, or public safety purposes.
 - c. Materially interferes with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement.
 - d. Materially fails to comply with the 2010 edition of the FDOT Utility Accommodation Manual.
 - e. Fails to comply with city's applicable codes.
 - d. Emergency. In the case of an emergency, an applicant may restore its damaged wireless facilities in the public rights-of-way to their pre-emergency condition or replace its destroyed wireless facilities in the public rights-of-way with facilities of the same size, character and quality, all without first applying for or receiving a permit.
 - i. The term "emergency" shall mean a condition that affects the public's health, safety or welfare, which includes an unplanned out-of-service condition of a pre-existing service.
 - ii. Applicant shall provide prompt notice to the city of the repair or replacement of a wireless facility in the public rights-of-way in the event of an emergency, and shall be required to obtain an after-the-fact permit if a permit would have originally been required to perform the work undertaken in the public rights-of-way in connection with the emergency.
- F. Enforcement of permit obligations; suspension and revocation of permits. The city engineer may order the suspension of work under a permit and ultimately may revoke any permit, in the event of a substantial breach of the terms and conditions of any applicable statute,

ordinance, rule or regulation or any condition of the permit. Any suspension of work or revocation must be in writing and contain the legal basis for such suspension or revocation.

- G. Appeals. An applicant aggrieved by an action or decision of the city engineer shall be entitled to appeal a decision denying, suspending, or revoking a permit to the city engineer by filing notice of appeal with the city manager within thirty (30) days of the decision appealed from. The city manager shall schedule a hearing on the appeal to be held within thirty (30) days of the date the appeal is filed and shall provide the applicant notice of the date of such hearing.
- H. Insurance.

1. General. An applicant shall provide, pay for and maintain satisfactory to the city, the types of insurance described herein. All insurance shall be from companies duly authorized to do business in the state and having a rating reasonably acceptable to the city. All liability policies shall provide the city as an additional insured. The required coverages must be evidenced by properly executed certificates of insurance forms. The certificates must be signed by the authorized representative of the insurance company and a copy shall be filed and maintained with the city. The insurance requirements may be satisfied by evidence of self-insurance or other types of insurance acceptable to the city.
2. Insurance coverage and limits of insurance coverage. The insurance coverage and limits of coverage of insurance required shall be not less than the following: Commercial general liability insurance in the amount of one million dollars (\$1,000,000.00) per occurrence, or in such other amount specified by the city's risk management division, for bodily injury and property damage. The city must be named as an additional insured on this policy, and a certificate of insurance containing such endorsement must be issued as part of the policy.

Section 2.07.05 Right-of-Way/Easement Vacation

It is recommended that this process be revised so that it functions similar to a development project: reviewed by TRC, letters, addresses and responses sent and received directly to and from the City.

- A. No city right-of-way, or any portion thereof, may be vacated if any portion of the city's right-of-way shares a boundary with a water body. The following requirements and procedures shall apply to all requests to vacate a ROW or an easement:
1. A completed application by the abutting property owner(s) or their authorized agent(s) shall be submitted to the city engineer's office. The application shall contain the following:
 - a. A letter to the city requesting the ROW/easement vacation and stating the reasons for said request.
 - b. An application fee and all related fees, including, but not limited to, legal advertisements, and certified mailings, shall be paid by the applicant.
 - c. A legal description and survey of the ROW/easement to be vacated and identify all abutting properties. If the survey shows that any portion of the city's right-of-way shares a boundary with a water body, the application and any application fee shall be returned to the applicant.
 - d. A certificate of projected property value from the property appraiser.

- e. A list of the names and addresses of the owners of property located within a 300-foot radius of requested ROW/easement vacation on the property appraiser's letterhead. A letter of announcement of requested ROW/easement vacation shall be mailed, at the expense of the applicant, to each address on the list of property owners. The notice shall be sent by certified mail return receipt requested and all return receipts shall be filed with the city, by the applicant, prior to the city council's consideration.
 - f. Letters from all franchised utility companies stating no objection, or recommending disapproval for reason including, but not limited to, Gulf Power Company, Destin Water Users, South Walton Utility Company, AT&T Telephone Company, Sprint Telephone Company, New South Telecommunications, Okaloosa Gas Company, and Cox Cable Communications.
 - g. Letter from the Destin Fire Control District official with authority to approve, stating no objection, or recommending disapproval for reason.
2. The city attorney shall review the application for legal sufficiency. The city engineer shall provide a recommendation to the local planning agency. The local planning agency shall provide a recommendation on the application to the city council. The city council may approve the application to vacate a ROW/easement based upon a finding that all of the following requirements are met:
- a. The requested vacation is consistent with the comprehensive plan.
 - b. The ROW does not provide the sole access to any property.
 - c. The vacation would not jeopardize the current or future location of any utility.
 - d. The proposed vacation is not detrimental to the public interest. City ownership of the ROW is no longer necessary to accomplish any valid city purpose. The city has not granted any easements which will be adversely affected by the vacation.
 - e. No city owned right-of-way, or any portion thereof, may be vacated if the city's right-of-way shares any boundary with a water body.

Section 2.08 Procedures for Conditional Use Review

Section 2.08.01 General Conditional Uses

- A. The following shall apply to all applications for a conditional use in any zoning district within the City of Destin:
- 1. Findings. A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An

application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.

2. Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
 - a. Scale and intensity of the proposed conditional use as measured by the following:
 - i. Floor area ratio;
 - ii. Traffic generation;
 - iii. Square feet of enclosed building for each specific use;
 - iv. Proposed employment;
 - v. Proposed number and type of service vehicles; and
 - vi. Off-street parking needs.
 - b. On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection including the following:
 - i. Utilities;
 - ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;
 - iii. Roadway or signalization improvements, or other similar improvements;
 - iv. Accessory structures or facilities; and
 - v. Other unique facilities/structures proposed as part of site improvements.
 - c. On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
 - i. Open space;
 - ii. Setbacks from adjacent properties;
 - iii. Screening and buffers;
 - iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
 - v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.
3. Criteria for Conditional Uses.
 - a. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic- generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
 - b. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic

circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

- c. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
 - d. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
 - e. Avoid over-proliferation of uses. An over-proliferation of similar uses within a zoning district shall not be permitted. The City Council shall review the existing uses within the zoning district in determining whether a conditional use shall be approved or denied.
 - f. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to an approval of a conditional use in order to protect the public health, safety, and welfare.
- 4. LPA recommendation required. All applications for a conditional use must first be considered by the City's Land Planning Agency (LPA) for consistency with the Comprehensive Plan, prior to being considered by the City Council for a final decision. The City Council shall not be bound by the recommendation of the LPA.
 - 5. The Board of Adjustment shall not be required to review conditional use applications.

This sentence will be removed.

- 6. Appeals. Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.

Section 2.08.02 Certificates of Appropriateness and Conditional Uses in Overlay Districts

Combine Sections 2.08.02.A "Destin Harbor District Overlay" and 2.08.02.B "Zerbe-Calhoun Historic District Overlay" as there is similar information listed in both sections.

City of Destin, FL - Land Development Code

A. Destin Harbor District Overlay

1. Process for designation of structures and sites significant to the history of the Destin Harbor. A property owner or authorized agent of a property owner may apply to designate a structure or site as significant to the history of the Destin Harbor pursuant to this section. Such application may include a request for a conditional use, if applicable.
 - a. Applications for a certificate of appropriateness (with or without a conditional use) shall be submitted to the city manager on a form to be provided by the city, along with a signed, sealed survey of the subject property, which survey is dated within at least one year of the application date.
 - b. The owner of the subject property must either sign the application or give written authorization.
 - c. The City Manager, in consultation with the City Land Use Attorney and City staff, shall review a certificate of appropriateness (with or without a conditional use) application for sufficiency, and shall forward the request to the City Council once the City Manager has determined that the application includes all required information.
 - d. The City Manager shall schedule a public hearing on the certificate of appropriateness (with or without a conditional use) before the City Council, which hearing shall be held not later than 60 days after receipt of an application, said hearing may be continued once, at the discretion of the City Council, upon request of the applicant to the City Council or for good cause. A separate hearing before the Board of Adjustment shall not be required if a certificate of appropriateness application is submitted with a conditional use.
 - e. Notice will be published in a local newspaper of general circulation at least ten days prior to the public hearing.
 - f. The City Council shall render an order to either issue or deny the application for a certificate of appropriateness (with or without a conditional use).
 - g. The order shall be mailed to the applicant and shall include findings of fact and conclusions of law, and shall state specifically (i) that the certificate of appropriateness (with or without a conditional use) vests the uses, structures, driveways, accessways, parking, (as applicable) and any other items depicted on the survey, as well as any City Code waivers authorized by approval of the survey submitted by the applicant: all until such time that the applicant abandons the uses for a period of at least 180 days; and (ii) that no further permits shall be required from the City of Destin with respect to any uses, structures, driveways, accessways, parking, (as applicable) and any other items depicted on the survey, all until such time that the applicant abandons the uses for a period of at least 180 days, and subject to any limitation that may exist, to the extent that the Building Official has determined a serious threat to the public health or safety exists without such limitations. Nothing in this section releases the applicant from any requirement to obtain a business tax receipt on the subject property, if applicable.
2. Criteria for designation of structures and sites significant to the history of the Destin Harbor. The City Council may grant a certificate of appropriateness if there is an existing structure on the site, which the applicant seeks to preserve, and which was

constructed prior to 1975 (according to records of the Property Appraiser and/or the City of Destin) and at least one of the following additional criteria are met:

- a. Historical significance. Proposed changes of use, developments or redevelopments in the overlay district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the Harbor area; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.
 - b. Architectural significance. Proposed changes of use, developments or redevelopments should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Harbor area.
 - c. Environmental significance. Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Harbor area by the protection of the unique natural and man-made environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public.
3. Conditional uses. If an applicant desires to change the use of an existing structure on the site, the applicant is required to apply for a certificate of appropriateness with conditional use. Conditional uses in the Harbor Area Overlay shall include those listed in Table XX, Table of Allowable Uses. To the extent that there is any conflict between the permissibility of any specific use in the underlying zoning district and the Harbor Area Overlay, the provisions of the underlying zoning district shall apply, unless an application for a certificate of appropriateness has been submitted. The following shall apply to all applications for a certificate of appropriateness with conditional use within the Destin Harbor Area:
 - a. Findings. A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing on the certificate of appropriateness with a conditional use, that the proposed use, application and, if applicable, survey or site plan, comply with the criteria specified in this section, including specific conditions established by the City Council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter X of the LDC, the City Council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in

the immediate vicinity. The City Council is authorized to grant any waivers to the Land Development Code pursuant to Subsection XX in order to further the purposes of the Harbor District Overlay.

b. Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

- i. Scale and intensity of the proposed conditional use as measured by the following:
 - a. Floor area ratio;
 - b. Traffic generation;
 - c. Square feet of enclosed building for each specific use;
 - d. Proposed employment;
 - e. Proposed number and type of service vehicles; and
 - f. Off-street parking needs.
- ii. On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:
 - a. Utilities;
 - b. Public facilities, especially any improvements required to ensure compliance with concurrency management;
 - c. Roadway or signalization improvements, or other similar improvements;
 - d. Accessory structures or facilities; and
 - e. Other unique facilities/structures proposed as part of site improvements.
- iii. On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
 - a. Open space;
 - b. Setbacks from adjacent properties;
 - c. Screening and buffers;
 - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
 - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

c. Criteria for conditional uses in the Harbor District Overlay:

- i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
- ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as

screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

- iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- iv. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the City unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
- v. Preservation of "Old Destin". The Harbor District Overlay is intended to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and areas of the district that are reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this zoning district to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize the South Harbor Mixed Use and North Harbor Mixed Use zoning districts, promote the tourist trade and interest, and foster knowledge of the City's living heritage. Therefore, conditional uses should meet one or more of the following criteria:
 - a. Historical significance. Proposed changes of use, developments or redevelopments in the overlay district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the Harbor area: be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.
 - b. Architectural significance. Proposed changes of use, developments or redevelopments should portray an era of

- history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Harbor area.
- c. Environmental significance. Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Harbor area by the protection of the unique natural and man-made environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the harbor boardwalk and charter fishing opportunities for the public.
 - vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances except that the City Council may grant waivers or variances to the City Land Development Code pursuant to Section XX of this Code. Where permits are required from governmental agencies other than the City, these permits shall be obtained as a condition of approval. The City may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
- 4. Certificate of appropriateness. Evidence of the approval required under the terms of the Harbor District Overlay shall be a Certificate of Appropriateness issued by the City Council, stating that the change of use and development or re-development depicted on the survey has been made are approved by the City Council. The City Council may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. Any action by applicants following issuance of a certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.
 - 5. Code waivers. To further the intent and purpose of Harbor District Overlay, the City Council may waive or modify requirements of the Land Development Code pursuant to this Section XX, including but not limited to parking requirements, driveway requirements, stormwater requirements, any performance standards, requirements for lot area, lot width, lot depth, setback, and open space standards set forth in Table XX. Table of Dimensional Regulations, provided however, that if the Building Official determines there is a serious threat to the public health, safety or welfare, such waivers may not be granted. Further, alternative stormwater requirements may be imposed to prevent flooding on the subject property.
 - 6. Appeals:
 - a. Any appeal of a City Council decision on a determination under this section shall be by petition for certiorari review to the circuit court of Okaloosa County, Florida, based solely on the record of the hearing before the city

council. The application forms shall contain a venue selection provision requiring venue to be in Okaloosa County.

- b. The applicant is responsible for providing a verbatim transcript of the record of that hearing.
 - c. Such an appeal must be filed within 30 days after the date the City renders its order.
7. Penalties: The Code Compliance Department may enforce the terms of this section by bringing a case to the Special Magistrate or Code Enforcement Board, whichever is applicable, as provided in Chapter 14, Offenses and Miscellaneous Provisions, Article III, Code Enforcement Board or Special Magistrate, of the Code Ordinances of the City of Destin and F.S. ch. 162, pt. 1. Additionally, the code compliance department, or other duly authorized officer or authority, may enforce the terms of this section through issuance of civil citation as provided in Chapter 14. Offenses and Miscellaneous Provisions, Article III, Code Enforcement Citation Program and Procedures, of the Code Ordinances of the City of Destin and F.S. ch. 162, pt. 2.

This section will be removed as all penalty information and procedures will be included in new "Citation Authority" article.

B. Zerbe-Calhoun Historic District Overlay

- 1. Process for designation of structures and sites significant to the history of the Zerbe-Calhoun Area. In addition to the set Zerbe-Calhoun Historic Park set forth in subsection 3., a property owner or authorized agent of a property owner may apply to designate a structure or site as significant to the history of the City of Destin within the Zerbe-Calhoun Historic Overlay Area pursuant to this section. Such application may include a request for a conditional use, if applicable.
 - a. Applications for a certificate of appropriateness (with or without a conditional use) shall be submitted to the City Manager on a form to be provided by the City, along with a signed, sealed survey of the subject property, which survey is dated within at least one year of the application date.
 - b. The owner of the subject property must either sign the application or give written authorization.
 - c. The City Manager, in consultation with the City Land Use Attorney and City staff, shall review a certificate of appropriateness (with or without a conditional use) application for sufficiency, and shall forward the request to the City Council once the City Manager has determined that the application includes all required information.
 - d. The City Manager shall schedule a public hearing on the Certificate of Appropriateness (with or without a Conditional Use) before the City Council, which hearing shall be held not later than 60 days after receipt of an application, said hearing may be continued once, at the discretion of the City Council, upon request of the applicant to the City Council or for good cause. A separate hearing before the Board of Adjustment shall not be required if a certificate of appropriateness application is submitted with a conditional use.
 - e. Notice will be published in a local newspaper of general circulation at least ten days prior to the public hearing.

- f. The City Council shall render an order to either issue or deny the application for a certificate of appropriateness (with or without a Conditional Use).
 - g. The order shall be mailed to the applicant and shall include findings of fact and conclusions of law, and shall state specifically (i) that the certificate of appropriateness (with or without a conditional use) vests the uses, structures, driveways, accessways, parking, (as applicable) and any other items depicted on the survey, as well as any City Code waivers authorized by approval of the survey submitted by the applicant; all until such time that the applicant abandons the uses for a period of at least 180 days; and (ii) that no further permits shall be required from the City of Destin with respect to any uses, structures, driveways, accessways, parking, (as applicable) and any other items depicted on the survey, all until such time that the applicant abandons the uses for a period of at least 180 days, and subject to any limitation that may exist, to the extent that the Building Official has determined a serious threat to the public health or safety exists without such limitations. Nothing in this section releases the Applicant from any requirement to obtain a business tax receipt on the subject property, if applicable.
- 2. Criteria for designation of structures and sites significant to City history. The City Council may grant a Certificate of Appropriateness if there is an existing structure on the site, which the applicant seeks to preserve, and which was constructed prior to 1975 (according to records of the Property Appraiser and/or the City of Destin) and at least one of the following additional criteria are met:
 - a. Historical significance. Proposed changes of use, developments or redevelopments in the overlay district. should show character, interest or value as part of the development, heritage, or cultural characteristics of the area; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.
 - b. Architectural significance. Proposed changes of use, developments or redevelopments should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Zerbe-Calhoun area.
 - c. Environmental significance. Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Zerbe-Calhoun area by the protection of the unique natural and manmade environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the bay for the public.
- 3. Conditional uses. If an applicant desires to change the use of an existing structure on the site, the applicant is required to apply for a certificate of appropriateness with conditional use. Conditional uses in the Zerbe-Calhoun Historic Area Overlay shall include those listed in Table 7-2. Table of Allowable Uses. To the extent that there is any conflict between the permissibility of any specific use in the underlying zoning district and the Zerbe-Calhoun Historic Area Overlay, the provisions of the underlying

zoning district shall apply, unless an application for a certificate of appropriateness has been submitted. The following shall apply to all applications for a certificate of appropriateness with conditional use within the Zerbe-Calhoun Historic Area Overlay:

a. Findings. A conditional use shall be permitted upon a finding by the City Council, after a duly noticed public hearing on the certificate of appropriateness with a conditional use, that the proposed use, application and, if applicable, survey or site plan, comply with the criteria specified in this section, including specific conditions established by the City Council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the City Council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the City determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity. The City Council is authorized to grant any waivers to the Land Development Code pursuant to subsection ~~7.12.06(DD)(6)~~, in order to further the purposes of the Zerbe-Calhoun Historic District Overlay.

b. Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

- i. Scale and intensity of the proposed conditional use as measured by the following:
 - a. Floor area ratio;
 - b. Traffic generation;
 - c. Square feet of enclosed building for each specific use;
 - d. Proposed employment;
 - e. Proposed number and type of service vehicles; and
 - f. Off-street parking needs.
- ii. On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection, including the following:
 - a. Utilities;
 - b. Public facilities, especially any improvements required to ensure compliance with concurrency management;
 - c. Roadway or signalization improvements, or other similar improvements;
 - d. Accessory structures or facilities; and
 - e. Other unique facilities/structures proposed as part of site improvements.
- iii. On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- a. Open space;
 - b. Setbacks from adjacent properties;
 - c. Screening and buffers;
 - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
 - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.
- c. Criteria for conditional uses in the Zerbe-Calhoun Historic District Overlay:
 - i. Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
 - ii. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
 - iii. Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
 - iv. Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of City-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the City unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
 - v. Preservation of "Old Destin". The Zerbe-Calhoun Historic District Overlay is intended to promote the public health, safety, and welfare by protecting, enhancing, and perpetuating buildings, sites, and

areas of the district that are reminiscent of past eras, events, and persons important in local, state, or national history or providing significant examples of architectural styles of the past. It is also the purpose of this zoning district to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize the South Harbor Mixed Use and North Harbor Mixed Use zoning districts, promote the tourist trade and interest, and foster knowledge of the City's living heritage. Therefore, conditional uses should meet one or more of the following criteria:

- a. Historical significance. Proposed changes of use, developments or redevelopments in the overlay district, should show character, interest or value as part of the development, heritage, or cultural characteristics of the Zerbe-Calhoun area; be the site of historic or prehistoric event(s) that had an effect upon the City of Destin; or exemplify the cultural, political, economic, or social heritage of the City of Destin.
 - b. Architectural significance. Proposed changes of use, developments or redevelopments should portray an era of history characterized by distinctive architectural period(s)/style(s); embody those distinguishing characteristics of an architectural type specimen, contain elements of architectural design, detail, materials or craftsmanship that represent a significant era in the history of the Zerbe-Calhoun area.
 - c. Environmental significance. Proposed changes of use, developments or redevelopments should enhance the variety, interest, and sense of identity of the Zerbe-Calhoun area by the protection of the unique natural and manmade environments, by preserving waterfront views, preserving water dependent activity, fostering a pedestrian-oriented environment, and promoting convenient public access to the Bay.
 - vi. Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and City laws and ordinances except that the City Council may grant waivers or variances to the City Land Development Code pursuant to Section ~~7.12.06.(DD)(6)~~ of this Code. Where permits are required from governmental agencies other than the City, these permits shall be obtained as a condition of approval. The City may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
4. Certificate of appropriateness. Evidence of the approval required under the terms of the Zerbe-Calhoun Historic District Overlay shall be a certificate of appropriateness issued by the City Council, stating that the change of use and development or re-

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development depicted on the survey has been made are approved by the City Council. The City Council may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. Any action by applicants following issuance of a certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

5. Code waivers. To further the intent and purpose of Zerbe-Calhoun Historic District Overlay, the City Council may waive or modify requirements of the Land Development Code pursuant to this Section ~~7-12.06(DD)(6)~~, including but not limited to parking requirements, driveway requirements, stormwater requirements, any performance standards, requirements for lot area, lot width, lot depth, setback, and open space standards set forth in Table 7-3, Table of Dimensional Regulations, provided however, that if the Building Official determines there is a serious threat to the public health, safety or welfare, such waivers may not be granted. Further, alternative stormwater requirements may be imposed to prevent flooding on the subject property.
6. Appeals.
 - a. Any appeal of a City Council decision on a determination under this section shall be by petition for certiorari review to the circuit court of Okaloosa County, Florida, based solely on the record of the hearing before the City Council. The application forms shall contain a venue selection provision requiring venue to be in Okaloosa County.
 - b. The applicant is responsible for providing a verbatim transcript of the record of that hearing.
 - c. Such an appeal must be filed within 30 days after the date the City renders its order.
7. Penalties: The Code Compliance Department may enforce the terms of this section by bringing a case to the Special Magistrate or Code Enforcement Board, whichever is applicable, as provided in Chapter 14, Offenses and Miscellaneous Provisions, Article III, Code Enforcement Board or Special Magistrate, of the Code of Ordinances of the City of Destin and F.S. ch. 162, pt. 1. Additionally, the code compliance department, or other duly authorized officer or authority, may enforce the terms of this section through issuance of civil citation as provided in Chapter 14, Offenses and Miscellaneous Provisions, Article III, Code Enforcement Citation Program and Procedures, of the Code Ordinances of the City of Destin and F.S. ch. 162, pt. 2.

This text will be removed. All penalty information and procedures will be listed in new Citation Authority article.

Section 2.09 Procedures for Change of Use Permits

Section 20.09.01 Intent

- A. When the use of a space changes, the risk factors and neighborhood impacts associated with the space can also change. Alterations to the existing building/space may be required to meet the requirements of the City Land Development Code, Comprehensive Plan, Code of Ordinances, and/or building or fire code requirements for the new use. Alterations to the existing building and/or site may therefore be required to meet the Land Development Code

requirements for the new use. The change of use permit process is intended to help identify those requirements and protect the public health, safety and welfare.

Development and redevelopment opportunities exist within the City. Existing developments are required to be consistent with existing development order(s) and expansion or changes to a space should not be permitted if a property is not currently in compliance with applicable city or state codes, or with an applicable development order.

A change of use review process is intended to allow the City to address all allowable past, present and future uses, where changes have occurred or are proposed to occur on the property. This process is intended to allow the City to ensure compliance with all current land use regulations, and to allow the City to consider and address potential impacts related to access, fire protection, lighting, noise, parking, signage, traffic, traffic safety, and vehicular access, and other impacts affecting the public health, safety or welfare.

Section 2.09.02 Applicability and Criteria

- A. A change of use permit shall be required for the following types of changes, which includes all permanent, temporary, and seasonal uses:
 - 1. A property or structure (including portions of a property or structure) is, or is proposed to be, a different land use than the approved use or existing use. (Examples may include, but are not limited to, a new retail use where a warehouse use was previously approved or permitted, or an amenity proposed for a residential use has been changed to a commercial use.)
 - 2. Properties and/or structures where the intensity of a use is increased, which results in additional impacts including but not limited to additional required parking, structure or site modifications, or other impacts affecting the public welfare, as determined by the Community Development Director or designee (Examples may include, but are not limited to, a retail center allowing a mobile vendor to operate).
 - 3. The addition of a use to a site with a number of different uses current in operation, resulting in multiple uses on one site. (Examples may include, but are not limited to, a commercial building with multiple suites that may include commercial, retail, or restaurant uses.)
 - 4. Establishment of new or expanded home occupations. (Examples may include, but are not limited to, home offices for businesses or realtors, or computer software consultants that provide technical assistance to customers).
- B. Prima facie evidence of change of use. The following shall be prima facie evidence of a change of use:
 - 1. The addition of 750 square feet or more of gross floor area to any structure or impervious surface.
 - 2. Any change of use upon the property affecting 750 square feet or more of the property, of any structure, or of any pervious or impervious surface.
 - 3. Any change of use/development of building/structure/parcel of land that generates vehicle trips above the current concurrency levels at the property location.
- C. Additional applications. The City may require additional applications be submitted as part of the change of use permitting process, including but not limited to applications for a development order, development order exemption, major or minor amendment to a development order, conditional use, or any other application determined to be necessary by the Community Development Director or designee, pursuant to any city code or ordinance.

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- D. Eligibility. An application for a change of use permit shall be denied if any one (or more) of the following conditions exist:
1. There is a pending code compliance violation on the subject property; or
 2. A recorded code compliance lien exists on the subject property; or
 3. There is a development order on the property and the Community Development Director or designee determines that the property is not currently in compliance with such existing development order; or
 4. The application submitted is not complete, is missing any information, and/or is missing any required fee; or
 5. Any of the criteria or requirements set forth in section ~~2.28.01(A) or (B)~~ for a change of use permit application is/are not met.
- E. Change of use permit application requirements.
1. A complete application must include the following information, at a minimum, and the Community Development Director or designee may require additional information if the Community Development Director or designee determines that more information is needed based on the scope of the change of use:
 - a. Identification of the type of change of use (i.e., properties and structures requesting a different land use; increases in density/intensity; addition of a use to a site with a different use current in operation resulting in multiple uses on one site; home occupations; and off-site businesses.
 - b. Applicant information.
 - c. Owner information.
 - d. Subject property address and parcel ID.
 - e. Detailed description of proposed change of use.
 - f. Current and/or previous use of property.
 - g. Duration of change of use (permanent, seasonal or temporary).
 2. Owner authorization.
 3. Proof of ownership.
 4. List of all shared parking agreements for subject property from property owner (if applicable).
 5. List of all uses on the property, as well as the gross floor area of each use.
 6. Floor plan (if applicable).
 7. Site plan, drawn to scale to include:
 - a. Property lines.
 - b. All existing structures.
 - c. Parking space layout.

Section 2.10 Withdrawal of Applications

An application for development approval may be withdrawn at any time. Caution: The withdrawal of any application for development approval which occurs after the publication of any notices which may be required by this Code or other law will result in the application losing its relative position in priority for plan review and will require the applicant to resubmit its application at the initial step in the development review process required for the particular development. Such resubmittal will require payment of the necessary fees in order to activate the plan review process and reestablish relative position and priority for plan review.

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Note: Nothing in this section shall be construed to prevent the Local Planning Agency (LPA) or the City Council from delaying action or decision on any application. In the event the LPA or City Council votes to delay review or decision on any application, said application will retain its relative position and priority for plan review purposes.

Section 2.11 Procedures for Capital Improvements Program (CIP)

It is recommended that entire section related to the Capital Improvements Program is removed. There is currently an entire element related to the CIP in the Comprehensive Plan.

Section 2.11.01 Purpose, Monitoring and Evaluation

- A. The purpose of this article is to provide for a capital improvement program (CIP) that is designed to maintain adopted levels of service in facilities that provide sanitary sewer, solid waste, drainage, potable water, traffic circulation, recreation and open space.
- B. Chapter 14, table 14-1, of the comprehensive plan presents a schedule of capital improvement projects for Destin through 1995. This schedule may be changed by ordinance.
- C. The CIP shall be reviewed on an annual basis by the committee created by policy 14.A.3.6 of the comprehensive plan.
 1. The committee shall be comprised of the following:
 - a. City manager;
 - b. Planning director;
 - c. Public works director; and
 - d. Accounting supervisor.
 2. The committee shall maintain information on development activity, level of service conditions and other data necessary to accurately evaluate the implementation of the comprehensive plan.

Section 2.11.02 Method of Assessment

- A. Article X of this Code provides methodologies by which concurrence may be determined. To provide the infrastructure required for continued and orderly growth, CIP planning must be properly timed and projects prioritized for maximum utility and cost effectiveness. The rules contained herein express procedures and methodologies adopted by the City of Destin. Application of the rules shall in the cases of sanitary sewer, potable water and solid waste require the cooperation of independent servicing entities such as Okaloosa County, Destin Water Users, Inc., and Sun States.
 1. Timing. In each of the public service facilities identified in section XX above, the following schedule shall be adhered to by the CIP committee:
 - a. Sanitary sewer. Provisions to expand treatment plant facilities, effluent disposal and collector systems shall be made at the point where existing flow and committed flow total at a level 75 percent of the total treatment facility capacity.
 - i. Permitting of new development projects shall not occur after 95 percent of the total treatment facility capacity has been utilized. In such cases where construction to provide additional capacity has begun with a scheduled completion date, and upon the approval of the department of environmental regulation, permitting against the new capacity may be granted.

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- b. Solid waste. Solid waste transfer and/or landfill capacity shall be expanded, or a new disposal methodology initiated, when the receiving capacity of the transfer station or landfill reaches 80 percent of capacity levels.
 - i. Failure to provide for new expansion or a disposal methodology at or before the 80 percent capacity level by the servicing agency (Okaloosa County) shall obligate the city to seek through its own offices ways and means to provide uninterrupted solid waste disposal service to the citizens of Destin.
 - c. Drainage. Drainage facilities shall be constructed as required by chapter 17-25, FAC, Stormwater Rule, so as to achieve an 80 to 95 percent removal of stormwater pollutants before discharge into receiving waters. The city's adopted LOS, i.e., to retain the first one inch of runoff on-site with post-development runoff rate for a 25-year storm event, no [not] exceeding pre-development runoff.
 - d. Potable water. New potable wells and storage tanks shall be constructed to maintain a minimum LOS of 125 gallons per capita per day (gpcd); maintain a minimum sustained fire flow in accordance with standards promulgated by the National Board of Fire Underwriters (NBFU) and the Fire Suppression Rating Guide of the Insurance Services Office (ISO) and a minimum static pressure of 35 pounds per square inch (PSI).
 - i. Whenever demand is within 25 percent of the minimum standards for potable water, provisions shall be made to expand and/or improve the system.
 - e. Recreation and open space. Acquisition of land for resource-based and activity-based parks and recreational facilities shall occur at the point no later than when the adopted LOS of two acres per 1,000 population is measured less (on an annual basis) than 2.05 acres per 1,000.
2. Setting priorities. The following checklist shall be used by the committee in conjunction with the LPA in assigning capital outlays to proposed/needed CIP projects. Individual projects shall be prioritized based on the number of "yes" responses vis-a-vis other desired projects. "Yes" answers implement the goals, objectives and policies of the comprehensive plan. "No" answers do not directly support plan goals, objectives and policies.

PRIORITY CHECKLIST (Objective 14.A.4)

Project		Yes	No	Not Applicable
1.	Will the project provide infrastructure for growth?	___	___	___
	a. Will development bear the cost of facility improvements?	___	___	___
2.	Is the amount of growth that this project is designed to serve consistent with the most recent population projections?	___	___	___

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3.	Will this project either leave unchanged or increase the ratio of jobs in Destin to residents of Destin?	___	___	___
4.	If the project is likely to stimulate residential development:			
a.	Will development be centrally located in Destin?	___	___	___
b.	Can development be serviced with roads, schools, utilities, etc., without further city investment?	___	___	___
c.	Will development benefit low to moderate income persons?	___	___	___
d.	Will development provide open space in accordance with this Code (article 12)?	___	___	___
5.	If the project is likely to slow residential development in an area:			
a.	Is that area rural in classification?	___	___	___
b.	Are one or more public service systems in the area being used at or near capacity?	___	___	___
6.	If the project is likely to stimulate commercial or industrial development in areas remote from central Destin:			
a.	Is the area presently zoned for such land use?	___	___	___
b.	Can development be serviced with roads, schools, utilities, etc., without further city investment?	___	___	___
c.	Will development provide open space in accordance with this Code (article 12)?	___	___	___
7.	Will development have impact on the coastal protection zone or environmentally sensitive lands?	___	___	___

Section 2.11.03 Assessing pro rata costs

- A. As may be determined by the assignment of priority to CIP projects under subsection 14.02.01.B, the city shall require that approved growth totally pay for itself except under the following conditions in which case pro rata costs shall be assessed for facility needs as set forth in table 14.03.01A. (Note: Impact fees as established in article 18 are affected by the percentages shown under "Developer Pro Rata Cost.")

Table XX. FACILITY NEEDS PRO RATA COST SHARING

Project	Developer Pro Rata Cost
1. Project provides low to moderate income housing	___ percent

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2.	Project promotes infill and does not extend infrastructure requirements	____ percent
3.	Project provides jobs per 100 population that is greater than the existing unemployment rates per 100 population	____ percent
4.	Project fulfills a community need, i.e., social, cultural, recreational, educational, historical or archaeological preservation, etc.	____ percent
5.	Project adds to quality of life and aesthetic appeal of the city	____ percent

Section 2.11.04 Annual Report

- A. Reporting. By April 1 of each year the committee shall report to the LPA on the status of implementation activities and existing level of service conditions in the city.
1. Committee reporting to the LPA shall be as follows:
 - a. Recommendations of the committee to maintain level of service standards.
 - b. Any recommendations for adjusting the CIP and amending the plan.
 - c. A schedule of priority for CIP projects.
 2. LPA reporting to the City Council shall be as follows:
 - a. Recommendations of the LPA and the committee, if not the same, to maintain level of service standards.
 - b. Any recommendations for adjusting the CIP and amending the plan.
 - c. A schedule of priority for CIP projects. Committee priority schedule shall also be presented to the City Council, if not the same.

Section 2.12 Procedures for Boards, Committees, and Public Hearings

Section 2.12.01 Public Participation

This section will be removed, as there are requirements related to public participation within each Board section.

- A. Purpose. The purpose of this article is to delineate procedures for public participation in all matters relating to the city's comprehensive plan. These procedures apply to consideration of all draft documents required for preparation of the comprehensive plan, the formal adoption process of the comprehensive plan, amendments to the comprehensive plan, preparation and adoption of the evaluation and appraisal report, and any other matters deemed appropriate by the City Council. The notice procedures in section 4.01.00 below shall also apply to all other public hearings held in the City of Destin, and to any other noticed public meetings as deemed appropriate by the City Council.
- B. Definitions. The terms "citizen participation" and "public participation" are synonymous and apply to affected persons, substantially affected persons and aggrieved or adversely affected parties as defined in F.S. §§ 163.3184(1), 163.3213(2)(a) and 163.3215(2), respectively.

Section 2.12.02 Technical Review Committee (TRC)

Revise this section to provide more flexibility. Specifically, this section will be revised to remove the specificity regarding the members, appointments, and conduct of TRC meetings.

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- A. Establishment. There is hereby created a committee to be known as the Technical Review Committee (TRC) for the purpose of providing for the professional and technical review of development order applications as specified under section 2.26.03 of this Code.
- B. Membership.
1. The initial membership on the TRC shall be capped at nine members, and terms on the committee shall be for four years, unless the member resigns from the committee, is removed from the committee by a majority vote of the City Council, or has their membership terminated pursuant to subsection B.
 2. Membership on the TRC shall be terminated if the member: (1) files a lawsuit against the City, (2) is convicted of a felony, or a crime involving moral turpitude, or (3) fails to timely review projects to such a degree that the City Manager, Community Development Director, and Land Use Attorney all three agree is causing a detriment to the function of the TRC.
 3. The membership shall include:
 - a. The City Land Use Attorney;

An appropriate individual from the following city departments, as applicable:

 - b. Community Development Department, Planning;
 - c. Public Services Department;
 - d. Parks and Recreation Department;
 - e. Community Development Department, Building Official or Building Official's designee;

An appropriate individual from the following agencies:

 - f. Destin Fire Control District (nominee must have experience as a firefighter);

An appropriate individual from the following utilities:

 - g. Destin Water Users (nominee must have technical experience in the area of water utilities);
 - h. Okaloosa Gas District (nominee must have technical experience in the area of gas utilities);
 - i. Gulf Power (nominee must have technical experience in the area of electrical utilities).
 4. The City Manager may appoint and remove the City Staff representatives, under Section 2.06.02.C.2 - 5. above, as the City Manager may deem appropriate.
 5. Other than the City Land Use Attorney, the City Manager shall provide the names of the nominees for the other four positions to the City Council, for the City Council's approval by a majority vote. The consideration and vote by City Council shall not be part of the Consent Agenda.
- C. Functions, duties and responsibilities of TRC. The TRC members may be provided items to review in relation to their areas of expertise, and shall confine their review to the areas so designated. Subject to these limitations, the TRC shall review the following applications for compliance with the provisions of this City Land Development Code, and all applicable building codes:
1. Major/Minor development order;

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2. Major/Minor deviations to development orders;
 3. Major subdivisions; and
 4. Planned unit developments.
- D. Conduct of TRC meetings.
1. The TRC staff shall hold regular monthly meetings at the established time and place unless cancelled due to lack of items to be discussed or acted upon.
 2. The TRC agenda shall be distributed to the members and applicants at least seven working days prior to the regularly scheduled meeting.
 3. The meetings shall be open to the public and reasonable notice of the time, place and agenda shall be given and posted. Attendance of the applicant or agent is not required but is encouraged.
 4. On development applications to be reviewed by the TRC, the Community Development Director, or other person designated by the City Manager, shall be responsible for the following:
 - a. Agenda preparation and distribution;
 - b. Chairing the meeting;
 - c. Recording the minutes;
 - d. Notification to applicants of the regularly scheduled date, time and place for consideration of the application;
 - e. Written notification to applicants of the outcome of the TRC review.
 5. At the second City Council meeting each month, the City Land Use Attorney shall provide a brief monthly update, under City Land Use Attorney's designated portion of the Agenda, summarizing the activities of the TRC.

Section 2.12.03 Local Planning Agency (LPA)

- A. In accordance with the adopted City of Destin comprehensive plan and with the Florida Local Government Comprehensive Planning and Land Development Regulation Act, F.S. § 163.3161 et seq., and chapter 163, part II the local planning agency (LPA) serves as the land development regulation commission.

Revise this section to correct the Florida Statute reference to "Community Planning Act"

- B. Establishment; appointment. There is hereby established a local planning agency consisting of seven members who shall be appointed by the city council. In addition to the seven members appointed by the city council, the local planning agency shall include an ex officio member who is a representative of the Okaloosa County School District appointed by the Okaloosa County School Board as a nonvoting member. The school board representative shall attend those meetings at which the local planning agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. The school board representative is not counted in the quorum. The local planning agency shall also include an ex officio member who is a representative of a military installation on behalf of all military installations located within the jurisdiction. The military installation representative shall serve as a non-voting member. The city manager or his or her designee will comply with the notice requirements, as required by F.S. § 163.3175, by providing the commanding officer of the local military installation with information relating to the proposed changes to the comprehensive plan, plan amendments,

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and proposed changes to land development regulations which, if approved, would affect the intensity, density, or use of the land adjacent to or in close proximity to the military installation. The military installation shall have the opportunity to review and comment on the proposed changes.

This section will be deleted as it is not a statutory requirement, and not currently in place.

- C. Terms of members. The terms of members of the local planning agency shall be four years
- D. Terms of officers and rules. The local planning agency shall elect a chairman and vice-chairman. The terms of the chairman and vice-chairman shall be for one year, with eligibility for re-election. The local planning agency shall adopt rules necessary to conduct of its affairs and in keeping with applicable laws and regulations.
- E. Functions, duties, and responsibilities. The local planning agency shall perform the following functions, duties, and responsibilities:
 - 1. Perform the functions, duties, and responsibilities of prescribed by F.S. § 163.3174(4).
 - 2. Perform any other functions, duties, and responsibilities assigned to it by the city council or by general or special law.
- F. Proceedings. A quorum is necessary at any meeting in order for the agency to take official actions. The local planning agency shall either recommend the city council approve, approve with conditions, deny, an item under consideration for its action. The local planning agency may continue for future action any item under consideration for its actions a maximum of 60 days from the date that the item was first heard.
- G. The local planning agency's public hearing and public meeting regarding any matter shall be conducted so as to encourage and afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his or her discretion, rule out-of-order public comments deemed repetitious or not germane to the matter under discussion. An agenda for the meeting shall be posted in or near the meeting room and generally available to those in attendance.
 - 1. The sequence of activities at such planning agency's meeting regarding the matters under consideration shall be as follows:
 - a. Announcement of the matter for consideration by the chairman, or designee, with the reading of any required public notice by the chairman or his designee.
 - b. Presentation of staff reports/comments, if any, whether written or verbal. Written staff reports, if prepared, shall be provided to the local planning agency, applicable agencies, media, proponents and any group registered pursuant to section ~~4.01.E~~ at least three days prior to consideration.
 - c. Receipt of comments from the proponents and opponents of the matter in as nearly equal proportions as possible. All speakers will be required to fill out address cards so that an accurate record of participants can be maintained.
 - d. Close public input except for direct questions as may be initiated by the members of the local planning agency.
 - e. Local planning agency discussion, debate and recommendation by majority vote prior to considering the next matter or adjournment.
 - 2. The local planning agency shall transmit its written recommendation on each matter decided to the City Council as soon as possible. Included in this recommendation

shall be a response to the substantive public comments received during consideration of the matter.

3. The local planning agency shall conclude consideration of the agenda no later than 11:30 p.m. No agenda item may be initiated after 10:30 p.m. unless a majority vote agrees to do so. Agenda items not considered at this date will be placed first on the agenda for the next available date that meets applicable notice requirements.
4. A meeting summary or minutes shall be prepared in conformance with the applicable public records laws of the state.

Section 2.12.04 City Council

- A. After the local planning agency makes a recommendation regarding any matter described, the City Council shall hold at least one public hearing to consider the recommendation. The hearing may be continued to an announced time certain upon a majority vote. An agenda for the hearing shall be posted in, or near, the meeting room and be generally available to those in attendance.
- B. The City Council public hearing shall encourage and afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his or her discretion, rule out-of-order public comments deemed repetitious or not germane to the matter under discussion.
- C. The sequence of activities regarding matters under consideration shall be as follows:
 1. Announcements of the matter for consideration by the chairman with the reading of any public notice by the chairman or his designee.
 2. Presentation of staff reports/comments, if any, whether written or verbal. Written staff reports, if prepared, shall be provided to the City Council, applicable agencies, proponents and any group registered pursuant to section ~~4.01~~. The recommendation of the local planning agency shall also be presented in written form.
 3. Receipt of comments from the proponents and opponents of the matter in as nearly equal proportions as possible. All speakers will be required to fill out address cards so that an accurate record of participants can be maintained.
 4. Close public input except for direct questions as may be initiated by the members of the City Council.
 5. City Council discussion, debate and approval, adoption or enactment, as appropriate for the specific matter, by majority vote prior to considering the next matter or adjournment.
- D. The City Council shall conclude consideration of the agenda no later than 11:30 p.m. No agenda item may be initiated after 10:30 p.m. unless a majority vote to do so. Agenda items not considered at this hearing will be placed first on the agenda of the next date available that meets applicable notice requirements.
- E. A meeting summary or minutes shall be prepared in conformance with the applicable public records laws of the state.

Section 2.12.05 Board of Adjustment (BOA)

- A. Establishment; appointment. There is hereby established a board of adjustment consisting of seven members who shall be appointed by the City Council.

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- B. Terms of members. After the first seven appointments to the board, all succeeding appointments shall be for a term of three years, or until their successors are appointed and qualified.
- C. Functions, duties and responsibilities. The board of adjustment shall have the following powers and duties:
 - 1. To hear and decide appeals when it is alleged that there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance.
 - 2. To hear and decide such conditional uses as the board of adjustment is specifically authorized to pass on under the terms of any zoning ordinance, to decide such questions as are involved in the determination of when conditional uses should be granted, and to grant conditional uses with appropriate conditions and safeguards or to deny conditional uses when not in harmony with the purpose and intent of any zoning ordinance. When reviewing an application for a conditional use, the following criteria shall be considered. Any applicant for a proposed conditional use shall provide plans that demonstrate compliance with the following general criteria:
 - a. Size, Location, or Number of Conditional Uses. Size, location, or number of conditional uses in an area shall be limited so as to maintain the overall character of the district in which said conditional uses are located. The proposed conditional use(s) shall be compatible with surrounding land uses and the general character of the area including such factors as height, bulk, scale, intensity, traffic, noise, drainage, dust, lighting, appearance, etc.
 - b. Hours of Operation. Hours of operation may be limited by the board of adjustment to ensure compatibility with adjoining properties. For instance, hours of operation may be restricted to avoid potential adverse impacts on a conforming residential use or on an adjacent single-family residential zoning district.
 - c. Factors Impacting Scale and Intensity of Conditional Uses. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure, and similar site plan improvements needed to mitigate potential adverse impacts of the proposed use, including its design, mass, height, and scale. The board of adjustment may impose conditions that require supplemental development standards to ensure compatibility with surrounding development.

In granting any conditional use, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with any zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of the zoning ordinance. The board of adjustment may prescribe a reasonable time limit within which the action for which the conditional use is required shall be begun or completed or both.

This section will be removed as conditional uses are now reviewed by the LPA, not Board of Adjustment. Additionally, all references to conditional uses will be removed.

3. To authorize upon appeal such variance from the terms of any zoning ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of such ordinance would result in unnecessary and undue hardship. In order to authorize any variance from the terms of the conditions, the board of adjustment must find:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
 - b. That the special conditions and circumstances do not result from the actions of the applicant.
 - c. That granting the variance requested will not confer on the applicant any special privilege that is denied by any zoning ordinance to other lands, buildings, or structures in the same zoning district.
 - d. That literal interpretation of the provisions of any zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of any zoning ordinance and would work unnecessary and undue hardship on the applicant.
 - e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - f. That the grant of the variance will be in harmony with the general intent and purpose of any zoning ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with any zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance.

The board of adjustment may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both.

4. Under no circumstances, except as permitted above, shall the board of adjustment grant a variance to permit a use not generally or by conditional uses permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district. No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.
- D. Applications. It shall be the responsibility of the applicant for conditional uses or variances to ordinances to demonstrate and each application shall contain statements of fact establishing the criteria prescribed in Subsections ~~2.25.03(B) through (J)~~, as applicable. Each request for conditional uses or variance, and each decision appealed, shall be the subject matter of a separate application.
 - E. Findings. The board of adjustment shall make objective findings of fact and report in its minutes the findings of fact relied upon in concluding whether or not the criteria described in

Subsections ~~2.25.03(B) through (J)~~, as applicable, are met, and whether or not the request is consistent with the City's comprehensive plan, and no issuance of any conditional use or variance to any City ordinance shall issue unless the applicable criteria and plan compliance are met.

- F. Action time limit. An action for which a variance or conditional use is required shall be begun no later than six months and completed no later than 12 months from the grant of variance or conditional use, or such other reasonable time limit as shall be determined for the grant of variance or conditional use by the board of adjustment.
- G. Review of administrative orders. In exercising its powers, the board of adjustment may, upon appeal, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination made by an administrative official in the enforcement of any zoning ordinance, and may make any necessary order, requirement, decision, or determination, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of a majority of all the members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official or to decide in favor of the applicant on any matter upon which the board is required to pass under any such ordinance.
- H. Appeal from decision of administrative official. Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, board, or bureau of the City affected by any decision of an administrative official under any zoning ordinance. Such appeal shall be taken within 30 days after rendition of the order, requirement, decision, or determination appealed from by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The appeal shall be in the form prescribed by the rules of the board. The administrative official from whom the appeal is taken shall, upon notification of the filing of the appeal, forthwith transmit to the board of adjustment all the documents, plans, papers, or other materials constituting the record upon which the action appealed from was taken.
- I. Stay of work and proceedings on appeal. An appeal to the board of adjustment stays all work on the premises and all proceedings in furtherance of the action appealed from, unless the official from whom the appeal was taken shall certify to the Board of Adjustment that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order, which may be granted by the board of adjustment or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.
- J. Hearing of appeals. The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by attorney. For procedural purposes, an application for a special exception shall be handled by the board of adjustment the same as for appeals.
- K. Judicial review of decisions. Any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment, or any officer, department, board, commission, or bureau of the City, may apply to the circuit court for judicial relief within 30 days after rendition of the decision by the board of adjustment. Review in the circuit court shall be by petition for writ of certiorari, which shall be governed by the Florida Appellate Rules.
- L. Rules of procedure for the board of adjustment.

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1. Definitions. For the purpose of this section the following terms, phrases, words, abbreviations and their derivations shall have the following meaning herein given. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words not defined shall be given their common and ordinary meaning, or for those so included, the meaning found in Section 1-2 of the codified ordinances of the City.
 - a. Applicant shall mean the person(s) filing the application, the representative of the person(s) filing the application, or the attorney representing the person(s) filing the application.
 - b. Application shall mean the application form and supporting documents and, where the context so requires, the variance requested by the application, or special exception required by the application, or the administrative action or interpretation being reviewed by the application.
 - c. Board shall mean the Board of Adjustment of the City of Destin.
 - d. Chairman shall mean the chairman of the Board of Adjustment of the City of Destin.
 - e. Code shall mean the codified ordinances of the City of Destin, Florida, unless otherwise designated.
 - f. Legal advisor shall mean the City Attorney or other attorney appointed by the City Council to serve in the capacity of legal advisor to the Board of Adjustment of the City of Destin.
 - g. Site plan shall mean a drawing, to scale, which accurately depicts the property and proposed improvements.
 - h. Survey shall mean a sketch or survey prepared by a registered land surveyor and certified within the last 90 days prior to the date of application.
2. Application requirements.
 - a. Each request for a variance, conditional use, or appeal of an administrative decision as allowed by Section ~~2-25-03~~ shall be originated by the filing of an application with the community development director or his or her designee.
 - b. The form of the application shall be approved by the legal advisor and the board.
 - c. The application must be supported by the following:
 - i. Letter of request from the applicant which contains the request(s) for variance(s), conditional use(s), or appeal(s) of an administrative decision.
 - ii. Statements of fact setting out compliance with the criteria established by Section ~~2-25-03~~ of the Code when required.
 - iii. Proof by the applicant of ownership or interest in the land for which the request is sought, if applicable.
 - iv. A complete legal description of the parcel of land for which the request is sought.
 - v. A site plan, to scale, showing the proposed improvement or location of the specific request. The site plan shall contain an affidavit that the plan accurately depicts the property, improvements and proposed

improvements. The applicant may provide a current survey (not older than 90 days) which provides the same information, in lieu of a site plan.

- vi. Any other documents or requirements which are mandated by the Code or deemed necessary by staff in reference to the specific request made. By way of example and not of limitation, such requirements might be a drawing of the structure of a sign as required by the sign ordinance or, in the case of a swimming pool, a drawing of the location of the pump and filter equipment.
 - d. The community development director, or designee, shall have the discretion to refuse to accept an application which does not include support documents required by this section or the Code.
 - e. The application and any supporting materials must demonstrate the need and the requirements of Section ~~2-25.03(B) through (J)~~ of the Code as applicable. Failure to provide complete information will permit the board to continue or dismiss, without prejudice, any application.
3. City staff responsibilities.
- a. The City staff, hereinafter referred to as "staff," has the responsibility for the everyday business of the City, and as regards matters that may come before the board, to insure compliance with ordinances of the City.
 - b. Staff shall provide assistance to the applicant of a technical nature regarding the requirements of the Code and identification of elements of plan noncompliance with the Code.
 - c. Staff must review all applications for technical completeness and report its opinion to the board.
 - d. Staff, as designated by the Community Development Director, must review the site plan or survey attached to the application and provide a statement that staff has viewed the property and finds that the site plan accurately depicts the property, to the best of the staff's knowledge. It is understood that staff should not act as a surveyor or in any way guarantee the site plan(s) attached to the application, but should provide the board with information that the site plan(s) does or does not accurately depict the property for the purposes of the specific request and disposition by the board.
4. Public hearings generally.
- a. Pursuant to Section ~~2-25.10~~ of this Code, the board shall fix a reasonable time for hearing the specific request.
 - b. Pursuant to the provisions of Section 2-29 of the Code of Ordinances, the public hearing on any application shall be conducted in accordance with Robert's Rules of Order. However, as the hearings held by the board are quasi-judicial, certain additional rules and procedures are proper. These rules are to guarantee that the applicant, the City, and any interested party have due process. In addition, the rules will provide a forum for the hearing which is easy to follow, provides evidence in a logical progression, and provides the board an opportunity to dispose of applications in a reasonable time.
 - c. The agenda for each regular meeting shall be followed as prepared by the Community Development Director or his or her designee. The chairman may,

in the exercise of his or her discretion, or upon majority vote of the board, alter the agenda to dispose of items in a prompt and efficient manner. The chairman may in the exercise of his or her discretion, or upon a consensus of the board, also request, but may not compel, an applicant to postpone, continue or recess a matter to a later time or date. The board may, for good cause, continue a matter to a later time or date.

- d. The City Clerk or his or her designee is responsible to keep minutes of the public hearings and meetings of the board. These minutes shall include, but are not limited to: the evidence presented by the applicant, the staff and members of the public; deliberation of the board; and the decision of the board. The minutes are not verbatim transcripts of the proceedings.
 - e. The applicant is responsible for ensuring that a verbatim record of the proceeding is made if required for his or her purposes.
5. Order of proceeding with public hearing.
- a. The order of proceeding with the public hearing as specified hereinafter on an application before the board shall be followed, but may be varied from, in the exercise of discretion of the chairman or by majority vote of the board.
 - b. The chairman, or his or her designee, shall read into the record the notice of the public hearing, unless waived in whole or in part by the interested parties present, and shall examine the proof of publication of the notice and announce that the notice was properly published, indicating the dates published and the newspaper in which such notice occurred.
 - c. The chairman, or his or her designee, shall read into the record the application, and any additional information which the applicant has attached to the application, and shall announce the attachment of any supporting documents with a brief description of each.
 - d. The chairman, or his or her designee, shall then read into the record any deficiencies which the staff has determined exist in the application.
 - i. If the deficiencies have been cured by the applicant, such should be noted on the record and the public hearing should proceed.
 - ii. If the deficiencies have not been cured, and the applicant is unable to cure them within the time of publication of the notice of public hearing, the chairman may ask if the applicant wishes to continue, postpone or recess the public hearing.
 - iii. If the deficiencies are a result of the board or staff, the board may continue, postpone, or recess the matter for a reasonable time sufficient to cure the deficiencies.
 - iv. If, in the opinion of the legal advisor, the deficiencies are such that no action on the application would cure the deficiencies, then the board may deny the request, after giving the applicant an opportunity to be heard on curing the deficiencies, if applicable.
 - e. The chairman shall then read into the record any and all comments of the staff.
 - f. The chairman shall then call upon the applicant. The applicant shall then be given an opportunity to make a statement and present any additional testimony, information and supporting documents.

- g. The chairman shall then call upon the staff. Staff shall then be given an opportunity to make a statement and present any additional testimony, information and supporting documents.
 - h. The chairman shall then call upon the public for any comments, testimony, information and documents in support of granting the application.
 - i. The chairman shall then call upon the public for any comments, testimony, information and documents against granting the application.
 - j. The chairman shall then call upon the applicant for any rebuttal.
 - k. The chairman shall then call upon the staff for any rebuttal.
 - l. The chairman shall then call upon the public for any rebuttal.
- 6. Board deliberation.
 - a. The board shall deliberate upon the application and testimony and other evidence of the applicant, staff and members of the public.
 - b. The board during deliberation may call upon the applicant, staff or members of the public to answer questions which the board may have regarding the application.
 - c. The board may postpone, continue or recess deliberation on the application, until a time when the board believes that the matter may be disposed of in a prompt fashion. Such a case may occur when the staff, legal advisor or the applicant are unable to answer questions from the board and require additional time to provide information.
 - d. Deliberation may continue so long as the board has questions of the applicant, staff or members of the public.
 - e. Deliberation may be ended in the same manner as for closing debate, with the exception of only a majority vote needed or upon announcement by the chairman without objection from a member of the board.
- 7. Evidence at the hearing.
 - a. Variance. The burden of proof shall be upon the applicant to establish the standards required in Section ~~2-25.03(G)~~ of this Code for the granting of a variance.
 - b. Conditional uses. The burden of proof shall be upon the applicant to establish evidence to support the granting of a conditional use. Once evidence is established supporting the granting of the conditional use, the burden of proof shifts to the staff to demonstrate by competent substantial evidence that the conditional use requested is adverse to the public interest.
 - c. Administrative decision appeal. The burden of proof shall be upon the applicant to establish, by a preponderance of the evidence, an error when such applicant is appealing an administrative decision.
 - d. Testimony commonly is not under oath; however, by filing the application, preparing the comments or participating in the public hearing, the applicant, staff and members of the public certify the testimony or evidence which they give or proffer is true and correct to the best of their knowledge and belief. However, the chairman, in the exercise of his or her discretion, or on a majority vote of the board, reserves the right to swear in any witness.
 - e. Formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceedings.

- f. The members of the board, applicant, staff or public shall be free to challenge the testimony or evidence of any party presenting the same. The board shall be free to disregard testimony or evidence that it feels is without merit.
 - g. All evidence of a type commonly relied upon by a reasonable, prudent person in the conduct of his affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of this state.
 - h. Irrelevant, immaterial or unduly repetitious evidence shall be excluded by the chairman.
 - i. Any member of the board may question any person presenting evidence or testimony to the board.
 - j. All questions or challenges to evidence shall be presented to the chairman. The chairman may, in the exercise of his discretion, allow questions directly to the person whose testimony or evidence is being challenged.
 - k. Any ruling by the chairman may be challenged and overturned by a majority vote of the board.
8. Motion to grant or deny.
- a. After deliberation on the application is closed, a motion may be made to grant or deny the application.
 - b. The motion shall state the objective findings of fact, prescribed in Sections ~~2.25.03(B) through (J)~~, as applicable, upon which the board bases its decision.
 - c. The motion shall briefly state what evidence was relied upon in making the findings of fact.
 - d. The board may consult with the legal advisor to determine if any additional requirements must be met in order to grant or deny the application.
 - e. The motion may contain other factors which the board considered in making its decision, such as, but not limited to: commencing construction without a permit, defective plans, etc.
 - f. The motion may also contain safeguards or conditions which are required to assure conformity with the ordinances and protect the public health, safety and welfare.
 - g. Pursuant to Section ~~2.25.06~~ of this Code, the motion may also contain time frames within which any activity, pursuant to a variance or special exception, are commenced and completed.
 - h. The motion may also make the granting of the application contingent upon the applicant complying with certain conditions and safeguards.
 - i. When the board passes a motion granting or denying the application, the result pronounces the order of the board, for the purposes of granting or denying the relief requested, and commences the time for filing an appeal to such order.
 - j. When the board passes a motion denying the application, the chairman or his designee should advise the applicant of the appeal rights provided in Section ~~2.25.11~~, "Judicial review of decisions," of this Code.
 - k. After the board has passed a motion which either grants or denies the application with or without conditions, and no appeal has been made, the planning and zoning secretary shall compile the motion into written form and present the order to the chairman for execution.

Section 2.12.06 Harbor and Waterways Board (HWB)

It is recommended that this section be revised to provide more broad direction for the Harbor and Waterways Board, rather than the specific powers and responsibilities that are listed currently. Additionally, remove the requirement of an annual report.

- A. Composition; appointment; terms of members. The Destin Harbors and Waterways Board continues and consists of seven members who shall be appointed by the City Council. All succeeding appointments shall be for a term of four years, or until successors are appointed and qualified. All members shall reside in the City. The board membership shall include, to the extent possible, one commercial fisherman, one pleasure boat owner, one environmentalist, one sports fisherman and one layman.
- B. Jurisdiction. The purpose of the board is to monitor the conditions of and impact of growth and development on the tidally influenced waters within and surrounding the City of Destin, herein referred to as the harbors and waterways of Destin.
- C. Powers. The board is empowered to:
 - 1. Inventory all existing and potential sources of pollution and to qualify their relative contributions to the water quality of the harbors and waterways of Destin.
 - 2. Monitor the overall condition of the harbors and waterways of Destin including, but not limited to, water depths, water quality, dredging activities of public or private entities, violations of litter laws, sanitation requirements or other laws, ordinances, rules or regulations affecting activities in the harbors and waters of Destin and to recommend to the city manager or City Council appropriate action with respect to securing the enforcement of such laws, ordinances, rules or regulations, or the enactment of such ordinances.
 - 3. Recommend a current comprehensive plan for future growth development and restoration of the harbors and waterways of Destin and amendments thereto, which will upon adoption by the City Council be incorporated in the city's comprehensive plan. Review of other public and private studies and recommendations of merit by the board are encouraged.
 - 4. Cooperate and consult with city boards and departments, the regional planning council and water management district for planning and performance purposes.
 - 5. Recommend to the City Council needed actions respecting compliance with assurance programs by any governmental agency.
 - 6. Recommend funding programs to the City Council including, but not limited to, securing grants or other public or private application funding, soliciting donations, establishing rents and assessing fees.
 - 7. Recommend to the City Council the purchase, leasing or other acquisition of real or person personal property and disposal thereof.
- D. Employment of experts. The board may, with the consent of the City Council, employ consulting technical experts as the need may arise.
- E. Annual report to City Council's three-year program; cost estimates. The board shall submit to the City Council, during the month of August, an annual report summarizing the activities of the board for the fiscal year and recommendations made by it to the City Council during the year and the action of the City Council during the year on any and all recommendations made

by the board in that or former years. The annual report of the board shall also contain a program for improvements to the harbor plan, year by year, during the three years next ensuing, with cost estimates and recommendations as to how the costs should in the opinion of the board be met.

Section 2.12.07 Advisory Committees

- A. The City Council may, from time to time, appoint advisory committees to participate in the matters subject to public meeting requirements of the local planning agency.

Section 2.12.08 Notice Procedures for Public Hearings

- A. All public hearings and public meetings shall be held after 5:00 p.m. Monday through Thursday. Workshops may be held at other times deemed appropriate.
- B. The planning division will advertise in a newspaper of general paid circulation, interest and readership within the city, that a public hearing or public meeting, as the case may be, will be held to consider any of the matters described in section XX above. The advertisement will include an identification of who is holding the hearing or meeting, as well as the date, time, place and general subject of the hearing or meeting and the location where copies of the proposed matter may be reviewed. The advertisement will encourage the public to provide written and/or verbal comments on the matters under consideration. Workshops may be held without advertising.
- C. The first publication of notice of public hearing shall appear not less than ten days prior to the date of the hearing or meeting and the second publication of notice of public hearing shall appear not less than five days prior to the hearing or meeting. Notice of all public hearings shall also be posted on the City of Destin internet website not less than ten days prior to the hearing or meeting.
- D. A notice of all such public hearings or meetings will be posted in a conspicuous place in city hall at least seven days prior to the hearing or meeting. Notice will be given to the appropriate media representatives at least 24 hours before all public hearings, public meetings and workshops. Workshops may be held without the seven-day notice.
- E. A notice will be provided of any public hearing, public meeting, or workshop, to any person, group, agency or government that registers with the city to receive such notice at least 14 days prior to the hearing or meeting. The group, agency or government receiving such notice shall be responsible to notify their membership of the particulars involved.
- F. The City Council may, by a two-thirds vote, enact an emergency ordinance without complying with the requirements of paragraph B. of this subsection. However, no emergency ordinance or resolution shall be enacted which establishes or amends the actual zoning map designation of a parcel or parcels of land or that changes the actual list of permitted, conditional, or prohibited uses within a zoning category. Emergency enactment procedures for land use plans adopted pursuant to F.S. pt. II, ch. 163 shall be pursuant to that part.
- G. Ordinances that amend the Comprehensive Plan, the Land Development Code, or the Official Zoning Map shall also satisfy the following additional public hearing notice requirements:
 - 1. In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land involving less than ten contiguous acres, the City shall notify by mail each real property owner whose land will be re-designated by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance

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as it affects that property owner and shall set a time and place for one or more public hearings on such ordinance. Such notice shall be given at least 30 days prior to the date set for the first public hearing.

2. The City Council shall hold two advertised public hearings on ordinances that amend the Comprehensive Plan, the Land Development Code or the Official Zoning Map. The second public hearing shall be held at least ten days after the first public hearing.

Section 2.13 Procedures for Addressing

Section 2.13.01 Naming of Streets

This section will be revised to include a process for the renaming of streets based on the internal process created. This process and application is needed from Staff.

- A. All streets and private ways in the City shall be named.
- B. In new developments, the developer shall submit suggested street and private way names to the City as part of the subdivision or planned unit development application.
- C. Unnamed streets or private ways shall be named by the City Council, as shown on the approved subdivision or planned unit development plan, after recommendation by the Okaloosa County Department of Public Safety.
- D. Future street and private way name changes shall be accomplished by resolution of Council.
- E. Consideration shall be given to commemorating local distinguished citizens, national heroes, typical fishes, animals, trees, shrubs and flowers, or based upon the subdivision or planned unit development application, or based upon a petition of the residents of such street or private way.

Section 2.13.02 System established

- A. A uniform system of numbering buildings identified by the title "numbering system" shall be established and maintained on file in the planning and zoning department. The official property numbering maps maintaining the "numbering system" are hereby adopted, incorporated herein by reference, and made a part of this article. Future amendments shall be accomplished administratively by the Planning Department.

Section 2.13.03 Administration and number assignment.

- A. The ~~Planning Division~~~~Planning and Zoning Department~~ will be responsible for managing, coordinating and maintaining the "numbering system." Administrative procedures for assigning numbers shall include as a minimum:
 1. The owner or occupant of any building to which a number has been assigned will be notified in writing of the number assigned.
 2. Should an existing building have, exhibit or be addressed by a number in conflict with the uniform "numbering system," notice shall be given to the owner or occupant whose building is in conflict.
- B. Standards. All principal buildings, docks and piers in the city shall be assigned and have their assigned numbers displayed, whether or not mail is delivered to such locations. Numbers need not be displayed on accessory buildings. Docks and piers shall be assigned the same number as the principal building, or, for vacant lots, the same number as would be assigned a

principal building if existing. Physical numbering shall conform to the following minimum standards:

1. Assigned numbers for principal buildings shall be displayed and clearly visible and legible, preferably reflective, from the street or private way on which the building fronts, with Arabic numerals not less than three inches in height and one-half inch in width.
 2. Numbers must be in a color contrasting to the building or other background.
 3. In the case of a principal building which has multiple entrances, the assigned number shall be displayed on each separate front entrance.
 4. Any different numbers which might be mistaken for or confused with the number assigned in accordance with the "numbering system" shall be removed.
 5. Assigned numbers for principal buildings which are not visible from the street or private way shall additionally be displayed at the intersection of the driveway and servicing street, and attached to a post, wall, fence or mailbox at a level to ensure visibility.
 6. Assigned numbers for all docks and piers shall be displayed in such a fashion so as not to be confused with channel or other marine markers at their waterward extremity, facing away from the dock or pier. Such numbers shall be displayed in Arabic numerals not less than four inches in height and one-half inch in width, consisting of a reflective material and in a contrasting color to the background to which they are attached. Further, such numbers shall be positioned so as to be constantly between five and eight feet above the mean high-water line.
- C. Building permit and certificate of occupancy restrictions. No building permit shall be issued for any principal building, dock or pier until the owner has procured the required number or numbers for the premises, building, dock or pier. No certificate of occupancy shall be issued until the owner has displayed the required number or numbers in accordance with this article.

Section 2.14 Fees

Section 2.14.01 Land Development Application Fees

Combine "Land Development Application Fees and Right-of-Way Construction Permit Fees" into one general section which establishes that fees will be assessed for all development activity review, and adopted by City Council by resolution.

- A. There shall be a review fee established for the review of the following land development applications: Variances, rezoning, special exceptions, planned unit developments, major subdivisions, minor subdivisions, replat of subdivision/lot reconfigurations, major development orders, modifications for major development orders, minor development orders, modifications to minor development orders, development of regional impact, review of docks, boathouses, beach or dune walkovers, bulkheads, seawalls, landscape plans submitted separate from a development order application, appeals of administrative decisions, letters/certificates of zoning compliance, amendments to the comprehensive plan and/or the land development code and/or the Code of Ordinances as it relates to land development, requests for tabling and/or rehearing, residential (single-family or duplex) certificate of occupancy (as-built) site re-inspection, minor development order certificate of occupancy (as-built) site re-inspection, major development order certificate of occupancy (as-built) site re-inspection, review and inspection for white sands compliance, alcohol license, local business

City of Destin, FL - Land Development Code

tax, comprehensive plan/land development code written interpretation, occupational license review, and multiple consultation fees. There shall also be fees established for outside consultant cost recovery, mailing, and advertising.

- B. These fees shall be established by the city council by resolution and shall be reviewed no less than annually during the budget process.

Section 2.14.02 Right-of-Way Construction Permit Fees

- A. There shall be ROW construction permits fees established for all development activity within the public ROW of the City of Destin. These fees shall apply to: ROW permit processing, commercial (non-residential), residential (single or two-family lots), re-inspections (commercial and residential), and vacation of right-of-way/easements.
- B. These fees shall be established by the city council by resolution and shall be reviewed no less than annually during the budget process.

Section 2.14.03 Penalties and Penalty Fees

This section will be removed as all information related to penalties will be included in the Citation Authority Chapter.

- A. Any work which commences prior to securing the appropriate permit or permits shall be charged a rate double the application permit fee.
- B. Any person found in violation of this article shall be punished by a fine not exceeding \$500.00 or imprisoned for a term not exceeding 60 days or by both such fine and imprisonment. Each day any violation of any provision of the Code continues shall constitute a separate offense.

Section 2.14.04 Mobility Fees

This section will be a high level explanation of mobility fees, why they are collected and where in the LDC they are located.

Section 2.14.05 Impact Fees

This section, similar to mobility fees, will be a high level explanation of impact fees, why they are collected and where in the LDC they are located.

Section 2.15 Intergovernmental Coordination

This entire section will be removed, as the information is outdated, and not necessary, as there are detailed policies related to Intergovernmental Coordination included in the Comprehensive Plan (Chapter 8)

Section 2.15.01 Purpose

- A. The purpose of this article is to set forth regulations governing the procedures for effective intergovernmental coordination among and between the local governments of Okaloosa County and various federal and state agencies. The provisions of this article are intended to implement, inculcate and recommend procedures that will provide the respective governing bodies the information-gathering and exchange necessary to resolve conflicts that may arise

City of Destin, FL - Land Development Code

as the result of plan implementation, e.g., impacts of development on level of service (LOS) standards.

1. Okaloosa County Comprehensive Plan Committee. This committee is formed pursuant to agreement between the municipalities of Okaloosa County and the governing body of Okaloosa County. The comprehensive plan committee serves as the technical advisory committee (TAC) to the local planning agency and City Council. Its purpose is to provide a forum for data dissemination, discussion and conflict mediation at a technical level prior to decision or action by the respective governing bodies (policy 13.A.1.2).
 - a. Powers of the committee are limited as follows:
 - i. Adopt bylaws for the regulation of its affairs and the conduct of its business and rules pursuant to F.S. ch. 120 and concurrence of the respective local governments of Okaloosa County.
 - ii. All recommendations made by the committee to the respective local governments are advisory.
 - b. Composition of the comprehensive plan committee shall be as follows:
 - i. Okaloosa County, the municipalities within the county and the Okaloosa County School Board shall all have two representatives on the committee. The city manager, or his designee, shall be the primary member of the committee and shall vote on any issue raised in the form of a motion for committee action. The LPA shall appoint from its membership an alternate member who shall vote only in the absence of the primary member. Persons appointed to represent the city on the committee shall be approved by the City Council and shall represent the city on this committee exclusively at the pleasure of the City Council.
 - c. Meetings shall be held monthly as established by the chairman or at the special request of any of the committee members.
 - i. The committee meetings shall be held in accordance with generally accepted parliamentary procedure.
 - d. The committee shall have a chairman and vice-chairman who shall serve at the pleasure of the committee. The county shall provide a recording secretary. The chairman shall have the authority to appoint subcommittees and chairmen as necessary.
 - i. The committee, with the concurrence of the represented governing bodies, may appoint an independent consultant to serve as chairman, or in some other technical advisory capacity. The consultant shall be qualified to monitor, advise and recommend methodologies for intergovernmental coordination and the implementation of the respective comprehensive plans. Remuneration for such a consultant shall be prorated based upon the population of each local government in Okaloosa County that is represented on the committee.

Section 2.15.02 State Agencies Coordination

A. Table 10-1 below, taken from chapter 10 of the foundation documents, provides a listing of state agencies, their functions and the city office of primary responsibility for coordination.

TABLE 10-1. STATE AGENCIES COORDINATION

Florida Agency	Function		Coordination Entities ¹
Department of Community Affairs	a.	Development of regional impact, application for development approval review.	Division of Resource Planning and Management—City Manager
	b.	Consistency of local emergency management plans with regional plans.	Division of Emergency Management—City Manager
	c.	Review of local comprehensive plans for consistency with state and regional plans (chapter 9J-5.021).	Division of Resource Planning and Management—City Manager
Department of Environmental Regulation	a.	Permitting—Water and sewer systems, dredge and fill projects, landfill operations.	Bureau of Permitting—City Manager
	b.	Monitoring.	Bureau of Water Quality Management Bureau of Waste Management and Grants
Department of Health and Rehabilitative Services	Administers state programs relating to youth services, mental health, alcohol rehabilitation, family services, public health, crippled children, community hospitals, public welfare, and aging.		City Manager, Council on Aging
Department of Natural Resources	Consistency of recreation and open space element with state outdoor recreation plan.		Division of Recreation and Parks, Office of Policy Planning—City Manager
Department of Transportation	Consistency of local government traffic circulation elements with Florida Transportation Plan.		Division of Public Transportation Operations—Board of County Commissioners, City Manager
	a.	Consistency of the port, aviation and related facilities element with the state aviation plan and funding for aviation planning.	Division of Public Transportation Operations—Board of County Commissioners
Department of State, Division of Historical Resources	Administers laws relating to historic sites and properties.		City Manager
Department of Agriculture and Consumer Services	Consumer protection.		City Manager

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	a.	Inspects scales and measures.	
	b.	Analysis of petroleum products.	
	c.	Inspects and certifies milk products and citrus.	
	d.	Receives consumer complaints and provides consumer information.	
Game and Freshwater Fish Commission		Consistency of recreation and open space element with state outdoor recreation plan.	City Manager
	a.	Administers Florida Boating Improvement Program.	City Manager
	b.	Lake and pond renovation assistance.	
	c.	Recreation grants (boat ramps, piers).	
Northwest Florida Water Management District		Permits and controls potable water wells.	City Manager
Okaloosa Soil and Water Conservation District		Supervises, develops and conserves natural resources.	County Agent/City Manager
	a.	Advises on land development proposals.	
	b.	Interacts with local governments as nonvoting member of the comprehensive plan committee.	

¹ The office with primary responsibility for coordination is listed in the last column.

Section 2.15.03 Other Coordination Agencies

A. Other agencies which require frequent coordination are listed in chapter 10, foundation documents.

Please supply a copy of the Foundation Documents, referenced throughout the LDC.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: February 22, 2022

TYPE OF AGENDA ITEM: Action Item

AGENDA OUTLINE NUMBER: 5.C.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: February 11, 2022

SUBJECT: Indian Bayou West 1st Amendment – Curtis Gwin of Indian Bayou West, LLC, on behalf of Indian Bayou Properties, is requesting approval for a Major Deviation to a Major Development Order. The project is located at 1 Country Club Dr. E. (Parcel ID: 00-2S-22-0000-0046-0000), with the property totaling approximately 69.16 acres. The applicant is proposing an addition of 9 lots to the previously approved 86 single-family, long-term residential lots (approved under DO 21-12), for a total of 95 lots, utilizing the same project area. This project was previously reviewed by the City Council on January 3, 2022, but the request has been modified since that time. The proposed deviation is an amendment to the previous submittal.

I. BACKGROUND: Curtis Gwin of Indian Bayou West, LLC, on behalf of Indian Bayou Properties, is requesting approval for a Major Deviation to a Major Development Order. The project is located at 1 Country Club Dr. E. (Parcel ID: 00-2S-22-0000-0046-0000), with the property totaling approximately 69.16 acres. The applicant is proposing an addition of 9 lots to the previously approved 86 single-family, long-term residential lots (approved under DO 21-12), for a total of 95 lots, utilizing the same project area.

II. DISCUSSION: COMPREHENSIVE PLAN/ZONING

The property has a Future Land Use Map Designation of Low Density Residential (LDR) and a zoning designation of Low Density Residential – Village (LDR-V). The proposed project is consistent with the Comprehensive Plan and Land Development Code (LDC).

LAND USE

Long-term single-family residential is a permitted use in both the LDR future land use designation and LDR-V zoning district.

DENSITY

Maximum allowed: 5.81 dwelling units per acre per Ordinance 18-23

Provided: 1.37 dwelling units per acre

HEIGHT

Maximum allowed: 35'/3 stories

Provided: 35' – will be addressed in Permitting phase.

PITCHED ROOF

Minimum required: 60%

Provided: No roof pitch information provided – will be addressed in Permitting phase.

FLOOR AREA RATIO

Not applicable

SETBACKS

Front minimum required: 20 feet

Front provided: 30 feet

Side minimum required: 7.5 feet

Side provided: 7.5 feet

Rear minimum required: 10 feet

Rear provided: 10-60 feet

OPEN SPACE

Minimum required: 25%

Provided: 75%

PLATTING

The applicant is requesting preliminary plat approval and has met all submittal requirements.

CONCURRENCY MANAGEMENT

Concurrency requirements have been met:

Traffic: Signed November 11, 2021.

Solid Waste: Signed December 2, 2021.

Potable Water: Signed September 24, 2021.

Sanitary Sewer: Signed September 24, 2021.

Stormwater Management: Signed December 2, 2021.

AIRPORT PROTECTION

Each Residence and Lot is subject to the City of Destin Land Development Code (LDC), referenced specifically are Section 7.15.00, Airport and aircraft zoning regulations and Section 7.15.08 Noise zones established. Each owner within noise zones/noise contours will be required to sign and record with their deed the "Destin Executive Airport Noise Zone Disclosure Statement".

Each parcel that lies within the specified Airport Noise Zone will be required to provide Airport Noise Mitigation strategies as set forth in the Florida Building Code latest edition at

the time of development or redevelopment. Each Residence shall not promote any activity on the Lot that would interfere with, or be a hazard to, the flight of aircraft, or that interferes with air navigation and communication facilities serving the Airport.

NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

TRANSPORTATION ANALYSIS

The traffic analysis, signed and dated November 11, 2021, indicates the proposed development is estimated to generate 99 PM peak hour trips. The analysis is consistent with the technical methodology outlined in LDC 6.05.05.

RIGHT-OF-WAY DEDICATION

The project includes the dedication of approximately 1.77 acres of right-of-way for Old Creek Trail.

INGRESS/EGRESS

Vehicular access to the property is provided by a two-way drive from Indian Bayou public ROW, as well as another proposed access on Commons Drive, just east of Airport Road. This secondary access would operate as a right in/out only.

PEDESTRIAN NETWORK

The project provides a complete pedestrian network as required in LDC 8.09.03.A(6). A continuous on-site internal sidewalk is provided throughout the development.

PARKING:

Required maximum/minimum vehicle parking spaces: 190

Provided vehicle parking spaces: 190

Required minimum bicycle parking spaces: 0

Provided bicycle parking spaces: 0

UTILITIES

All utilities are required to be underground.

STORMWATER

The City Manager's Stormwater designee approved the stormwater plan on December 2, 2021.

REFUSE COLLECTION

All non-construction related dumpsters, trashcans, and recycling bins shall be placed in a solid waste collection area or inside a building.

WHITE SANDS ZONE

The proposed project is not located within any White Sands Zones.

LANDSCAPING

Front perimeter/common boundary: Requirement Met
Interior parking landscape: Not applicable
Buffer zone: Not applicable

Preservation and restoration:

Reforestation trees required: 554
Reforestation credits: 925
Preserved trees to be removed: 85
Replacement trees: 85
Required parking trees: 0
Total required trees: 85
Total trees provided: 85

SIGNS

All signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

IMPACT FEES

Impact fees will be determinant upon the gross floor area of each single-family dwelling at the time a Certificate of Occupancy is requested.

OTHER FEES: NONE

COMMENTS

Per Community Development Department:

1. Prior to the issuance of a Clearing Permit, a clearing plan must be submitted and approved by the Community Development Department.
2. Prior to the issuance of a Certificate of Occupancy, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: With respect to the Major Deviation to a Major Development Order, **2.07.01(B) of the Land Development Code:**

Following the required public notice and hearing, the City Council shall either approve, approve with conditions, approve with modifications, or deny the Community Development staff's recommendation and shall:

1. Determine conformity of the proposed development with the Comprehensive Plan, this Code, other applicable requirements, and the items enumerated above.
2. Hear and address concerns and desires of surrounding landowners and other affected persons.

3. Consider any rule, objective or policy of the Comprehensive Plan or any other criterion applicable to the particular development proposals in formulating its recommendation to either approve or deny the development proposal.
4. If the proposal is approved or approved with conditions, the City Council shall instruct the City Manager, or designee, to authorize the issuance of a development order that complies with **Section 2.08.00**.
5. If the proposal is approved with modifications, a development order may be authorized by the City Manager, or his designee once the required modifications have been completed and approved by the appropriate Technical Review Committee (TRC) members.
6. If the proposal is denied based upon the applicant's failure to meet the requirements of this Code in the proposed development plan(s), the application will become null and void, the applicant will lose in-line priority consideration for concurrency. The applicant will have to submit a new application and start the review process over in order to secure consideration for approval of the proposal.

With respect to the preliminary plat application, per **Article 2.09.00(1)**, plats and development plans may be processed simultaneously through the required procedures identified in **Sections 2.07.00 and 2.19.00**.

The City Council should review these criteria and render its decision on the applications in accordance therewith.

The subject project is seeking approval for a 95-lot, long-term single family dwelling subdivision. The previously approved Development Order (DO-21-12) had a density of 1.28 dwelling units/acre. Given that the project, as proposed, utilizes the same subdivision area but adds 9 additional lots, the proposed density is 1.37 dwelling units/acre, which is well under the maximum density of the Low Density Residential – Village (LDR-V) zoning district of 5.81 dwelling units/acre. Provided that the project complies with all components of the Land Development Code and is consistent with the policies and intents of the Comprehensive Plan, Staff recommends approval of Indian Bayou West 1st Amendment, a Major Deviation to a Major Development Order.

IV. RECOMMENDED MOTION: I move the City Council to approve Indian Bayou West 1st Amendment, a Major Deviation to a Major Development Order.

ALTERNATE MOTIONS:

1. I move the City Council approve with conditions/modifications, Indian Bayou West 1st Amendment, a Major Deviation to a Major Development Order.
2. I move the City Council deny the Indian Bayou West 1st Amendment, a Major Deviation to a Major Development Order.

Attachments:

ITEM # 2022-4887

1. 220127_IndianBayouWest95Lots-
SDP-Reduced-Signed
2. 95 Lot - 20-315_Final Plat_REV 1-19-
22-SHEET 4 WETLANDS_v1
3. 95 Lot - 20-315_Final Plat_REV 1-19-
22-SHEET 1_v1
4. 95 Lot - 20-315_Final Plat_REV 1-19-
22-SHEET 2_v1
5. 95 Lot - 20-315_Final Plat_REV 1-19-
22-SHEET 3_v1

SITE DEVELOPMENT PLANS FOR:

INDIAN BAYOU WEST

DESTIN, FLORIDA

Ross S. Binkley

PROFESSIONAL ENGINEER

STATE OF FLORIDA

NO. 56762

DATE: 2022.01.27

09:13:50 -06'00'

Digitally signed by Ross S. Binkley

Date: 2022.01.27 09:13:50 -06'00'

This item has been digitally signed and sealed by Ross S. Binkley, P.E. on 1/26/22 using a Digital Signature. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

ROSS S. BINKLEY

PROFESSIONAL ENGINEER

STATE OF FLORIDA

NO. 56762

ROSS S. BINKLEY

PROFESSIONAL ENGINEER

STATE OF FLORIDA

NO. 56762

AREA MAP:

NORTHWEST FLORIDA

DATE PREPARED:

January 25, 2022

LEGAL DESCRIPTION (AS SURVEYED)

COMMENCE AT THE SOUTHEAST CORNER LOT 4, BLOCK A, HIDDEN PINES, AS RECORDED IN PLAT BOOK 17, PAGE 30, BEING IN AN UNDIVIDED SECTION, TOWNSHIP 2 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA BEING MARKED BY A 4"x4" CONCRETE MONUMENT; THENCE S 05°07'09" W A DISTANCE OF 760.14 FEET TO 1/2" REBAR WITH CAP STAMPED LBB096 AND ALSO BEING THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE N 64°51'18" E A DISTANCE OF 466.37 FEET TO A 1/2" REBAR WITH CAP STAMPED #B096; THENCE S 08°40'00" E A DISTANCE OF 90.88 FEET TO A 1/2" REBAR WITH CAP STAMPED #B096; THENCE S 05°18'32" W A DISTANCE OF 41.45 FEET TO A 1/2" REBAR WITH CAP STAMPED #B096; THENCE S 18°09'03" E A DISTANCE OF 125.78 FEET TO A 1/2" REBAR WITH CAP STAMPED #B096; THENCE S 18°18'51" W A DISTANCE OF 31.98 FEET TO A 1/2" REBAR WITH CAP STAMPED #B096; THENCE S 63°20'12" W A DISTANCE OF 6.78 FEET TO A 1/2" REBAR WITH CAP STAMPED #B096; THENCE S 20°20'20" W A DISTANCE OF 37.71 FEET TO A 5/8" REBAR WITH CAP STAMPED #7350; THENCE S 04°51'58" W A DISTANCE OF 334.04 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 12°10'48" W A DISTANCE OF 431.72 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 02°04'04" W A DISTANCE OF 301.29 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 80°12'53" E A DISTANCE OF 49.86 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 02°55'24" E A DISTANCE OF 25.89 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 89°26'20" E A DISTANCE OF 67.60 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 85°52'00" E A DISTANCE OF 90.03 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 83°38'43" E A DISTANCE OF 41.92 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 43°24'34" E A DISTANCE OF 47.10 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 87°02'22" E A DISTANCE OF 84.57 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 80°22'53" E A DISTANCE OF 415.58 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 02°38'36" W A DISTANCE OF 131.69 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 40°10'02" E A DISTANCE OF 104.33 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 10°40'08" E A DISTANCE OF 146.62 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 70°07'00" E A DISTANCE OF 63.52 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 62°01'17" E A DISTANCE OF 146.62 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 52°27'30" E A DISTANCE OF 70.78 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 37°32'38" W A DISTANCE OF 48.06 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 03°43'38" W A DISTANCE OF 48.27 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 23°34'04" E A DISTANCE OF 78.25 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 36°36'29" E A DISTANCE OF 101.06 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 54°32'30" E A DISTANCE OF 23.45 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 69°22'12" E A DISTANCE OF 46.15 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 60°08'28" E A DISTANCE OF 22.73 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 11°00'31" W A DISTANCE OF 25.70 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 65°57'56" W A DISTANCE OF 58.36 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 48°02'30" W A DISTANCE OF 18.09 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 54°06'30" W A DISTANCE OF 25.75 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 01°40'10" E A DISTANCE OF 16.63 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 33°30'31" E A DISTANCE OF 33.39 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 53°51'53" E A DISTANCE OF 101.66 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 56°28'54" E A DISTANCE OF 48.30 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 09°19'30" W A DISTANCE OF 494.57 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE N 81°40'50" W A DISTANCE OF 284.89 FEET TO A 1/2" REBAR; THENCE S 01°09'18" W A DISTANCE OF 900.88 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 67°20'23" W A DISTANCE OF 5.69 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE LEFT HAVING A RADIUS OF 352.00 FEET, AN ARC LENGTH OF 405.50 FEET AND A CHORD BEARING AND DISTANCE OF S 18°02'35" W, 531.83 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE RIGHT HAVING A RADIUS OF 243.99 FEET, AN ARC LENGTH OF 196.43 FEET AND A CHORD BEARING AND DISTANCE OF S 08°57'28" E, 191.17 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE S 14°50'19" W A DISTANCE OF 5.46 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; ON THE NORTH RIGHT OF WAY LINE OF COMMON OR WEST ROW VARIET; THENCE ALONG SAID RIGHT OF WAY IN A CURVE TO THE RIGHT HAVING A RADIUS OF 1882.87 FEET, AN ARC LENGTH OF 88.12 FEET AND A CHORD BEARING AND DISTANCE OF N 77°57'01" W, 88.11 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE LEAVING SAID RIGHT OF WAY N 14°58'13" E A DISTANCE OF 3.90 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE RIGHT HAVING A RADIUS OF 156.00 FEET, AN ARC LENGTH OF 125.59 FEET AND A CHORD BEARING AND DISTANCE OF N 08°07'26" W, 122.22 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE LEFT HAVING A RADIUS OF 440.00 FEET, AN ARC LENGTH OF 536.08 FEET AND A CHORD BEARING AND DISTANCE OF N 03°43'02" E, 503.53 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE RIGHT HAVING A RADIUS OF 355.88 FEET, AN ARC LENGTH OF 254.67 FEET AND A CHORD BEARING AND DISTANCE OF N 03°23'22" W, 227.28 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET, AN ARC LENGTH OF 2.57 FEET AND A CHORD BEARING AND DISTANCE OF N 40°50'15" E, 2.57 FEET TO A 1/2" REBAR WITH CAP STAMPED LBB096; THENCE IN A CURVE TO THE RIGHT HAVING A RADIUS OF 17.84 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 80°52'02" W A DISTANCE OF 1648.80 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 53°04'25" E A DISTANCE OF 150.01 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 30°47'38" W A DISTANCE OF 612.40 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 03°06'31" E A DISTANCE OF 1755.17 FEET TO A POINT OF BEGINNING; SAID PARCEL LYING IN AND BEING A PART OF AN UNDIVIDED SECTION, TOWNSHIP 2 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA AND CONTAINING 69.16 ACRES, MORE OR LESS.

PREPARED BY:

Binkley Engineering, P.A.
434 Benning Drive
Destin, FL 32541
Phone: (850) 974-5421

PREPARED FOR:

Indian Bayou West, LLC
4 Weekewachee Circle
Destin, FL 32541
Phone: (850) 585-4811

LOCATION MAP:

SITE LOCATION

INDEX OF SHEETS	
SHEET	DESCRIPTION
1.1	DEMOLITION PLAN (1 OF 6)
1.2	DEMOLITION PLAN (1 OF 6)
1.3	DEMOLITION PLAN (1 OF 6)
1.4	DEMOLITION PLAN (1 OF 6)
1.5	DEMOLITION PLAN (1 OF 6)
1.6	DEMOLITION PLAN (1 OF 6)
2.0	OVERALL SITE PLAN
2.1	SITE PLAN (1 OF 7)
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2.3	SITE PLAN (3 OF 7)
2.4	SITE PLAN (4 OF 7)
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3.1	GRADING & DRAINAGE PLAN (1 OF 7)
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3.4	GRADING & DRAINAGE PLAN (4 OF 7)
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3.7	GRADING & DRAINAGE PLAN (7 OF 7)
4.1	UTILITY PLAN (1 OF 7)
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4.5	UTILITY PLAN (5 OF 7)
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4.7	UTILITY PLAN (7 OF 7)
5.1	PLAN & PROFILE OLD CREEK TRAIL
5.2	PLAN & PROFILE MICCOSUKEE DRIVE NORTH (STA: 0+00 ~ 14+50)
5.3	PLAN & PROFILE MICCOSUKEE DRIVE NORTH (STA: 14+50 ~ 29+50)
5.4	PLAN & PROFILE MICCOSUKEE DRIVE NORTH (STA: 29+50 ~ 42+00)
5.5	PLAN & PROFILE MICCOSUKEE DRIVE NORTH (STA: 35+00 ~ END)
5.6	PLAN & PROFILE APALACHEE WAY
5.7	PLAN & PROFILE TIMUCUA COURT
6.1	LANDSCAPE PLAN NORTH
6.2	LANDSCAPE PLAN SOUTH
7.1	DETAILS
7.2	DETAILS
7.3	RETENTION BASIN SECTIONS
7.4	DESTIN WATER USERS DETAILS
7.5	DESTIN WATER USERS DETAILS
7.6	DESTIN WATER USERS DETAILS
7.7	LIFT STATION DETAILS
8.1	SPECIFICATIONS
8.2	SPECIFICATIONS
8.3	SPECIFICATIONS

TOTAL PROJECT AREA	3,012,702 S.F. (69.16 Ac.)
OLD CREEK TRAIL R/W	77,062 S.F. (1.77 Ac.)
SUBDIVISION AREA	2,935,640 S.F. (67.39 Ac.)
TOTAL PROJECT IMPERVIOUS SURFACE	768,196 S.F.
IMPERVIOUS SURFACE AREA (EXCLUDING OLD CREEK TRAIL R/W)	
IMPERVIOUS SURFACE	725,429 S.F. (25%)
PROPOSED OPEN SPACE	2,210,211 S.F. (75%)

Certificate of Authorization No. 32308

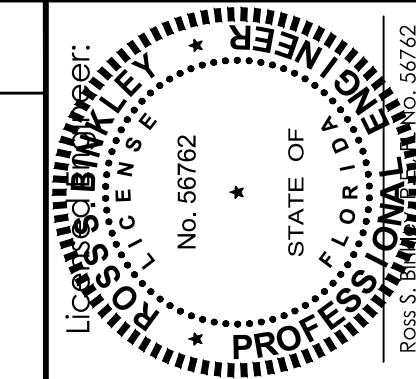
INDIAN BAYOU WEST
NOT FOR CONSTRUCTION



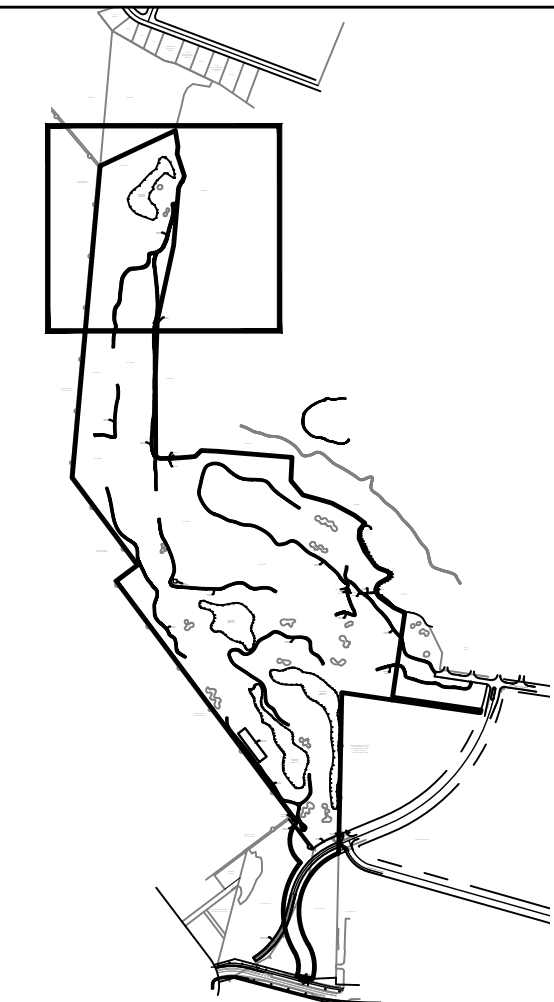
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REVISIONS:		DATE:
△	PER CITY AND NWFWMID COMMENTS	1/25/21
△	PER NWFWMID COMMENTS	2/17/21
△	PER NWFWMID COMMENTS	3/31/21
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△		
△		
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KEY MAP



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INDIAN BAYOU WEST

DEMOLITION PLAN (1 OF 6)



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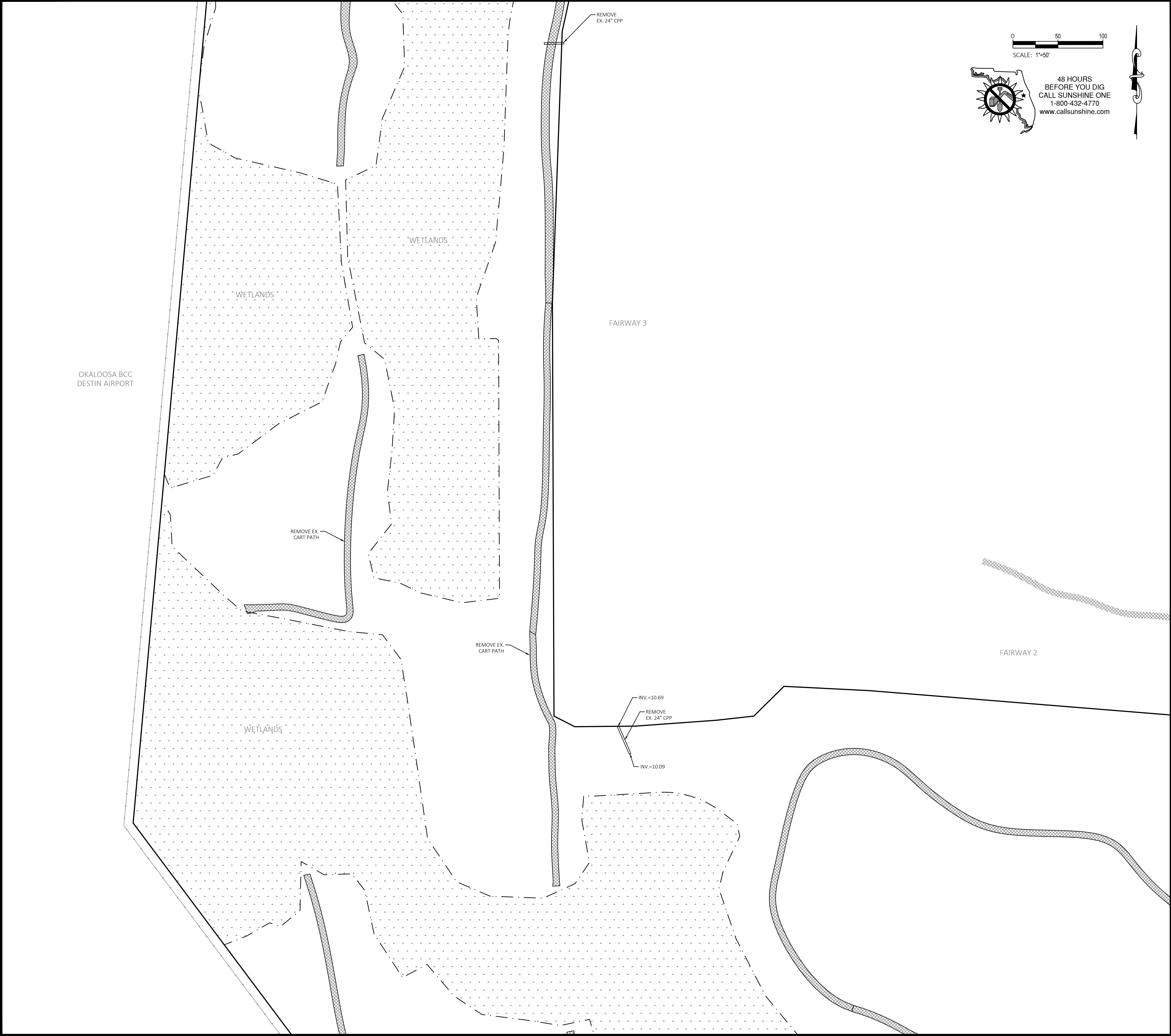
DATE: 8/27/20

SCALE: 1"=50'

SHEET

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TOTAL SHEETS 47



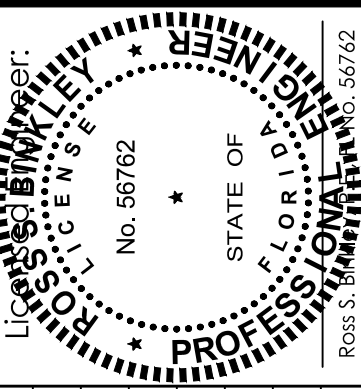


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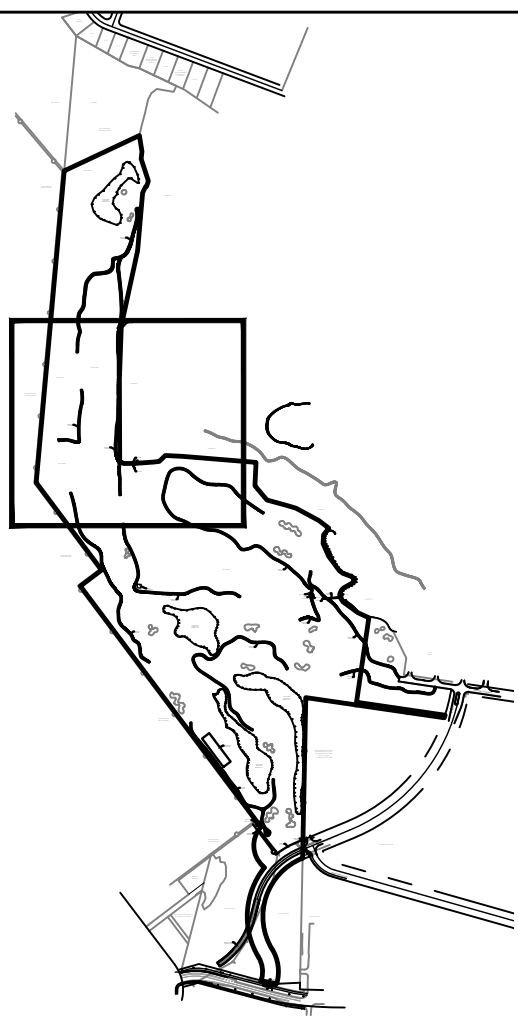
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DATE:	1/25/21	2/27/21	3/31/21			
REVISIONS:	PER CITY AND NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS

KEY MAP



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INDIAN BAYOU WEST

DEMOLITION PLAN (2 OF 6)

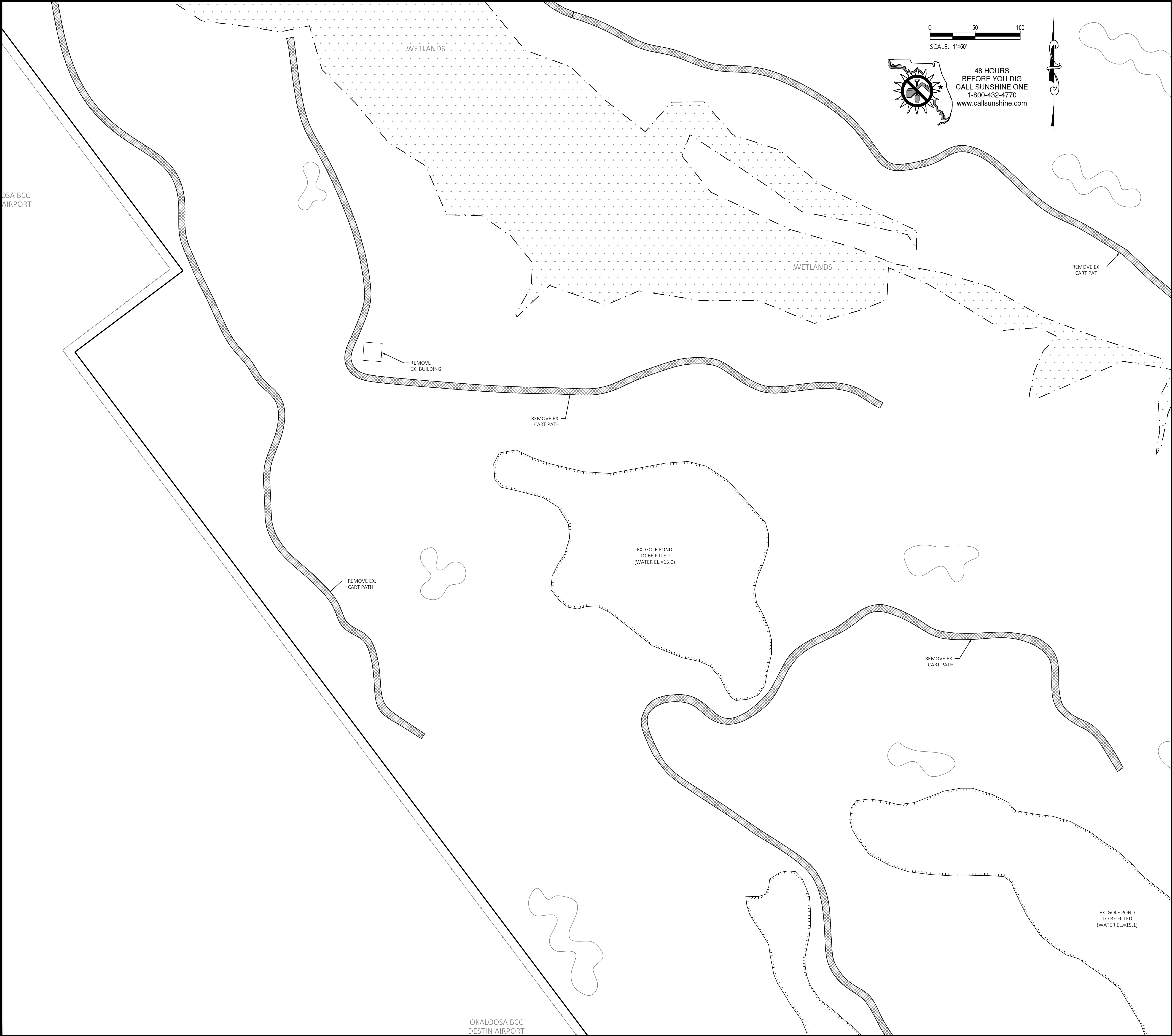
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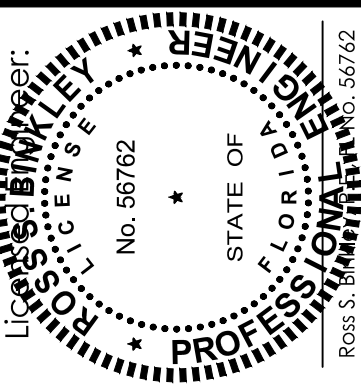
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TOTAL SHEETS 47



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DATE:	1/25/21	2/17/21	3/31/21			
REVISIONS:						
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INDIAN BAYOU WEST

DEMOLITION PLAN (3 OF 6)

DATE: 8/27/20

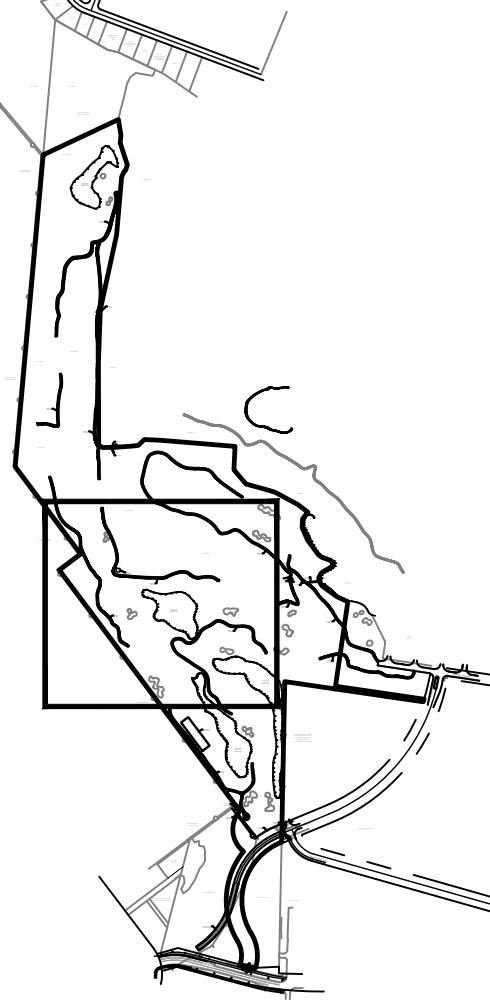
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TOTAL SHEETS 47

KEY MAP



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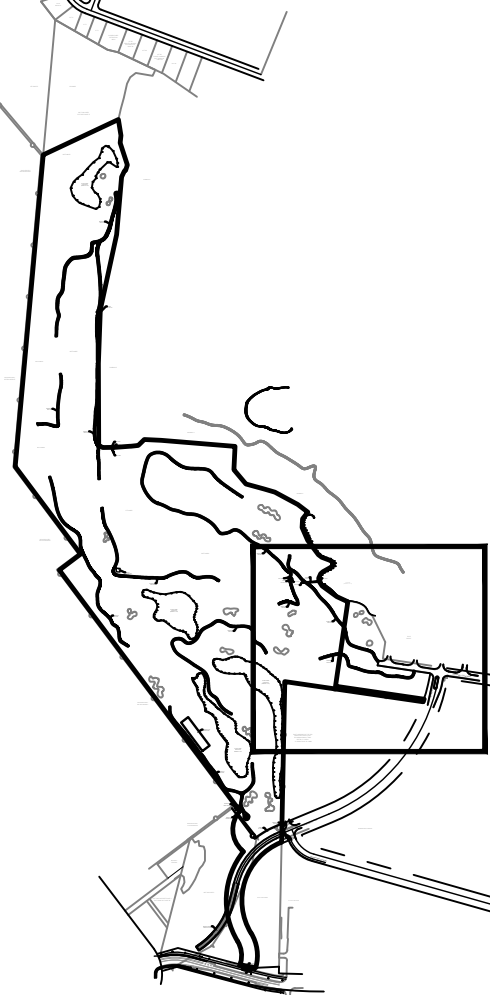


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2/17/21		PER NWFVMD COMMENTS	
3/31/21		PER NWFVMD COMMENTS	

KEY MAP



NOT FOR CONSTRUCTION

INDIAN BAYOU WEST

DEMOLITION PLAN (4 OF 6)

DATE: 8/27/20

SCALE: 1"=50'

SHEET

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TOTAL SHEETS 47

INDIAN BAYOU WEST

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DEMOLITION PLAN (4 OF 6)

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SCALE: 1"=50'

SHEET

1.4

TOTAL SHEETS 47

INDIAN BAYOU WEST

DEMOLITION PLAN (4 OF 6)

DATE: 8/27/20

SCALE: 1"=50'

SHEET

1.4

TOTAL SHEETS 47

DATE: 8/27/20

SCALE: 1"=50'

SHEET

1.4

TOTAL SHEETS 47

INDIAN BAYOU WEST

DEMOLITION PLAN (4 OF 6)

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DEMOLITION PLAN (4 OF 6)

DATE: 8/27/20

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DEMOLITION PLAN (4 OF 6)

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DEMOLITION PLAN (4 OF 6)

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TOTAL SHEETS 47

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DEMOLITION PLAN (4 OF 6)

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TOTAL SHEETS 47

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DEMOLITION PLAN (4 OF 6)

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SHEET

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TOTAL SHEETS 47

INDIAN BAYOU WEST

DEMOLITION PLAN (4 OF 6)

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SHEET

1.4

TOTAL SHEETS 47

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SCALE: 1"=50'

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TOTAL SHEETS 47

INDIAN BAYOU WEST

DEMOLITION PLAN (4 OF 6)

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SCALE: 1"=50'

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TOTAL SHEETS 47

INDIAN BAYOU WEST

DEMOLITION PLAN (4 OF 6)

DATE: 8/27/20

SCALE: 1"=50'

SHEET

1.4

TOTAL SHEETS 47

DATE: 8/27/20

SCALE: 1"=50'

SHEET

1.4

TOTAL SHEETS 47

INDIAN BAYOU WEST

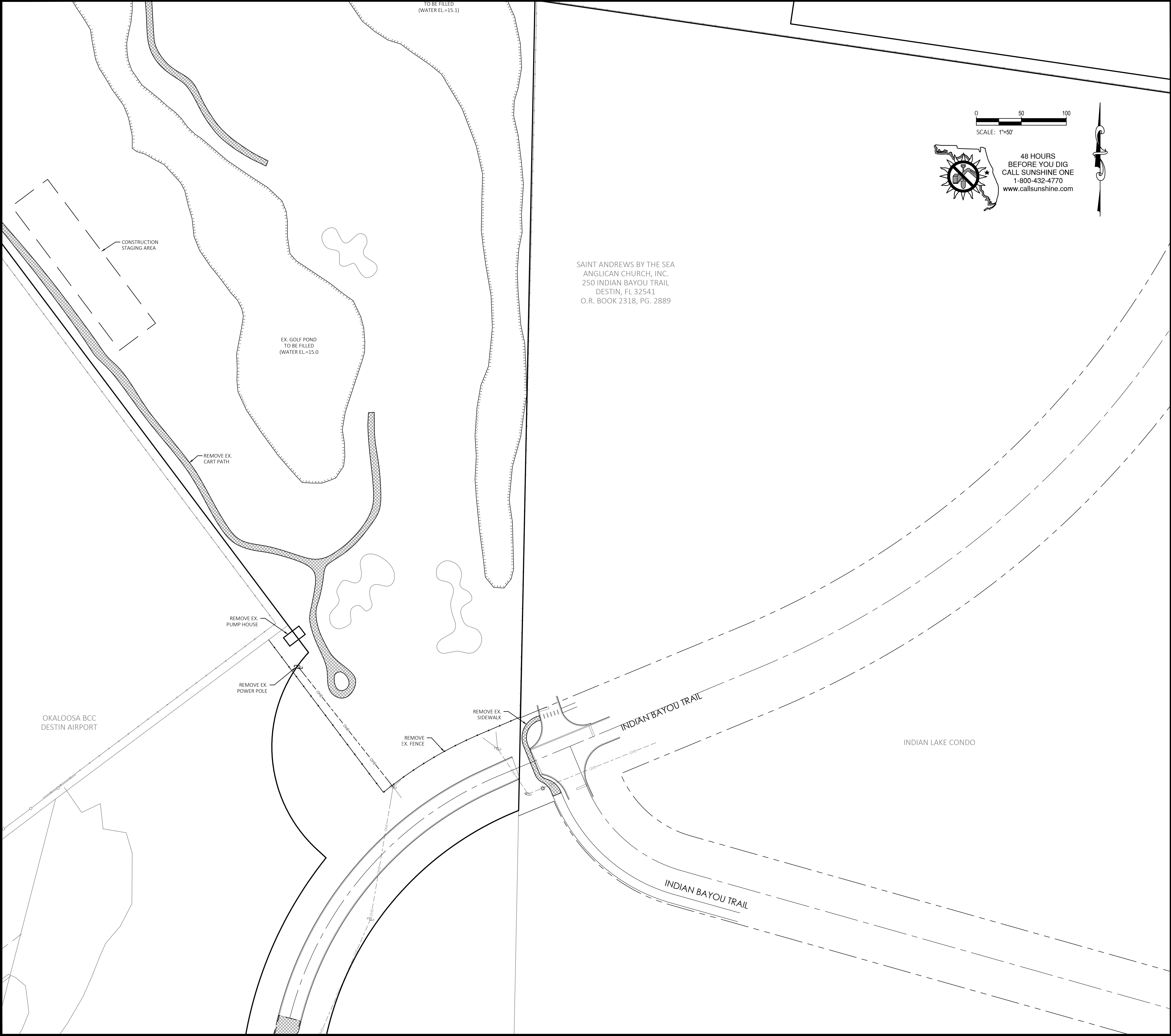
DEMOLITION PLAN (4 OF 6)

DATE: 8/27/20

SCALE: 1"=50'

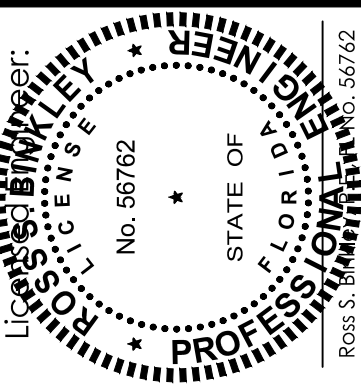
SHEET

1.4



NOTES

1. PRIOR TO COMMENCING CLEARING OR DEMOLITION OPERATIONS, CONTRACTOR SHALL VERIFY WITH ENGINEER ALL ITEMS TO BE REMOVED OR TO REMAIN.
2. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES ABOVE AND BELOW GROUND AND NOTIFY THE ENGINEER IMMEDIATELY OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO BEGINNING WORK.
3. CONTRACTOR SHALL COORDINATE WITH APPROPRIATE UTILITY COMPANIES ON THE ADJUSTMENT AND/OR RELOCATION OF EXISTING UTILITIES AS SHOWN OR NOT SHOWN ON THE PLANS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS REQUIRED BY STATE AND LOCAL GOVERNMENTS FOR COMPLETING THE WORK INCLUDING BUT NOT LIMITED TO NPDES STORMWATER DISCHARGE PERMIT.
5. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN TEMPORARY AND/OR PERMANENT EROSION AND SEDIMENT CONTROL DEVICES DURING CONSTRUCTION OPERATIONS AS SHOWN ON THE PLANS AS A MINIMUM. ADDITIONAL EROSION AND SEDIMENT CONTROL DEVICES MAY BE REQUIRED TO PREVENT SILT FROM LEAVING SITE.
6. EROSION AND SEDIMENT CONTROL STRUCTURES SHALL BE INSPECTED AFTER EACH RAIN EVENT AND SHALL BE REPAIRED OR REPLACED AS NECESSARY.
7. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL PROVIDE TO THE CITY FOR REVIEW AND APPROVAL A WRITTEN VIBRATION IMPACT MITIGATION PLAN. THE VIBRATION IMPACT MITIGATION PLAN SHALL INCLUDE, BUT NOT BE LIMITED TO, A DESCRIPTION OF THE CONTROL PROCESSES THAT THE CONTRACTOR WILL IMPLEMENT IN ORDER TO ADDRESS THE FOLLOWING:
 - 7.1. HOW TO ENSURE THAT ANY ACTIVITY INCLUDED BUT NOT LIMITED TO PILE DRIVING, EARTHWORK COMPACTION, CONCRETE AND ASPHALT BREAKING WILL NOT TRANSMIT VIBRATIONS TO SENSITIVE RECEPTOR STRUCTURES AT OR ABOVE THE FEDERAL TRANSIT ADMINISTRATION (FTA) APPROXIMATE VIBRATION DAMAGE THRESHOLD OF 95 VIBRATION DECIBELS (VdB).
 - 7.2. HOW TO MINIMIZE THE IMPACT ON SURROUNDING AREAS FOR ANY ACTIVITY EXCEEDING THE APPROXIMATE FTA VIBRATION ANNOYANCE THRESHOLD OF 80 VdB.



DATE:	1/25/21	2/17/21	3/31/21						
REVISIONS:	PER CITY AND NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS

B

BINKLEY

ENGINEERING

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rsbinkley@gmail.com

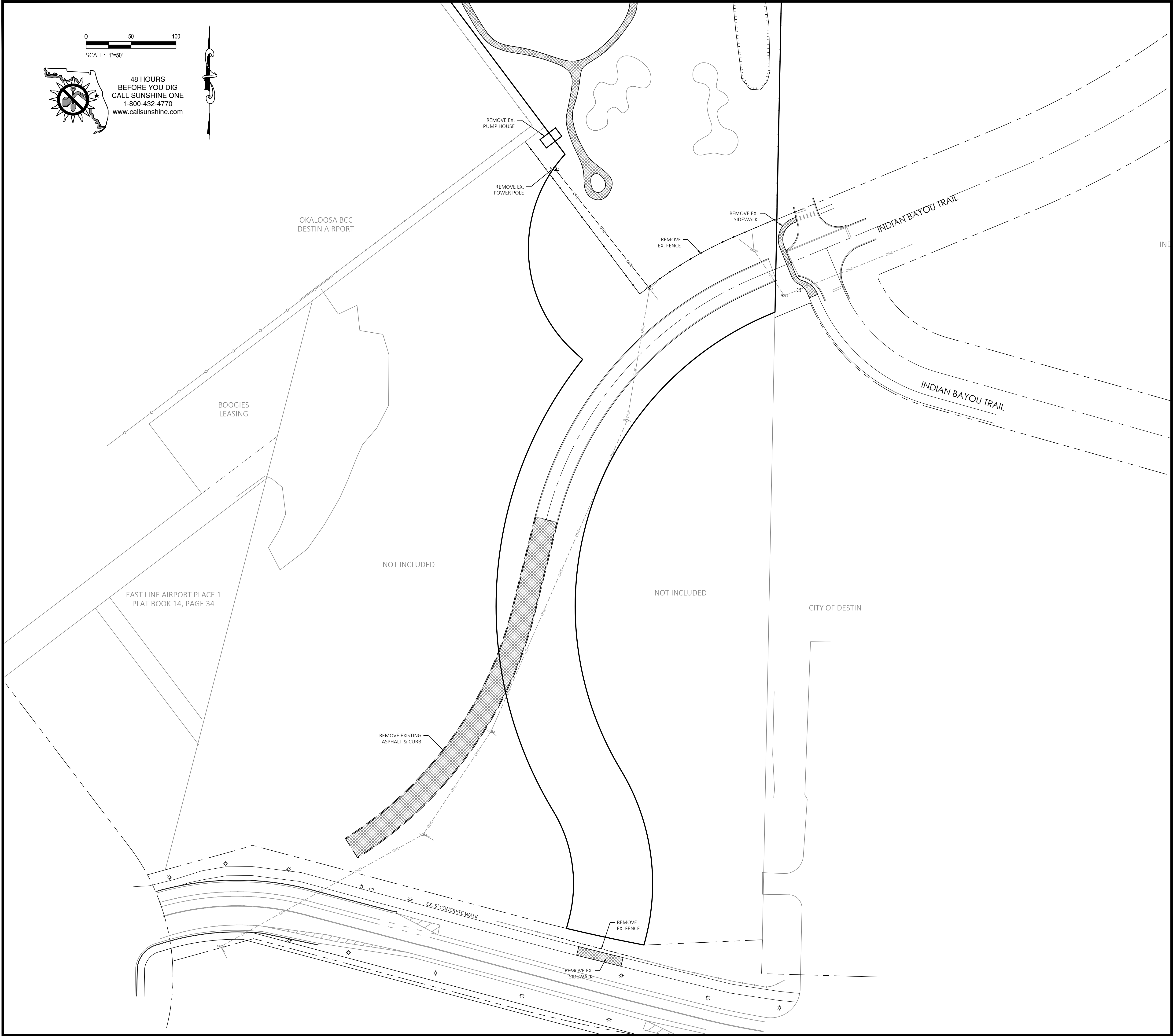
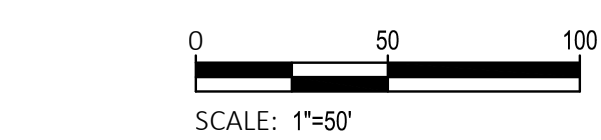
INDIAN BAYOU WEST

DEMOLITION PLAN (5 OF 6)

DATE: 8/27/20
SCALE: 1"=50'
SHEET
1.5
TOTAL SHEETS 47

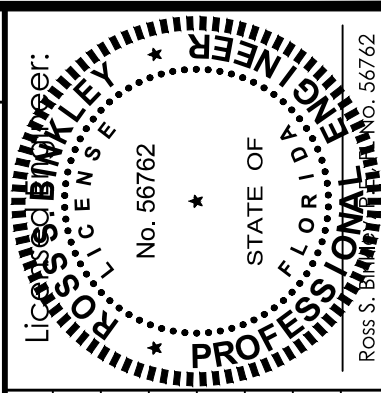
KEY MAP

NOT FOR CONSTRUCTION



NOTES

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2. THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING UTILITIES ABOVE AND BELOW GROUND AND NOTIFY THE ENGINEER IMMEDIATELY OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO BEGINNING WORK.
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DATE:	1/25/21	2/17/21	3/31/21						
REVISIONS:	PER CITY AND NWFVMD COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS						

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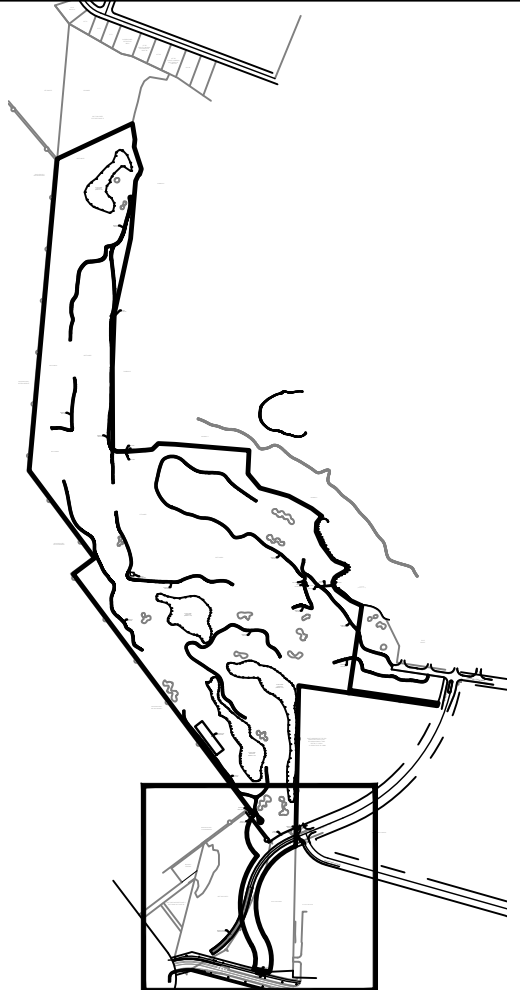
INDIAN BAYOU WEST

DEMOLITION PLAN (6 OF 6)

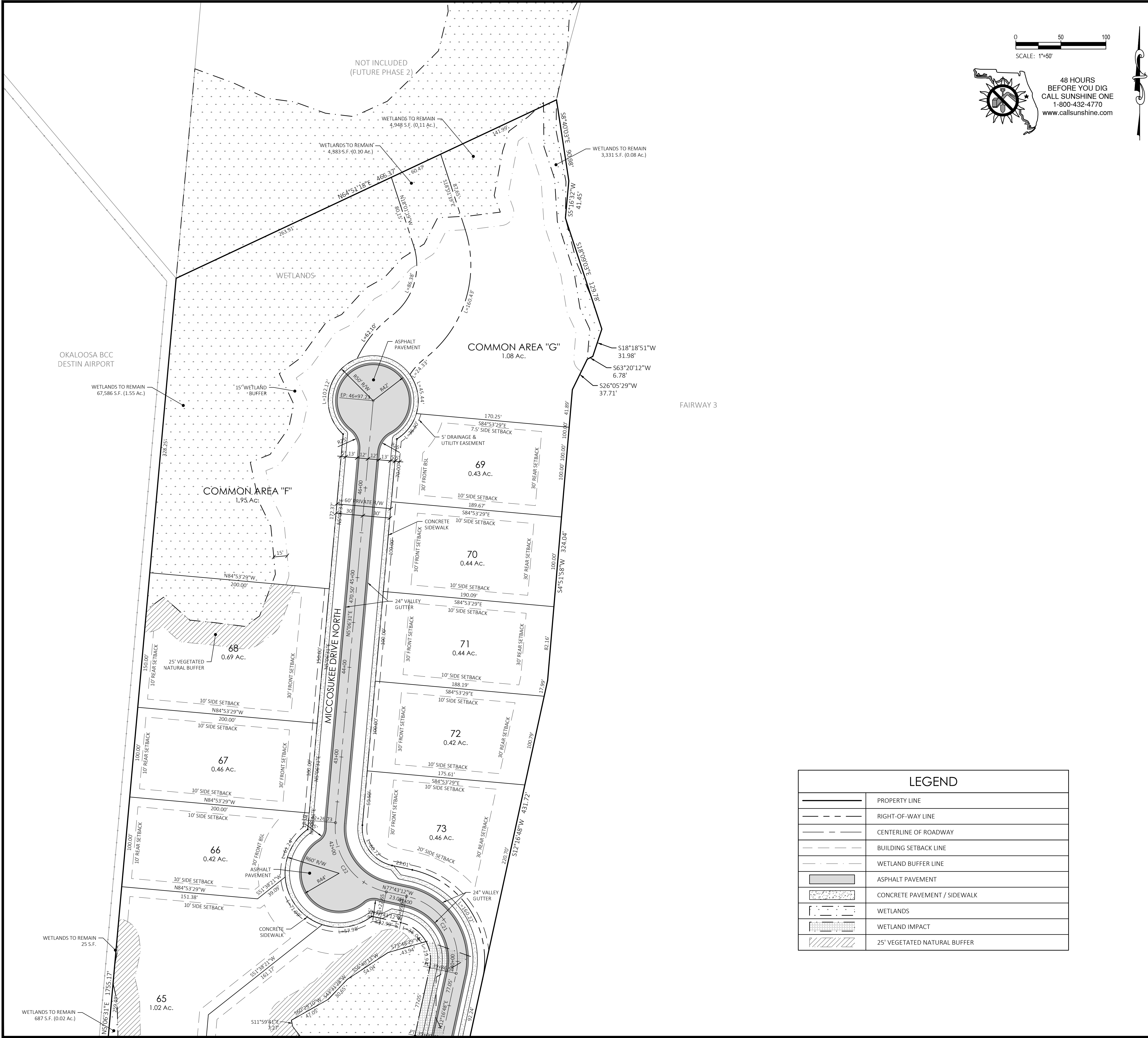
DATE: 8/27/20
SCALE: 1"=50'
SHEET

1.6
TOTAL SHEETS 47

KEY MAP



NOT FOR CONSTRUCTION



48 HOURS
BEFORE YOU DIG
CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

Boundary Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C6	605.92'	352.00'	98°37'34"	533.83'	S18°07'35"W
C7	196.43'	244.00'	46°07'31"	191.17'	S8°07'26"E
C8	88.12'	1882.87'	2°40'53"	88.11'	S77°55'40"E

Centerline Curve Table					
CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C11	125.00'	194.42'	89°06'52"	175.41'	N2°58'39"W
C12	150.00'	105.83'	40°25'29"	103.65'	N21°22'02"E
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C17	150.00'	105.61'	40°20'23"	103.44'	N73°13'13"W
C18	72.00'	117.09'	93°10'31"	104.61'	N46°48'09"W
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C20	200.00'	35.65'	10°12'44"	35.60'	N7°10'26"E
C21	72.00'	113.10'	90°00'00"	101.82'	N32°43'12"W
C22	72.00'	104.09'	82°49'44"	95.26'	N36°18'20"W
C23	130.00'	117.93'	51°58'40"	113.93'	N62°51'22"W
C9	200.00'	161.01'	46°07'31"	156.69'	N8°07'26"W
C10	396.00'	312.93'	45°16'38"	304.85'	N8°32'53"W

LEGEND	
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	CENTERLINE OF ROADWAY
	BUILDING SETBACK LINE
	WETLAND BUFFER LINE
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT / SIDEWALK
	WETLANDS
	WETLAND IMPACT
	25' VEGETATED NATURAL BUFFER

KEY MAP

NOT FOR CONSTRUCTION

INDIAN BAYOU WEST

SITE PLAN (1 OF 7)

DATE: 8/27/20

SCALE: 1"=50'

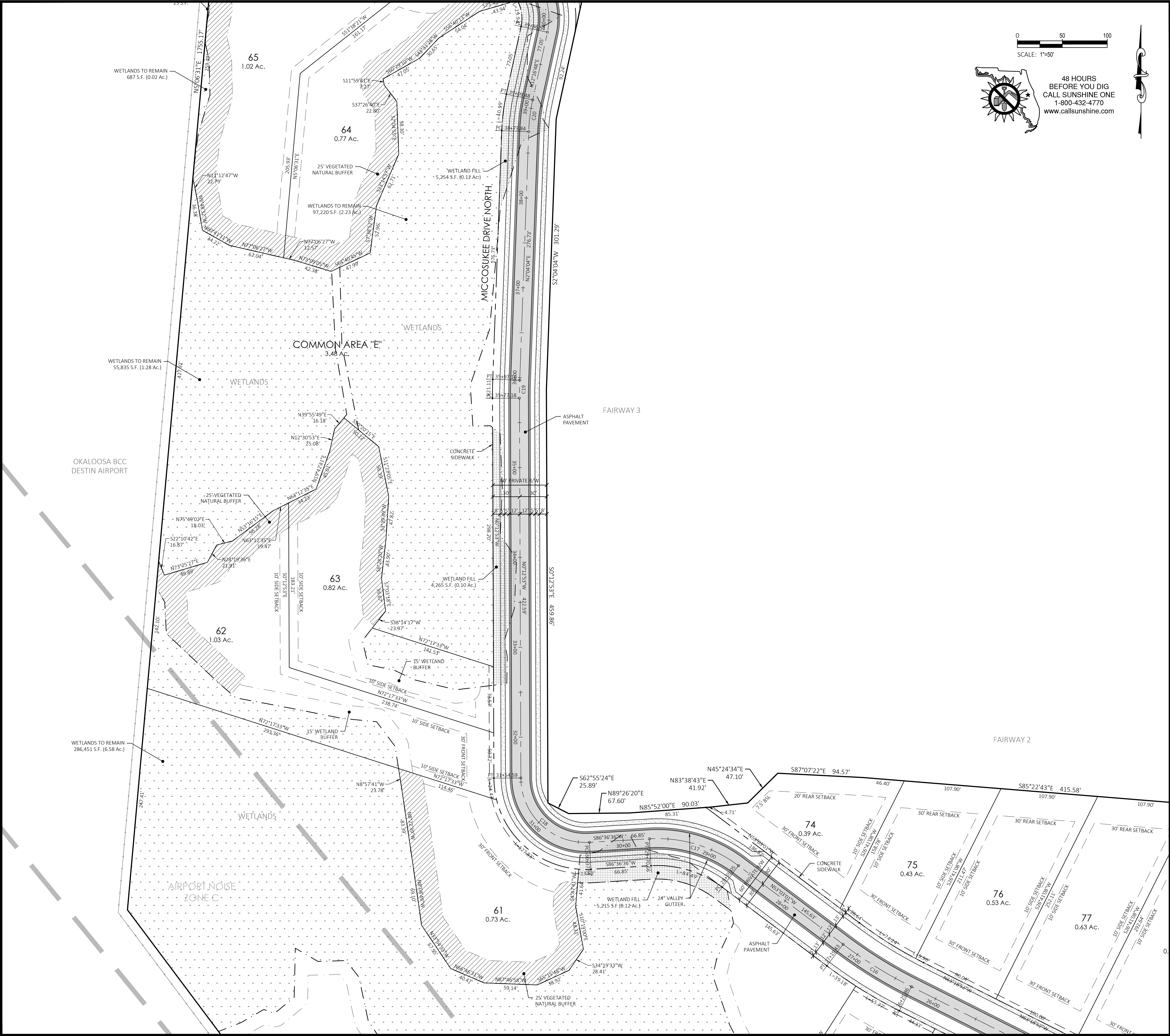
SHEET

2.1

TOTAL SHEETS 47

REVISIONS:

DATE:	1/25/21	2/17/21	2/17/21	3/31/21	8/23/21	1/25/22
PER CITY COMMENTS						
PER NWFVMD AND CITY OF DESTIN COMMENTS						
PER NWFVMD AND CITY OF DESTIN COMMENTS						
PER NWFVMD COMMENTS						
ADD 11 LOTS PER OWNER						
REDUCE TO 95 LOT						



48 HOURS
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CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

LEGEND

	PROPERTY LINE
	RIGHT-OF-WAY LINE
	CENTERLINE OF ROADWAY
	BUILDING SETBACK LINE
	WETLAND BUFFER LINE
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT / SIDEWALK
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KEY MAP

NOT FOR CONSTRUCTION

REVISIONS:

DATE	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
PER CITY COMMENTS					
PER NWFVMD AND CITY OF DESTIN COMMENTS					
PER NWFVMD COMMENTS					
ADD 11 LOTS PER OWNER					
REDUCE TO 95 LOTS					

DATE: 8/27/20

SCALE: 1"=50'

SHEET

2.2

TOTAL SHEETS 47

INDIAN BAYOU WEST

SITE PLAN (2 OF 7)

DATE: 8/27/20

SCALE: 1"=50'

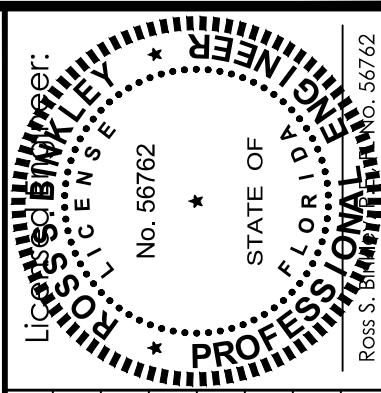
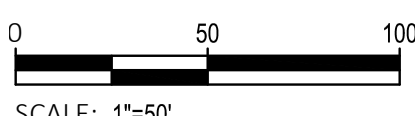
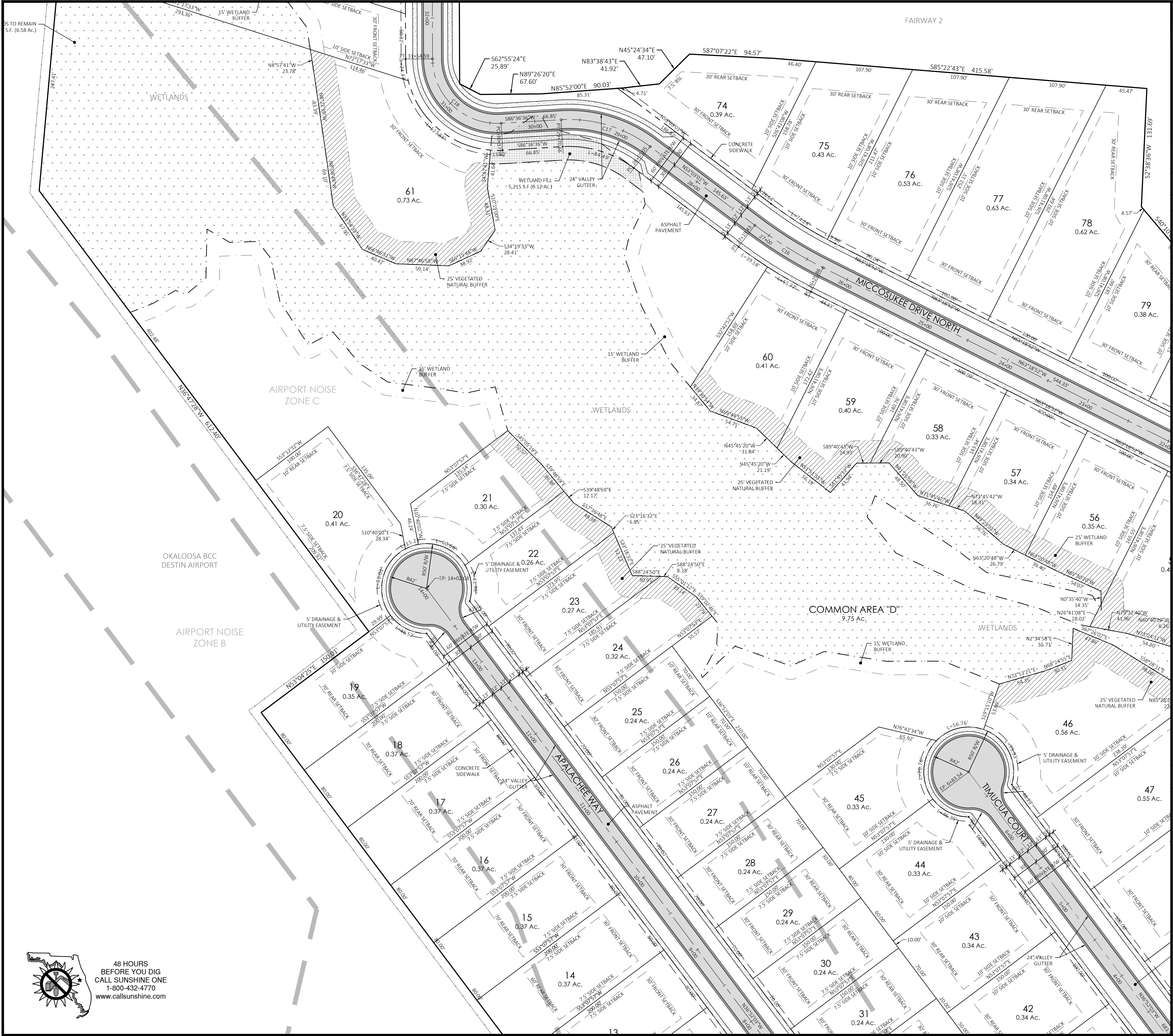
SHEET

2.2

TOTAL SHEETS 47

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48 HOURS
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1-800-432-4770
www.callsunshine.com



DATE:	1/25/21
PER CITY COMMENTS:	
PER NWFVMD AND CITY OF DESTIN COMMENTS:	
PER NWFVMD COMMENTS:	
ADD 11 ADDITIONAL LOTS PER CLIENT:	
ADD 11 LOTS PER OWNER:	
REDUCE TO 95 LOT:	
REVISIONS:	

LEGEND

	PROPERTY LINE
	RIGHT-OF-WAY LINE
	CENTERLINE OF ROADWAY
	BUILDING SETBACK LINE
	WETLAND BUFFER LINE
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT / SIDEWALK
	WETLANDS
	WETLAND IMPACT
	25' VEGETATED NATURAL BUFFER
	AIRPORT NOISE ZONE

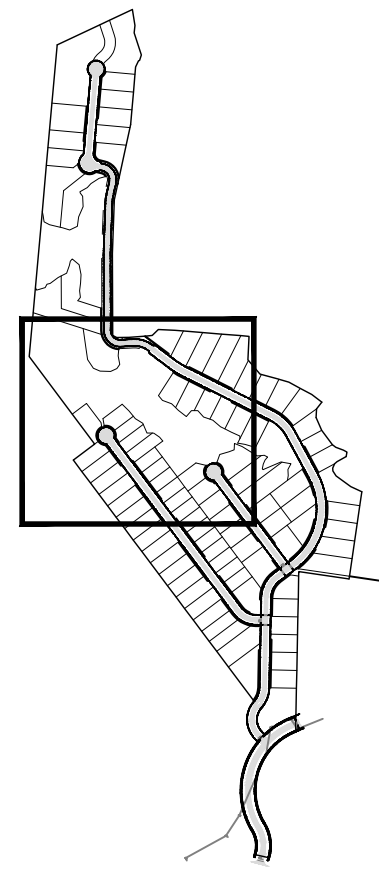
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KEY MAP



NOT FOR CONSTRUCTION

BINKLEY ENGINEERING

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rsbinkley@gmail.com

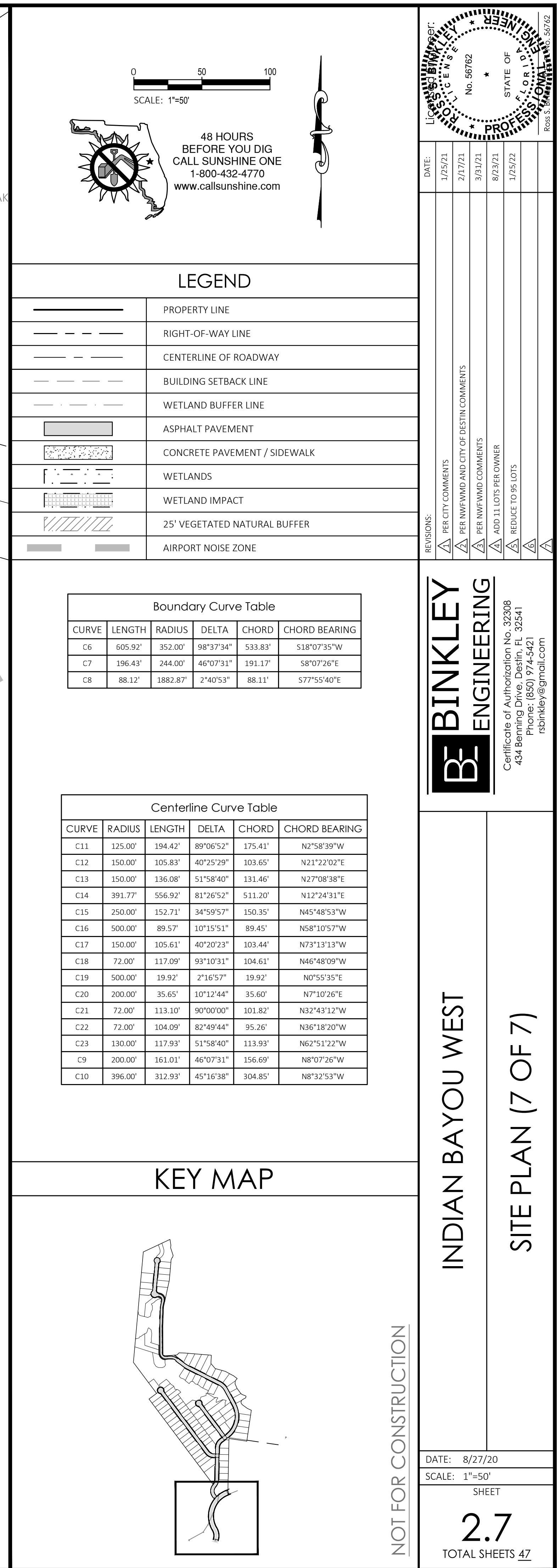
INDIAN BAYOU WEST

SITE PLAN (3 OF 7)

DATE: 8/27/20
SCALE: 1"=50'
SHEET

2.3
TOTAL SHEETS 47







050100

SCALE: 1"=50'

48 HOURS
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www.callsunshine.com

LEGEND

EXISTING GRADE CONTOUR (AT 5' INTERVAL)

EXISTING GRADE CONTOUR (AT 1' INTERVAL)

FINISHED GRADE CONTOUR (AT 1' INTERVAL)

12.00

FINISHED GRADE SPOT ELEVATION

SILT FENCE LOCATION

HDPE

HIGH DENSITY POLYETHYLENE PIPE

NOTES

1. CONTOUR INTERVAL = ONE FOOT.

2. PROPOSED CONTOURS AND SPOT ELEVATIONS REPRESENT FINISHED GRADE.

3. STORMWATER RUNOFF, SEDIMENT, AND EROSION SHALL BE CONTROLLED DURING ALL PHASES OF CONSTRUCTION.

4. MATCH EXISTING EDGE OF PAVEMENT GRADE WHEREVER NEW PAVEMENT EDGE MEETS THE EXISTING EDGE.

5. CONTRACTOR SHALL PROVIDE SOLID SODDING WITHIN ALL CLEARED AND GRUBBED AREAS WITH SIDE SLOPES OF 3:1 OR STEEPER.

6. CONTRACTOR SHALL PROVIDE A TEMPORARY COVER OF FILTER CLOTH FOR EACH INLET STRUCTURE TO PREVENT ENTRANCE OF SOIL. INLET STRUCTURES ARE TO REMAIN COVERED UNTIL AN ACCEPTABLE STAND OF GRASS IS ACHIEVED.

7. TOPOGRAPHIC INFORMATION HEREON BASED ON BOUNDARY & TOPOGRAPHIC SURVEY BY RARE EARTH SURVEYING & MAPPING. ELEVATIONS ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM 1988.

8. STATION AND OFFSET LABELING IS SHOWN TO CENTER OF STRUCTURE BOTTOM. STORM PIPE LENGTHS ARE TO CENTER OF STRUCTURE BOTTOM.

9. ALL EXCAVATED MATERIAL SHALL BE DISPOSED OF OFFSITE.

10. CONTRACTOR SHALL PROVIDE CAMERA INSPECTION OF ALL STORM DRAINAGE PIPE TO THE CITY OF DESTIN AFTER CONSTRUCTION.

LOT RETENTION REQUIREMENT

LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)	LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)
1	5,004	2,488	49	6,504	1,250
2	5,004	2,336	50	5,004	1,250
3	5,004	1,296	51	5,004	1,629
4	5,004	1,173	52	5,004	1,596
5	5,004	1,333	53	5,004	1,637
6	4,004	1,333	54	5,004	1,876
7	4,004	1,333	55	7,504	1,508
8	4,004	1,333	56	7,504	1,288
9	4,004	1,333	57	7,504	1,240
10	4,004	1,333	58	4,004	1,181
11	4,004	1,333	59	4,004	1,462
12	4,004	1,333	60	4,004	1,505
13	4,004	1,333	61	5,004	2,643
14	4,004	1,333	62	5,004	3,745
15	4,004	1,333	63	5,004	2,966
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17	4,004	1,333	65	5,004	3,692
18	4,004	1,333	66	5,004	1,517
19	4,004	1,288	67	5,004	1,666
20	4,004	1,490	68	5,004	2,500
21	4,004	1,107	69	5,004	1,548
22	4,004	926	70	5,004	1,582
23	4,004	988	71	5,004	1,584
24	4,004	1,169	72	5,004	1,515
25	4,004	875	73	5,004	1,677
26	4,004	875	74	4,004	1,415
27	4,004	875	75	4,004	1,555
28	4,004	875	76	4,004	1,931
29	4,004	875	77	4,004	2,269
30	4,004	875	78	7,504	2,239
31	4,004	875	79	7,504	1,387
32	4,004	875	80	7,504	1,334
33	4,004	875	81	7,504	1,706
34	4,004	875	82	7,504	2,013
35	4,004	875	83	7,504	1,258
36	4,004	875	84	7,504	1,163
37	4,004	875	85	5,004	1,445
38	5,004	1,898	86	5,004	1,507
39	5,004	2,028	87	5,004	1,500
40	5,004	1,250	88	5,004	1,699
41	6,504	1,250	89	5,004	2,148
42	6,504	1,250	90	5,004	1,353
43	6,504	1,250	91	5,004	1,250
44	6,504	1,203	92	5,004	1,250
45	6,504	1,214	93	5,004	1,250
46	6,504	2,045	94	5,004	1,250
47	6,504	2,008	95	5,004	1,250
48	6,504	2,591			

KEY MAP

NOT FOR CONSTRUCTION

INDIAN BAYOU WEST

GRADING & DRAINAGE PLAN (1 OF 7)

DATE: 8/27/20

SCALE: 1"=50'

SHEET

3.1

TOTAL SHEETS 47

REVISIONS:

DATE

REVISION

1/25/21

PER CITY AND NWFVMD COMMENTS

2/17/21

PER NWFVMD AND CITY OF DESTIN COMMENTS

3/31/21

PER NWFVMD COMMENTS

8/23/21

ADD 11 LOTS PER OWNER

1/25/22

REDUCE TO 95 LOTS

8/27/22

ADD 11 LOTS PER OWNER

STATE OF FLORIDA

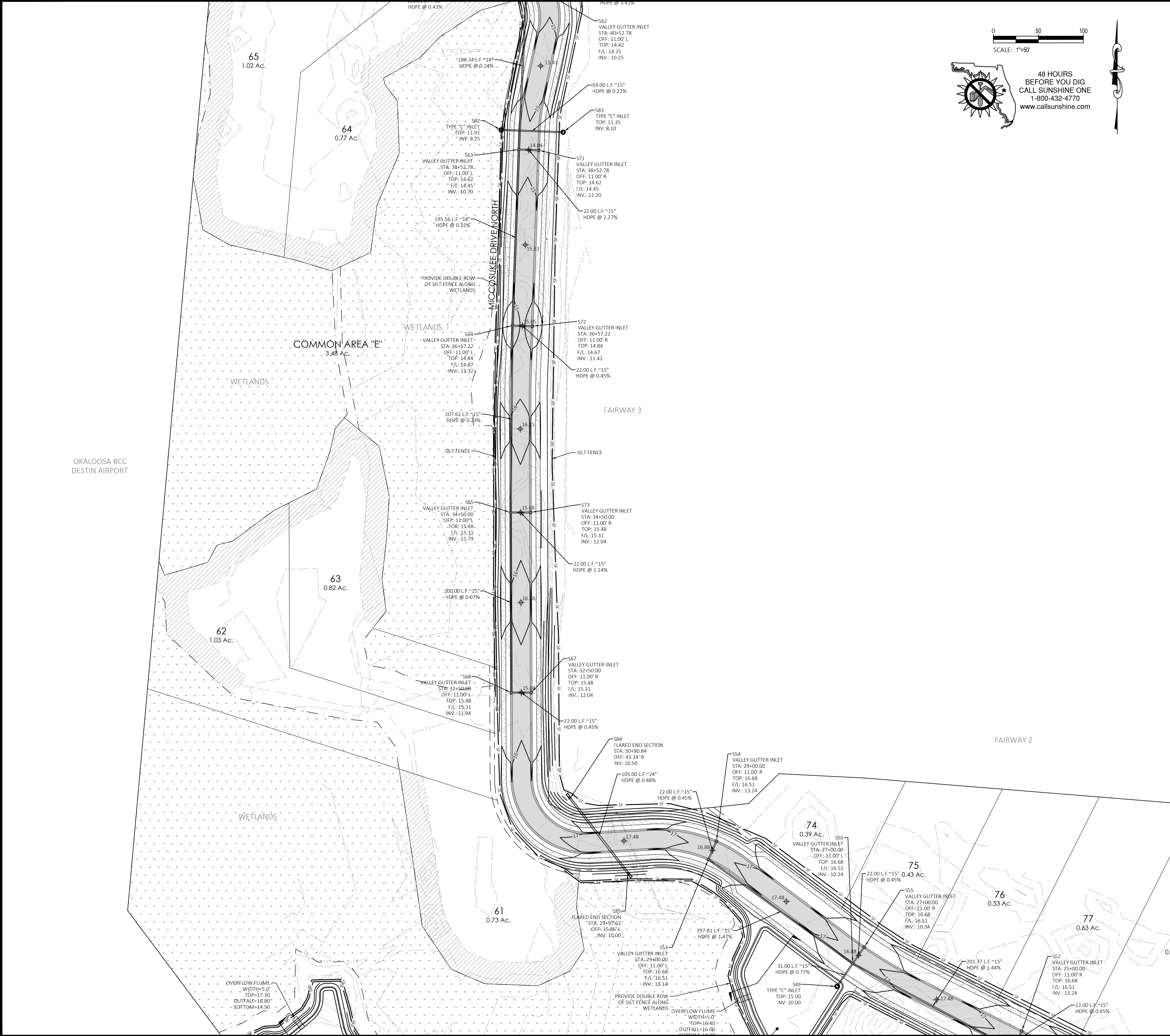
PROFESSIONAL ENGINEER

NO. 56762

DATE: 8/27/20

PROJECT: INDIAN BAYOU WEST

REVISION: 1



0 50 100
SCALE: 1"=50'

48 HOURS
BEFORE YOU DIG
CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

LEGEND

---	EXISTING GRADE CONTOUR (AT 5' INTERVAL)
---	EXISTING GRADE CONTOUR (AT 1' INTERVAL)
---	FINISHED GRADE CONTOUR (AT 1' INTERVAL)
⊕ 12.00	FINISHED GRADE SPOT ELEVATION
---	SILT FENCE LOCATION
HDPE	HIGH DENSITY POLYETHYLENE PIPE

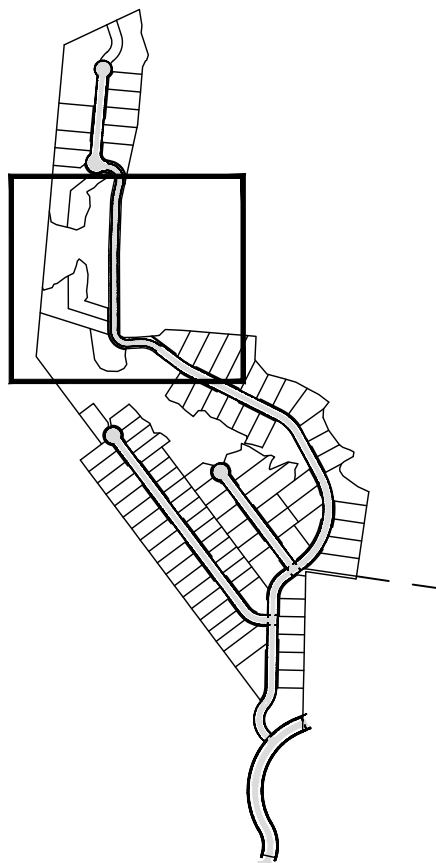
NOTES

1. CONTOUR INTERVAL = ONE FOOT.
2. PROPOSED CONTOURS AND SPOT ELEVATIONS REPRESENT FINISHED GRADE.
3. STORMWATER RUNOFF, SEDIMENT, AND EROSION SHALL BE CONTROLLED DURING ALL PHASES OF CONSTRUCTION.
4. MATCH EXISTING EDGE OF PAVEMENT GRADE WHEREVER NEW PAVEMENT EDGE MEETS THE EXISTING EDGE.
5. CONTRACTOR SHALL PROVIDE SOLID SODDING WITHIN ALL CLEARED AND GRUBBED AREAS WITH SIDE SLOPES OF 3:1 OR STEEPER.
6. CONTRACTOR SHALL PROVIDE A TEMPORARY COVER OF FILTER CLOTH FOR EACH INLET STRUCTURE TO PREVENT ENTRANCE OF SOIL. INLET STRUCTURES ARE TO REMAIN COVERED UNTIL AN ACCEPTABLE STAND OF GRASS IS ACHIEVED.
7. TOPOGRAPHIC INFORMATION HEREON BASED ON BOUNDARY & TOPOGRAPHIC SURVEY BY RARE EARTH SURVEYING & MAPPING. ELEVATIONS ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM 1988.
8. STATION AND OFFSET LABELING IS SHOWN TO CENTER OF STRUCTURE BOTTOM. STORM PIPE LENGTHS ARE TO CENTER OF STRUCTURE BOTTOM.
9. ALL EXCAVATED MATERIAL SHALL BE DISPOSED OF OFFSITE.
10. CONTRACTOR SHALL PROVIDE CAMERA INSPECTION OF ALL STORM DRAINAGE PIPE TO THE CITY OF DESTIN AFTER CONSTRUCTION.

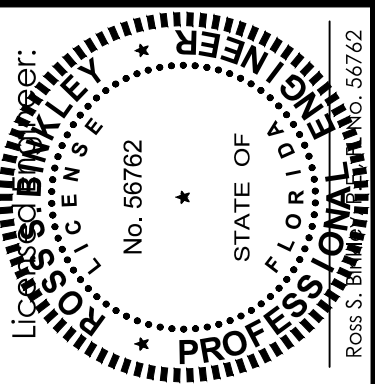
LOT RETENTION REQUIREMENT

LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)	LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)
1	5,004	2,488	49	6,504	1,250
2	5,004	2,336	50	5,004	1,250
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4	5,004	1,173	52	5,004	1,596
5	5,004	1,333	53	5,004	1,637
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7	4,004	1,333	55	7,504	1,508
8	4,004	1,333	56	7,504	1,288
9	4,004	1,333	57	7,504	1,240
10	4,004	1,333	58	4,004	1,181
11	4,004	1,333	59	4,004	1,462
12	4,004	1,333	60	4,004	1,505
13	4,004	1,333	61	5,004	2,643
14	4,004	1,333	62	5,004	3,745
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16	4,004	1,333	64	5,004	2,798
17	4,004	1,333	65	5,004	3,692
18	4,004	1,333	66	5,004	1,517
19	4,004	1,288	67	5,004	1,666
20	4,004	1,490	68	5,004	2,500
21	4,004	1,107	69	5,004	1,548
22	4,004	926	70	5,004	1,582
23	4,004	988	71	5,004	1,584
24	4,004	1,169	72	5,004	1,515
25	4,004	875	73	5,004	1,677
26	4,004	875	74	4,004	1,415
27	4,004	875	75	4,004	1,555
28	4,004	875	76	4,004	1,931
29	4,004	875	77	4,004	2,269
30	4,004	875	78	7,504	2,239
31	4,004	875	79	7,504	1,387
32	4,004	875	80	7,504	1,334
33	4,004	875	81	7,504	1,706
34	4,004	875	82	7,504	2,013
35	4,004	875	83	7,504	1,258
36	4,004	875	84	7,504	1,163
37	4,004	875	85	5,004	1,445
38	5,004	1,898	86	5,004	1,507
39	5,004	2,028	87	5,004	1,500
40	5,004	1,250	88	5,004	1,699
41	6,504	1,250	89	5,004	2,148
42	6,504	1,250	90	5,004	1,353
43	6,504	1,250	91	5,004	1,250
44	6,504	1,203	92	5,004	1,250
45	6,504	1,214	93	5,004	1,250
46	6,504	2,045	94	5,004	1,250
47	6,504	2,008	95	5,004	1,250
48	6,504	2,591			

KEY MAP



NOT FOR CONSTRUCTION



DATE:	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
REVISIONS:					
PER CITY AND NWFVMD COMMENTS					
PER NWFVMD AND CITY OF DESTIN COMMENTS					
PER NWFVMD COMMENTS					
ADD 11 LOTS PER OWNER					
REDUCE TO 95 LOTS					

BINKLEY ENGINEERING

Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

INDIAN BAYOU WEST

GRADING & DRAINAGE PLAN (2 OF 7)

DATE: 8/27/20
SCALE: 1"=50'
SHEET

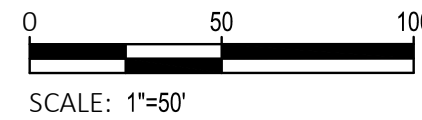
3.2
TOTAL SHEETS 47



48 HOURS
BEFORE YOU DIG
CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

13

FAIRWAY 2



LEGEND

---	EXISTING GRADE CONTOUR (AT 5' INTERVAL)
---	EXISTING GRADE CONTOUR (AT 1' INTERVAL)
---	FINISHED GRADE CONTOUR (AT 1' INTERVAL)
⊕ 12.00	FINISHED GRADE SPOT ELEVATION
---	SILT FENCE LOCATION
HDPE	HIGH DENSITY POLYETHYLENE PIPE

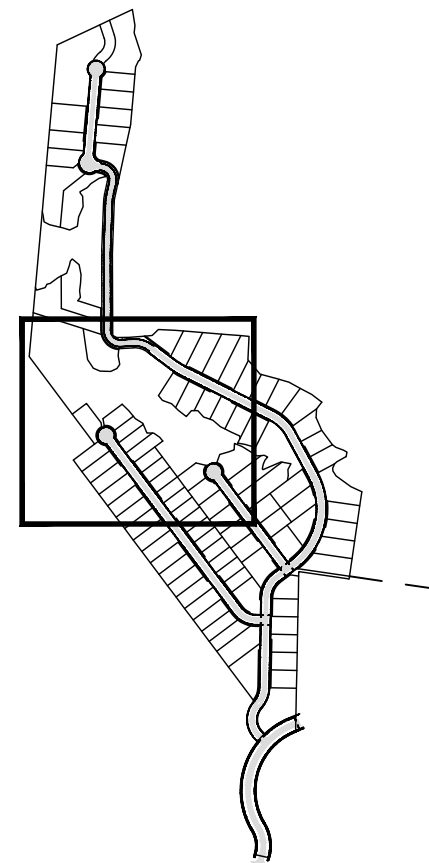
NOTES

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10. CONTRACTOR SHALL PROVIDE CAMERA INSPECTION OF ALL STORM DRAINAGE PIPE TO THE CITY OF DESTIN AFTER CONSTRUCTION.

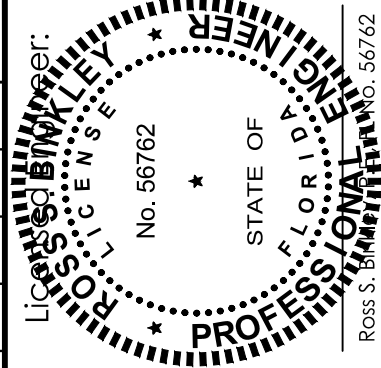
LOT RETENTION REQUIREMENT

LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)	LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)
1	5,004	2,488	49	6,504	1,250
2	5,004	2,336	50	5,004	1,250
3	5,004	1,296	51	5,004	1,629
4	5,004	1,173	52	5,004	1,596
5	5,004	1,333	53	5,004	1,637
6	4,004	1,333	54	5,004	1,876
7	4,004	1,333	55	7,504	1,508
8	4,004	1,333	56	7,504	1,288
9	4,004	1,333	57	7,504	1,240
10	4,004	1,333	58	4,004	1,181
11	4,004	1,333	59	4,004	1,462
12	4,004	1,333	60	4,004	1,505
13	4,004	1,333	61	5,004	2,643
14	4,004	1,333	62	5,004	3,745
15	4,004	1,333	63	5,004	2,966
16	4,004	1,333	64	5,004	2,798
17	4,004	1,333	65	5,004	3,692
18	4,004	1,333	66	5,004	1,517
19	4,004	1,288	67	5,004	1,666
20	4,004	1,490	68	5,004	2,500
21	4,004	1,107	69	5,004	1,548
22	4,004	926	70	5,004	1,582
23	4,004	988	71	5,004	1,584
24	4,004	1,169	72	5,004	1,515
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26	4,004	875	74	4,004	1,415
27	4,004	875	75	4,004	1,555
28	4,004	875	76	4,004	1,931
29	4,004	875	77	4,004	2,269
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39	5,004	2,028	87	5,004	1,500
40	5,004	1,250	88	5,004	1,699
41	6,504	1,250	89	5,004	2,148
42	6,504	1,250	90	5,004	1,353
43	6,504	1,250	91	5,004	1,250
44	6,504	1,203	92	5,004	1,250
45	6,504	1,214	93	5,004	1,250
46	6,504	2,045	94	5,004	1,250
47	6,504	2,008	95	5,004	1,250
48	6,504	2,591			

KEY MAP



NOT FOR CONSTRUCTION

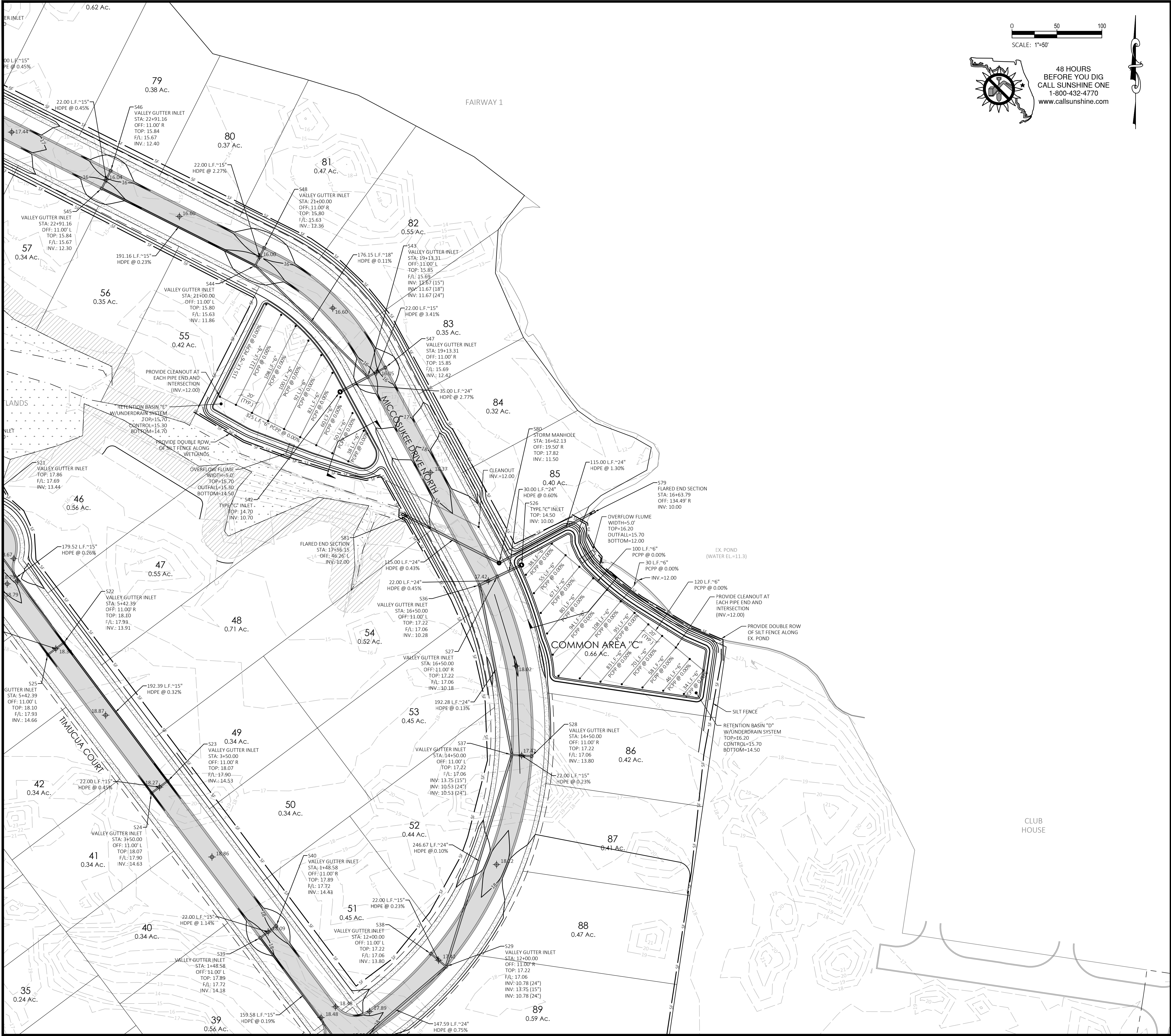


DATE:	1/25/21
REVISIONS:	1/25/21
PER CITY AND NWFVMD COMMENTS	2/17/21
PER NWFVMD AND CITY OF DESTIN COMMENTS	3/31/21
PER NWFVMD COMMENTS	8/23/21
ADD 11 LOTS PER OWNER	1/25/22
REDUCE TO 95 LOTS	

BINKLEY ENGINEERING
Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

INDIAN BAYOU WEST GRADING & DRAINAGE PLAN (3 OF 7)

DATE:	8/27/20
SCALE:	1"=50'
SHEET	
3.3	
TOTAL SHEETS 47	



SCALE: 1"=50'

48 HOURS
BEFORE YOU DIG
CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

LEGEND

	EXISTING GRADE CONTOUR (AT 5' INTERVAL)
	EXISTING GRADE CONTOUR (AT 1' INTERVAL)
	FINISHED GRADE CONTOUR (AT 1' INTERVAL)
	FINISHED GRADE SPOT ELEVATION
	SILT FENCE LOCATION
	HDPE
	HIGH DENSITY POLYETHYLENE PIPE

NOTES

- CONTOUR INTERVAL = ONE FOOT.
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- CONTRACTOR SHALL PROVIDE CAMERA INSPECTION OF ALL STORM DRAINAGE PIPE TO THE CITY OF DESTIN AFTER CONSTRUCTION.

LOT RETENTION REQUIREMENT

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47	6,504	2,008	95	5,004	1,250
48	6,504	2,591			

KEY MAP

NOT FOR CONSTRUCTION

DATE: 8/27/20
SCALE: 1"=50'
SHEET

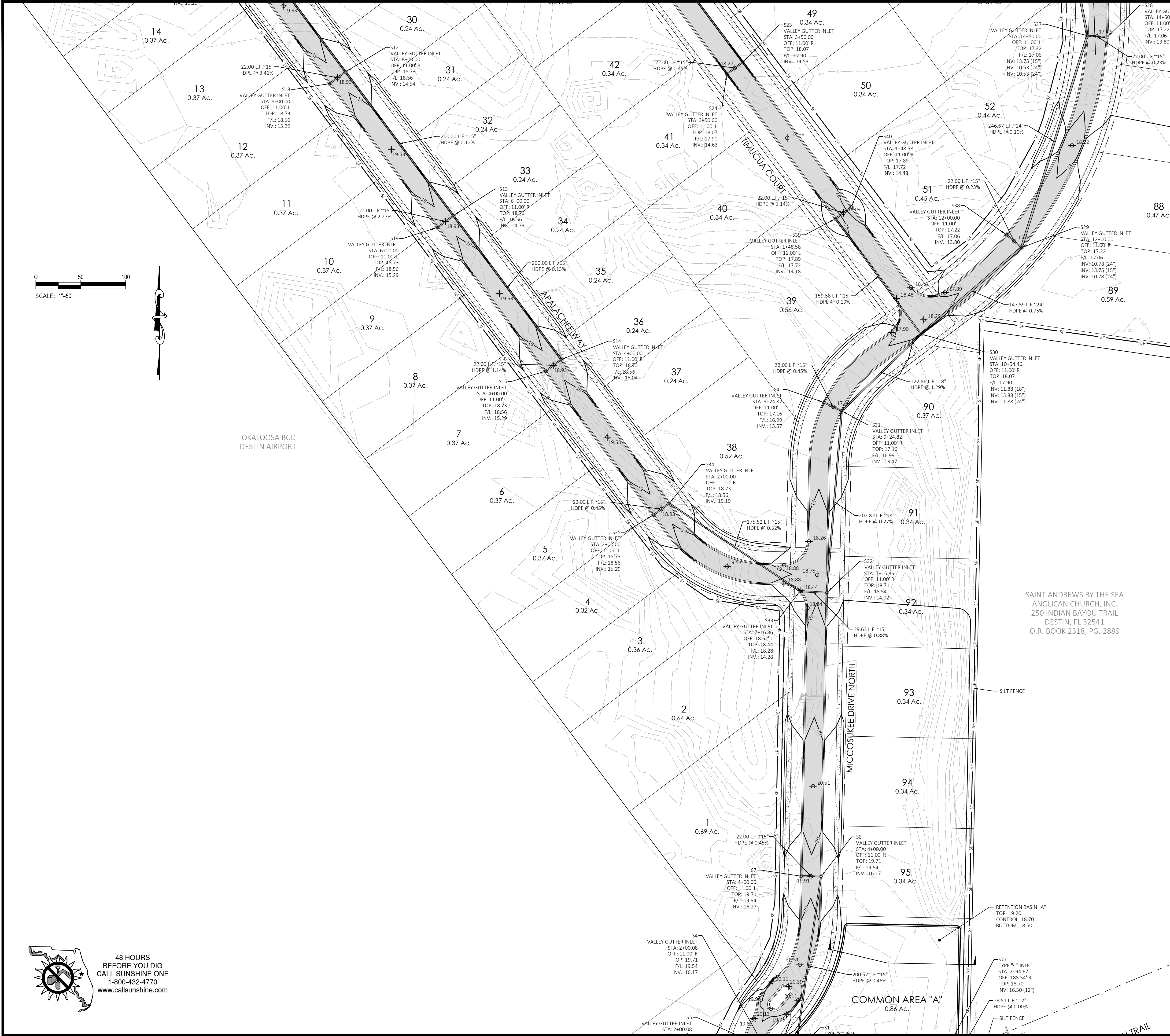
3.4
TOTAL SHEETS 47

INDIAN BAYOU WEST

GRADING & DRAINAGE PLAN (4 OF 7)

DATE: 8/27/20
SCALE: 1"=50'
SHEET

3.4
TOTAL SHEETS 47



LEGEND

	EXISTING GRADE CONTOUR (AT 5' INTERVAL)
	EXISTING GRADE CONTOUR (AT 1' INTERVAL)
	FINISHED GRADE SPOT ELEVATION
	SILT FENCE LOCATION
	HDPE
	HIGH DENSITY POLYETHYLENE PIPE

NOTES

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LOT RETENTION REQUIREMENT					
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21	4,004	1,107	69	5,004	1,548
22	4,004	926	70	5,004	1,582
23	4,004	988	71	5,004	1,584
24	4,004	1,169	72	5,004	1,515
25	4,004	875	73	5,004	1,677
26	4,004	875	74	4,004	1,415
27	4,004	875	75	4,004	1,555
28	4,004	875	76	4,004	1,931
29	4,004	875	77	4,004	2,269
30	4,004	875	78	7,504	2,239
31	4,004	875	79	7,504	1,387
32	4,004	875	80	7,504	1,334
33	4,004	875	81	7,504	1,706
34	4,004	875	82	7,504	2,013
35	4,004	875	83	7,504	1,258
36	4,004	875	84	7,504	1,163
37	4,004	875	85	5,004	1,445
38	5,004	1,898	86	5,004	1,507
39	5,004	2,028	87	5,004	1,500
40	5,004	1,250	88	5,004	1,699
41	6,504	1,250	89	5,004	2,148
42	6,504	1,250	90	5,004	1,353
43	6,504	1,250	91	5,004	1,250
44	6,504	1,203	92	5,004	1,250
45	6,504	1,214	93	5,004	1,250
46	6,504	2,045	94	5,004	1,250
47	6,504	2,008	95	5,004	1,250
48	6,504	2,591			

KEY MAP

NOT FOR CONSTRUCTION

REVISIONS:

DATE: 1/25/21

2/17/21

3/31/21

8/23/21

1/25/22

PER CITY AND NWFVMD COMMENTS

PER NWFVMD AND CITY OF DESTIN COMMENTS

PER NWFVMD COMMENTS

ADD 11 LOTS PER OWNER

REDUCE TO 95 LOTS

REVISION 56742

PROJECT: INDIAN BAYOU WEST

NO. 56762

STATE OF FLORIDA

PROFESSIONAL ENGINEER

DATE: 8/27/20

SCALE: 1"=50'

SHEET

3.5

TOTAL SHEETS 47

BINKLEY ENGINEERING

Certificate of Authorization No. 32308

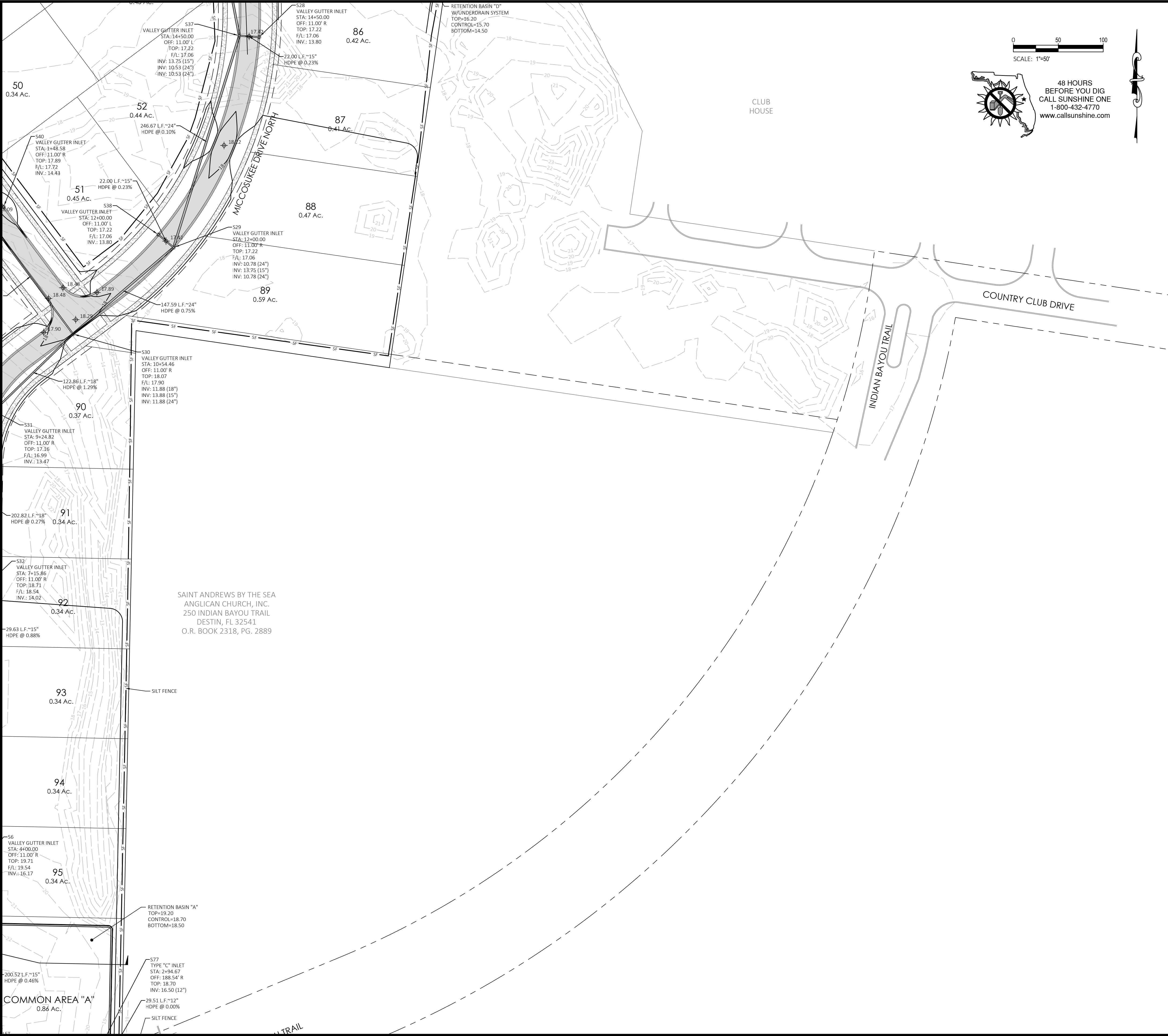
434 Benning Drive, Destin, FL 32541

Phone: (850) 974-5421

rsbinkley@gmail.com

INDIAN BAYOU WEST

GRADING & DRAINAGE PLAN (5 OF 7)



050100

SCALE: 1"=50'

48 HOURS
BEFORE YOU DIG
CALL SUNSHINE ONE
1-800-432-4770
www.callsunshine.com

LEGEND

	EXISTING GRADE CONTOUR (AT 5' INTERVAL)
	EXISTING GRADE CONTOUR (AT 1' INTERVAL)
	FINISHED GRADE CONTOUR (AT 1' INTERVAL)
	FINISHED GRADE SPOT ELEVATION
	SILT FENCE LOCATION
	HDPE
	HIGH DENSITY POLYETHYLENE PIPE

NOTES

- CONTOUR INTERVAL = ONE FOOT.
- PROPOSED CONTOURS AND SPOT ELEVATIONS REPRESENT FINISHED GRADE.
- STORMWATER RUNOFF, SEDIMENT, AND EROSION SHALL BE CONTROLLED DURING ALL PHASES OF CONSTRUCTION.
- MATCH EXISTING EDGE OF PAVEMENT GRADE WHEREVER NEW PAVEMENT EDGE MEETS THE EXISTING EDGE.
- CONTRACTOR SHALL PROVIDE SOLID SODDING WITHIN ALL CLEARED AND GRUBBED AREAS WITH SIDE SLOPES OF 3:1 OR STEEPER.
- CONTRACTOR SHALL PROVIDE A TEMPORARY COVER OF FILTER CLOTH FOR EACH INLET STRUCTURE TO PREVENT ENTRANCE OF SOIL. INLET STRUCTURES ARE TO REMAIN COVERED UNTIL AN ACCEPTABLE STAND OF GRASS IS ACHIEVED.
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- CONTRACTOR SHALL PROVIDE CAMERA INSPECTION OF ALL STORM DRAINAGE PIPE TO THE CITY OF DESTIN AFTER CONSTRUCTION.

LOT RETENTION REQUIREMENT

LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)	LOT	MAX. IMPERVIOUS (S.F.)	1" VOLUME (c.f.)
1	5,004	2,488	49	6,504	1,250
2	5,004	2,336	50	5,004	1,250
3	5,004	1,296	51	5,004	1,629
4	5,004	1,173	52	5,004	1,596
5	5,004	1,333	53	5,004	1,637
6	4,004	1,333	54	5,004	1,876
7	4,004	1,333	55	7,504	1,508
8	4,004	1,333	56	7,504	1,288
9	4,004	1,333	57	7,504	1,240
10	4,004	1,333	58	4,004	1,181
11	4,004	1,333	59	4,004	1,462
12	4,004	1,333	60	4,004	1,505
13	4,004	1,333	61	5,004	2,643
14	4,004	1,333	62	5,004	3,745
15	4,004	1,333	63	5,004	2,966
16	4,004	1,333	64	5,004	2,798
17	4,004	1,333	65	5,004	3,692
18	4,004	1,333	66	5,004	1,517
19	4,004	1,288	67	5,004	1,666
20	4,004	1,490	68	5,004	2,500
21	4,004	1,107	69	5,004	1,548
22	4,004	926	70	5,004	1,582
23	4,004	988	71	5,004	1,584
24	4,004	1,169	72	5,004	1,515
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3/31/21	
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PER NWFVMD AND CITY OF DESTIN COMMENTS

PER NWFVMD COMMENTS

ADD 11 LOTS PER OWNER

REDUCE TO 95 LOTS

INDIAN BAYOU WEST

GRADING & DRAINAGE PLAN (6 OF 7)

DATE: 8/27/20

SCALE: 1"=50'

SHEET

3.6

TOTAL SHEETS 47

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PER CITY AND NWFVMD COMMENTS

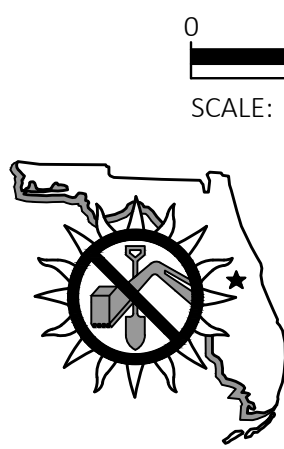
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www.callsunshine.com

OKALOOSA BCC
DESTIN AIRPORT

BOOGIES
LEASING

EAST LINE AIRPORT PLACE 1
PLAT BOOK 14, PAGE 34

AIRPORT ROAD

NOT INCLUDED

NOT INCLUDED

CITY OF DESTIN

COMMON AREA "A"
0.86 AC.

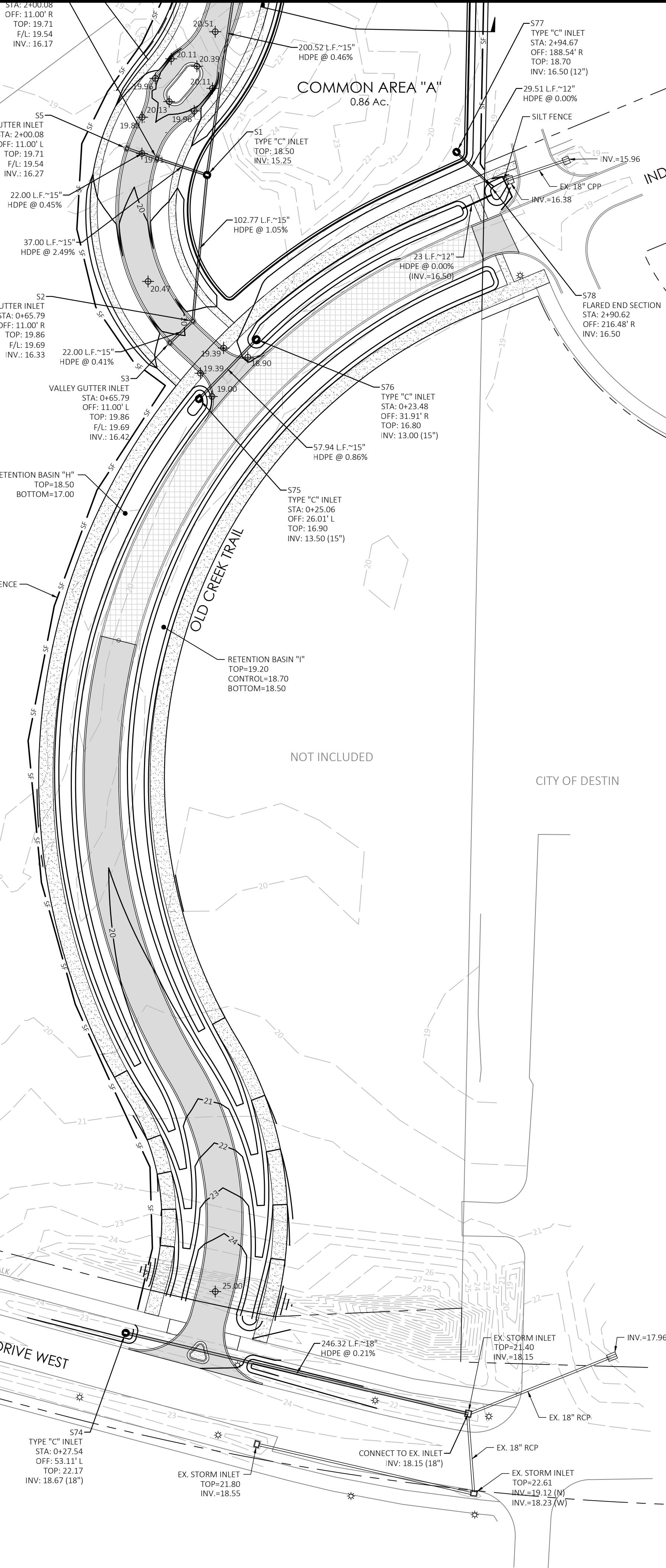
INDIAN BAYOU TRAIL

INDIAN LAKE

INDIAN BAYOU TRAIL

OLD CREEK TRAIL

COMMONS DRIVE WEST



LEGEND

---	EXISTING GRADE CONTOUR (AT 5' INTERVAL)
---	EXISTING GRADE CONTOUR (AT 1' INTERVAL)
---	FINISHED GRADE CONTOUR (AT 1' INTERVAL)
12.00	FINISHED GRADE SPOT ELEVATION
---	SILT FENCE LOCATION
HDPE	HIGH DENSITY POLYETHYLENE PIPE

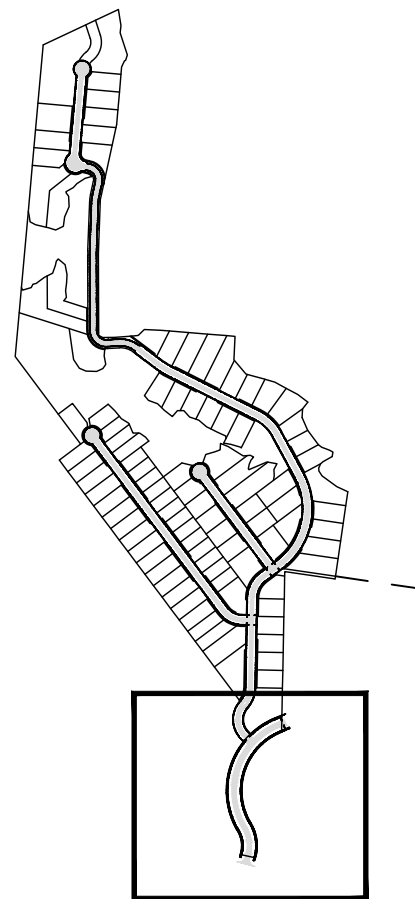
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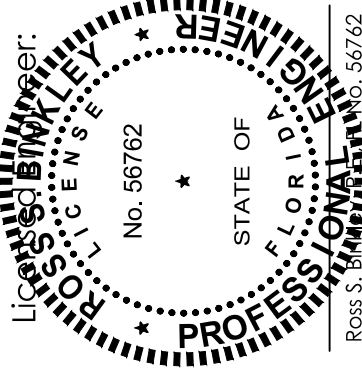
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3	5,004	1,296	51	5,004	1,629
4	5,004	1,173	52	5,004	1,596
5	5,004	1,333	53	5,004	1,637
6	4,004	1,333	54	5,004	1,876
7	4,004	1,333	55	7,504	1,508
8	4,004	1,333	56	7,504	1,288
9	4,004	1,333	57	7,504	1,240
10	4,004	1,333	58	4,004	1,181
11	4,004	1,333	59	4,004	1,462
12	4,004	1,333	60	4,004	1,505
13	4,004	1,333	61	5,004	2,643
14	4,004	1,333	62	5,004	3,745
15	4,004	1,333	63	5,004	2,966
16	4,004	1,333	64	5,004	2,798
17	4,004	1,333	65	5,004	3,692
18	4,004	1,333	66	5,004	1,517
19	4,004	1,288	67	5,004	1,666
20	4,004	1,490	68	5,004	2,500
21	4,004	1,107	69	5,004	1,548
22	4,004	926	70	5,004	1,582
23	4,004	988	71	5,004	1,584
24	4,004	1,169	72	5,004	1,515
25	4,004	875	73	5,004	1,677
26	4,004	875	74	4,004	1,415
27	4,004	875	75	4,004	1,555
28	4,004	875	76	4,004	1,931
29	4,004	875	77	4,004	2,269
30	4,004	875	78	7,504	2,239
31	4,004	875	79	7,504	1,387
32	4,004	875	80	7,504	1,334
33	4,004	875	81	7,504	1,706
34	4,004	875	82	7,504	2,013
35	4,004	875	83	7,504	1,258
36	4,004	875	84	7,504	1,163
37	4,004	875	85	5,004	1,445
38	5,004	1,898	86	5,004	1,507
39	5,004	2,028	87	5,004	1,500
40	5,004	1,250	88	5,004	1,699
41	6,504	1,250	89	5,004	2,148
42	6,504	1,250	90	5,004	1,353
43	6,504	1,250	91	5,004	1,250
44	6,504	1,203	92	5,004	1,250
45	6,504	1,214	93	5,004	1,250
46	6,504	2,045	94	5,004	1,250
47	6,504	2,008	95	5,004	1,250
48	6,504	2,591			

KEY MAP



NOT FOR CONSTRUCTION



DATE:	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
REVISIONS:					
PER CITY AND NWFVMD COMMENTS					
PER NWFVMD AND CITY OF DESTIN COMMENTS					
PER NWFVMD COMMENTS					
ADD 11 LOTS PER OWNER					
REDUCE TO 95 LOTS					

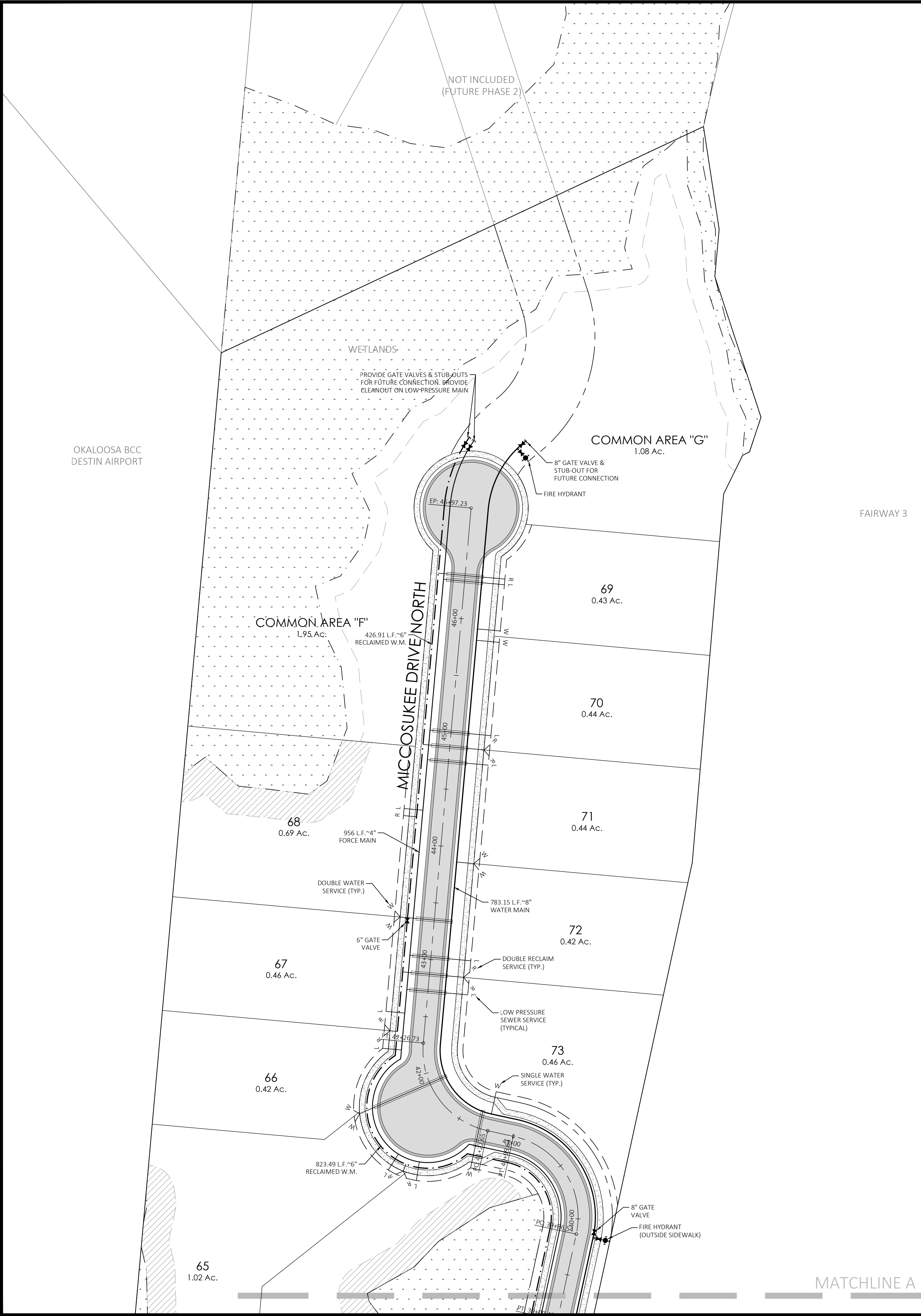
BINKLEY ENGINEERING
Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

INDIAN BAYOU WEST

GRADING & DRAINAGE PLAN (7 OF 7)

DATE: 8/27/20
SCALE: 1"=50'
SHEET

3.7
TOTAL SHEETS 47



NOTES

1. THE LOCATION OF EXISTING UTILITIES IS APPROXIMATE AND SHALL BE VERIFIED IN THE FIELD PRIOR TO BEGINNING CONSTRUCTION.

2. IF THE LOCATION OR ELEVATION IS SUBSTANTIALLY DIFFERENT FROM THAT SHOWN ON THE PLANS, OR IF CONFLICTS EXIST, THE ENGINEER SHALL BE NOTIFIED.

3. CONTRACTOR SHALL HAVE ALL APPLICABLE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND LOCAL PERMITS PRIOR TO BEGINNING CONSTRUCTION.

4. TAPS INTO EXISTING UTILITIES SHALL BE COORDINATED WITH THE LOCAL UTILITY COMPANY. ALL TAPS SHALL BE MADE IN AN EXPEDITIOUS MANNER TO MINIMIZE INTERRUPTION OF SERVICE.

5. WHERE SEWER SERVICES TIE DIRECTLY INTO SANITARY SEWER MANHOLES, MATCH CROWNS OF THE ENTERING SERVICE WITH THE EXITING MAIN.

6. CONTRACTOR SHALL NOTIFY DESTIN WATER USERS AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

7. CONTRACTOR SHALL OBTAIN A UTILITY PERMIT FROM OKALOOSA COUNTY PUBLIC WORKS FOR ALL UTILITY CONSTRUCTION WITHIN COUNTY EASEMENTS AND RIGHTS-OF-WAY.

8. COORDINATE UTILITY INSTALLATION WITH GULF POWER AND DESTIN WATER USERS.

9. OKALOOSA GAS DISTRICT WILL PROVIDE NATURAL GAS TO THE DEVELOPMENT AND WILL PROVIDE AND INSTALL PROPOSED GAS MAINS.

10. ALL UTILITIES SHALL BE UNDERGROUND.

11. ALL REVISIONS TO THE WATER AND/OR SEWER UTILITIES MUST BE REAPPROVED BY DESTIN WATER USERS, INC. IN WRITING AT LEAST 24 HOURS PRIOR TO IMPLEMENTATION.

12. FIELD VERIFIED AND SCALED "AS-BUILT" PLANS INCLUDING ALL UTILITY INFRASTRUCTURES MUST BE SUBMITTED TO THE CITY OF DESTIN AND FORWARDED TO DESTIN WATER USERS, INC. FOR FINAL INSPECTION BY DESTIN WATER USERS, INC. A WRITTEN APPROVAL SHALL THEN BE SUBMITTED TO THE CITY OF DESTIN PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY BY THE CITY OF DESTIN IF THERE ARE NO OUTSTANDING ISSUES.

13. ALL TAPS ARE TO BE PERFORMED BY DESTIN WATER USERS, INC. WITH A 24 HOUR NOTICE GIVEN.

14. LIFT STATION SHALL BE OWNED AND OPERATED BY DESTIN WATER USERS, INC. AFTER INSPECTION PUMPED DOWN.

UTILITY COMPANIES

COMPANY	ADDRESS	PHONE
DESTIN WATER USERS	218 MAIN STREET DESTIN, FL 32541	(850) 837-6146
GULF POWER	140 HOLLYWOOD BLVD SW FORT WALTON BEACH, FL 32548	(850) 225-5797
OKALOOSA GAS DISTRICT	367 VALPARAISO BLVD. VALPARAISO, FL 32580	(850) 729-4700

LEGEND

EXISTING	
	EXISTING WATER LINE
	EXISTING SANITARY SEWER MAIN
	EXISTING FORCE MAIN
	EXISTING RECLAIMED WATER LINE
	EXISTING GATE VALVE
	EXISTING FIRE HYDRANT
	EXISTING SANITARY SEWER MANHOLE
	EXISTING OVERHEAD UTILITY LINE
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE

PROPOSED	
	SANITARY SEWER MAIN
	WATER MAIN
	RECLAIMED WATER MAIN
	FORCE MAIN
	SINGLE SANITARY SEWER SERVICE
	DOUBLE SANITARY SEWER SERVICE
	SINGLE WATER SERVICE
	DOUBLE WATER SERVICE
	SINGLE RECLAIMED WATER SERVICE
	DOUBLE RECLAIMED WATER SERVICE
	LOW PRESSURE SEWER SERVICE
	SANITARY SEWER MANHOLE
	GATE VALVE
	FIRE HYDRANT

KEY MAP

NOT FOR CONSTRUCTION

REVISIONS:

DATE:	REVISIONS:
9/29/20	ADD OKALOOSA GAS DISTRICT NOTE PRE-CITY COMMENTS
1/25/21	PER FDP & DWU COMMENTS
2/17/21	PER NWFWMD AND CITY OF DESTIN COMMENTS
3/31/21	PER NWFWMD COMMENTS
8/23/21	ADD 11 LOTS PER OWNER
9/15/21	SIZE OF LOW PRESSURE MAIN
1/25/22	REDUCE TO 95' LOTS

INDIAN BAYOU WEST

UTILITY PLAN (1 OF 7)

DATE: 8/27/20

SCALE: 1"=50'

SHEET

4.1

TOTAL SHEETS 47

OKALOOSA BCC

DESTIN AIRPORT

NOT INCLUDED
(FUTURE PHASE 2)

WETLANDS

PROVIDE GATE VALVES & STUB-OUTS
FOR FUTURE CONNECTION. PROVIDE
CLEANOUT ON LOW-PRESSURE MAIN

COMMON AREA "F"
1.95 Ac.

426.91 L.F. ~6" RECLAIMED W.M.

8" GATE VALVE & STUB-OUT FOR
FUTURE CONNECTION

FIRE HYDRANT

COMMON AREA "G"
1.08 Ac.

69
0.43 Ac.

70
0.44 Ac.

71
0.44 Ac.

72
0.42 Ac.

73
0.46 Ac.

66
0.42 Ac.

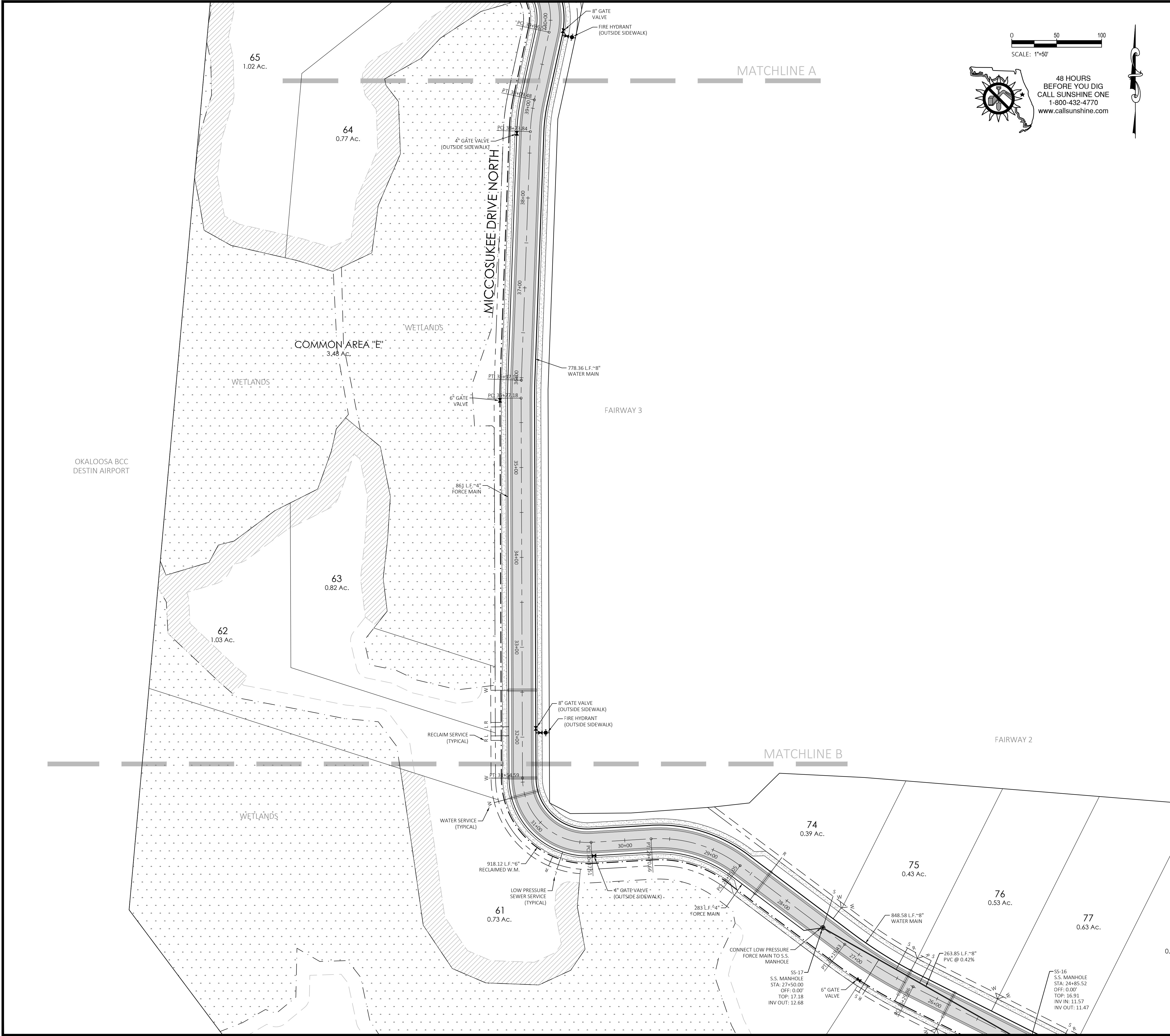
67
0.46 Ac.

68
0.69 Ac.

65
1.02 Ac.

FAIRWAY 3

MATCHLINE A



0 50 100
SCALE: 1"=50'

48 HOURS
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www.callsunshine.com

NOTES

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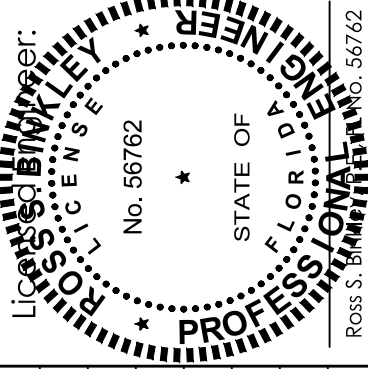
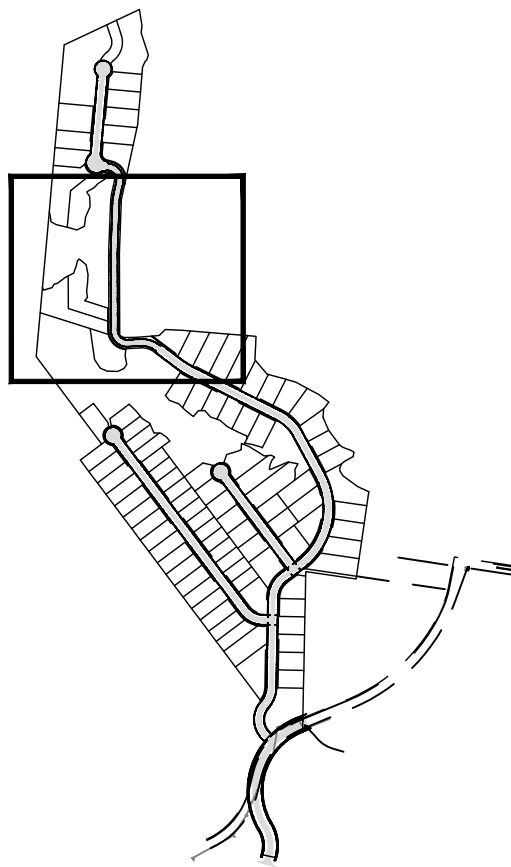
UTILITY COMPANIES

COMPANY	ADDRESS	PHONE
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GULF POWER	140 HOLLYWOOD BLVD SW FORT WALTON BEACH, FL 32548	(850) 225-5797
OKALOOSA GAS DISTRICT	367 VALPARAISO BLVD. VALPARAISO, FL 32580	(850) 729-4700

LEGEND

EXISTING	
	EXISTING WATER LINE
	EXISTING SANITARY SEWER MAIN
	EXISTING FORCE MAIN
	EXISTING RECLAIMED WATER LINE
	EXISTING GATE VALVE
	EXISTING FIRE HYDRANT
	EXISTING SANITARY SEWER MANHOLE
	EXISTING OVERHEAD UTILITY LINE
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
PROPOSED	
	SANITARY SEWER MAIN
	WATER MAIN
	RECLAIMED WATER MAIN
	FORCE MAIN
	SINGLE SANITARY SEWER SERVICE
	DOUBLE SANITARY SEWER SERVICE
	SINGLE WATER SERVICE
	DOUBLE WATER SERVICE
	SINGLE RECLAIMED WATER SERVICE
	DOUBLE RECLAIMED WATER SERVICE
	LOW PRESSURE SEWER SERVICE
	SANITARY SEWER MANHOLE
	GATE VALVE
	FIRE HYDRANT

KEY MAP



DATE:	9/29/20	1/25/21	2/17/21	3/31/21	8/23/21	9/15/21	1/25/22
REVISIONS:							
A	ADD OKALOOSA GAS DISTRICT NOTE PRE-CITY COMMENTS						
A	PER FDP & DWU COMMENTS						
A	PER NWFWMD AND CITY OF DESTIN COMMENTS						
A	PER NWFWMD COMMENTS						
A	ADD 11 LOTS PER OWNER						
A	SIZE OF LOW PRESSURE MAIN						
A	REDUCE TO 95' LOTS						

BINKLEY ENGINEERING

Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

INDIAN BAYOU WEST

UTILITY PLAN (2 OF 7)

DATE: 8/27/20

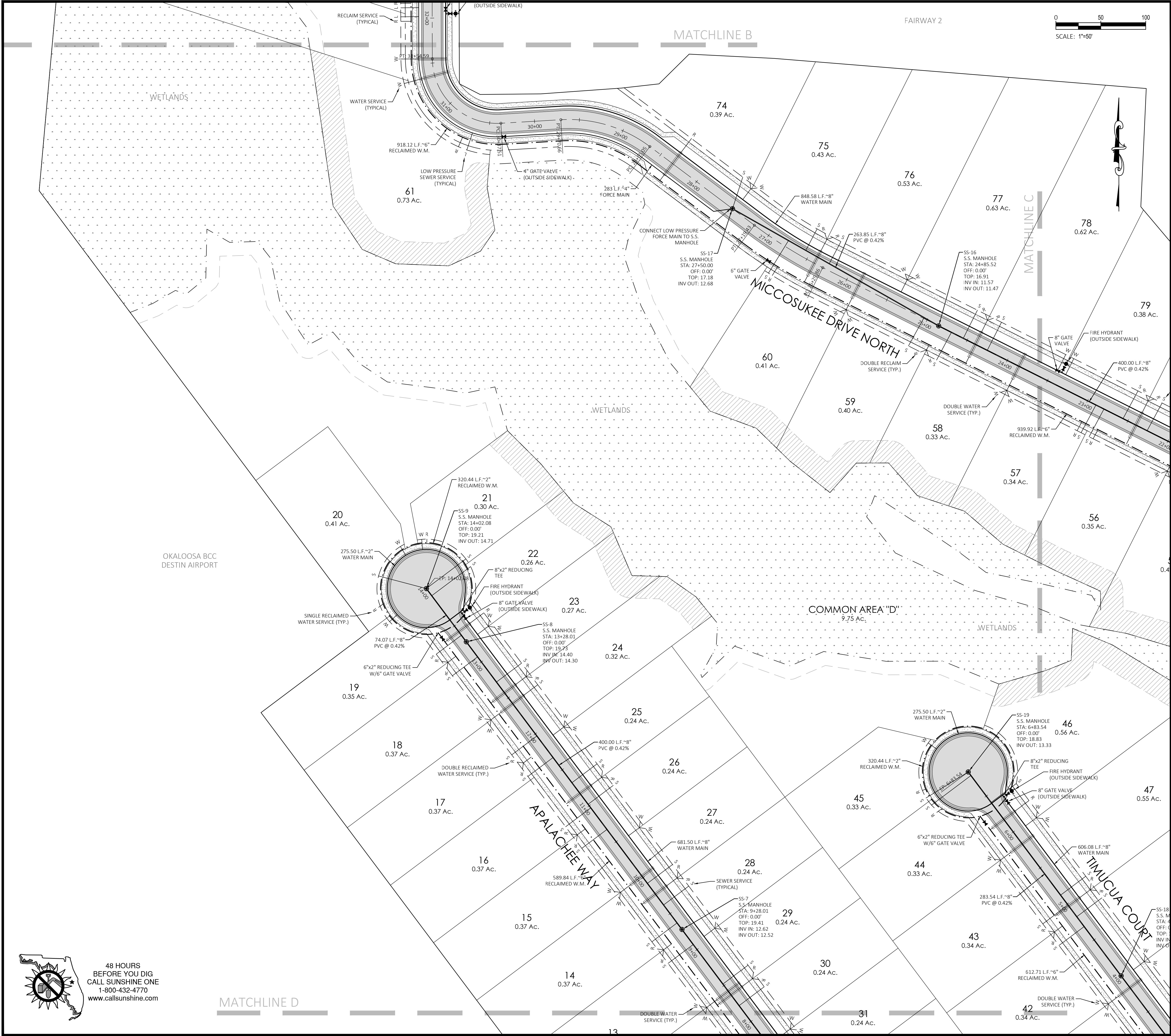
SCALE: 1"=50'

SHEET

4.2

TOTAL SHEETS 47

NOT FOR CONSTRUCTION



- ### NOTES
1. THE LOCATION OF EXISTING UTILITIES IS APPROXIMATE AND SHALL BE VERIFIED IN THE FIELD PRIOR TO BEGINNING CONSTRUCTION.
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 14. LIFT STATION SHALL BE OWNED AND OPERATED BY DESTIN WATER USERS, INC. AFTER INSPECTION PUMPED DOWN.

UTILITY COMPANIES

COMPANY	ADDRESS	PHONE
DESTIN WATER USERS	218 MAIN STREET DESTIN, FL 32541	(850) 837-6146
GULF POWER	140 HOLLYWOOD BLVD SW FORT WALTON BEACH, FL 32548	(850) 225-5797
OKALOOSA GAS DISTRICT	367 VALPARAISO BLVD. VALPARAISO, FL 32580	(850) 729-4700

LEGEND

EXISTING	
	EXISTING WATER LINE
	EXISTING SANITARY SEWER MAIN
	EXISTING FORCE MAIN
	EXISTING RECLAIMED WATER LINE
	EXISTING GATE VALVE
	EXISTING FIRE HYDRANT
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	EXISTING OVERHEAD UTILITY LINE
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	EXISTING LIGHT POLE

PROPOSED	
	SANITARY SEWER MAIN
	WATER MAIN
	RECLAIMED WATER MAIN
	FORCE MAIN
	SINGLE SANITARY SEWER SERVICE
	DOUBLE SANITARY SEWER SERVICE
	SINGLE WATER SERVICE
	DOUBLE WATER SERVICE
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	DOUBLE RECLAIMED WATER SERVICE
	LOW PRESSURE SEWER SERVICE
	SANITARY SEWER MANHOLE
	GATE VALVE
	FIRE HYDRANT

KEY MAP

NOT FOR CONSTRUCTION

BINKLEY ENGINEERING
Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

INDIAN BAYOU WEST

UTILITY PLAN (3 OF 7)

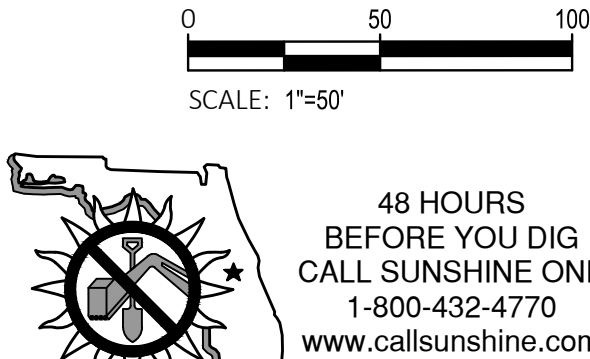
DATE: 8/27/20

SCALE: 1"=50'

SHEET

4.3

TOTAL SHEETS 47



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REVISIONS:	DATE:	DESCRIPTION:
1	9/29/20	ADD DIALOGIA GAS DISTRICT NOTE PRE CITY COMMENTS
2	1/25/21	PER DEP & DMU COMMENTS
3	2/17/21	PER NWP VAND AND CITY OF DESTIN COMMENTS
4	3/31/21	PER NWP VAND COMMENTS
5	8/23/21	ADD 11 LOTS PER OWNER
6	1/25/22	REDUCE TO 95 LOTS
7		

EXISTING	
	EXISTING WATER LINE
	EXISTING SANITARY SEWER MAIN
	EXISTING FORCE MAIN
	EXISTING RECLAIMED WATER LINE
	EXISTING GATE VALVE
	EXISTING FIRE HYDRANT
	EXISTING SANITARY SEWER MANHOLE
	EXISTING OVERHEAD UTILITY LINE
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE

PROPOSED	
	SANITARY SEWER MAIN
	WATER MAIN
	RECLAIMED WATER MAIN
	FORCE MAIN
	SINGLE SANITARY SEWER SERVICE
	DOUBLE SANITARY SEWER SERVICE
	SINGLE WATER SERVICE
	DOUBLE WATER SERVICE
	SINGLE RECLAIMED WATER SERVICE
	DOUBLE RECLAIMED WATER SERVICE
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	SANITARY SEWER MANHOLE
	GATE VALVE
	FIRE HYDRANT

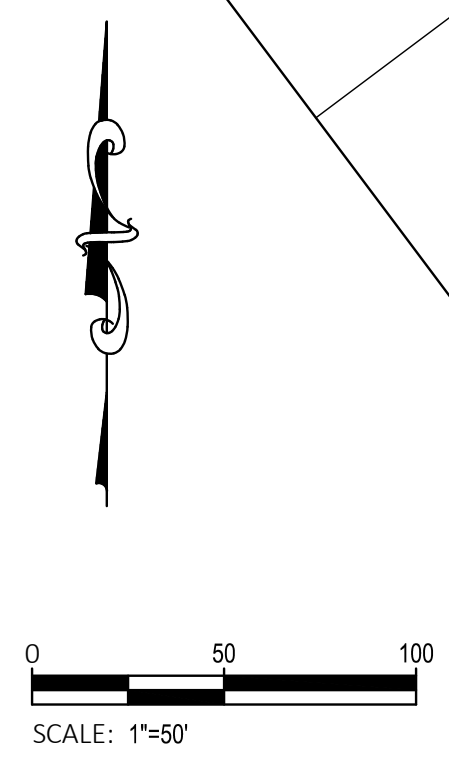
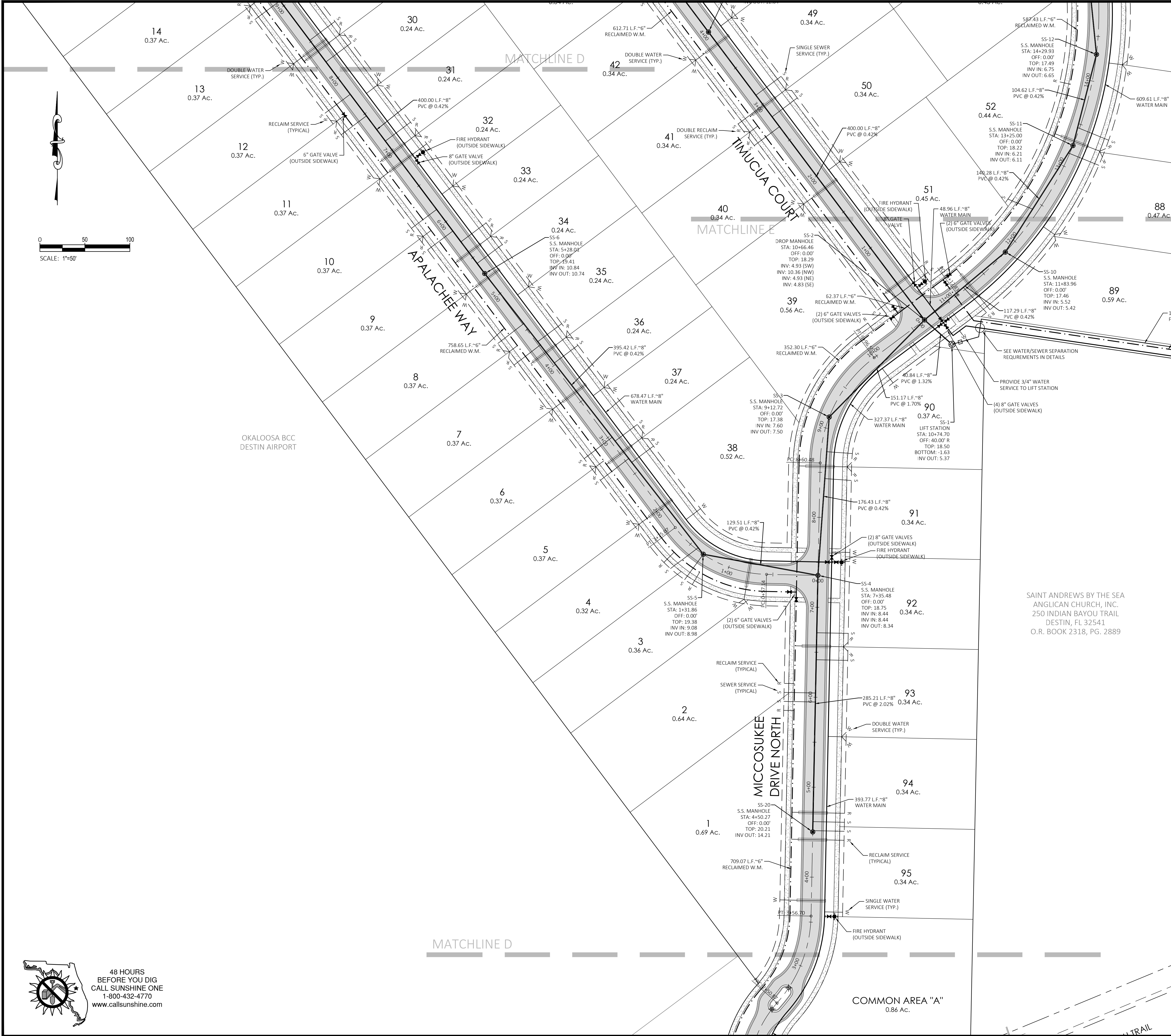
NOT FOR CONSTRUCTION

INDIAN BAYOU WEST

UTILITY PLAN (4 OF 7)

The logo for Binkley Engineering, featuring a stylized 'BE' monogram in a dark square, followed by the words 'BINKLEY' and 'ENGINEERING' in a bold, sans-serif font.

Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com



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www.callsunshine.com

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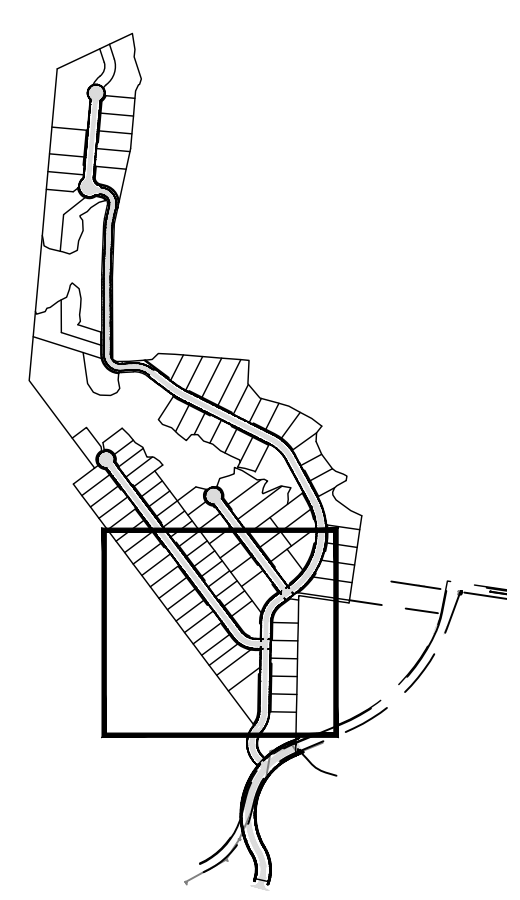
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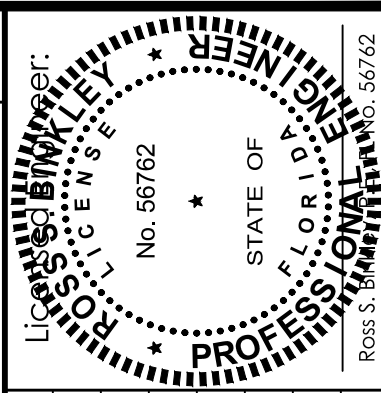
LEGEND

EXISTING	
	EXISTING WATER LINE
	EXISTING SANITARY SEWER MAIN
	EXISTING FORCE MAIN
	EXISTING RECLAIMED WATER LINE
	EXISTING GATE VALVE
	EXISTING FIRE HYDRANT
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	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
PROPOSED	
	SANITARY SEWER MAIN
	WATER MAIN
	RECLAIMED WATER MAIN
	FORCE MAIN
	SINGLE SANITARY SEWER SERVICE
	DOUBLE SANITARY SEWER SERVICE
	SINGLE WATER SERVICE
	DOUBLE WATER SERVICE
	SINGLE RECLAIMED WATER SERVICE
	DOUBLE RECLAIMED WATER SERVICE
	LOW PRESSURE SEWER SERVICE
	SANITARY SEWER MANHOLE
	GATE VALVE
	FIRE HYDRANT

KEY MAP



NOT FOR CONSTRUCTION



DATE:	9/29/20	12/2/20	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
REVISIONS:	ADD OKALOOSA GAS DISTRICT NOTE PRE-CITY COMMENTS	PER FDP COMMENTS	PER FDP & DWU COMMENTS	PER NWFWMD AND CITY OF DESTIN COMMENTS	PER NWFWMD COMMENTS	ADD 11 LOTS PER OWNER	REDUCE TO 95 LOTS

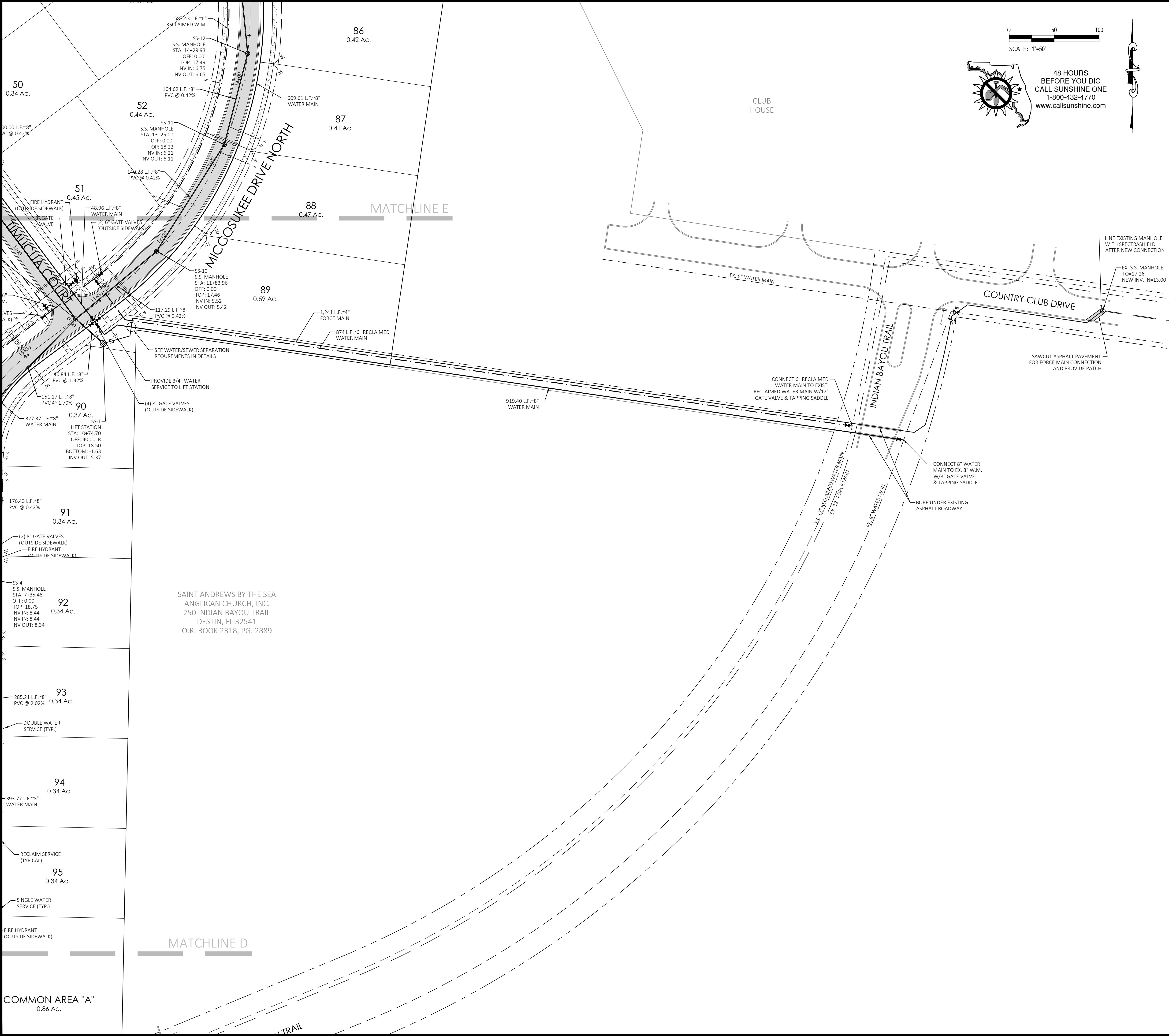
BINKLEY ENGINEERING
Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

INDIAN BAYOU WEST

UTILITY PLAN (5 OF 7)

DATE: 8/27/20
SCALE: 1"=50'
SHEET

4.5
TOTAL SHEETS 47



NOTES

1. THE LOCATION OF EXISTING UTILITIES IS APPROXIMATE AND SHALL BE VERIFIED IN THE FIELD PRIOR TO BEGINNING CONSTRUCTION.

2. IF THE LOCATION OR ELEVATION IS SUBSTANTIALLY DIFFERENT FROM THAT SHOWN ON THE PLANS, OR IF CONFLICTS EXIST, THE ENGINEER SHALL BE NOTIFIED.

3. CONTRACTOR SHALL HAVE ALL APPLICABLE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND LOCAL PERMITS PRIOR TO BEGINNING CONSTRUCTION.

4. TAPS INTO EXISTING UTILITIES SHALL BE COORDINATED WITH THE LOCAL UTILITY COMPANY. ALL TAPS SHALL BE MADE IN AN EXPEDITIOUS MANNER TO MINIMIZE INTERRUPTION OF SERVICE.

5. WHERE SEWER SERVICES TIE DIRECTLY INTO SANITARY SEWER MANHOLES, MATCH CROWNS OF THE ENTERING SERVICE WITH THE EXISTING MAIN.

6. CONTRACTOR SHALL NOTIFY DESTIN WATER USERS AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

7. CONTRACTOR SHALL OBTAIN A UTILITY PERMIT FROM OKALOOSA COUNTY PUBLIC WORKS FOR ALL UTILITY CONSTRUCTION WITHIN COUNTY EASEMENTS AND RIGHTS-OF-WAY.

8. COORDINATE UTILITY INSTALLATION WITH GULF POWER AND DESTIN WATER USERS.

9. OKALOOSA GAS DISTRICT WILL PROVIDE NATURAL GAS TO THE DEVELOPMENT AND WILL PROVIDE AND INSTALL PROPOSED GAS MAINS.

10. ALL UTILITIES SHALL BE UNDERGROUND.

11. ALL REVISIONS TO THE WATER AND/OR SEWER UTILITIES MUST BE REAPPROVED BY DESTIN WATER USERS, INC. IN WRITING AT LEAST 24 HOURS PRIOR TO IMPLEMENTATION.

12. FIELD VERIFIED AND SCALED "AS-BUILT" PLANS INCLUDING ALL UTILITY INFRASTRUCTURES MUST BE SUBMITTED TO THE CITY OF DESTIN AND FORWARDED TO DESTIN WATER USERS, INC. FOR FINAL INSPECTION BY DESTIN WATER USERS, INC. A WRITTEN APPROVAL SHALL THEN BE SUBMITTED TO THE CITY OF DESTIN PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY BY THE CITY OF DESTIN IF THERE ARE NO OUTSTANDING ISSUES.

13. ALL TAPS ARE TO BE PERFORMED BY DESTIN WATER USERS, INC. WITH A 24 HOUR NOTICE GIVEN.

14. LIFT STATION SHALL BE OWNED AND OPERATED BY DESTIN WATER USERS, INC. AFTER INSPECTION PUMPED DOWN.

UTILITY COMPANIES

COMPANY	ADDRESS	PHONE
DESTIN WATER USERS	218 MAIN STREET DESTIN, FL 32541	(850) 837-6146
GULF POWER	140 HOLLYWOOD BLVD SW FORT WALTON BEACH, FL 32548	(850) 225-5797
OKALOOSA GAS DISTRICT	367 VALPARAISO BLVD. VALPARAISO, FL 32580	(850) 729-4700

LEGEND

EXISTING	
---	EXISTING WATER LINE
==	EXISTING SANITARY SEWER MAIN
---	EXISTING FORCE MAIN
---	EXISTING RECLAIMED WATER LINE
⊗	EXISTING GATE VALVE
⊗	EXISTING FIRE HYDRANT
⊗	EXISTING SANITARY SEWER MANHOLE
---	EXISTING OVERHEAD UTILITY LINE
⊗	EXISTING UTILITY POLE
⊗	EXISTING LIGHT POLE

PROPOSED	
---	SANITARY SEWER MAIN
---	WATER MAIN
---	RECLAIMED WATER MAIN
---	FORCE MAIN
---	SINGLE SANITARY SEWER SERVICE
---	DOUBLE SANITARY SEWER SERVICE
---	SINGLE WATER SERVICE
---	DOUBLE WATER SERVICE
---	SINGLE RECLAIMED WATER SERVICE
---	DOUBLE RECLAIMED WATER SERVICE
---	LOW PRESSURE SEWER SERVICE
⊗	SANITARY SEWER MANHOLE
⊗	GATE VALVE
⊗	FIRE HYDRANT

KEY MAP

NOT FOR CONSTRUCTION

DATE: 8/27/20

SCALE: 1"=50'

SHEET

4.6

TOTAL SHEETS 47

INDIAN BAYOU WEST

UTILITY PLAN (6 OF 7)

NOT FOR CONSTRUCTION

REVISIONS:

DATE:	REVISIONS:
9/29/20	ADD OKALOOSA GAS DISTRICT NOTE PRE-CITY COMMENTS
12/2/20	PER FDEP COMMENTS
1/25/21	PER FDEP & DWU COMMENTS
2/17/21	PER NWFWMD AND CITY OF DESTIN COMMENTS
3/31/21	PER NWFWMD COMMENTS
8/23/21	ADD 11 LOTS PER OWNER
1/25/22	REDUCE TO 95 LOTS

STATE OF FLORIDA

REGISTERED PROFESSIONAL ENGINEER

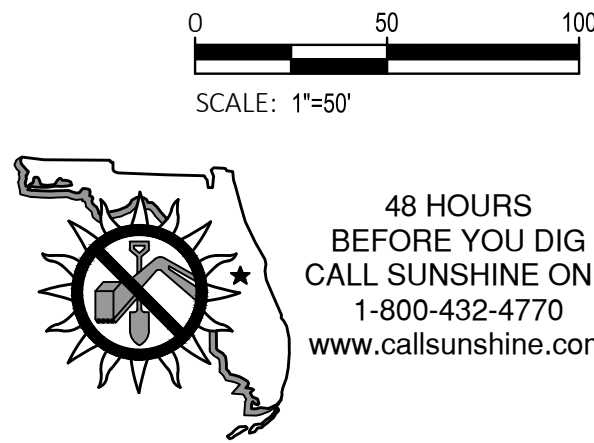
NO. 56762

RSBINKLEY

INDIAN BAYOU WEST

UTILITY PLAN (6 OF 7)

48 HOURS BEFORE YOU DIG CALL SUNSHINE ONE 1-800-432-4770 www.callsunshine.com



MATCHLINE D

OKALOOSA BCC
DESTIN AIRPORT

BOOGIES
LEASING

EAST LINE AIRPORT PLACE 1
PLAT BOOK 14, PAGE 34

AIRPORT ROAD

NOT INCLUDED

NOT INCLUDED

CITY OF DESTIN

COMMON AREA "A"
0.86 AC.

MICCOSUKEE DRIVE NORTH

INDIAN BAYOU TRAIL

INDIAN LAKE

COMMONS DRIVE WEST

EX 5' CONCRETE WALK

371.28 LF -8" WATER MAIN

CONNECT 6" RECLAIMED
WATER MAIN TO EXIST.
RECLAIMED WATER MAIN W/12"
GATE VALVE & TAPPING SADDLE

CONNECT 8" WATER
MAIN TO EX. 8" W.M.
W/8" GATE VALVE
& TAPPING SADDLE

OLD CREEK TRAIL

INDIAN BAYOU TRAIL

NOTES

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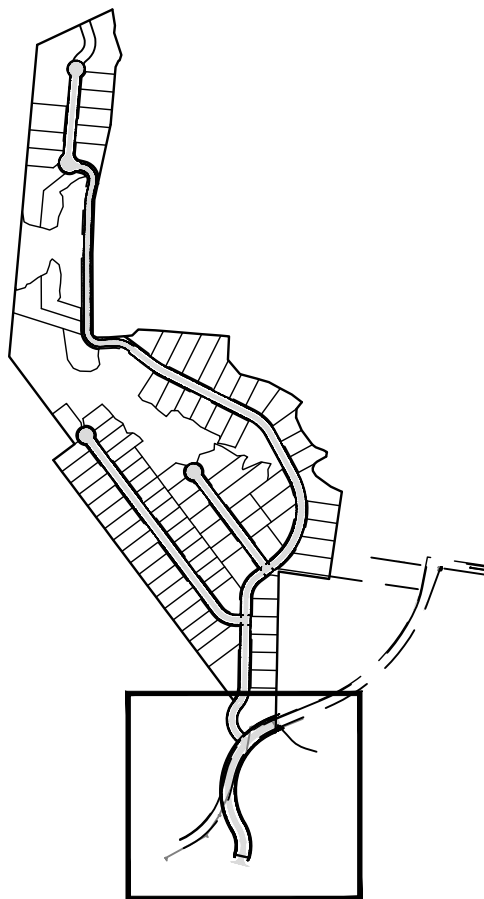
UTILITY COMPANIES

COMPANY	ADDRESS	PHONE
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OKALOOSA GAS DISTRICT	367 VALPARAISO BLVD. VALPARAISO, FL 32580	(850) 729-4700

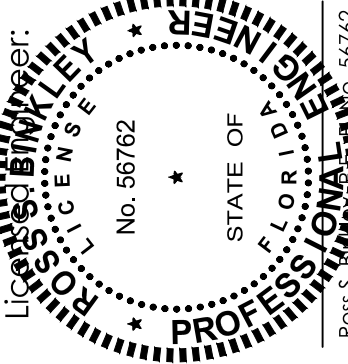
LEGEND

EXISTING	
	EXISTING WATER LINE
	EXISTING SANITARY SEWER MAIN
	EXISTING FORCE MAIN
	EXISTING RECLAIMED WATER LINE
	EXISTING GATE VALVE
	EXISTING FIRE HYDRANT
	EXISTING SANITARY SEWER MANHOLE
	EXISTING OVERHEAD UTILITY LINE
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
PROPOSED	
	SANITARY SEWER MAIN
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	DOUBLE RECLAIMED WATER SERVICE
	LOW PRESSURE SEWER SERVICE
	SANITARY SEWER MANHOLE
	GATE VALVE
	FIRE HYDRANT

KEY MAP

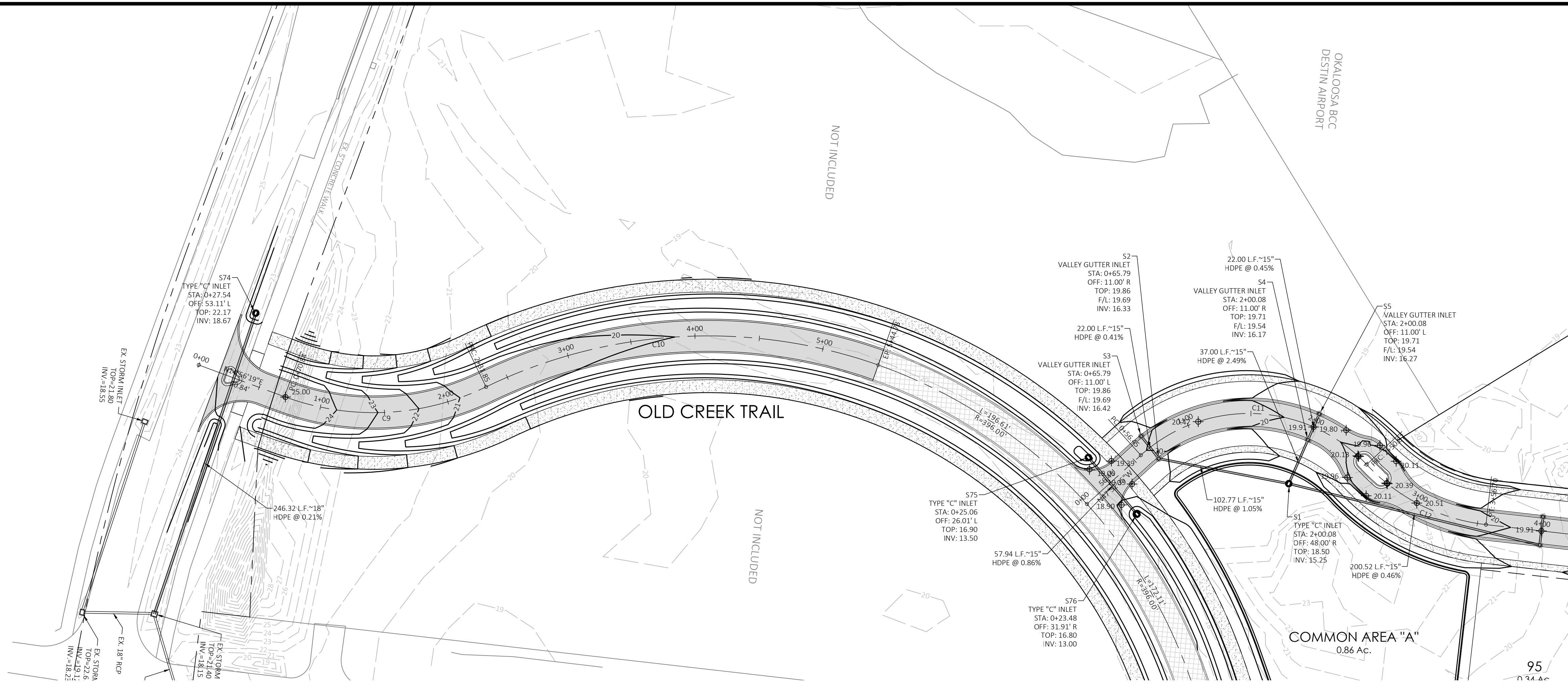


NOT FOR CONSTRUCTION



DATE:	9/29/09	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
REVISIONS:	ADD OKALOOSA GAS DISTRICT NOTE PRE CITY COMMENTS	PER EDEP & DWU COMMENTS	PER NWFWMD AND CITY OF DESTIN COMMENTS	PER NWFWMD COMMENTS	ADD 11 LOTS PER OWNER	REDUCE TO 95 LOTS

BINKLEY ENGINEERING
Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com



PROFILE



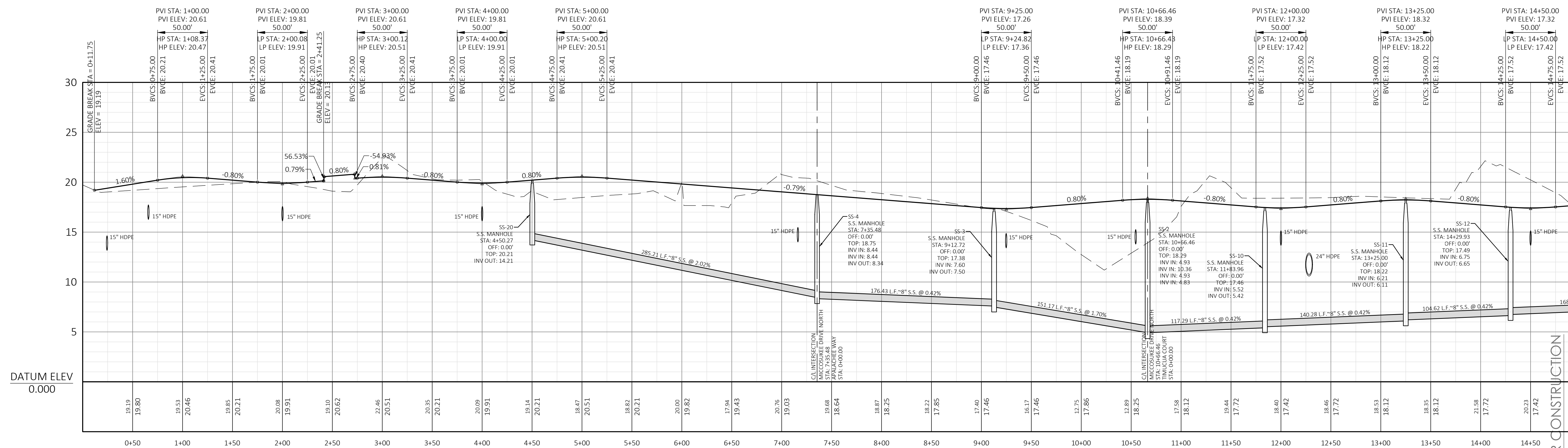
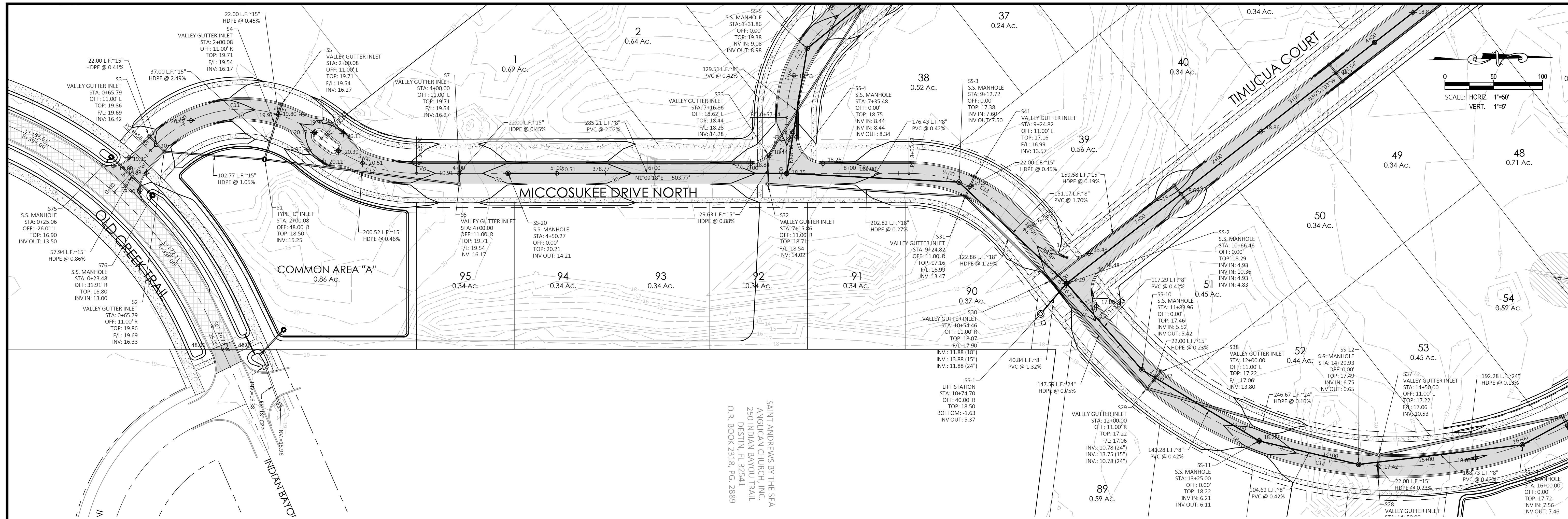
REVISIONS:	DATE:
△ PER CITY & DMU COMMENTS	1/25/21
△ PER RMF-WMD AND CITY OF BOSTON COMMENTS	2/17/21
△ PER RMF-WMD COMMENTS	3/9/21
△ ADD 11 LOTS PER OWNER	8/23/21
△ REDUCE TO 95 LOTS	1/25/22
△	
△	

INDIAN BAYOU WEST

PLAN & PROFILE

OLD CREEK TRAIL

DATE: 8/27/20
SCALE: 1"=50' H / 1"=5' V
SHEET
5.1
TOTAL SHEETS 47



Licensed Engineer:
ROSS S. BINKLEY
No. 56762
*
STATE OF FLORIDA
PROFESSIONAL ENGINEER
ROSS S. BINKLEY, No. 56762

REVISIONS:	DATE:
1. PER CITY & DMU COMMENTS	1/25/21
2. PER NWFWM D AND CITY OF BESTIN COMMENTS	2/17/21
3. PER NWFWM D COMMENTS	3/9/21
4. ADD 11 LOTS PER OWNER	8/23/21
5. REDUCE TO 95 LOTS	1/25/22

B² **BINKLEY**
ENGINEERING

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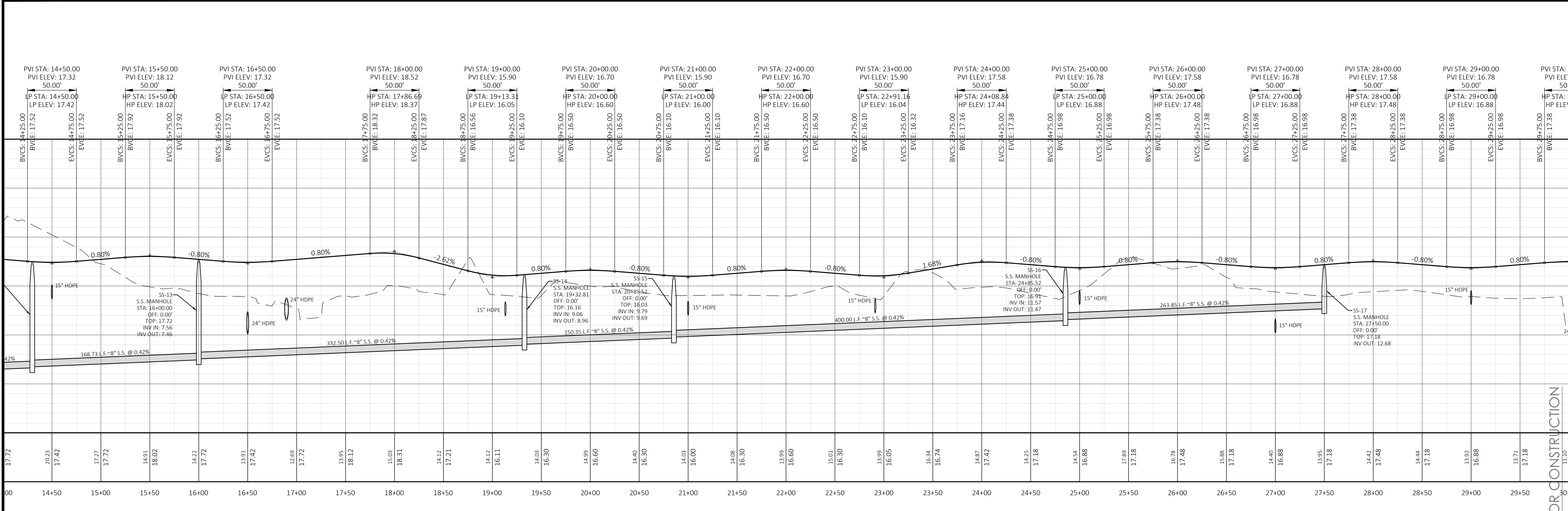
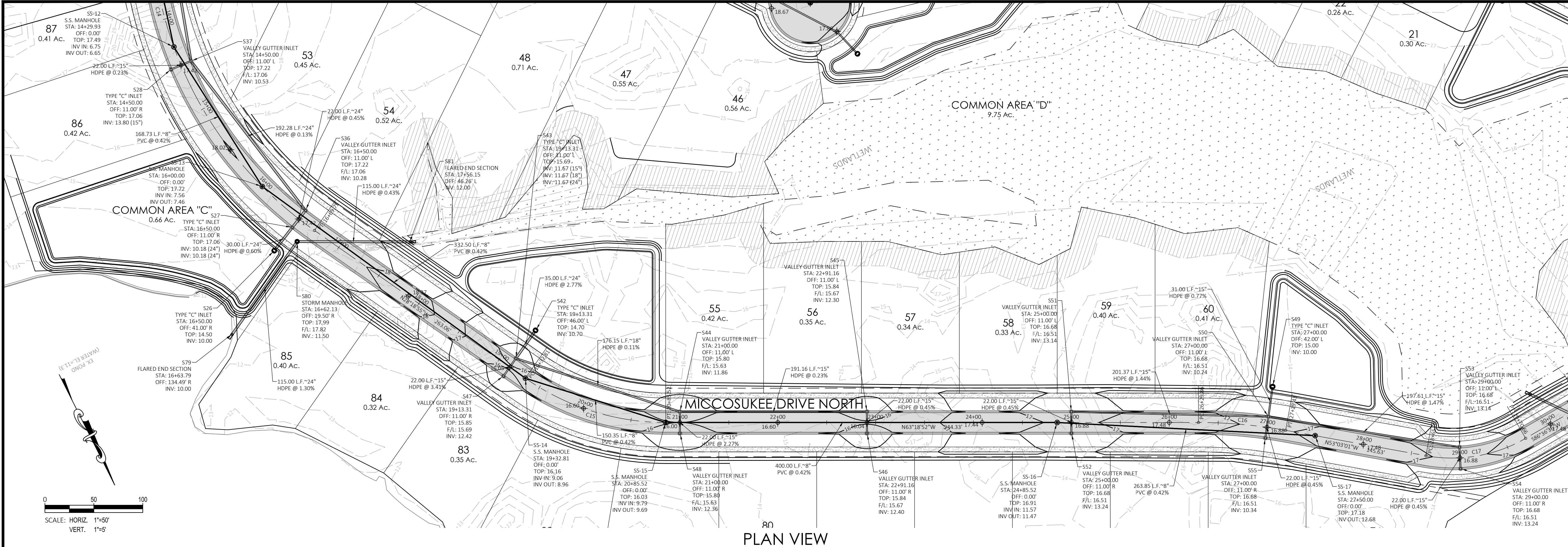
INDIAN BAYOU WEST

PLAN & PROFILE

MICCOSUKEE DRIVE NORTH (STA: 0+00 ~ 14+50)

DATE: 8/27/20
SCALE: 1"=50' H / 1"=5' V
SHEET

5.2
TOTAL SHEETS 47



DATE:	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
REVISIONS:	PER CITY & DMI COMMENTS	PER NWFVMD AND CITY OF DESTIN COMMENTS	PER NWFVMD COMMENTS	ADD 11 LOTS PER OWNER	REDUCE TO 95 LOTS

BINKLEY ENGINEERING

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 434 Benning Drive, Destin, FL 32541
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INDIAN BAYOU WEST

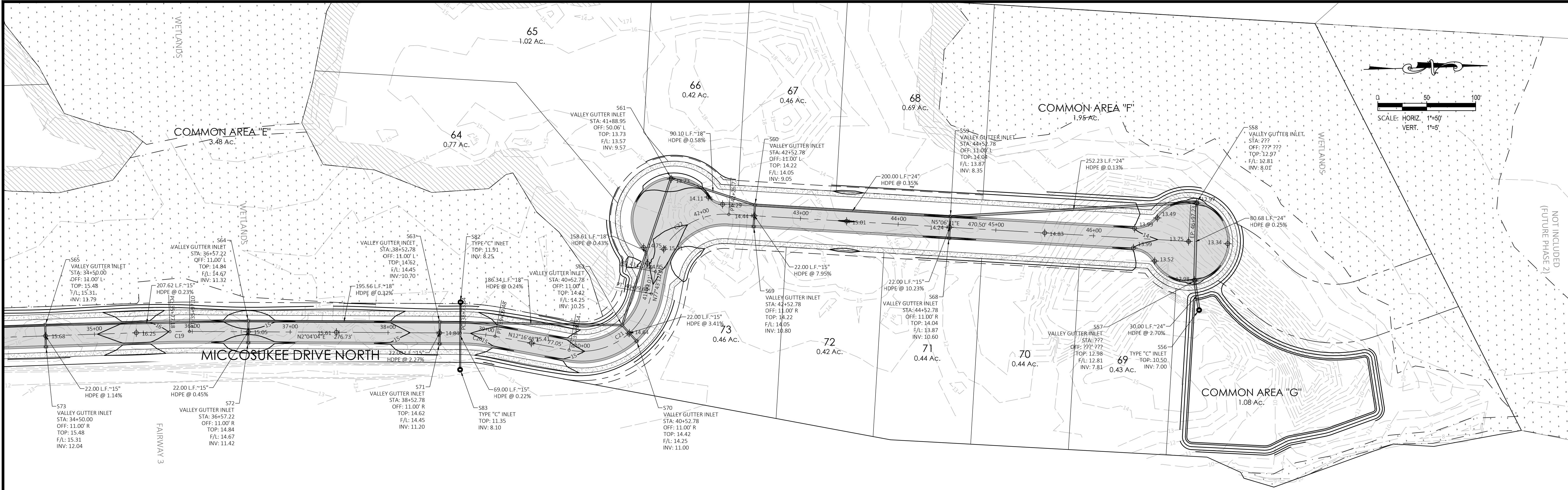
PLAN & PROFILE

MICCOSUKEE DRIVE NORTH (STA: 14+50 ~ 29+50)

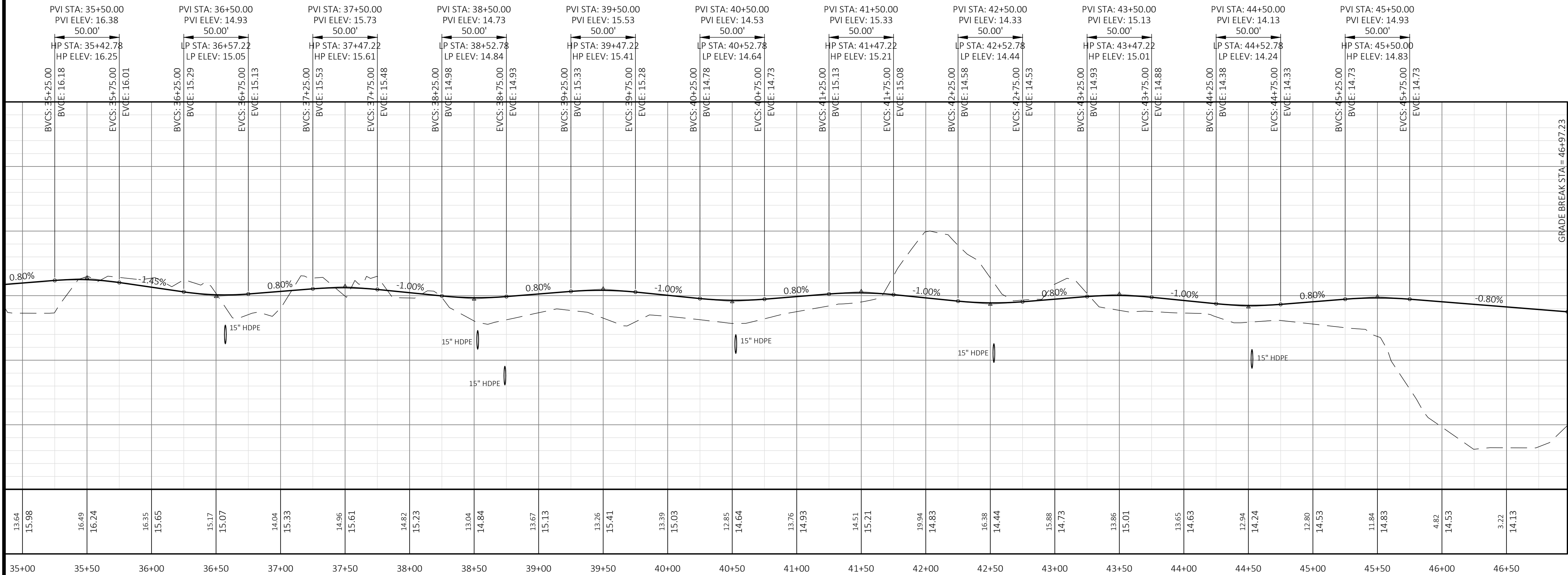
DATE:	8/27/20
SCALE:	1"=50' H / 1"=5' V

5.3

TOTAL SHEETS 47

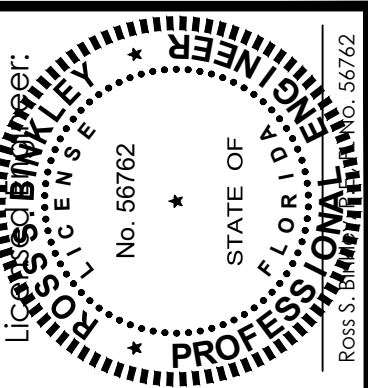


PLAN VIEW



PROFILE

NOT FOR CONSTRUCTION

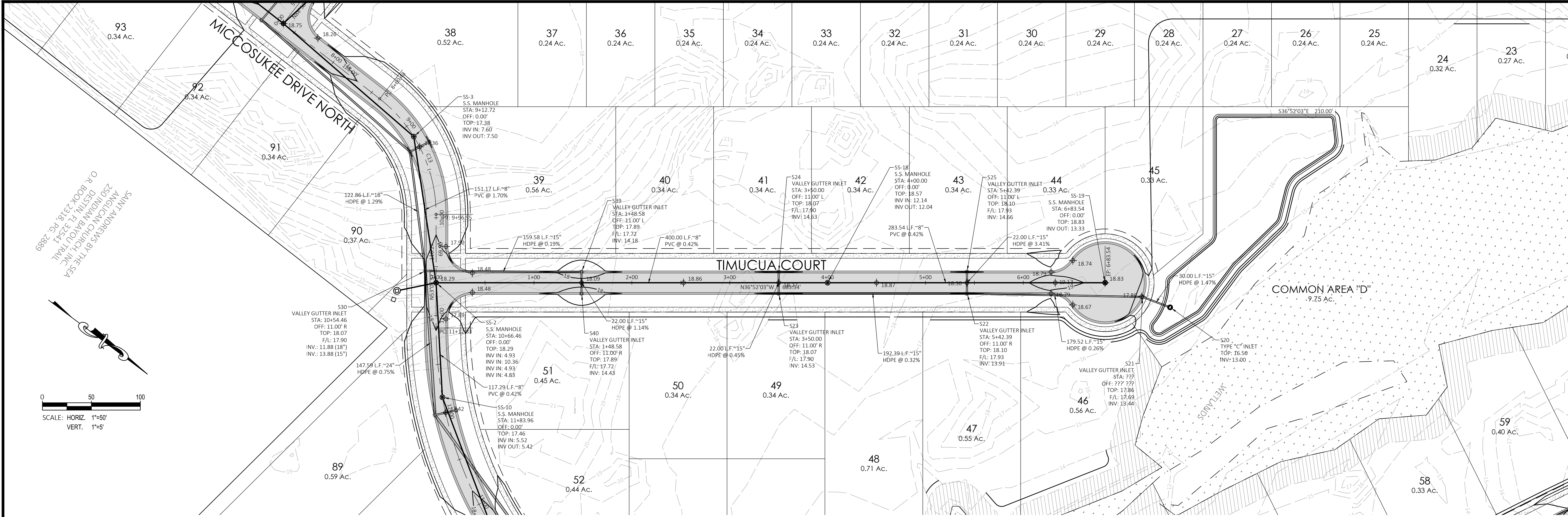


DATE:	1/25/21	2/17/21	3/31/21	8/23/21	1/25/22
REVISIONS:	PER CITY & DWM COMMENTS	PER NWFVMD AND CITY OF DESTIN COMMENTS	PER NWFVMD COMMENTS	ADD 11 LOTS PER OWNER	REDUCE TO 95 LOTS

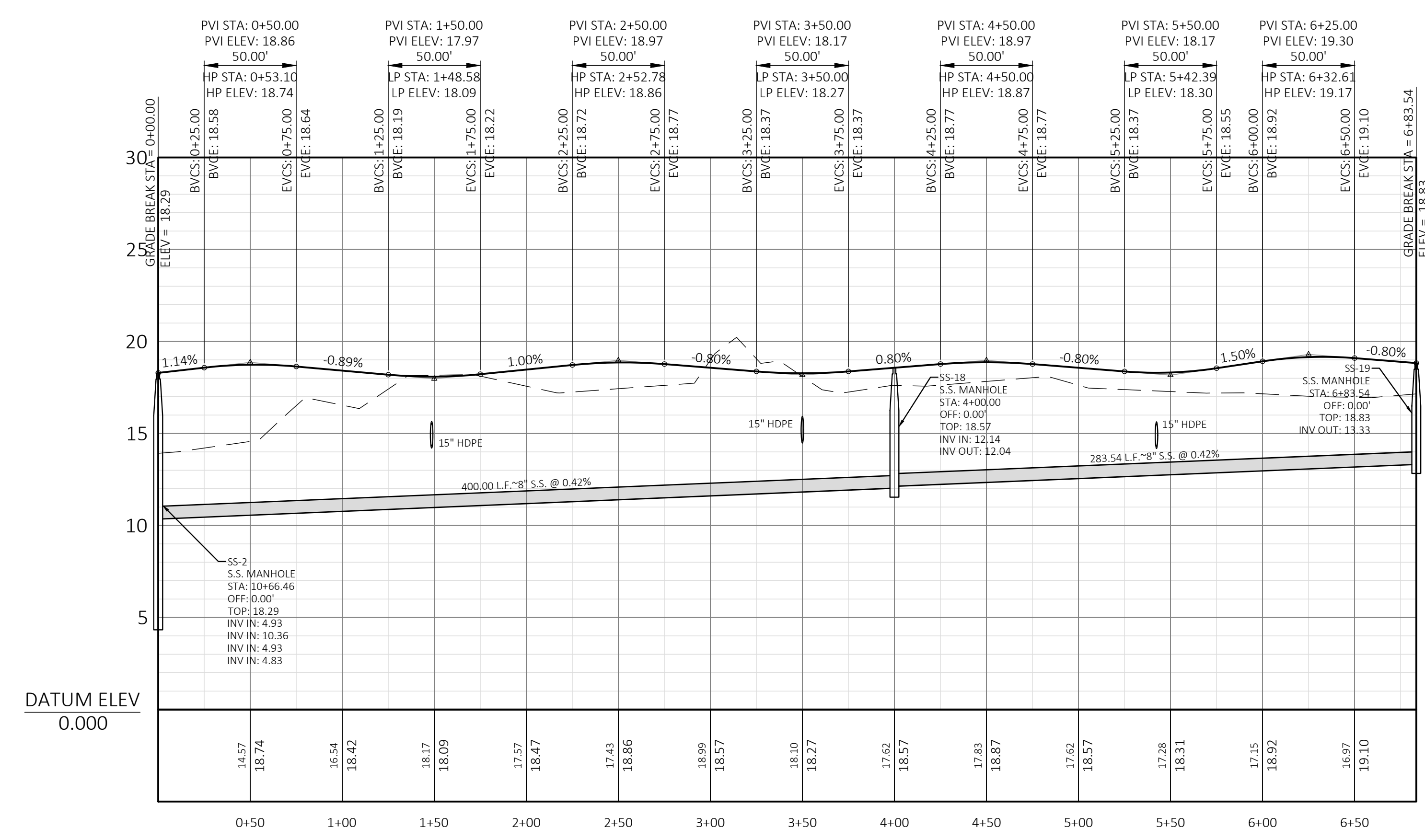
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INDIAN BAYOU WEST
PLAN & PROFILE
MICCOSUKEE DRIVE NORTH (STA: 35+00 ~ END)

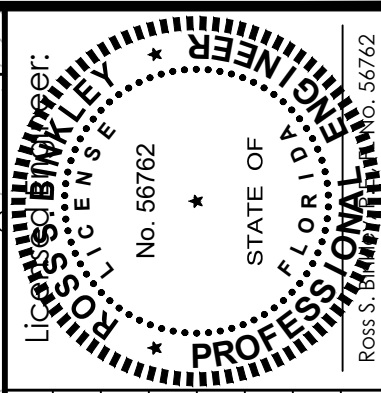
DATE: 8/27/20
SCALE: 1"=50' H / 1"=5' V
SHEET
5.5
TOTAL SHEETS 47



PLAN VIEW



PROFILE



DATE:	1/25/21
REVISIONS:	2/17/21
PER CITY & DWM COMMENTS	3/31/21
PER NWFVMD AND CITY OF DESTIN COMMENTS	8/23/21
PER NWFVMD COMMENTS	1/25/22
ADD 11 LOTS PER OWNER	
REDUCE TO 95 LOTS	

BINKLEY
ENGINEERING

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INDIAN BAYOU WEST

PLAN & PROFILE

TIMUCUA COURT

DATE: 8/27/20

SCALE: 1"=50' H / 1"=5' V

SHEET

5.7

TOTAL SHEETS 47

NOT FOR CONSTRUCTION

- NOTES
1. SEE CITY OF DESTIN LAND DEVELOPMENT CODE ARTICLE 12 FOR ADDITIONAL REQUIREMENTS.

2. AT ANY STREET INTERSECTION, NO PLANT, TREE, SHRUBBERY OR ANY OTHER OBSTRUCTION SHALL BE ALLOWED TO GROW IN A MANNER WHICH WOULD IMPEDE OR RESTRICT THE VISION OF PEDESTRIANS OR VEHICLE OPERATORS TO ONCOMING TRAFFIC.

3. THE NUMBER OF REFORESTATION TREES REQUIRED ON ANY DEVELOPED AREA SHALL BE DETERMINED BY USING THE RATIO OF ONE (1) TREE FOR EACH ONE-TENTH OF AN ACRE. CREDIT SHALL BE RECEIVED ON THE REFORESTATION REQUIREMENT OF THIS SECTION BY PRESERVING EXISTING TREES. TREES REQUIRED FOR REFORESTATION ARE IN ADDITION TO OTHER REQUIRED TREES. NO CREDIT WILL BE GIVEN FOR NON-INDIGENOUS TREES.

4. EXCLUSIVE OF THE PRINCIPAL STRUCTURE AREA, NO "PRESERVED TREE" MAY BE REMOVED EXCEPT AS PROVIDED ELSEWHERE IN THE LANDSCAPING ORDINANCE. A PRESERVED TREE MEANS A LIVING TREE TWENTY-FOUR (24) INCHES OR MORE IN DIAMETER AT A POINT FOUR AND A HALF (4 1/2) FEET ABOVE GROUND LEVEL.

5. FIFTY (50) PERCENT OF THE AREA WITHIN THE DRIPLINE OF PRESERVED TREES, WHICH ARE ELIGIBLE FOR CREDIT PURSUANT TO THIS SECTION SHALL BE MAINTAINED IN EITHER VEGETATIVE LANDSCAPE MATERIAL OR PERVIOUS COVER.

6. DURING DEVELOPMENT ACTIVITY, PRESERVED TREES SHALL BE PROTECTED FROM ACTIVITIES, WHICH MAY INJURE OR KILL THEM. TREE PROTECTION TECHNIQUES FOUND IN THE TREE PROTECTION MANUAL FOR BUILDERS AND DEVELOPER, FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, OR EQUIVALENT TECHNIQUES SHALL BE USED.

7. EXCLUSIVE OF THE PRINCIPAL STRUCTURE AREA, WHEN A "PROTECTED TREE" MUST BE REMOVED OR RELOCATED, AN INDIGENOUS TREE(S) SHALL BE REPLACED. NO "PROTECTED TREE" MAY BE REMOVED OR RELOCATED WITHOUT A REMOVAL PERMIT AS HEREINAFTER PROVIDED. A PROTECTED TREE MEANS A LIVING TREE TWELVE (12) TO TWENTY-FOUR (24) INCHES IN DIAMETER AT A POINT FOUR AND A HALF (4 1/2) FEET ABOVE GROUND LEVEL.

8. A MINIMUM OF SEVENTY-FIVE (75) PERCENT OF ALL PLANT MATERIAL USED TO SATISFY THE REQUIREMENTS OF THIS SECTION SHALL BE NATIVE TO THE NORTHWEST FLORIDA AREA. PORTIONS OF A DEVELOPMENT LEFT IN THE NATURAL STATE SHALL BE CREDITED IN MEETING THESE LANDSCAPING REQUIREMENTS.

9. SHRUBS SHALL BE A MINIMUM OF 12 INCHES IN HEIGHT WHEN MEASURED IMMEDIATELY AFTER PLANTING.

10. ALL REQUIRED TREES SHALL BE A MINIMUM OF TEN (10) FEET IN HEIGHT AND HAVE A 2 1/2 INCH CALIPER AT THE TIME OF PLANTING. TREES HAVING AN AVERAGE MATURE SPREAD OF CROWN LESS THAN 20 FEET MAY BE ARRANGED IN GROUPINGS, SO AS TO CREATE THE EQUIVALENT OF A 20-FOOT CROWN SPREAD. IF SABAL PALMS ARE USED FOR REQUIRED TREES, THEN TWO SABAL PALMS MUST BE GROUPED TOGETHER TO COUNT TOWARDS THE REQUIRED TREE WITH A 20-FOOT CROWN SPREAD AT MATURITY.

11. THE PLANTING AREA FOR EACH TREE SHALL BE A MINIMUM OF ONE-HUNDRED (100) SQUARE FEET WITH A MINIMUM WIDTH OF FIVE (5) FEET MEASURED FROM THE CENTER OF THE OF THE TREE AND SHALL BE MAINTAINED IN EITHER VEGETATIVE LANDSCAPE MATERIAL OR PERVIOUS SURFACE COVER.

LANDSCAPING DATA TABLE	
TOTAL PROPERTY AREA	3,012,702 S.F. (69.16 Ac.)
SUBDIVISION AREA (EXCLUDING OLD CREEK TRAIL)	2,935,640 S.F. (67.39 Ac.)
SUBDIVISION UPLAND AREA	2,415,176 S.F. (55.44 Ac.)
SUBDIVISION WETLAND AREA	520,464 S.F. (11.95 Ac.)
RIGHT-OF-WAY & COMMON AREA (UPLANDS ONLY)	804,088 S.F. (18.46 Ac.)
IMPERVIOUS SURFACE AREA	290,808 S.F. (6.68 Ac.)
OPEN SPACE AREA	513,280 S.F. (11.78 Ac.)
OPEN SPACE PROPOSED	64%
OPEN SPACE REQUIRED	25% MINIMUM
REFORESTATION REQUIREMENT	
REFORESTATION TREES REQUIRED BEFORE CREDIT	554
EXISTING TREE PRESERVATION CREDIT	925
REFORESTATION TREES REQUIRED AFTER CREDIT	0

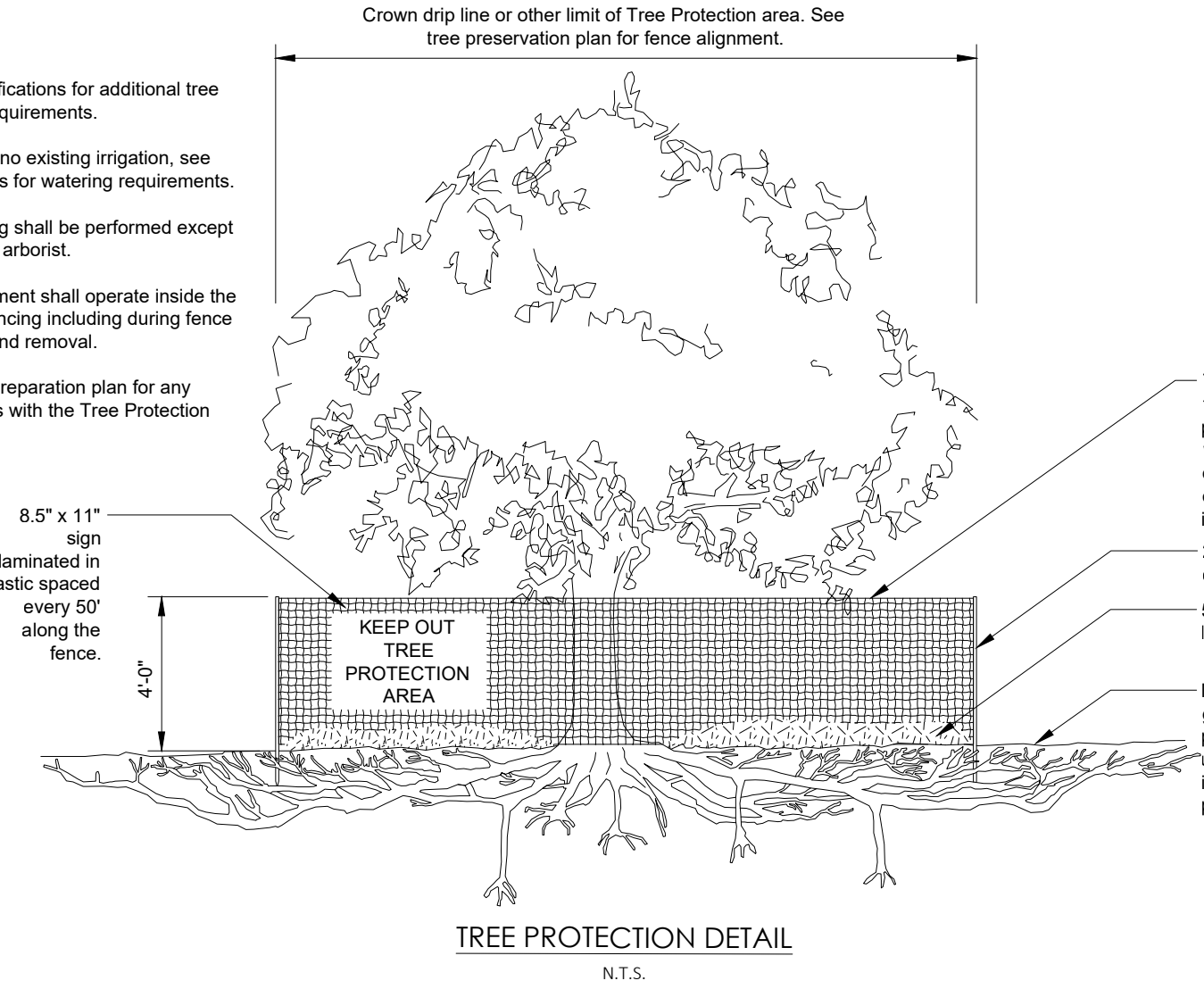
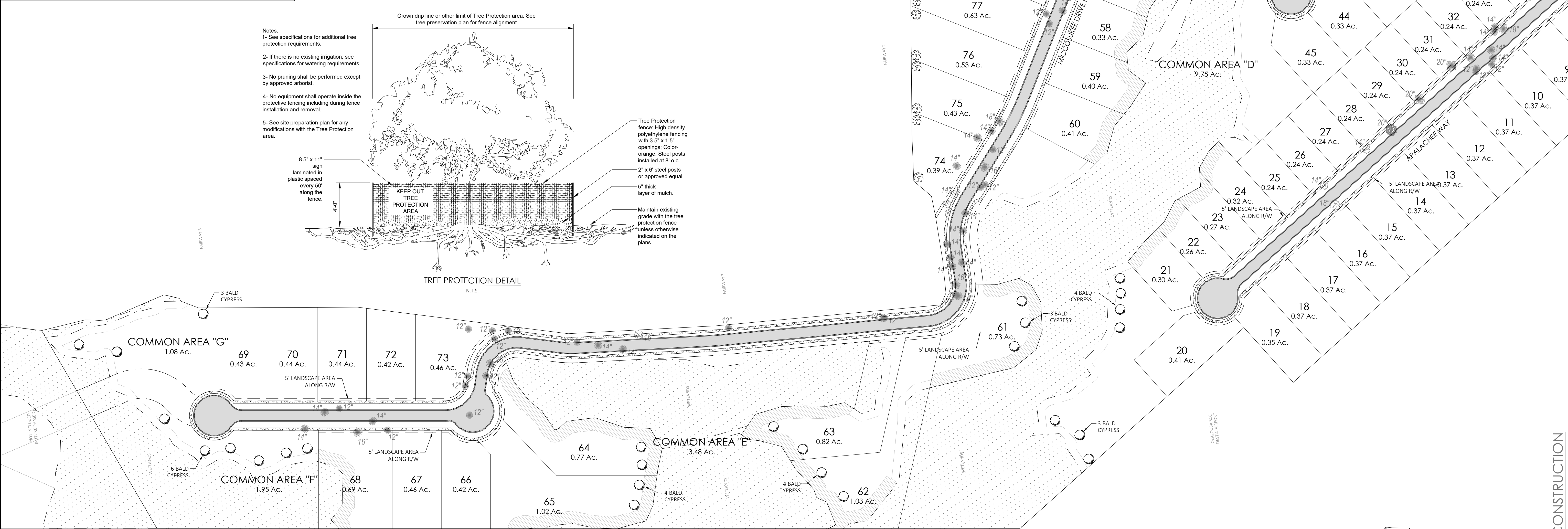
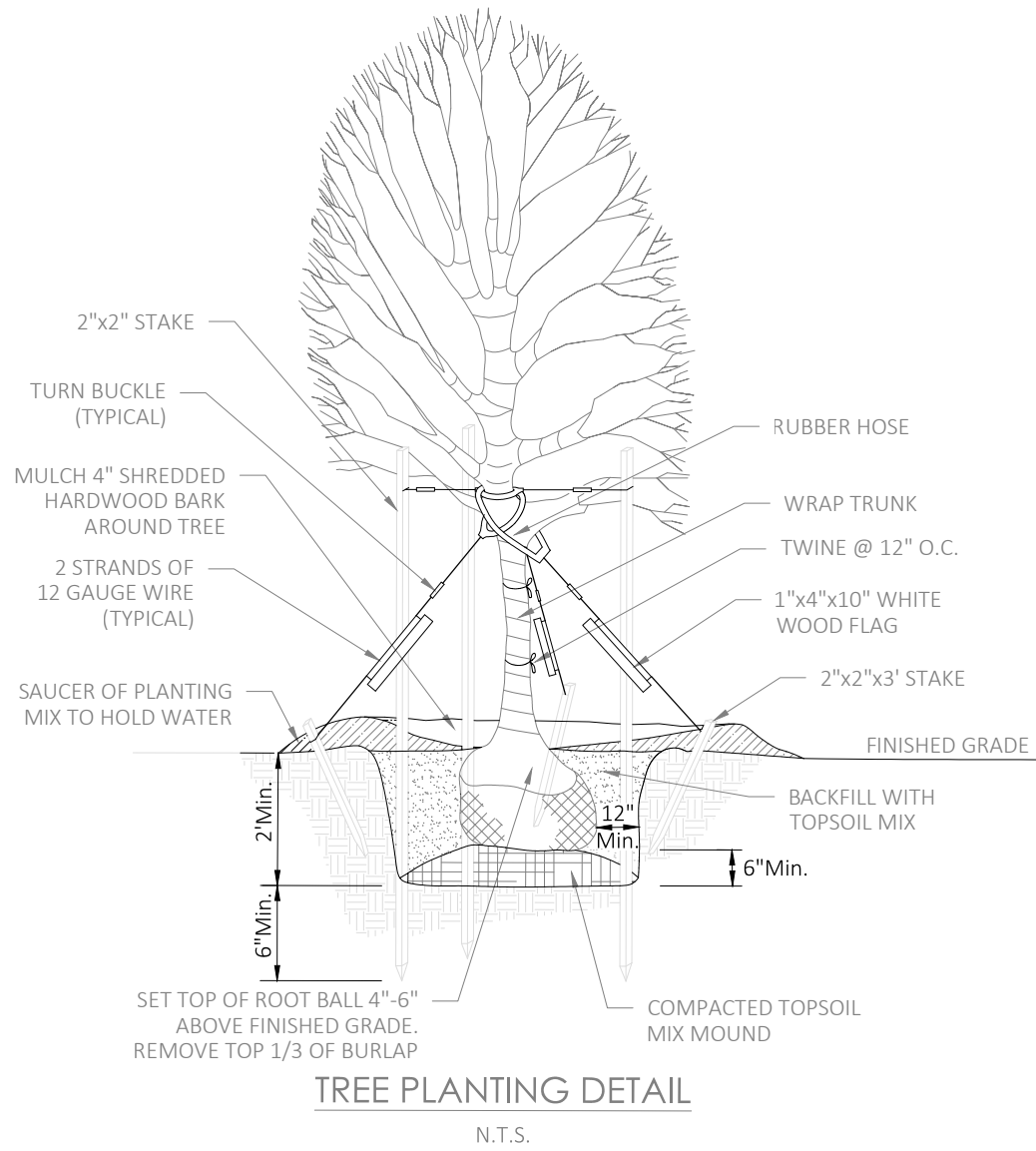
PER LDC 12.04.05.C REFORESTATION IS REQUIRED USING THE RATIO OF ONE TREE FOR EACH ONE-TENTH OF AN ACRE OF DEVELOPMENT AREA. THE ONSITE DEVELOPMENT AREA IS 55.44 ACRES, EQUATES TO 554 TREES FOR THE REFORESTATION REQUIREMENT. HOWEVER, THE LDC GIVES CREDIT FOR EXISTING TREES. THE MINIMUM CREDIT FOR EXISTING TREES 2" TO 6" IN DIAMETER IS A 2 TREE CREDIT FOR EACH TREE ACCORDING TO THE LDC TABLE IN 12.04.05.C.2. THE TREE SURVEY SHOWS 345 TREES 2" OR LARGER. THE AREA THAT WAS SURVEYED WAS A RANDOM AREA OF WETLANDS AND 25' WETLANDS BUFFER WHICH WILL NEVER BE DISTURBED. THE TOTAL ONSITE DEVELOPMENT AREA REQUIREMENT OF 554 TREES/1 TREE CREDIT PER LDC TABLE 12.04.05.C.2 = 554 TREES REQUIRED FOR REFORESTATION. THEREFORE, THE REFORESTATION REQUIREMENT OF 554 TREES HAS GREATLY BEEN EXCEEDED FOR THIS PROJECT AND NO REFORESTATION TREES ARE REQUIRED.

PROTECTED TREES WITHIN THE PROPOSED RIGHTS-OF-WAY ARE ALSO SHOWN ON THE LANDSCAPE PLAN. THE 85 TREES TO BE REMOVED DURING CONSTRUCTION ARE WITHIN THE ABOVE CALCULATED ONSITE DEVELOPMENT AREA.

PROTECTED TREES TO BE REMOVED		
SYMBOL	DESCRIPTION	TOTAL
	PINE TREE	71
	OAK TREE	9
	PALM TREE	2
	BAY TREE	2
	POPCORN TREE	1

REFORESTATION TREE CREDIT TABLE				
EX. TRUNK DIAM.	CREDIT	TREE COUNT FROM TREE SURVEY	TOTAL CREDIT	
20"-24"	5	0	0	
13"-19"	4	4	16	
7"-12"	3	227	681	
2"-6"	2	114	228	
TOTAL PROVIDED			925	
TOTAL REQUIRED			554	

NOTE: THE TREE SURVEY ONLY COVERS A FRACTION OF THE FORESTED AREA ON SITE. THE ENTIRE FORESTED AREA ON SITE CONTAINS OVER 6,000 TREES. THEREFORE, THE REFORESTATION REQUIREMENT IS GREATLY EXCEEDED.



REVISIONS:

DATE: 1/05/21 2/17/21 3/5/21 3/31/21 8/23/21 1/25/22

PER CITY COMMENTS

PER NWFWMD AND CITY OF DESTIN COMMENTS

PER CITY COMMENTS

PER NWFWMD COMMENTS

ADD 11 LOTS PER OWNER

REDUCE TO 95 LOT

INDIAN BAYOU WEST LANDSCAPE PLAN NORTH

DATE: 8/27/20

SCALE: 1"=100'

SHEET

6.1

TOTAL SHEETS 47

NOT FOR CONSTRUCTION

48 HOURS BEFORE YOU DIG CALL SUNSHINE ONE 1-800-432-4770 www.callsunshine.com

INDIAN BAYOU WEST LANDSCAPE PLAN NORTH

DATE: 8/27/20

SCALE: 1"=100'

SHEET

6.1

TOTAL SHEETS 47

NOT FOR CONSTRUCTION

48 HOURS BEFORE YOU DIG CALL SUNSHINE ONE 1-800-432-4770 www.callsunshine.com

INDIAN BAYOU WEST LANDSCAPE PLAN NORTH

DATE: 8/27/20

SCALE: 1"=100'

SHEET

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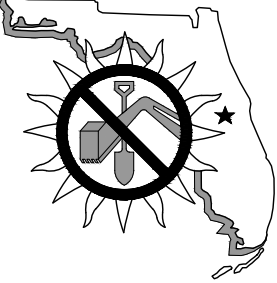
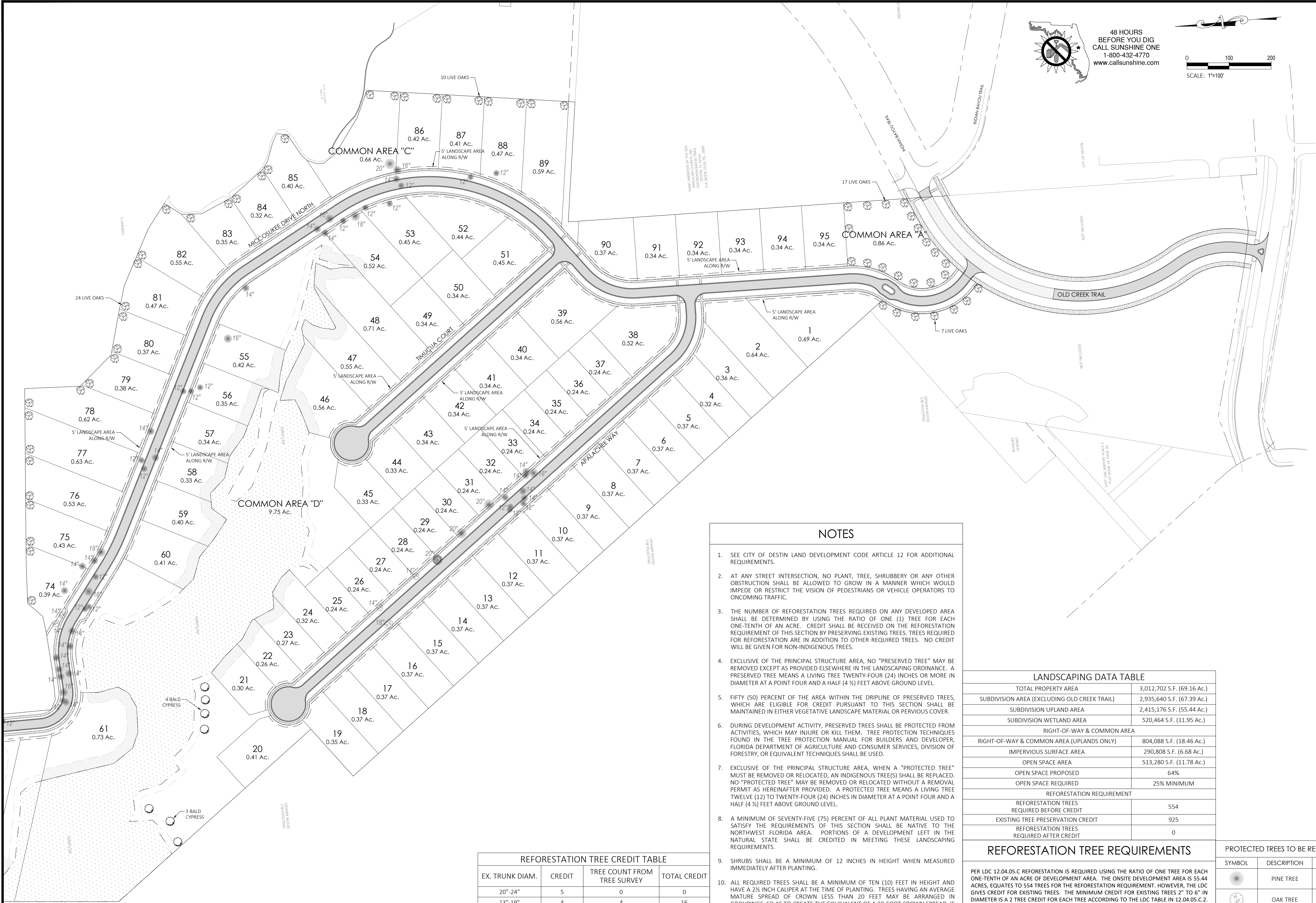
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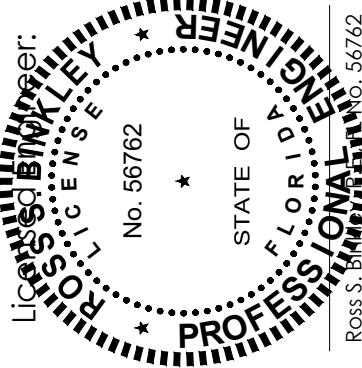
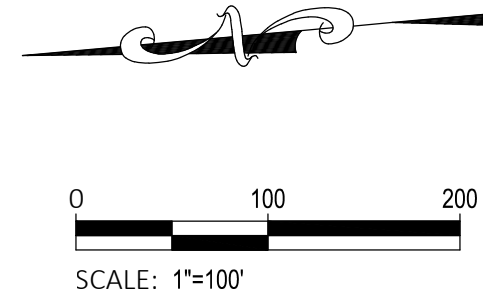
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DATE:	1/25/21	2/17/21	3/5/21	3/31/21	8/23/21	1/25/22
REVISIONS:	PER CITY COMMENTS	PER NWFVMD AND CITY OF DESTIN COMMENTS	PER CITY COMMENTS	PER NWFVMD COMMENTS	PER NWFVMD COMMENTS	REDUCE TO 95 LOT

BINKLEY
ENGINEERING

Certificate of Authorization No. 32308
434 Benning Drive, Destin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

NOTES

- SEE CITY OF DESTIN LAND DEVELOPMENT CODE ARTICLE 12 FOR ADDITIONAL REQUIREMENTS.
- AT ANY STREET INTERSECTION, NO PLANT, TREE, SHRUBBERY OR ANY OTHER OBSTRUCTION SHALL BE ALLOWED TO GROW IN A MANNER WHICH WOULD IMPEDE OR RESTRICT THE VISION OF PEDESTRIANS OR VEHICLE OPERATORS TO ONCOMING TRAFFIC.
- THE NUMBER OF REFORESTATION TREES REQUIRED ON ANY DEVELOPED AREA SHALL BE DETERMINED BY USING THE RATIO OF ONE (1) TREE FOR EACH ONE-TENTH OF AN ACRE. CREDIT SHALL BE RECEIVED ON THE REFORESTATION REQUIREMENT OF THIS SECTION BY PRESERVING EXISTING TREES. TREES REQUIRED FOR REFORESTATION ARE IN ADDITION TO OTHER REQUIRED TREES. NO CREDIT WILL BE GIVEN FOR NON-INDIGENOUS TREES.
- EXCLUSIVE OF THE PRINCIPAL STRUCTURE AREA, NO "PRESERVED TREE" MAY BE REMOVED EXCEPT AS PROVIDED ELSEWHERE IN THE LANDSCAPING ORDINANCE. A PRESERVED TREE MEANS A LIVING TREE TWENTY-FOUR (24) INCHES OR MORE IN DIAMETER AT A POINT FOUR AND A HALF (4 ½) FEET ABOVE GROUND LEVEL.
- FIFTY (50) PERCENT OF THE AREA WITHIN THE DRIPLINE OF PRESERVED TREES, WHICH ARE ELIGIBLE FOR CREDIT PURSUANT TO THIS SECTION SHALL BE MAINTAINED IN EITHER VEGETATIVE LANDSCAPE MATERIAL OR PERVIOUS COVER.
- DURING DEVELOPMENT ACTIVITY, PRESERVED TREES SHALL BE PROTECTED FROM ACTIVITIES, WHICH MAY INJURE OR KILL THEM. TREE PROTECTION TECHNIQUES FOUND IN THE TREE PROTECTION MANUAL FOR BUILDERS AND DEVELOPER, FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, OR EQUIVALENT TECHNIQUES SHALL BE USED.
- EXCLUSIVE OF THE PRINCIPAL STRUCTURE AREA, WHEN A "PROTECTED TREE" MUST BE REMOVED OR RELOCATED, AN INDIGENOUS TREE(S) SHALL BE REPLACED. NO "PROTECTED TREE" MAY BE REMOVED OR RELOCATED WITHOUT A REMOVAL PERMIT AS HEREINAFTER PROVIDED. A PROTECTED TREE MEANS A LIVING TREE TWELVE (12) TO TWENTY-FOUR (24) INCHES IN DIAMETER AT A POINT FOUR AND A HALF (4 ½) FEET ABOVE GROUND LEVEL.
- A MINIMUM OF SEVENTY-FIVE (75) PERCENT OF ALL PLANT MATERIAL USED TO SATISFY THE REQUIREMENTS OF THIS SECTION SHALL BE NATIVE TO THE NORTHWEST FLORIDA AREA. PORTIONS OF A DEVELOPMENT LEFT IN THE NATURAL STATE SHALL BE CREDITED IN MEETING THESE LANDSCAPING REQUIREMENTS.
- SHRUBS SHALL BE A MINIMUM OF 12 INCHES IN HEIGHT WHEN MEASURED IMMEDIATELY AFTER PLANTING.
- ALL REQUIRED TREES SHALL BE A MINIMUM OF TEN (10) FEET IN HEIGHT AND HAVE A 2½ INCH CALIPER AT THE TIME OF PLANTING. TREES HAVING AN AVERAGE MATURE SPREAD OF CROWN LESS THAN 20 FEET MAY BE ARRANGED IN GROUPINGS, SO AS TO CREATE THE EQUIVALENT OF A 20-FOOT CROWN SPREAD, IF SABAL PALMS ARE USED FOR REQUIRED TREES, THEN TWO SABAL PALMS MUST BE GROUPED TOGETHER TO COUNT TOWARDS THE REQUIRED TREE WITH A 20-FOOT CROWN SPREAD AT MATURITY.
- THE PLANTING AREA FOR EACH TREE SHALL BE A MINIMUM OF ONE-HUNDRED (100) SQUARE FEET WITH A MINIMUM WIDTH OF FIVE (5) FEET MEASURED FROM THE CENTER OF THE TREE AND SHALL BE MAINTAINED IN EITHER VEGETATIVE LANDSCAPE MATERIAL OR PERVIOUS SURFACE COVER.

REFORESTATION TREE CREDIT TABLE			
EX. TRUNK DIAM.	CREDIT	TREE COUNT FROM TREE SURVEY	TOTAL CREDIT
20"-24"	5	0	0
13"-19"	4	4	16
7"-12"	3	227	681
2"-6"	2	114	228
		TOTAL PROVIDED	925
		TOTAL REQUIRED	554
NOTE: THE TREE SURVEY ONLY COVERS A FRACTION OF THE FORESTED AREA ON SITE. THE ENTIRE FORESTED AREA ON SITE CONTAINS OVER 6,000 TREES. THEREFORE, THE REFORESTATION REQUIREMENT IS GREATLY EXCEEDED.			

LANDSCAPING DATA TABLE

TOTAL PROPERTY AREA	3,012,702 S.F. (69.16 Ac.)
SUBDIVISION AREA (EXCLUDING OLD CREEK TRAIL)	2,935,640 S.F. (67.39 Ac.)
SUBDIVISION UPLAND AREA	2,415,176 S.F. (55.44 Ac.)
SUBDIVISION WETLAND AREA	520,464 S.F. (11.95 Ac.)
RIGHT-OF-WAY & COMMON AREA	
RIGHT-OF-WAY & COMMON AREA (UPLANDS ONLY)	804,088 S.F. (18.46 Ac.)
IMPERVIOUS SURFACE AREA	290,808 S.F. (6.68 Ac.)
OPEN SPACE AREA	513,280 S.F. (11.78 Ac.)
OPEN SPACE PROPOSED	64%
OPEN SPACE REQUIRED	25% MINIMUM
REFORESTATION REQUIREMENT	
REFORESTATION TREES REQUIRED BEFORE CREDIT	554
EXISTING TREE PRESERVATION CREDIT	925
REFORESTATION TREES REQUIRED AFTER CREDIT	0

REFORESTATION TREE REQUIREMENTS

PER LDC 12.04.05.C REFORESTATION IS REQUIRED USING THE RATIO OF ONE TREE FOR EACH ONE-TENTH OF AN ACRE OF DEVELOPMENT AREA. THE ONSITE DEVELOPMENT AREA IS 55.44 ACRES, EQUATES TO 554 TREES FOR THE REFORESTATION REQUIREMENT. HOWEVER, THE LDC GIVES CREDIT FOR EXISTING TREES. THE MINIMUM CREDIT FOR EXISTING TREES 2" TO 6" IN DIAMETER IS A 2 TREE CREDIT FOR EACH TREE ACCORDING TO THE LDC TABLE IN 12.04.05.C.2. THE TREE SURVEY SHOWS 345 TREES 2" OR LARGER. THE AREA THAT WAS SURVEYED WAS A RANDOM AREA OF WETLANDS AND 25' WETLANDS BUFFER WHICH WILL NEVER BE DISTURBED. THE TOTAL ONSITE DEVELOPMENT AREA REQUIREMENT OF 554 TREES/1 TREE CREDIT PER LDC TABLE 12.04.05.C.2 = 554 TREES REQUIRED FOR REFORESTATION. THEREFORE, THE REFORESTATION REQUIREMENT OF 554 TREES HAS GREATLY BEEN EXCEEDED FOR THIS PROJECT AND NO REFORESTATION TREES ARE REQUIRED.

PROTECTED TREES WITHIN THE PROPOSED RIGHTS-OF-WAY ARE ALSO SHOWN ON THE LANDSCAPE PLAN. THE 85 TREES TO BE REMOVED DURING CONSTRUCTION ARE WITHIN THE ABOVE CALCULATED ONSITE DEVELOPMENT AREA.

PROTECTED TREES TO BE REMOVED

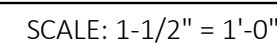
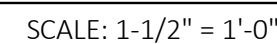
SYMBOL	DESCRIPTION	TOTAL
	PINE TREE	7
	OAK TREE	9
	PALM TREE	2
	BAY TREE	2
	POPCORN TREE	1

INDIAN BAYOU WEST

LANDSCAPE PLAN SOUTH

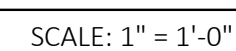
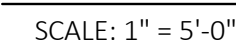
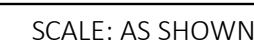
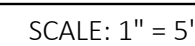
DATE: 8/27/20
SCALE: 1"=100'
SHEET

6.2
TOTAL SHEETS 47



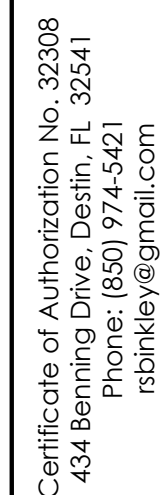
- SCALE: 1" = 1'-0"

- SCALE: 1-1/2" = 1'-0"

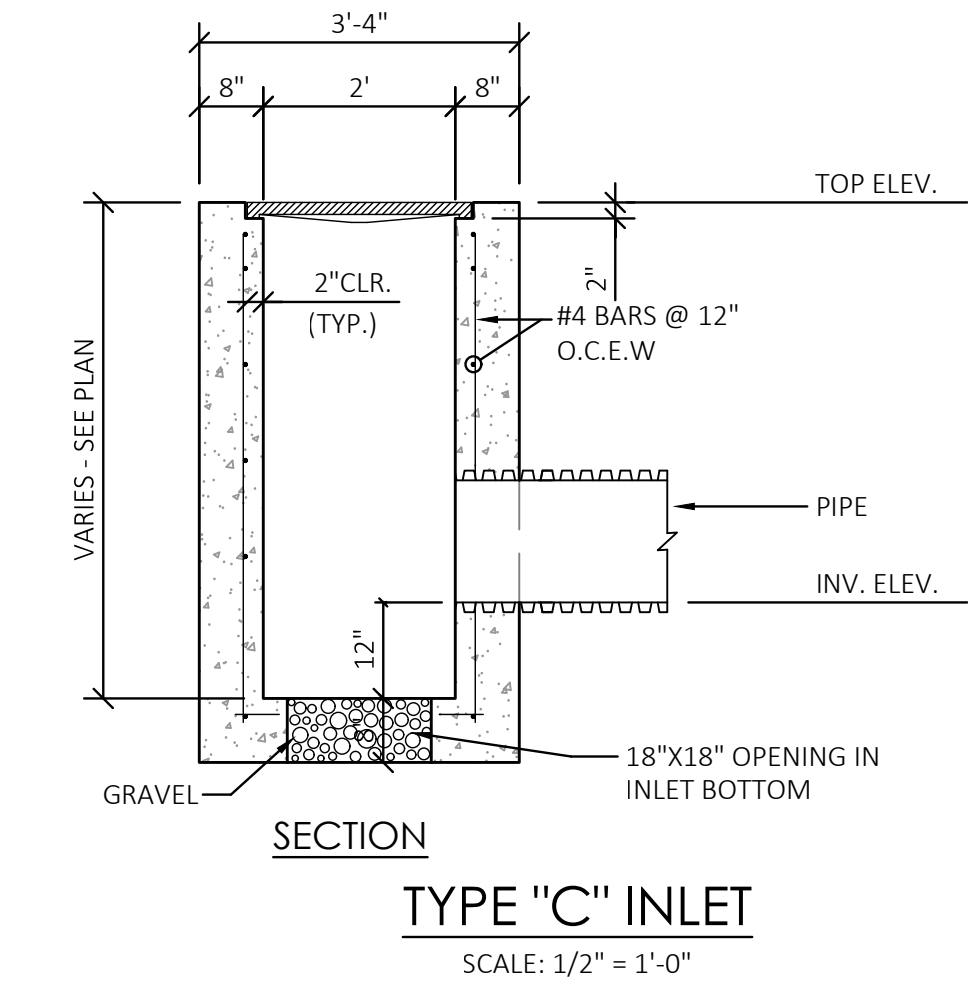
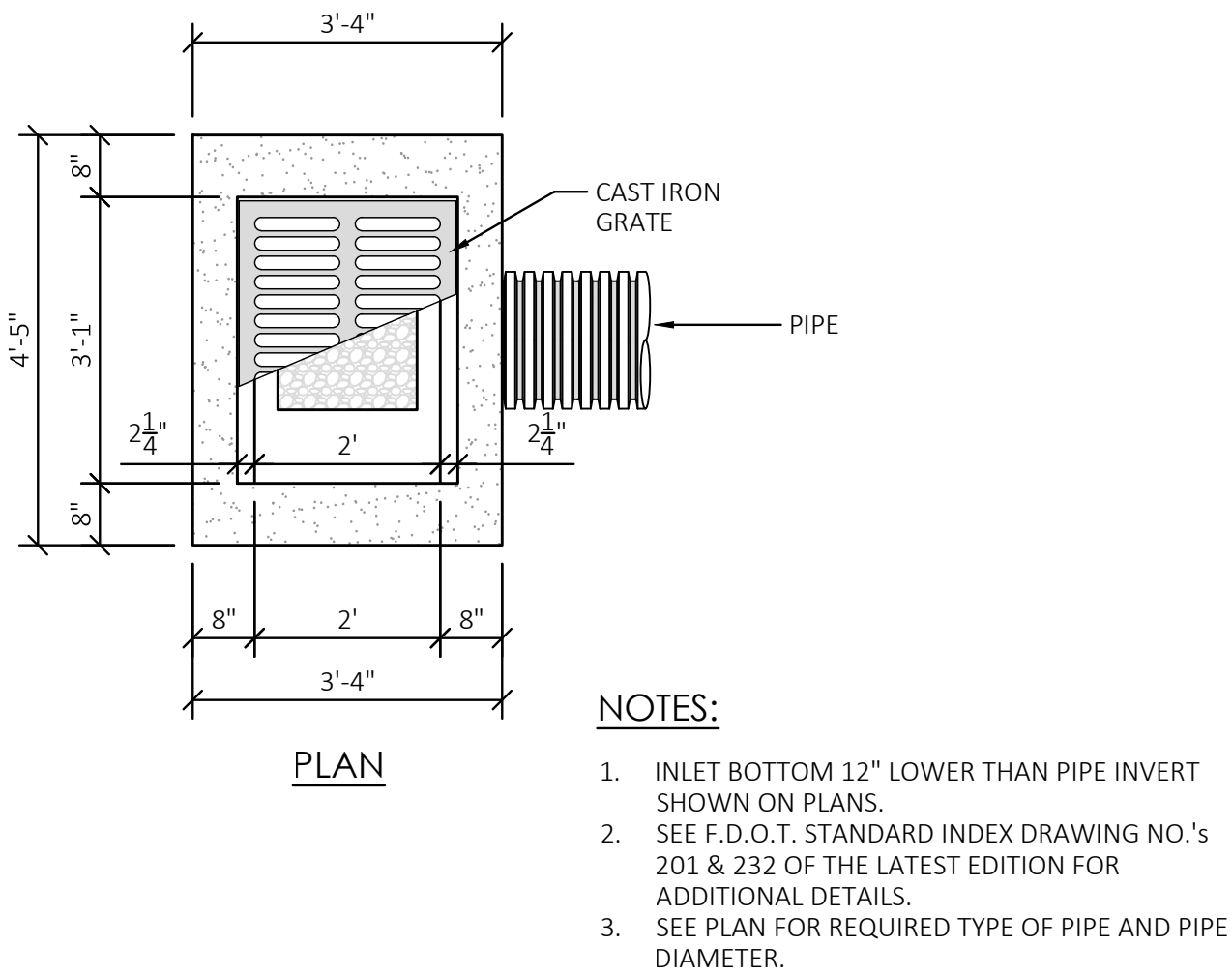


- SCALE: 1/2" = 1'-0"

TOTAL SHEETS 47



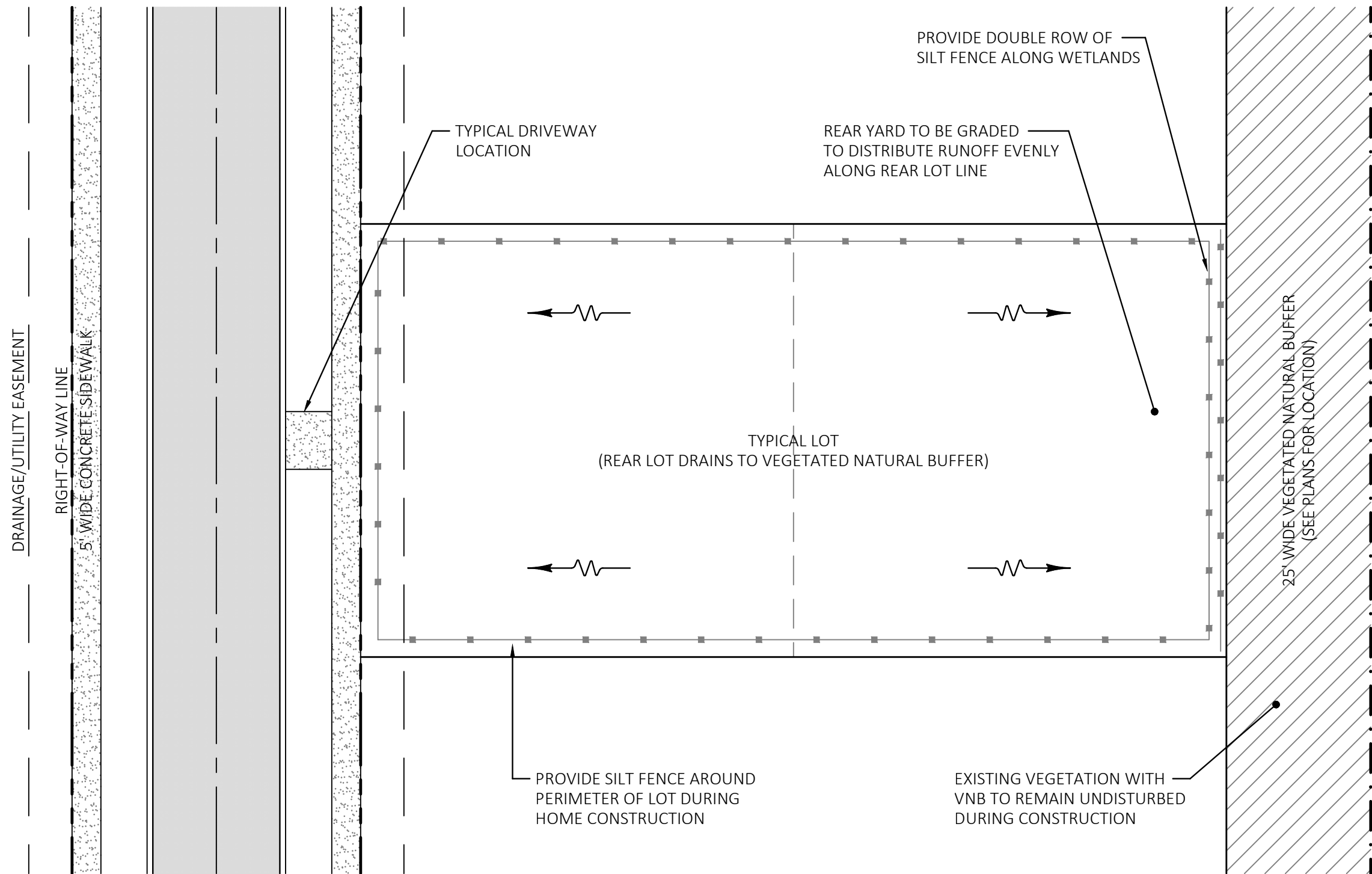
DETAILS



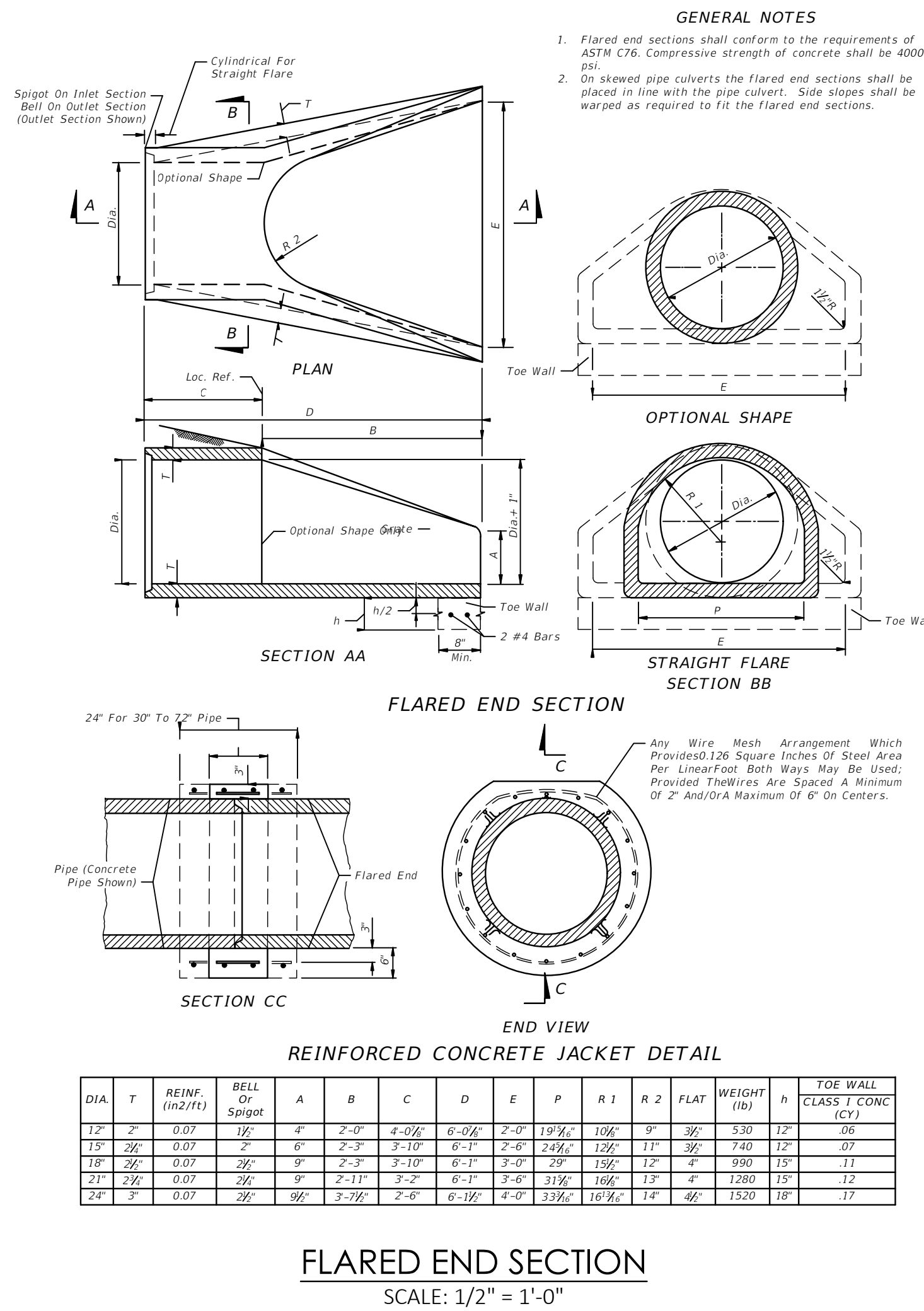
LOT GRADING PLAN ADJACENT TO WETLANDS

SCALE: 1" = 20'-0"

NOTE:
REAR LOT AREA SHALL BE STABILIZED WITH PERMANENT
VEGETATIVE COVER THAT IS CONSISTENT WITH THE FLORIDA
YARDS AND NEIGHBORHOOD PROGRAM.



WETLANDS



DIA.	T	REINF. (IN2/FT)	BELL OR SPIGOT	A	B	C	D	E	P	R 1	R 2	FLAT	WEIGHT (lb)	h	TOE WALL CLASS 1 CONC (CY)
12"	3"	0.07	1/2"	4"	2'-0"	4'-0"	6'-0"	2'-0"	19 1/2"	10 1/2"	9"	3 1/2"	530	12"	.06
15"	3 1/2"	0.07	3/4"	6"	2'-3"	3'-10"	6'-1"	2'-6"	24 1/2"	12 1/2"	11"	3 1/2"	740	12"	.07
18"	3 1/2"	0.07	3/4"	8"	2'-3"	3'-10"	6'-1"	2'-6"	29 1/2"	13 1/2"	12"	4"	990	15"	.11
21"	3 1/2"	0.07	3/4"	8"	2'-11"	3'-2"	6'-1"	2'-6"	31 1/2"	16 1/2"	13"	4"	1280	15"	.12
24"	3"	0.07	3/4"	8 1/2"	3'-7 1/2"	2'-0"	6'-1 1/2"	2'-0"	33 1/2"	16 1/2"	14"	4 1/2"	1520	18"	.17

FLARED END SECTION

SCALE: 1/2" = 1'-0"

GENERAL NOTES:

1. Cross Slopes and Grades:

- Sidewalk, ramp, and landing slopes (i.e. 0.02, 0.05, and 1:12) shown in this Index are maximums. With approval of the Engineer, provide the minimum feasible slope where the requirements cannot be met.
- Landings must have cross-slopes less than or equal to 0.02 in any direction.
- Maintain a single longitudinal slope along each side of the curb ramp. Ramp slopes are not required to exceed 15 feet in length.
- Joints permitted at the location of Slope Breaks. Otherwise locate joints in accordance with Index 522-001. No joints are permitted within the ramp portion of the Curb Ramp.

2. Curb, Curb and Gutter and/or Sidewalk:

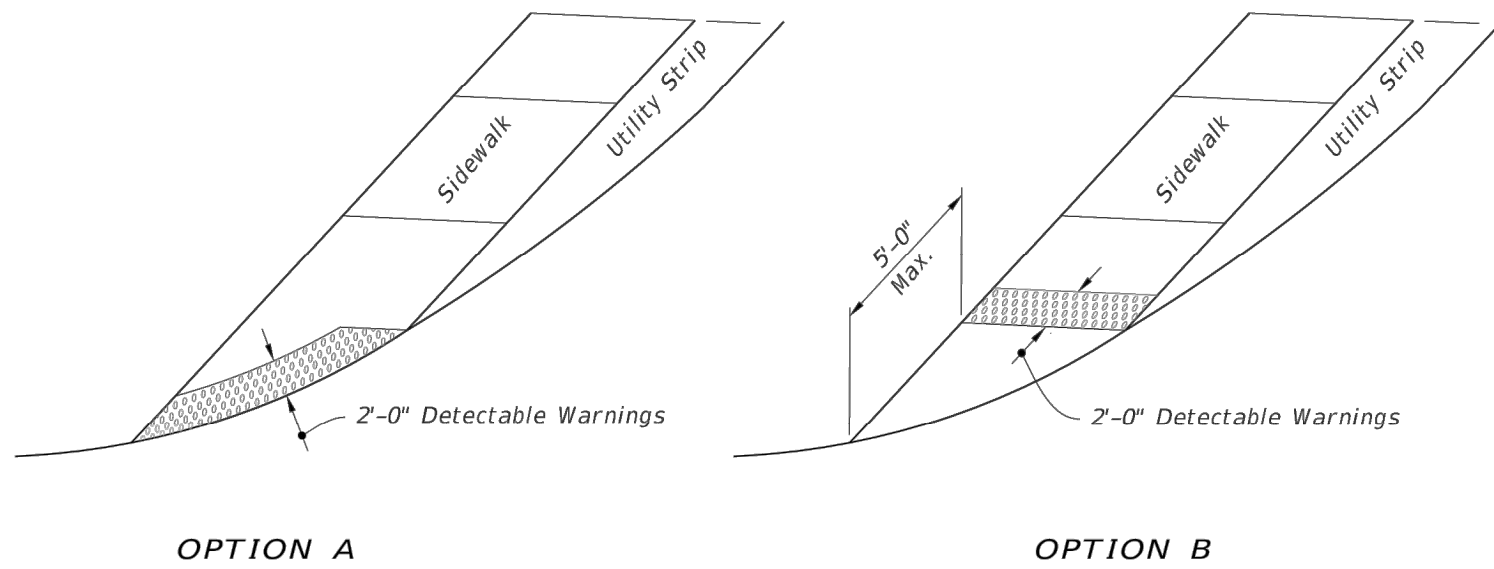
- Refer to Index 522-001 for concrete thickness and sidewalk details.
 - Remove any existing curb, curb and gutter, or sidewalk to the nearest joint beyond the curb transition or to the extent that no remaining section is less than 5 feet long.
3. Curb Ramp Alpha-Identification:
- Sidewalk curb ramp alpha-identifications (e.g. CR-A) are provided for reference purposes in the Plans.
 - Alpha-identifications CR-I and CR-J are intentionally omitted.

4. Detectable Warnings:

- Install detectable warnings in accordance with Specification 527.
- Place detectable warnings across the full width of the ramp or landing, to a minimum depth of 2 feet measured perpendicular to the curb line and no greater than 5 feet from the back of the curb or edge of pavement.
- If detectable warnings are shown in the Plans on slopes greater than 5%, align the truncated domes with the centerline of the ramp; otherwise, the truncated domes are not required to be aligned.

5. Detectable Warnings - Acceptance Criteria:

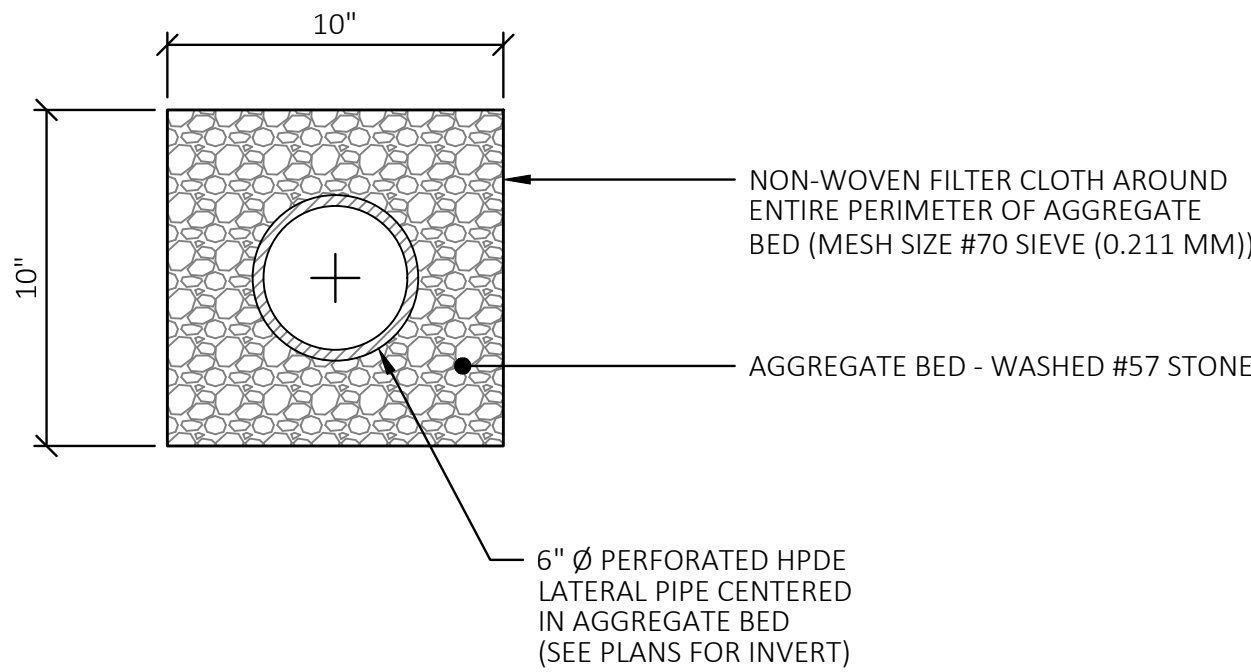
- Color and texture shall be complete and uniform.
- 90% of individual truncated domes shall be in accordance with the Americans with Disabilities Act Standards for Transportation Facilities, Section 705.
- There shall be no more than 4 non-compliant domes in any one square foot.
- Non-compliant domes shall not be adjacent to other non-compliant domes.
- Surfaces shall not deviate more than 0.10" from a true plane.



DETECTABLE WARNING ON FLUSH SHOULDER SIDEWALKS

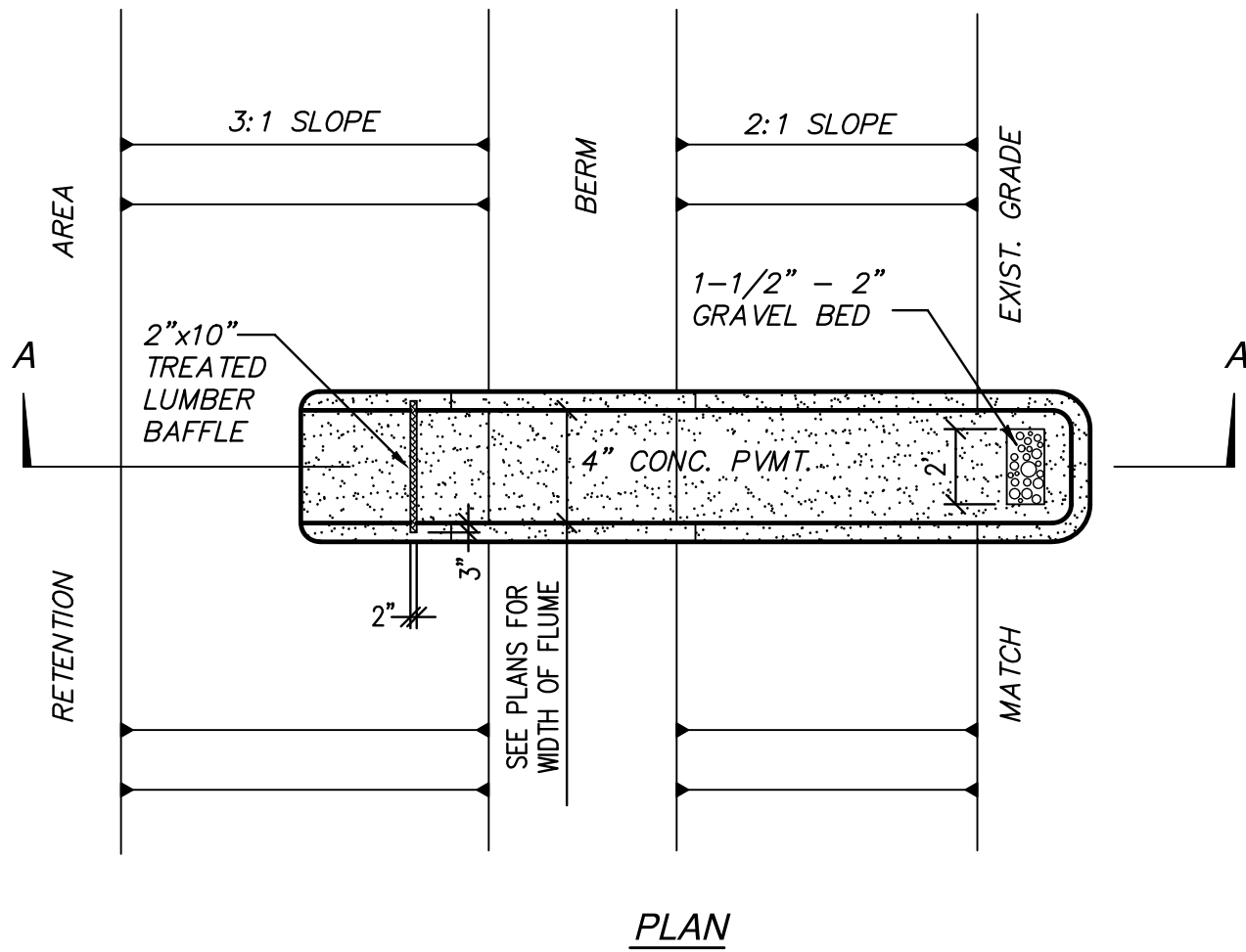
CURB RAMPS WITHOUT SIDEWALKS AND FLUSH SHOULDER SIDEWALKS

ECTABLE WARNINGS AND SIDEWALK CURB RAMPS	INDEX	SHEET
	522-002	6 of 7

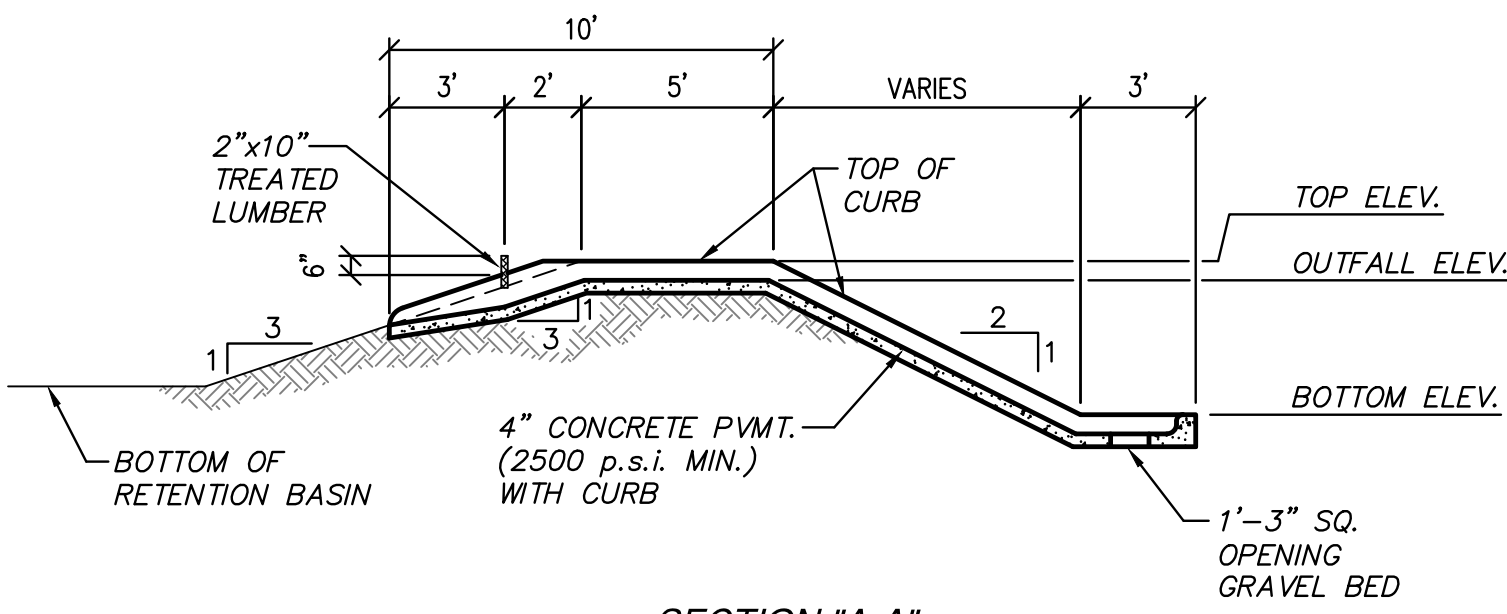


UNDERDRAIN LATERAL PIPE SECTION

SCALE: 1-1/2" = 1'-0"



NOTE: SEE GRADING & DRAINAGE PLAN
FOR TOP, OUTFALL, & BOTTOM ELEVATIONS.

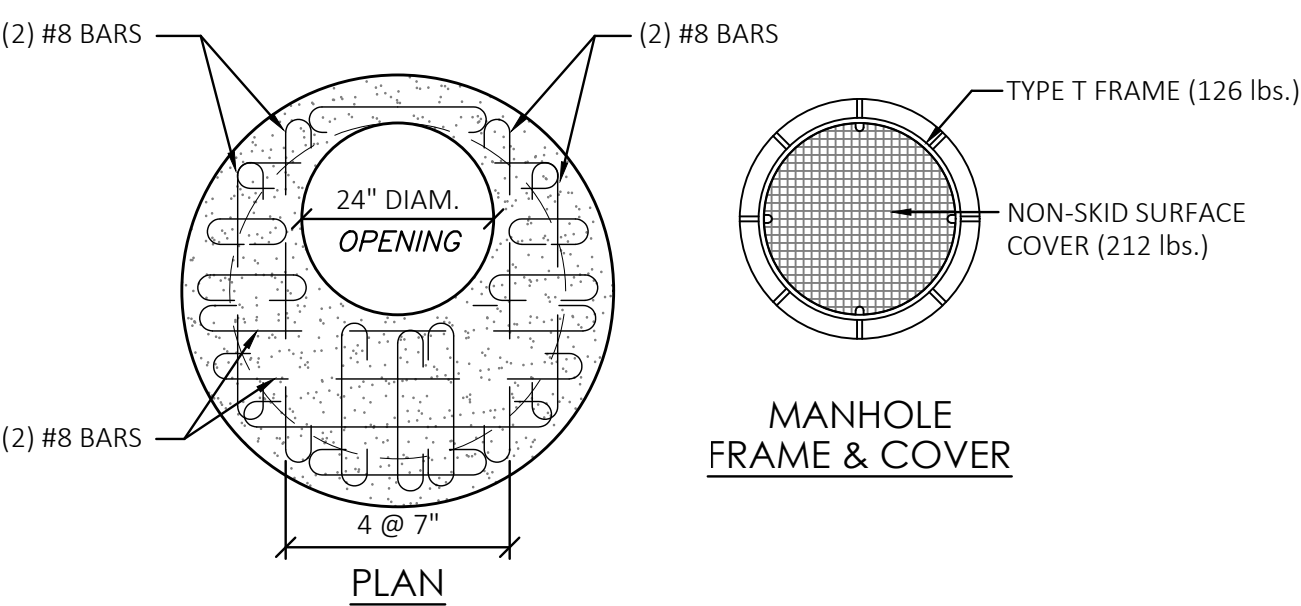


CONCRETE OVERFLOW FLUME

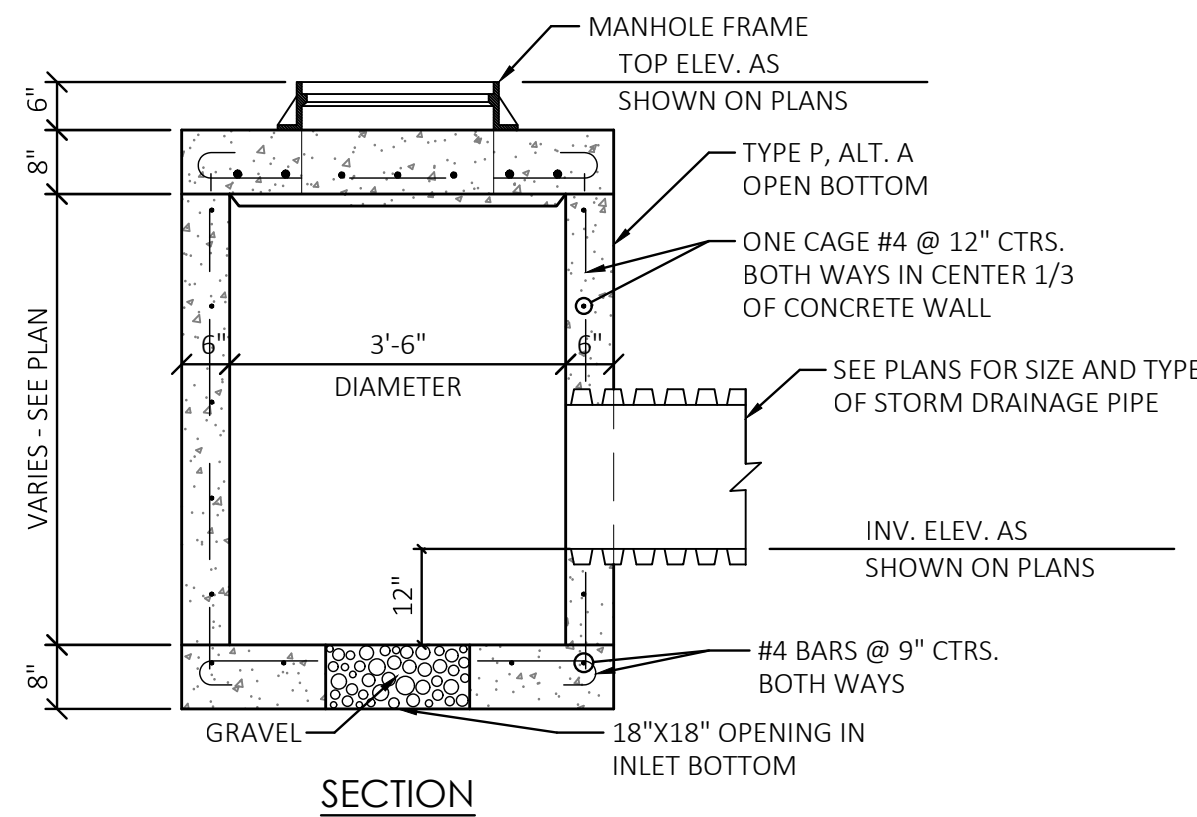
SCALE: 1" = 5'-0"

NOTES:

- INLET BOTTOM 12" LOWER THAN PIPE INVERT SHOWN ON PLANS.
- SEE F.D.O.T. STANDARD INDEX DRAWING NO.'s 201 & 232 OF THE LATEST EDITION FOR ADDITIONAL DETAILS.
- SEE PLAN FOR REQUIRED TYPE OF PIPE AND PIPE DIAMETER. ALL REINFORCEMENT #6 BARS EXCEPT (6) #8 BARS SHOWN. BARS SPACED @ 6" O.C.
- BOTH WAYS EXCEPT MIDDLE BARS SHOWN @ 7" O.C. ALL BARS TO HAVE ACI STANDARD HOOKS CANTED APPROX. 45°.



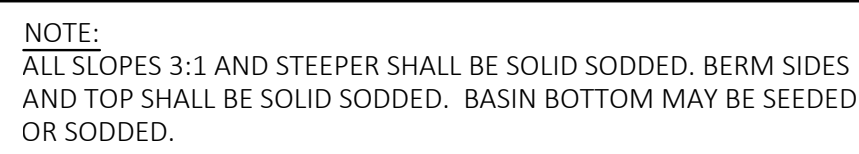
MANHOLE
FRAME & COVER



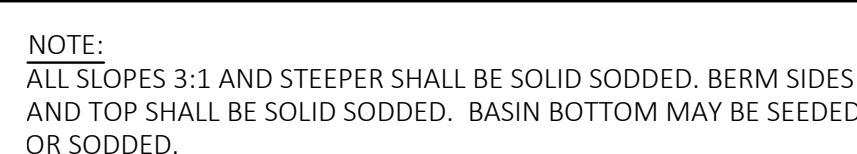
STORM MANHOLE

SCALE: 1/2" = 1'-0"

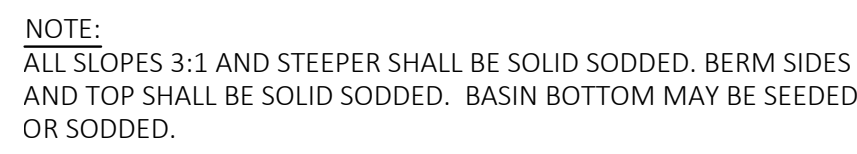
LAST REVISION 11/01/19	DESCRIPTION:	FY 2020 STANDARD



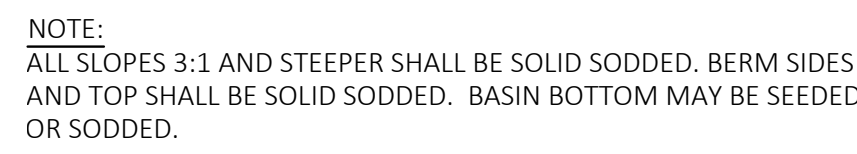
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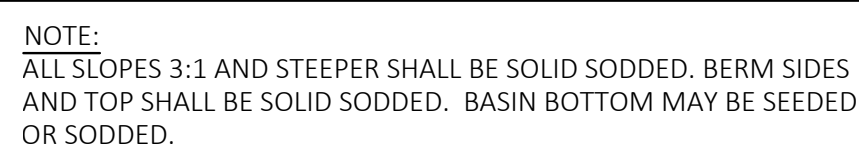
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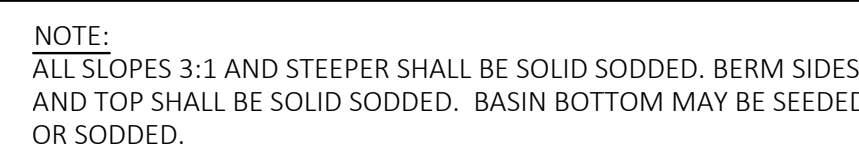
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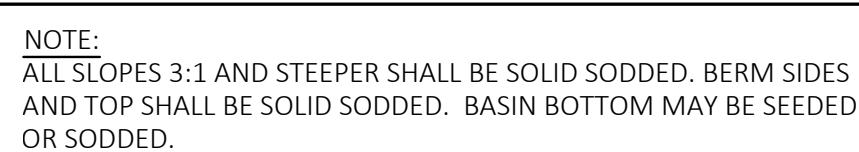
SCALE: 1" = 5'-0"



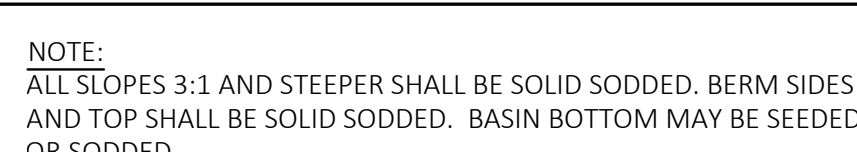
SCALE: 1" = 5'-0"



SCALE: 1" = 5'-0"



SCALE: 1" = 5'-0"



SCALE: 1" = 5'-0"

REVISIONS:	DATE:
1. PER NIMFWD AND CITY OF BOSTON COMMENTS	2/17/21
2. PER NIMFWD COMMENTS	3/31/21
3.	
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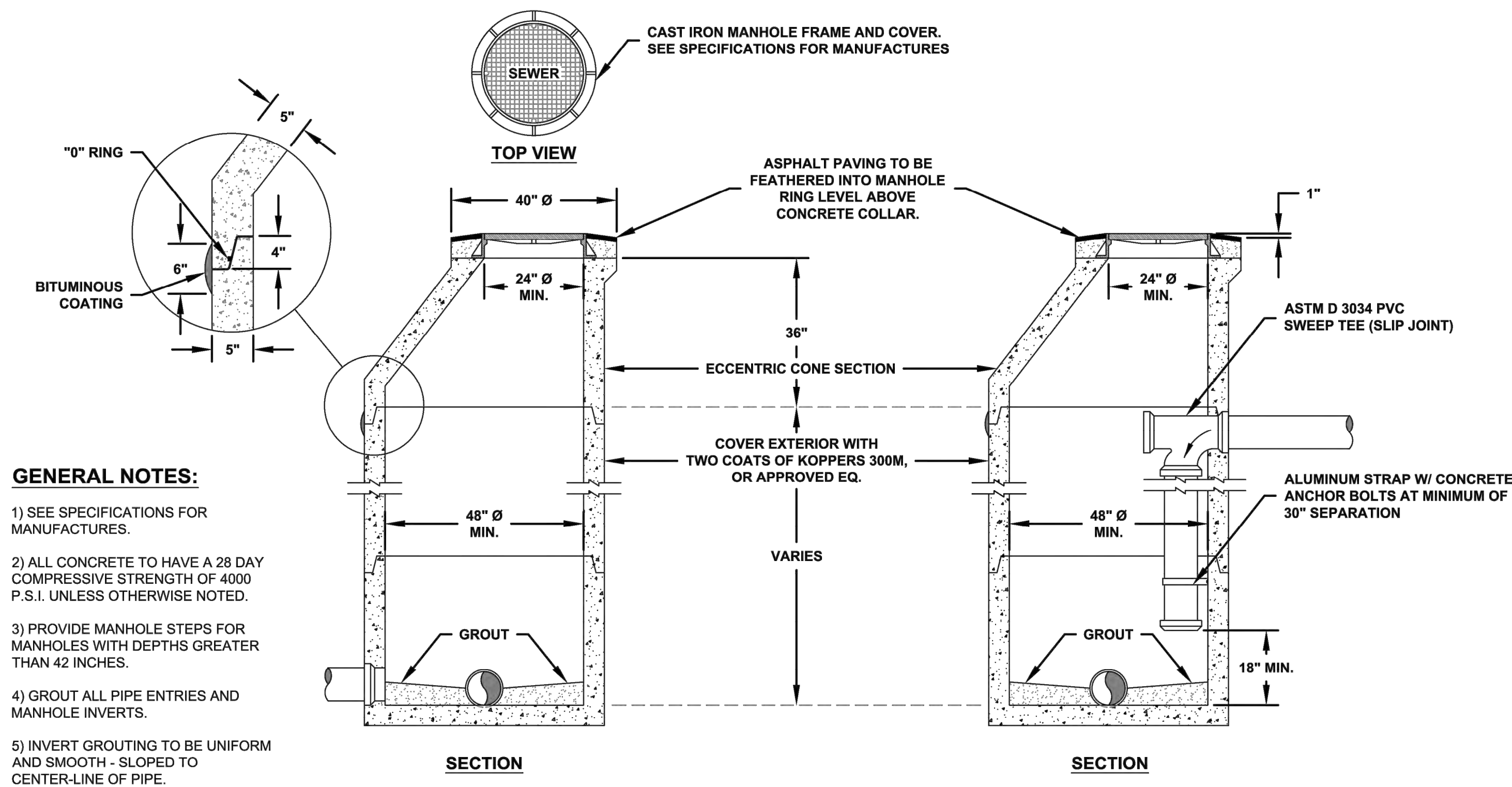
**B² BINKLEY
ENGINEERING**

Certificate of Authorization No. 32308
434 Benning Drive, Deslin, FL 32541
Phone: (850) 974-5421
rsbinkley@gmail.com

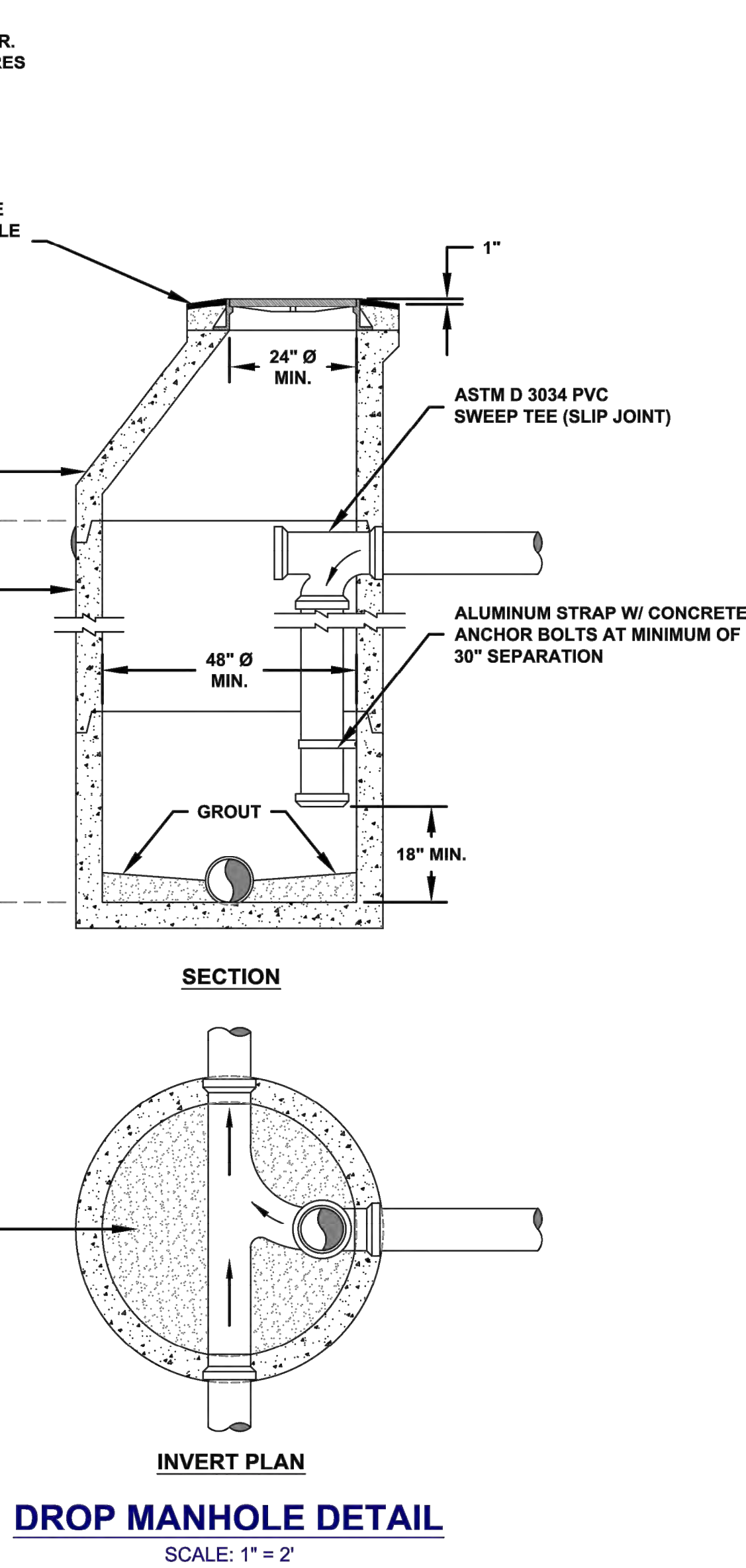
INDIAN BAYOU WEST

RETENTION BASIN SECTIONS

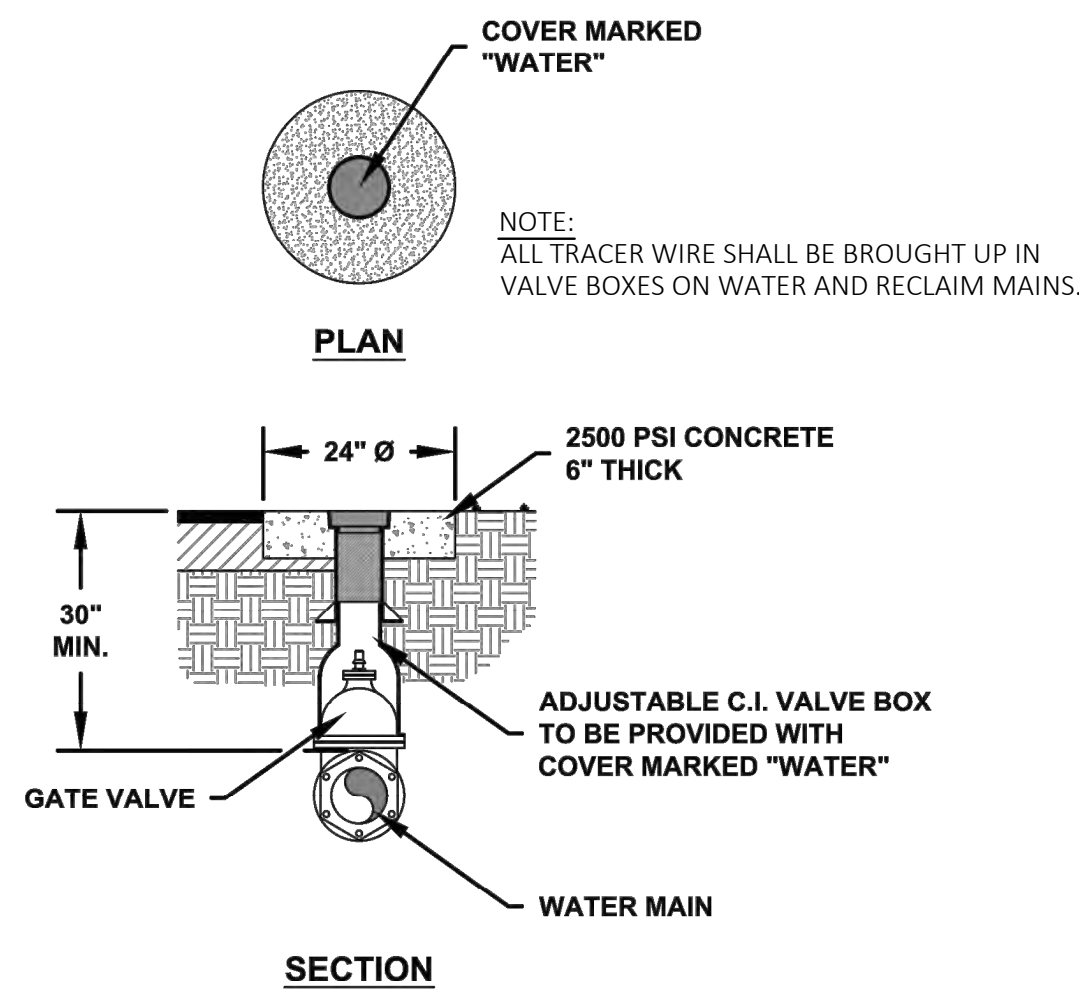
DATE: 1/25/20
SCALE: AS SHOWN
SHEET
7.3
TOTAL SHEETS 47



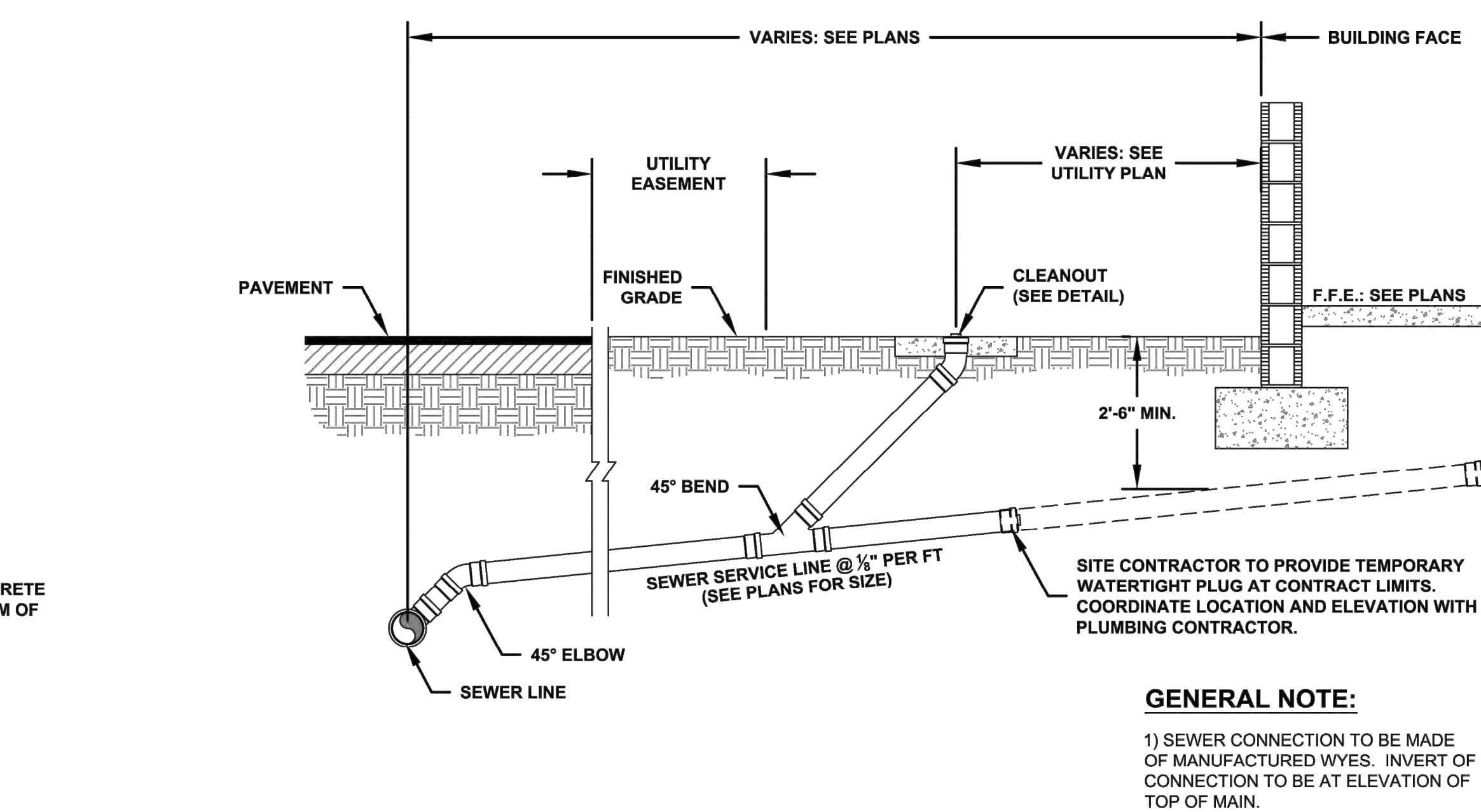
STANDARD MANHOLE DETAIL
SCALE: 1" = 2'



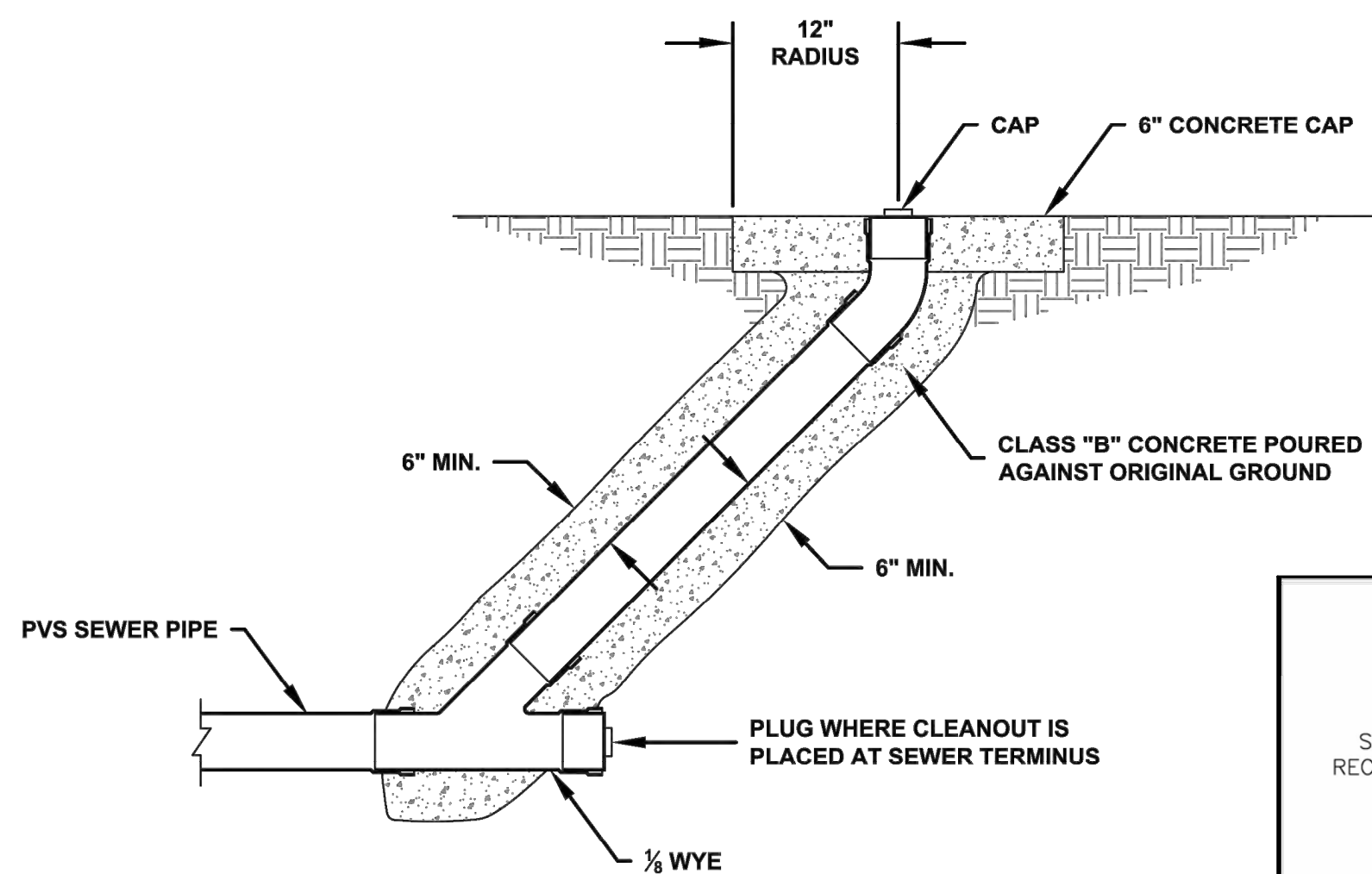
DROP MANHOLE DETAIL
SCALE: 1" = 2'



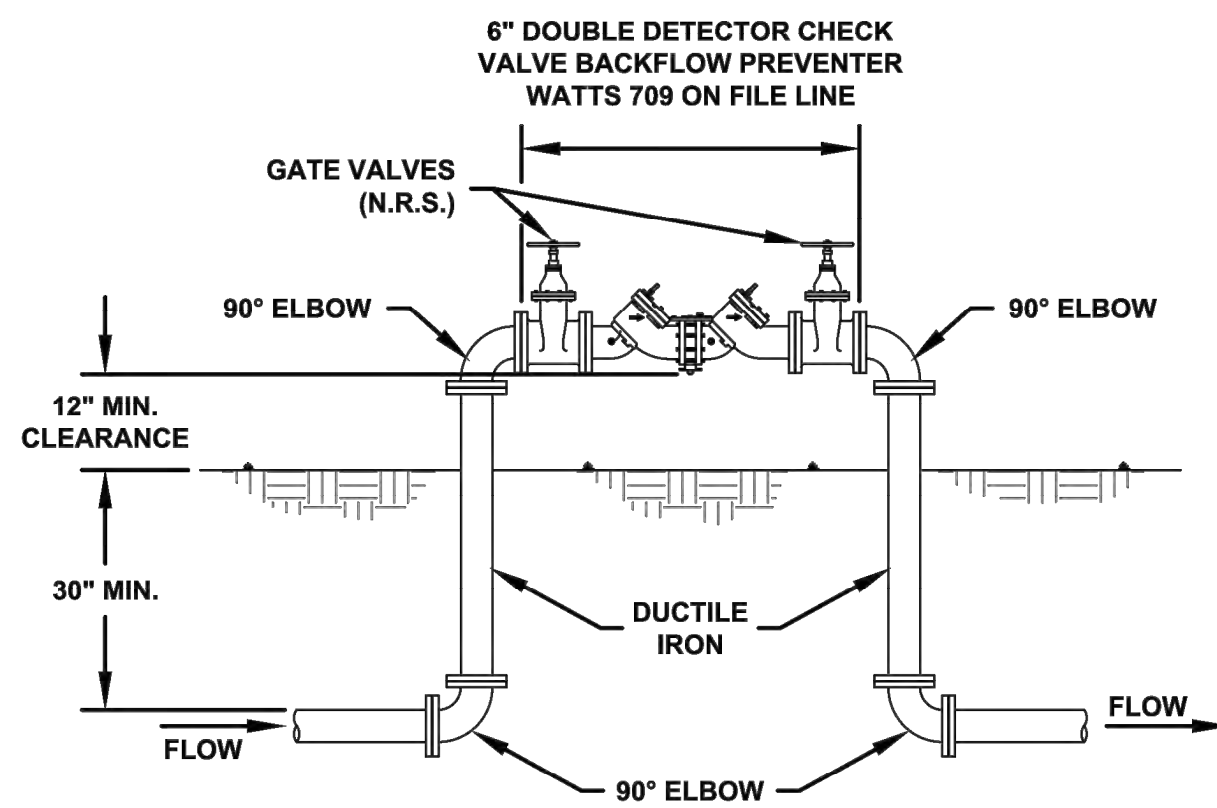
GATE VALVE AND VALVE BOX DETAIL
SCALE: 1" = 2'



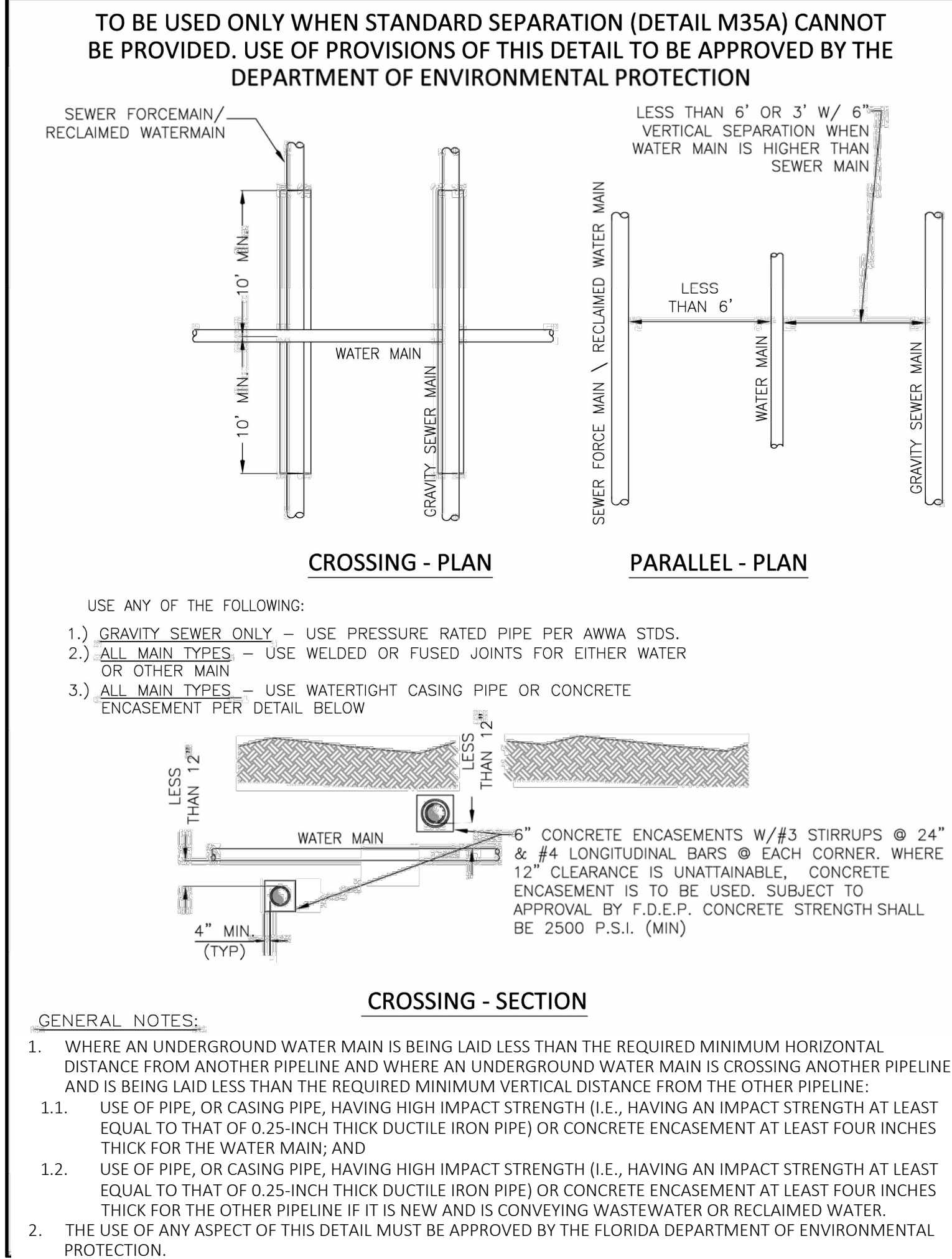
SEWER SERVICE DETAIL
SCALE: 1" = 2'

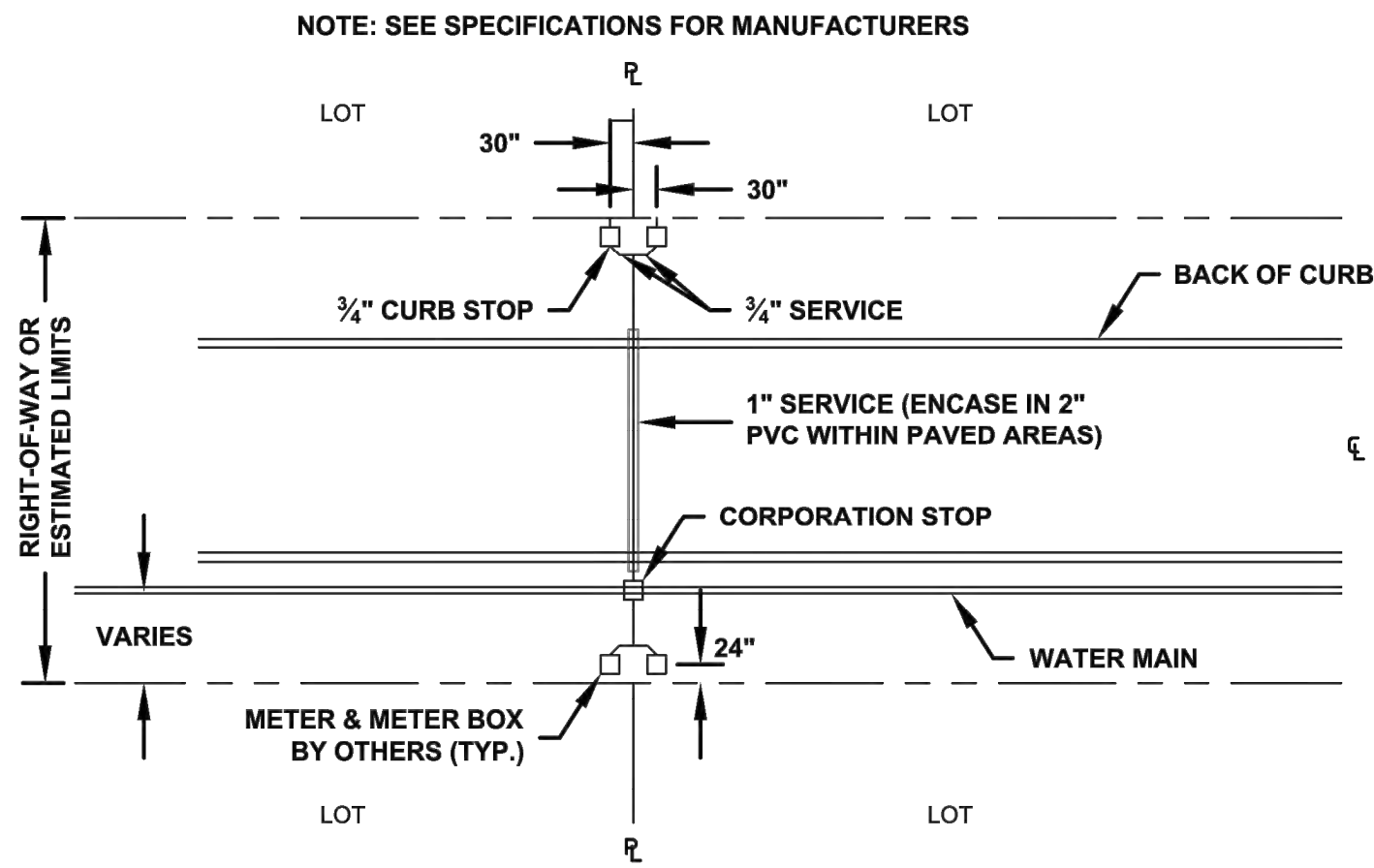


CLEANOUT DETAIL
SCALE: 1" = 1'

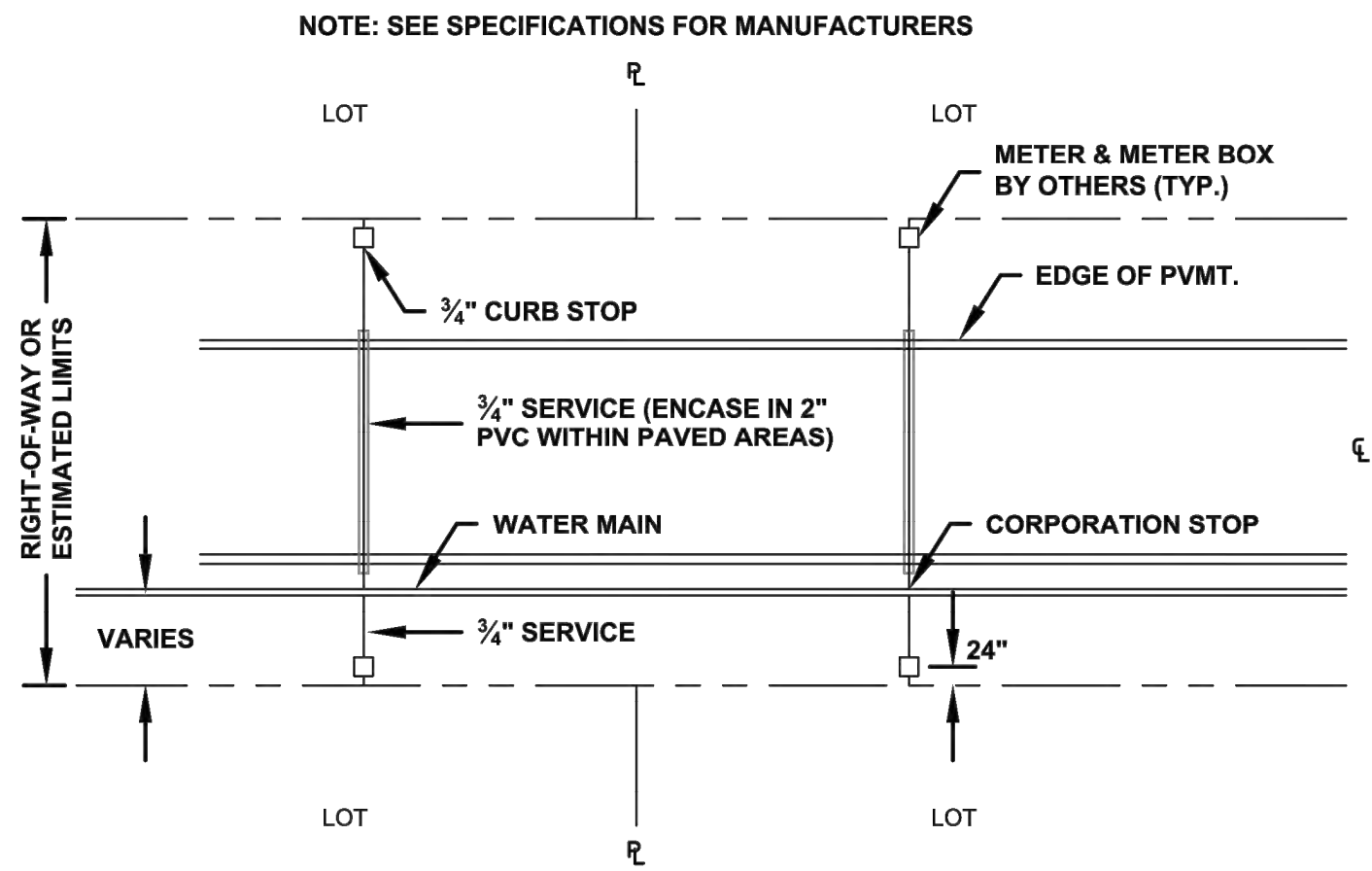


BACKFLOW PREVENTER DETAIL
SCALE: 1" = 2'

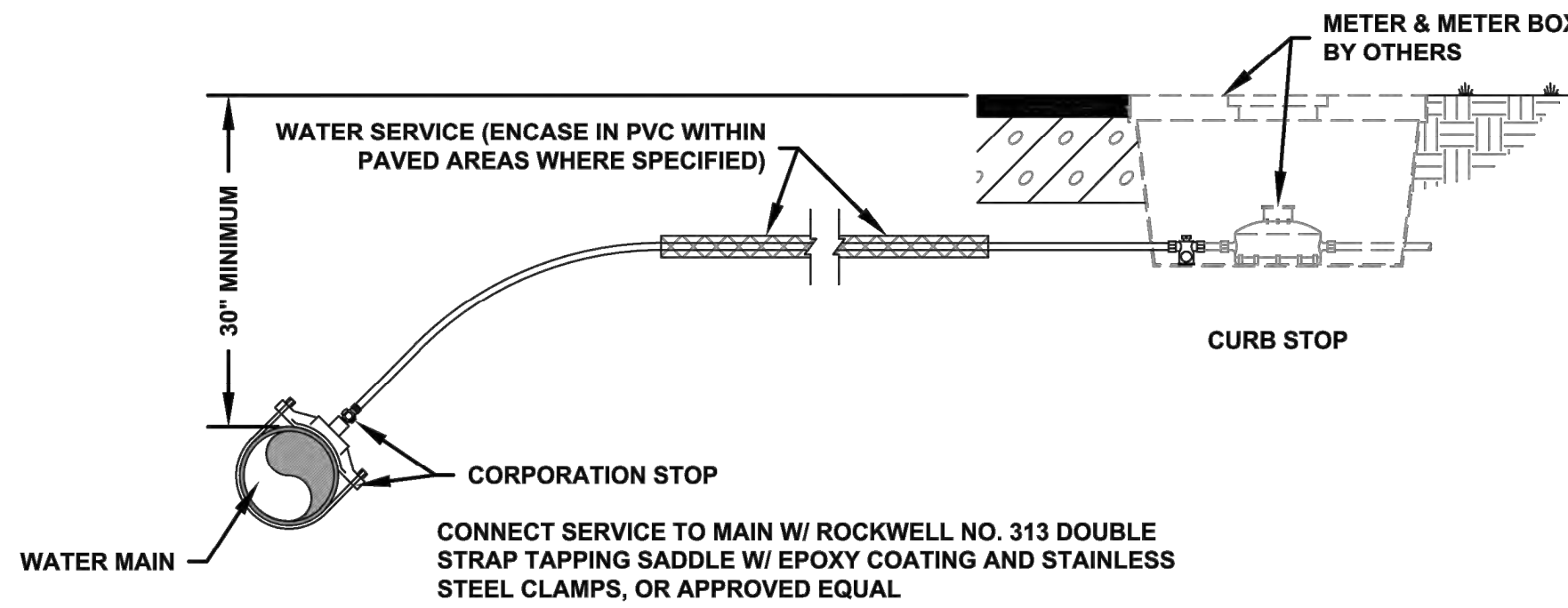




DOUBLE WATER SERVICE CONNECTION PLAN
SCALE: 1" = 20'



SINGLE WATER SERVICE CONNECTION PLAN
SCALE: 1" = 20'



WATER SERVICE CONNECTION DETAIL
SCALE: N.T.S.

GENERAL NOTES:

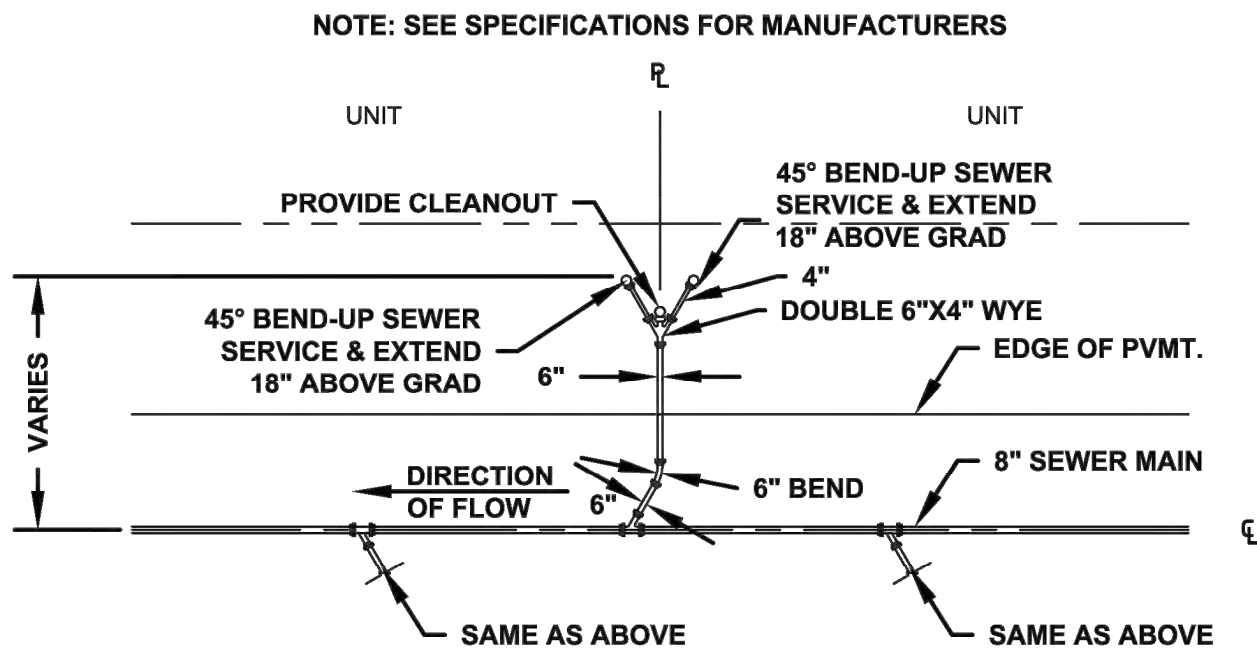
- 1) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING BACTERIOLOGICAL EXAMINATIONS ON ALL NEW WATER MAINS (AS REQUIRED BY AND TO THE SATISFACTION OF) THE DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES. THESE REQUIREMENTS NECESSITATE A SATISFACTORY SAMPLE AT EACH SAMPLE LOCATION FOR TWO CONSECUTIVE DAYS. IF THE EXAMINATION IS BY PERSONS OTHER THAN THE LOCAL HEALTH DEPARTMENT, THEN THE CONTRACTOR SHALL BE RESPONSIBLE FOR DELIVERING THE LABORATORY REPORTS TO THE ENGINEER FOR SUBMITTAL TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (D.E.P.).
- 2) INSTALLATION OF WATER MAINS AND SERVICES SHALL COMPLY WITH ALL GOVERNING AUTHORITIES.
- 3) THE CONTRACTOR SHALL VERIFY ALL FIELD DIMENSIONS AND REPORT ANY DISCREPANCIES PRIOR TO COMMENCING WORK.
- 4) ALL PIPES SHALL BE PVC UNLESS OTHERWISE NOTED OR REQUIRED. ALL MAINS TO BE MARKED WITH NO. 14 INSULATED COPPER TRACER WIRE TO FACILITATE THEIR LOCATIONS.
- 5) THE CONTRACTOR SHALL PROVIDE A MINIMUM OF 36" OF COVER OVER WATER MAINS WITHIN PAVED AND UNPAVED AREAS.

OTHER PIPE	HORIZONTAL SEPARATION	CROSSINGS (SEE NTOE 1)	JOINT SPACING @ CROSSINGS (FULL JOINT CENTERED)
STORM SEWER, STORMWATER FORCE MAIN, RECLAIMED WATER			
VACUUM SANITARY SEWER			
GRAVITY OR PRESSURE SANITARY SEWER, SANITARY SEWER FORCE MAIN			
ON - SITE SEWAGE TREATMENT & DISPOSAL SYSTEM	10' MIN.	----	----

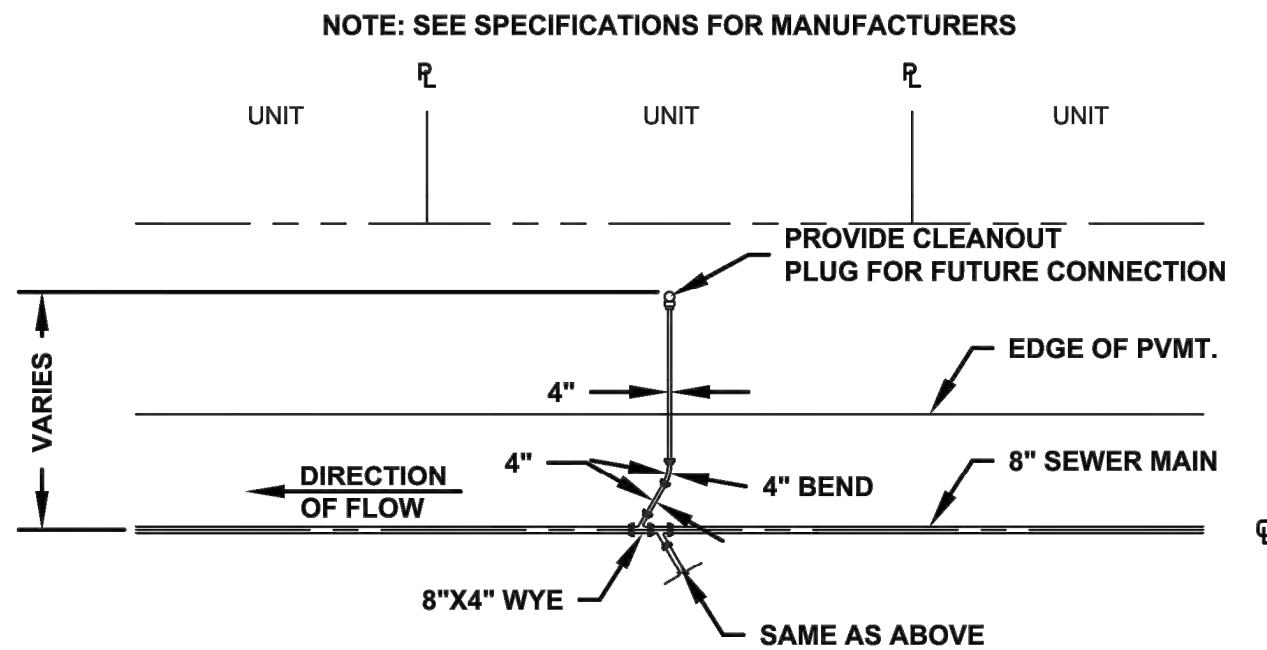
(1) WATER MAIN SHOULD CROSS ABOVE OTHER PIPE. WHEN WATER MAIN MUST BE BELOW OTHER PIPE, THE MIN. SEPARATION IS 12".

(2) 3' FOR GRAVITY SANITARY SEWER WHERE THE BOTTOM OF THE WATER MAIN IS LAID AT LEAST 6" ABOVE THE TOP OF THE GRAVITY SANITARY SEWER.

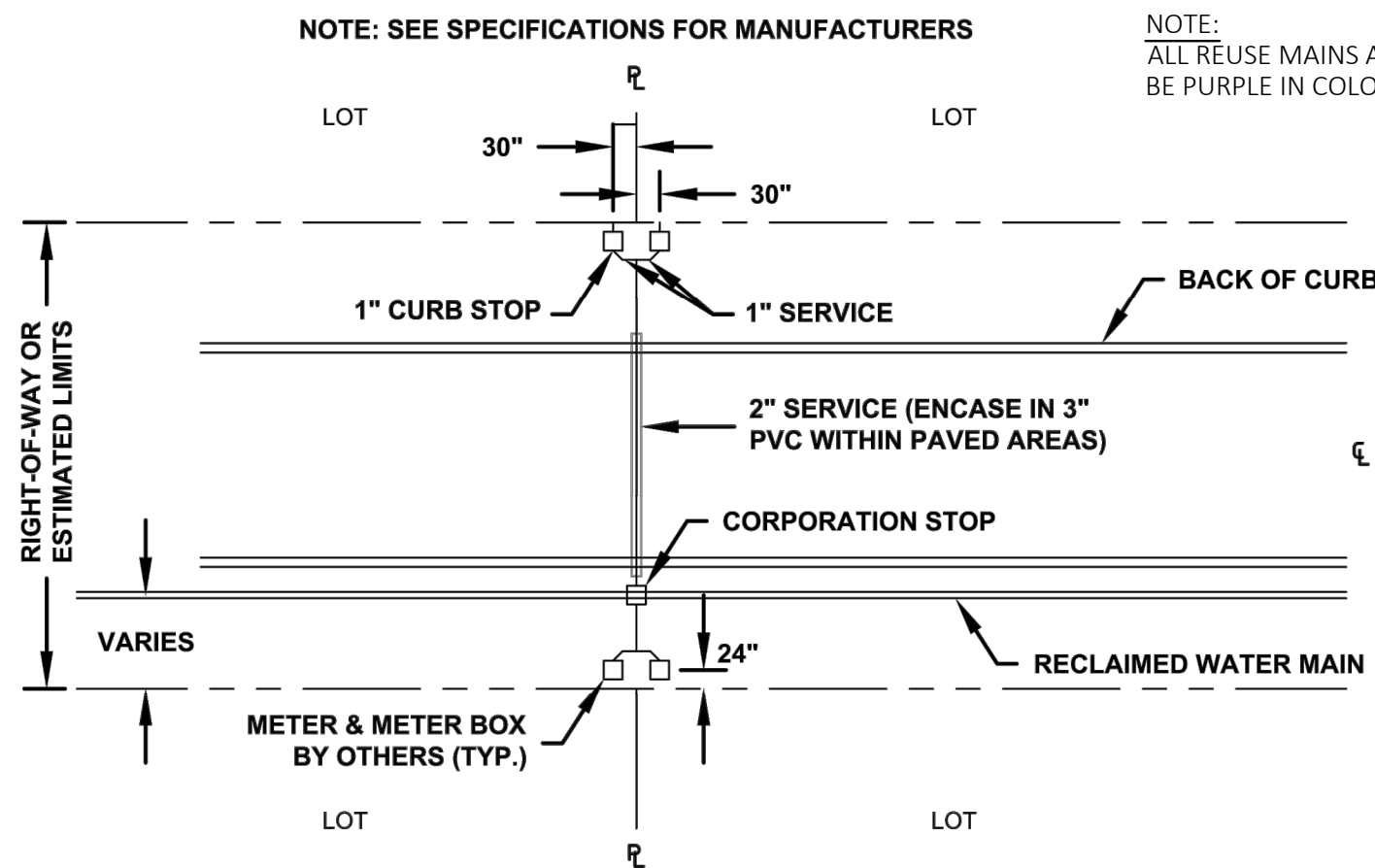
(3) IF REQUIRED SEPARATION CANNOT BE PROVIDED SEE DETAIL M-35B FOR REQ'D ADDITIONAL PROTECTION.



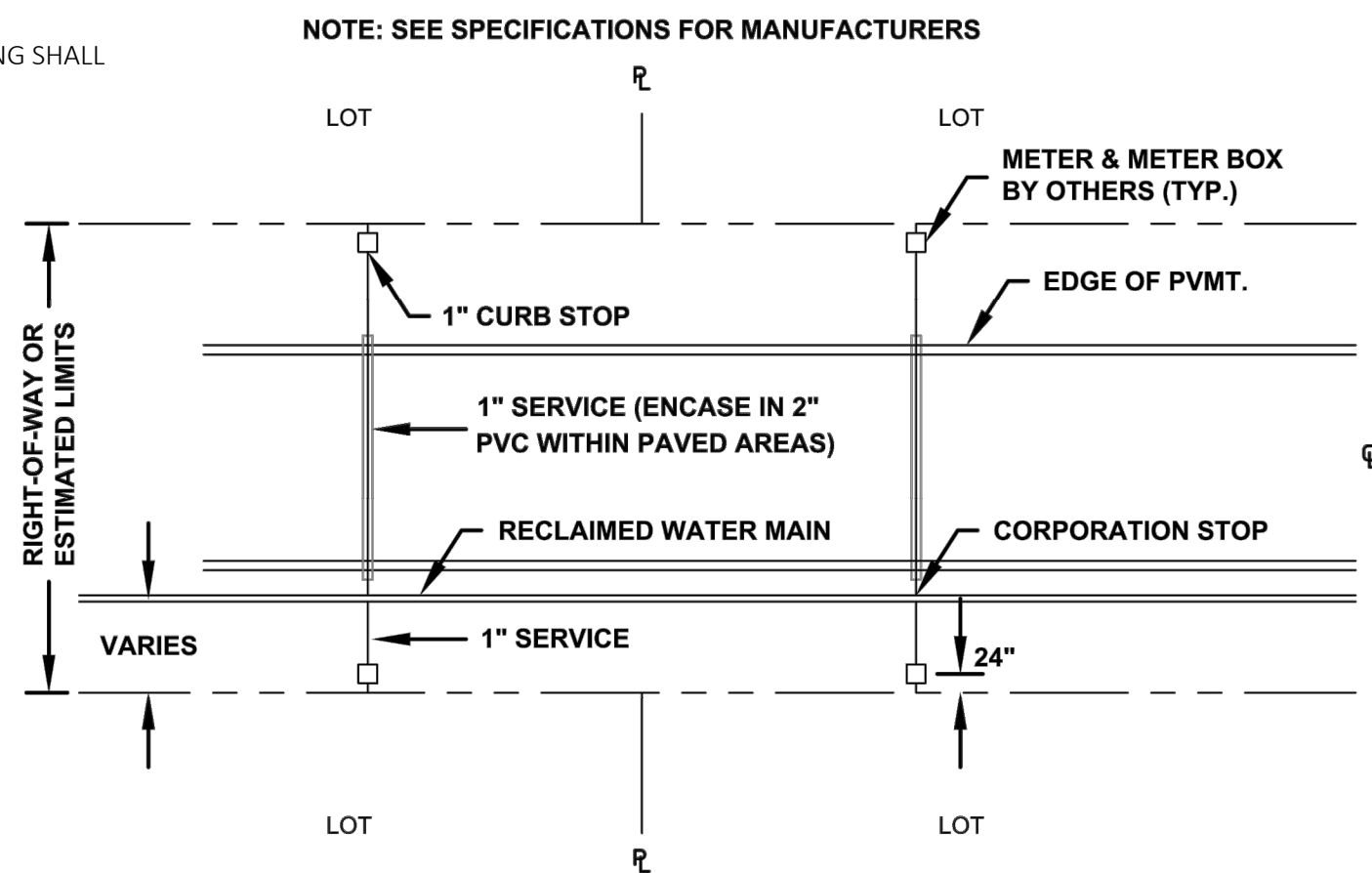
DOUBLE SANITARY SEWER SERVICE CONNECTION PLAN
SCALE: 1" = 20'



SINGLE SANITARY SEWER SERVICE CONNECTION PLAN
SCALE: 1" = 20'



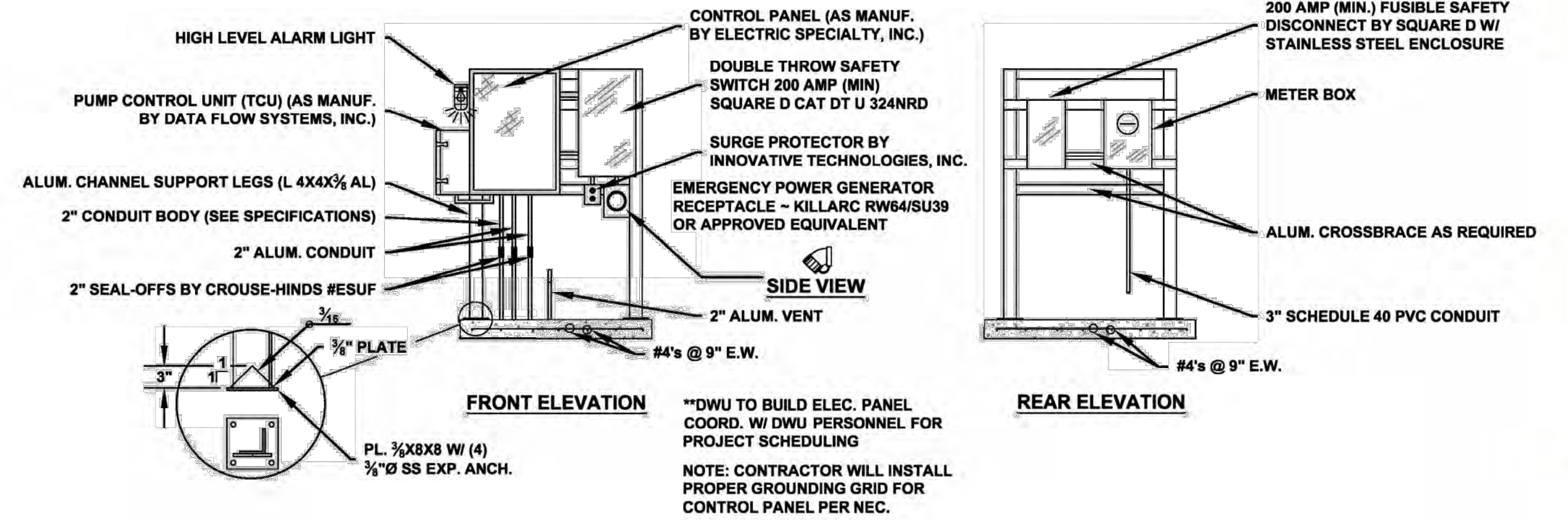
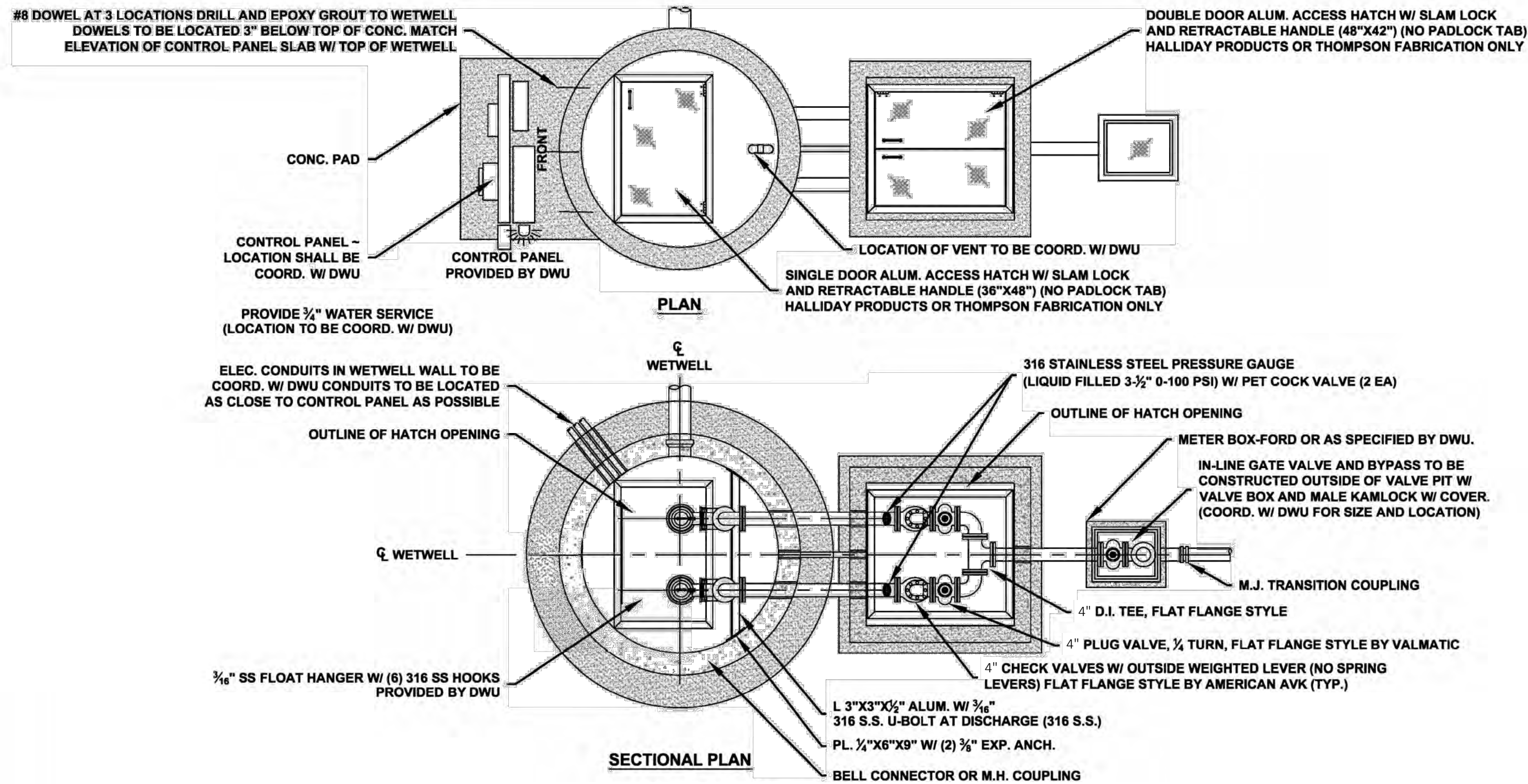
**DOUBLE RECLAIMED WATER
SERVICE CONNECTION PLAN**
SCALE: 1" = 20'



**SINGLE RECLAIMED WATER
SERVICE CONNECTION PLAN**
SCALE: 1" = 20'



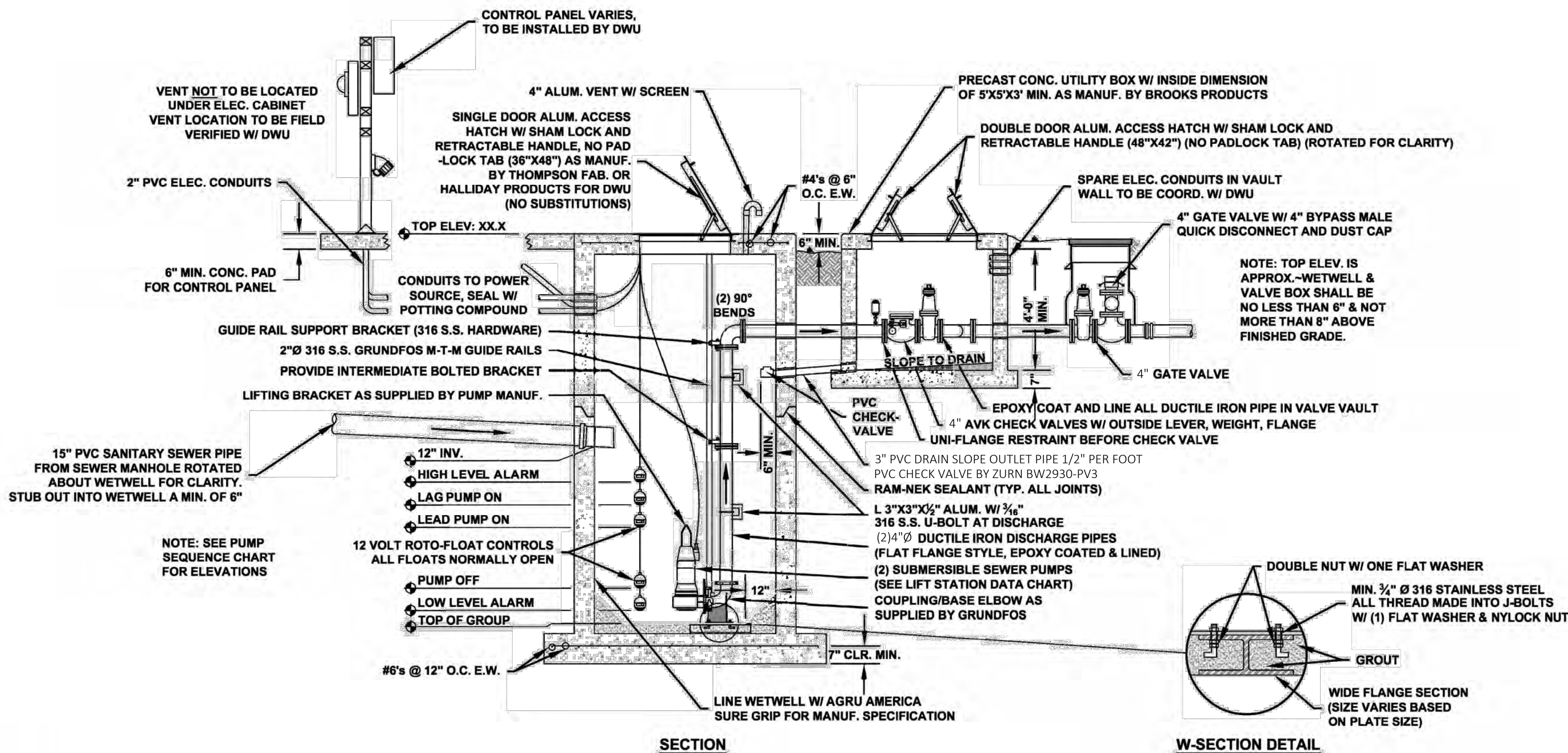
DATE:	REV #	DATE	BY	REASON
..... 2014	1	 2014		
REVISION DATE:				
DRAWN BY:				
REVIEWED BY:				
SHEET:				



LIFT STATION CONTROL PANEL INSTALLATION DETAIL

GENERAL NOTES:

- 1) VALVE VAULT SHALL BE COATED W/ KOP-COAT COAL TAR EPOXY 300-M INSIDE AND OUT. (TWO COATS, 9 MILS EACH.)
- 2) BASE AND FIRST RISER UNIT TO BE CAST MONOLITHIC.
- 3) VALVE VAULT SHALL BE SIZED TO PERMIT EASY REMOVAL OF CHECK VALVE SPINDLES W/ MIN. CLEARANCES AS SHOWN FOR 6\"/>



LIFT STATION DATA		
DESIGNATION	**	KSB
WETWELL DIAMETER	**	6"
PUMP MODEL	**	QBT F 100-200/34XG-S
VOLTAGE	**	230
H.P.	**	5
R.P.M.	**	1750
DELIVERY, GPM	**	109
TOT. FEET	**	29.3
IMPELLER	**	7.5/16"
FORCE MAIN DIAMETER	**	4"
MIN. SOLID SIZE	**	4"
EFFICIENCY	**	

PUMP CONTROL SEQUENCE		
ELEVATION SETTING	RISING WATER LEVEL	FALLING WATER LEVEL
(+)**	HIGH LEVEL ALARM	4.87
(+)**	3.87	STOP ALARM AND RESET OVERRIDE
(-)**	LAG PUMP ON	3.37
(-)**	LEAD PUMP ON	2.87
(-)**	(-10.13)	PUMPS OFF AND RESET ALTERNATOR
(-)**	(-11.13)	LOW LEVEL ALARM
(-)**	BOTTOM OF WETWELL	(-11.63)

ALL FLOAT SETTINGS ARE APPROXIMATE. CONTRACTOR TO FIELD ADJUST FLOATS AS INSTRUCTED BY DWU DURING LIFT STATION TESTING.

LEGEND:

- * PER PUMP MANUFACTURER'S RECOMMENDATIONS IN THEIR ENGINEERING CATALOG
- ⬆ ELEVATION
- DWU DESTIN WATER USERS, INC.
- O.C. E.W. ON CENTER, EACH WAY
- 316 S.S. 316 STAINLESS STEEL
- D.I. DUCTILE IRON



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DATE	REV #	REASON	BY	DATE
March 3, 2018	1			
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7-2.1 Paint
Paint for parking stripes shall conform to Section 971 of the referenced Florida Department of Transportation Standard Specifications, Code T-1 (white). Blue pavement markings shall be tinted to match shade 15180 of Federal Standards 595a.

7-3 Application and Installation

7-3.1 Paint
The surface which is to be painted shall be cleaned, by compressed air or other effective means, immediately before the start of painting, and shall be clean and dry when the paint is applied. Any vegetation or loose material shall be removed from the pavement before striping is begun.

The paint shall be thoroughly mixed before it is poured into the painting machine. The painting machine shall be of a type and design which will readily obtain uniformity with regard to paint stripe thickness and alignment. The contractor shall set tack points and stringlines as required to establish proper spacing and alignment.

7-3.2 Parking Stripes and Markings

All materials and work including thickness and width shall comply with the requirements of Section 710 of the referenced Florida Department of Transportation Standard Specifications. The minimum rate of application shall be one gallon per 320 linear feet for 4 inches solid stripes.

The contractor shall be responsible for protecting new parking stripes and markings from vehicular traffic. Any defective stripes or markings or portion of the stripes or markings damaged by passing traffic or from any other cause shall be corrected at the contractor's expense.

END OF SECTION

SECTION 8
GRASSING

8-1 Description

The work specified in the Section consists of the establishing of a stand of grass, within the limits shown on the plans by sodding or seeding, mulching, fertilizing, watering, grading and maintaining the grassed areas until the completion of the project and final acceptance.

The Contractor shall install permanent vegetated ground cover over all open areas within the limits of construction and adjacent road rights-of-way where existing vegetation has been disturbed by construction operations. All stormwater retention and detention basins and swales shall be solid sodded unless otherwise noted on plans. All slopes which are 3 horizontal to 1 vertical or greater shall be solid sodded unless otherwise noted on plans.

8-2 Materials

8-2.1 Seed

Unless otherwise directed, permanent type grass seed shall be a mixture of 20 parts Bermuda seed and 80 parts Pensacola Bahia seed. Quick-growing type grass seed shall be a species which will provide an early ground cover during the particular season when planting is done and will not later compete with permanent grass. The separate types of seed used shall be thoroughly dry-mixed immediately before sowing. Seed which has become wet shall not be used.

The Bermuda seed shall be an equal mixture of hulled and unhulled seed. The Pensacola Bahia seed shall be scarified seed, having a minimum active germination of 40 percent and a total germination of 85 percent. All seed shall meet the requirements of the State Department of Agriculture and Consumer Services and all applicable State Laws.

8-2.2 Sod

Unless otherwise directed by the Owner, sod shall be of centipede grass. It shall be taken up in commercial-size rectangles, except where 12 inch strip sod is called for. It shall be well matted with roots, dense, uniform, weed-free, be certified to be free of disease and insects, nematodes, and have good sod strength. It shall be planted as soon as possible after being dug and shall be shaded and kept moist from the time it is dug until it is planted. When stacked, it shall not be allowed to heat up above 100 degrees F.

8-2.3 Fertilizer

The fertilizer for seeding and sodding shall be 12-8-8 commercial fertilizer complying with the State fertilizer laws.

8-2.4 Dolomitic Limestone

Dolomitic Limestone shall be an approved product, designated for agricultural use.

8-2.5 Mulch

The mulch material used for seeding shall be dry straw or hay, consisting of oat, rye, or wheat straw, or of pangola, peanut, coastal Bermuda or Bahia grass hay.

8-2.6 Water

Water used in the grassing and planting operations may be obtained from any approved spring, pond, lake, stream, or municipal water system. The water shall be free of salt, of excess and harmful chemicals, acids, alkalies, or any substances harmful to plant growth or obnoxious to traffic.

8-3 Grassing Limits

The Contractor shall take all precautions necessary to limit the area disturbed by construction. Existing grassed areas disturbed by construction outside the limits shown on the plans, shall be re-grassed by seeding to match existing conditions, at the Contractor's expense.

8-4 Application of Fertilizer and Lime

In areas to be seeded or sodded, fertilizer and/or lime shall be applied at a rate of 500 pounds per acre. Fertilizer and/or lime shall be spread uniformly and mixed to a depth of approximately four (4) inches.

8-5 Seeding

The ground over which the seed is to be sown shall be prepared by disk-harrowing and thoroughly pulverizing the soil to a suitable depth. The prepared soil shall be loose and reasonably smooth. It shall be reasonably free of large clods, roots, and other material which will interfere with the work or subsequent mowing and maintenance operations. While the soil is loose and moist, the seed shall be scattered uniformly over the gassing area. Unless shown otherwise in the plans, the rate of spread for the permanent type seed mixture shall be 100 pounds per acre.

When so directed by the plans or the Engineer, seed of an approved quick-growing species of grass, such as rye, shall be spread in conjunction with the permanent seed mixture at the rate of 30 pounds per acre.

8-6 Mulching

Approximately two inches, loose thickness, of the mulch material shall be applied uniformly over the seeded area and the mulch material cut into the soil to produce a loosed mulched thickness of three or four inches.

8-7 Rolling

Immediately after the completion of the seeding, the entire area grassed and mulched shall be rolled with approved equipment. At least two trips over the entire area will be required.

8-8 Sodding

Whenever a suitable area has been graded and is ready for sodding, the Contractor shall proceed at once with sodding of the available areas. Sodding shall be incorporated into the project at the earliest practical time in the life of the contract. Sodding shall not be performed when weather and soil conditions are, in the Engineer's opinion, unsuitable for proper results. The sod shall be placed on the prepared surface, with edges in close contact, and shall be firmly and smoothly embedded by light tamping with appropriate tools.

Where sodding is used in drainage ditches, the setting of the pieces shall be staggered, such as to avoid a continuous seam along the line of flow. Along the edges of such staggered areas, the offsets of individual strips shall be tampped so as to produce a featheredge effect.

On areas where the sod may slide, due to the height and slope, the Engineer may direct that the sod be pegged, with pegs driven through the side blocks into firm earth, at suitable intervals. Any pieces of sod which, after placing, show an appearance of extreme dryness shall be removed from the work.

8-9 Watering

The seeded areas shall be watered so as to provide optimum growth conditions for the establishment of the grass. The seeded areas shall be kept in a moist condition for the duration of the contract period (and in no case less than two weeks). The moistened condition shall extend at least to the full depth of the rooting zone. Water shall not be applied, however, when there is danger of a freezing condition.

8-10 Maintenance

The Contractor shall maintain seeded areas in a satisfactory condition until final acceptance is made. Such maintenance shall include watering, and filling, leveling and repairing any washed or eroded areas.

END OF SECTION

SECTION 9
POTABLE WATER SYSTEM

9-1 Description

The work specified in this section consists of the construction of a potable water system, which includes the potable water distribution mains, valving, fire hydrants, and service piping. The potable water system shall be constructed in conformity with the plans and in accordance with these specifications, or the specifications and requirements of the Destin Water Users, Inc. (Utility Company), whichever is more stringent.

9-2 Codes and Standards

The contractor shall comply with the requirements of Chapter 610-555 of the Florida Department of Environmental Protection rules and the applicable portions of the National Standard Plumbing Code pertaining to the installation of potable water systems. Additionally, the contractor shall comply with the requirements of the local fire marshal and Utility Company regulations pertaining to fire hydrants, including hose unit threading and similar matching of connections. The contractor shall obtain required permits and inspections and shall coordinate tapping of existing water mains with the Utility Company.

9-3 Materials

9-3.1 Detector wire

No. 14 copper tracer wire shall be required for all non-metallic water mains. Tracer wire shall be well connected to fire hydrants and shall be protected during backfilling operations to prevent breakage.

9-3.2 Piping and Pipe Fittings

9-3.2.1 Water Mains

Water main piping shall be polyvinyl chloride (PVC) pipe. Water main piping 9-1/2" through 3" in size shall conform to ASTM D 2241, SDR 26 (PVC material 124512-b) with push-on joints conforming to ASTM D 3139 and elastomeric gaskets conforming to ASTM F 477. Water main piping 4" through 12" in size shall conform to AWWA C 900-89, DR 18, and shall be furnished in cast-iron pipe equivalent outside diameters with rubber gasketed joints as AWWA C 900 listed. All water main piping shall be

Stamped "NSF-PW". All water main fittings shall be constructed of either ductile iron or cast iron conforming to AWWA C 110 or ANSI A 21.10, respectively.

9-3.2.2 Water Service Piping

Water service piping shall be polyethylene (PE) tubing conforming to ASTM D 1248, Class 160, with brass or bronze barbed fittings with 2 strap-type stainless steel clamps over pipe at each insert.

9-3.3 Valves

9-3.3.1 Gate Valves

Gate valves shall be of cast iron body, fully bronze mounted, double-disc, and having parallel seats, with wide flanged, mechanical joint, or spigot ends depending on installation. Gate valves shall have a minimum working pressure of 175 psi, and shall comply with AWWA C 500. Gate valves shall open by counterclockwise rotation of the valve stem and shall be fitted with hub-type hand operators. Gate valves shall be sized and located as indicated on the plans.

9-3.3.2 Water Service Clamps and Stops

9-3.3.2.1 Double Clamp Tapping Saddle

Double clamp tapping saddle shall be manufactured by Ford Metering, Co.

9-3.3.2.2 Corporation Stops

Corporation stops shall be Ford Model No. F-1000, or approved equal. Inlets shall have compression connections and outlets shall have iron pipe threads.

9-3.3.2.3 Curb Stops

Curb stops shall be as manufactured by Ford, or approved equal. Inlets shall have compression connections and outlets shall have iron pipe threads.

9-3.3.3 Valve Boxes

An adjustable cast-iron valve box of suitable size shall be provided at each gate valve. The head shall be round and the lid shall have the word "WATER" cast on it. The least dimension of the shaft of the box shall be 5-1/4". A 2'-0" diameter by 6" concrete collar shall be poured around the shaft at the valve box surface. The valve boxes shall be Clow F-2452, or approved equal.

9-3.4 Fire Hydrants

Fire hydrants shall be dry-barrel type conforming to AWWA C 502. Hydrants shall have 6" outlet, one 5-1/4" pumper connection, and two 10-1/2" hose connections. The size and shape of operating nuts and threads on hose and pumper connections shall be as required by the utility company. The hydrants shall be America Darling, (Model B84B-5) with tamper proof bonnet.

9-3.5 Anchorages

The contractor shall provide anchorages for tees, wyes, crosses, plugs, caps, bends, valves, and hydrants as required. After installation, apply full coat of bituminous material to surface of any ferrous anchorages. Anchorage types are as follows:

- (1) clamps, straps, and washers: steel, ASTM A 506.
- (2) rods: steel, ASTM A 575.
- (3) rod couplings: malleable-iron, ASTM A 197.
- (4) bolts: steel, ASTM A 307.
- (5) thrust blocks: concrete, 2500 psi, sized as indicated.

9-3.6 Water Meters

Water meters for billing are to be procured from Destin Water Users, Inc.

9-4 Installation

9-4.1 Pipe Laying and Jointing

Pipe, fittings, valves and accessories shall be carefully inspected before and after installation and those found defective shall be rejected and replaced. Before placing in position, contractor to clean pipe, fittings, valves and accessories and maintain in clean condition. Cut pipe accurately to measurements established at the site and work into place without springing or forcing. Support pipe at its proper elevation and grade, taking care to secure firm and uniform support. Lay pipe so that the full length of each section of pipe and each fitting will rest solidly on the pipe bedding; excavate recesses to accommodate bells, joints, and couplings. Provide anchors and supports where necessary for fastening work into place. Concrete reaction, thrust blocks or restrained joints shall be applied for all tees, plugs, caps and bends deflecting 210-1/2 degrees or more. Keep trenches free of water until joints have been properly made. At the end of each day's work, close open ends of pipe temporarily with wood blocks or bulkheads. Do not lay pipe when conditions of trench or weather are unsuitable. In addition to the above, PVC pipe and fittings installation shall conform to the requirements of UNI B-3.

Water mains shall be laid at least 10' horizontally from any existing or proposed sewer. The distance shall be measured edge to edge. In cases where it is not practical to maintain a ten foot separation, and when approved by D.E.P., DWU, and the Engineer, the water main may be installed closer to the sewer, provided that the water main is laid in a separate trench or on an undisturbed earth shelf located on one side of the sewer at such an elevation that the bottom of the water main is at least 18" above the top of the sewer.

Between the invert of the upper pipe and the crown of the lower pipe. Where this minimum separation cannot be maintained, the crossing shall be arranged so that the sewer pipe joints and water main joints are equidistant from the point of crossing with no less than 10' between joints. Alternatively, the sewer main be placed in a sleeve or encased in concrete to obtain the equivalent of the required 10' separation.

Excavation and backfilling of water main trenches shall conform to Section 2 of these specifications. Provide a minimum of 36" of cover over water mains.

9-4.2 Gate Valves

Install gate valves in accordance with the requirements of AWWA C 600 for valve-and-fitting installation. Valve boxes shall be placed concentrically over the valve operating nut.

9-4.3 Fire Hydrants

Install fire hydrants in accordance with the requirements of AWWA C 600 and AWWA M 17, "Installation, Operation, and Maintenance of Fire Hydrants".

9-4.4 Connection to Existing Water System

Coordinate and make connections to the existing water system in a manner approved by the Utility Company, and with a minimum interruption of service on the existing system.

9-5 Field Testing

9-5.1 General

Conduct piping tests before joints are covered, and after thrust blocks have sufficiently hardened. Fill pipeline with water 24 hours prior to testing, and apply test pressure to stabilized system.

9-5.2 Hydrostatic Tests

9-5.2.1 Pressure During Test

After the pipe has been laid and backfilled as specified, each valved section of newly laid pipe shall, unless otherwise specified, be subjected to a hydrostatic pressure equal to 150 psi. The contractor shall record the testing by the use of a pressure recording gauge, and after all testing is complete, the recording shall be turned over to the engineer for his files.

9-5.2.2 Duration of Pressure Test

The duration of each pressure test shall be at least 2 hours.

9-5.2.3 Procedure

Each section of pipe shall be slowly filled with water and the specified test pressure, measured at the lowest point of the elevation, shall be applied by means of a pump connected to the pipe in a satisfactory manner. The pump, pipe connection, gauges meter, and all necessary apparatus shall be furnished by the contractor. The test shall be applied to each valved section in order to check the leakage through all valves.

9-5.2.4 Expelling Air Before Test

Before applying the specified test pressure, all air shall be expelled from the pipe. To accomplish this, taps shall be made, if necessary, at points of highest elevation and afterwards tightly plugged.

9-5.2.5 Definition of Leakage

Leakage is defined as the quantity of water to be supplied into the newly laid pipe, or any valved section of it, necessary to maintain the specified leakage test pressure after the pipe has been filled with water and the air expelled.

9-5.2.6 Permissible Leakage

Suitable means shall be provided by the contractor for determining the quantity of water lost by leakage under normal operating pressure. No pipe installation will be accepted until or unless this leakage (evaluated at 150 psi) is less than the figure stated below:

	gal/s/1000'/24 hrs.	Gal/s/1000'/1 hr.
2"	3.8 gal.	0.16 gal.
3"	5.7 gal.	0.24 gal.
4"	7.6 gal.	0.32 gal.
6"	11.4 gal.	0.47 gal.
8"	15.2 gal.	0.63 gal.
10"	18.9 gal.	0.79 gal.
12"	22.7 gal.	0.95 gal.

9-5.2.7 Variation from Permissible Leakage

Should any test of combined sections of pipe fail disclose leakage greater than the specified limit, the contractor shall, at his expense, locate and repair the defective joints until the leakage is within the specified allowance.

9-5.2.8 Water for Testing

Water for testing shall be provided by the contractor at his expense.

9-5.2.9 Time for Making Test

Pipe may be subjected to hydrostatic pressure, inspected, and tested for leakage at any convenient time after partial completion of backfill. The contractor may test the system with joints exposed or with backfilling complete at his option. The Engineer and the Utility Company shall be notified at least 24 hours before scheduling testing with a Utility Company representative present.

9-5.3 Operating Tests

Open and close all valves and hydrants under system water pressure. Check dry barrel hydrants for proper drainage.

9-6 Disinfection

Flush and disinfect the new potable water system in accordance with AWWA C 601 to the satisfaction of the Engineer and the Utility Company. In the process of chlorinating water, all valves or other appurtenances shall be operated while the pipe line is filled with the chlorinating agent.

9-7 final flushing and testing

Following disinfection, all treated water shall be thoroughly flushed from the newly laid pipe system at its extremities until the replacement water throughout its length shall upon test, both chemically and bacteriologically, be approved by the Florida Department of Environmental Protection. The contractor shall be responsible for arranging and paying for the test samples.

9-8 As-built Certification

In accordance with the rules of Florida Department of Environmental Protection, Chapter 610-555, the Engineer of Record will be responsible for observation of the potable water system to assure compliance with plans and specifications, and said Engineer will report to DEP upon completion of the construction and cleaning and disinfecting described above before the system can be placed into service. The contractor shall notify the engineer a minimum of 24 hours before beginning construction on the potable water system.

9-9 As-built Drawings

The contractor shall furnish the Engineer at the close of the project, with one (1) set of marked-up construction plans depicting as-built conditions of the potable water system. The as-built plans shall show the location of water services, water valves, and fire hydrants. Engineering approval of the potable water system will not be made until accurate and legible as-built plans are received.

END OF SECTION

SECTION 10
RECLAIMED WATER DISTRIBUTION SYSTEM (A.K.A. REUSE WATER)

10-1 Description

The work specified in this section consists of the construction of reclaimed water services and other appurtenances, in conformity with the plans and in accordance with these specifications, or the general utility specifications of Destin Water Users, Inc. (Utility Company), whichever is more stringent.

10-2 Codes and Standards

The contractor shall comply with the requirements of Chapter 610-604 and 610-610 of the Florida Department of Environmental Protection rules, the applicable portions of the National Standard Plumbing Code and Ten State Standards pertaining to the installation of reclaimed water systems, and the Utility Accommodation Manual of the Florida Department of Transportation, latest edition. The contractor shall obtain required permits and inspections from the Utility Company.

10-3 Materials

10-3.1 Detector Wire

No. 12 copper tracer wire shall be required for all non-metallic services and shall be protected during backfilling operations to prevent breakage.

10-3.2 Gate Valves - See Section 9

10-3.3 Piping and Pipe Fittings - See Section 9

10-3.3.1 Reclaimed Water Mains - See Section 9

10-3.3.2 Reclaimed Water Service Piping

Water service piping shall be polyethylene (PE) tubing conforming to ASTM D 1248, Class 160, with brass or bronze barbed fittings with 2 strap-type stainless steel clamps over pipe at each insert. All reclaimed water infrastructure (mains, services, etc.) shall be color coded using pantone purple 522C using light stable colorants.

10-3.3.3 Reclaimed Water Service Clamps and Stops

10-3.3.3.1 Service Clamps

Service clamps shall be Clow-Vega model F-6350 as manufactured by Clow, Wichita Falls, Texas, or Dresser style 194 as manufactured by Dresser Manufacturing Co., Bradford, PA, or approved equal.

10-3.3.3.2 Corporation Stops

Corporation stops shall be Ford Model No. F-1000, or approved equal. Inlets shall have compression connections and outlets shall have iron pipe threads.

10-3.3.3.3 Curb Stops

Curb stops shall be as manufactured by Ford, or approved equal. Inlets shall have compression connections and outlets shall have iron pipe threads.

10-3.3.4 Valve Boxes - See Section 9

10-3.4 Anchorages - See Section 9

10-5 Installation - See Section 9

10-6 Field Testing - See Section 9

10-7 As-built Certification

In accordance with the rules of Florida Department of Environmental Protection, Chapter 610-604, the Engineer of Record will be responsible for observation of the construction of the reclaimed water system to assure compliance with plans and specifications, and said Engineer will report to DEP upon completion of the construction before the system can be placed into service. The contractor shall notify the engineer a minimum of 24 hours before beginning construction on the reclaimed water system.

10-8 As-built Drawings

The contractor shall furnish the Engineer at the close of the project, with one (1) set of marked-up construction plans depicting as-built conditions of the reclaimed water system. The as-built plans shall show the location of water services, bends and valves. Engineering approval of the reclaimed water system will not be made until accurate and legible as-built plans are received.

END OF SECTION

SECTION 11
SANITARY SEWAGE SYSTEM

11-1 Description

The work specified in this section consists of the construction of a gravity sanitary sewer collection system, including sanitary sewer collection lines, service lines, sanitary sewer manholes, and other appurtenances, in conformity with the plans and in accordance with these specifications, or the specifications and requirements of the Destin Water Users, Inc. (Utility Company), whichever is more stringent.

11-2 Codes and Standards

The contractor shall comply with the requirements of Chapter 610-604 of the Florida Department of Environmental Protection rules and the applicable portions of the National Standard Plumbing Code and Ten State Standards, pertaining to the installation of gravity sanitary sewer collection systems. The contractor shall obtain required permits from DEP and inspections required by the Utility Company.

11-3 Materials

11-3.1 Gravity Sewer Collection Lines and Fittings

Gravity sewer collection line piping and fittings (6" through 12") shall be polyvinyl chloride (PVC) conforming to ASTM D 3034, Type FSM, SDR 35. Joining shall be accomplished by means of elastomeric gasket joints conforming to ASTM D 3212. Gasket material shall be suitable for use with domestic sewage and shall conform to ASTM F 477.

11-3.2 Sewer Service Lines

Sewer service line piping and fittings (4" and smaller) shall be polyvinyl chloride (PVC) conforming to ASTM D 2466. Extend sewer service lines to right-of-way line and bend up at a 45° angle. Extend 18" above ground and cap.

11-3.3 Manholes

Sanitary sewer manholes shall be constructed of precast reinforced concrete, sized as indicated, and complying with ASTM C 478. Manhole tops shall be eccentric cone type and manhole bases shall be base riser sections with integral floors. No steps shall be provided in any sanitary sewer manholes of any depth.

Sanitary sewer manhole frames and covers shall be of heavy-duty cast iron construction, sized as indicated. The manhole cover shall be of indented top design with lettering cast into the top reading "SEWER". Manhole frames and covers shall be Vulcan Foundry No. VM-37, Neenah Foundry No. R-1600, or approved equal. Manhole frames and covers are to be coated with coal-tar epoxy.

11-3.4 Cleanouts

Sanitary sewer cleanouts shall be constructed of PVC pipe extended to the ground surface with PVC plugs.

11-4 Installation

11-4.1 Gravity Collection and Service Lines

Each section of pipe shall be carefully inspected before and after it is installed and defective pipe shall be rejected and removed. Sewer lines shall be laid beginning at the low point of the system, true to the grade and alignment indicated, with unbroken continuity of invert. Clear interior of piping of dirt and other superfluous material as work progresses. Open ends of pipe at the end of each day's work shall be closed temporarily with wood blocks or bulkheads. In addition to the above, PVC gravity sewer lines shall be installed in accordance with UNI-B-5.

Sewers shall be laid at least 10' horizontally from any existing or proposed water main. The distance shall be measured edge to edge. In cases where it is not practical to maintain a ten foot separation, and when approved by DEP, DWU, and the Engineer, the sewer may be installed closer to the water main, provided that the water main is in a separate trench or on an undisturbed earth shelf located on one side of the sewer at an elevation so that the bottom of the water main is at least 18" above the top of the sewer.

Sewers crossing under water mains shall be laid to provide a minimum vertical distance of 18" between the invert of the upper pipe and the crown of the lower pipe. Where this minimum separation cannot be maintained, the crossing shall be arranged so that the sewer pipe joints and water main joints are equidistant from the point of crossing with no less than 10' between any two joints. Alternatively, the sewer main may be placed in a sleeve or encased in concrete to obtain the equivalent of the required 11' separation.

Excavation of pipe trenches shall conform to Section 2 of these specifications.

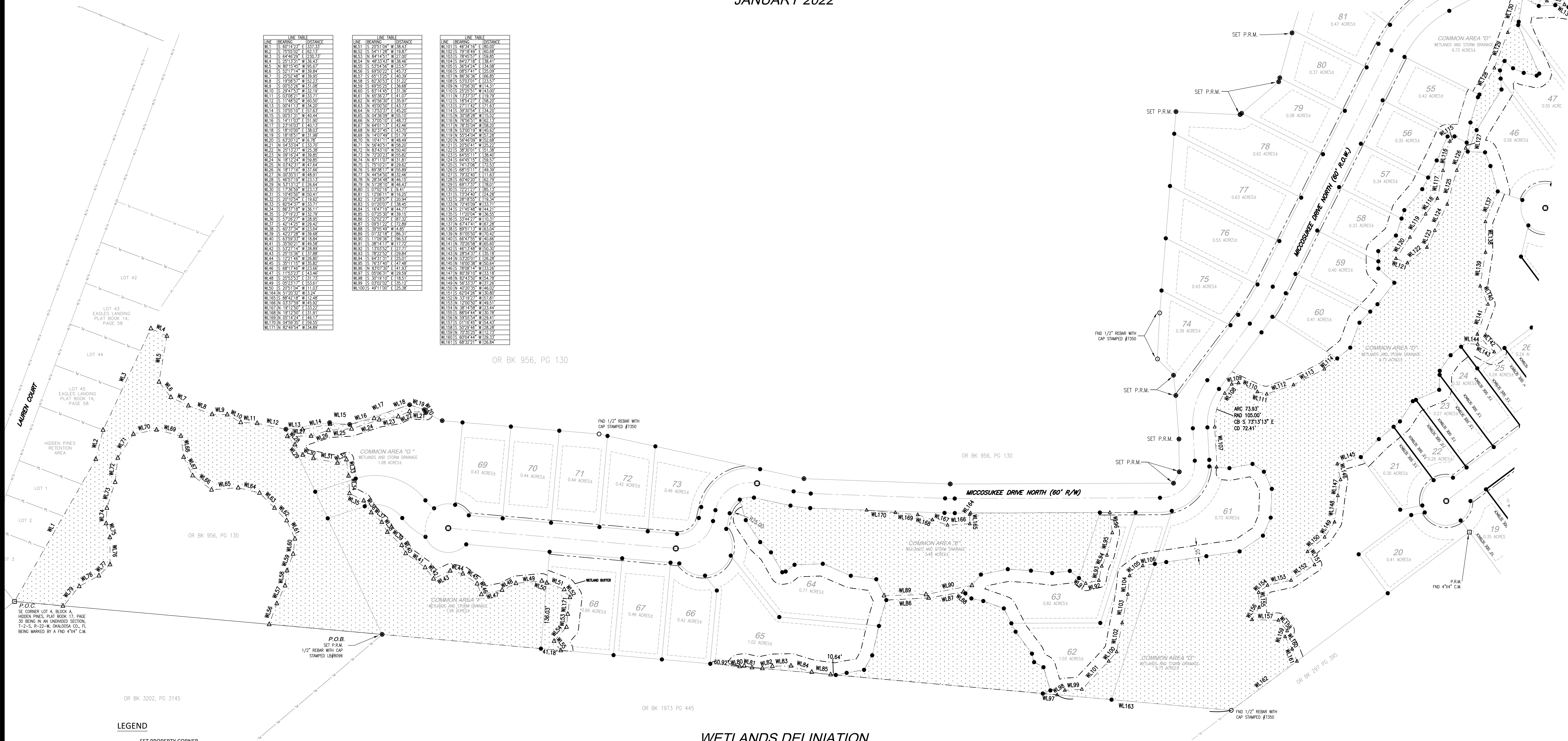
11-4.2 Sewer Manholes

Sanitary sewer manholes shall be installed in accordance with ASTM C 891. Where manholes occur in pavements, set top of frames and covers flush with the finished surface. Elsewhere, set tops 2" above finished surface, unless otherwise indicated. Grout inverts of manholes to provide continuity of grade and direction change through manhole. The exterior of the manhole shall be given two coats of Koppers 300M, or equal, before backfilling operation.

Sewer manholes shall be coated with a self-priming heavy duty cold applied coal tar material similar and equal to Koppers "bitumatic super service black". Provide a minimum of two (2) coats at a rate of 50 to 60 square feet per gallon per coat.

11

INDIAN BAYOU WEST
IN UNSECTIONALIZED, TOWNSHIP 2 SOUTH, RANGE 22 WEST
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA
JANUARY 2022



LEGEND

- SET PROPERTY CORNER
- 1/2" REBAR WITH CAP STAMPED LB#8096
- FOUND IRON PIN TYPE AND SIZE AS SHOWN
- P.C.P. - PERMANENT CONTROL POINT
- ⊕ P.R.M. - PERMANENT REFERENCE MARKER ALUMINUM DISK STAMPED LB#8096
- △ CALCULATED POINT NOT SET
- C.M. CONCRETE MONUMENT (SIZE AS SHOWN)
- FEET / MINUTES
- INCHES / SECONDS
- NOT TO SCALE
- WETLANDS
- AS MEASURED THIS SURVEY
- RECORD INFORMATION, DEED OR OTHER
- RIGHT OF WAY LINE
- 5' LANDSCAPE BUFFER
- CENTERLINE
- WETLANDS BUFFER WIDTH AS NOTED
- MINIMUM BUILDING LINE
- APPROXIMATE ADJOINING PROPERTY LINES
- PROPERTY LINE (THIS SURVEY)

LEGEND OF ABBREVIATIONS

- C.M. — CONCRETE MONUMENT
- R/W — RIGHT OF WAY
- N/F — NOW OR FORMERLY
- PL — PROPERTY LINE
- OR BK — OFFICIAL RECORD BOOK
- PG — PAGE
- P.O.C. — POINT OF COMMENCEMENT
- P.O.B. — POINT OF BEGINNING
- CP — CONTROL POINT
- N — NORTH
- S — SOUTH
- E — EAST
- W — WEST
- RAD — RAD
- ARC — ARC LENGTH
- TAN — TANGENT
- CB — CHORD BEARING
- CD — CHORD DISTANCE
- P.R.M. — PERMANENT REFERENCE MONUMENTS
- P.C.P. — PERMANENT CONTROL POINTS
- FND — FOUND
- PI# — PARCEL IDENTIFICATION NUMBER
- N.T.S. — NOT TO SCALE
- BLDG — BUILDING
- NOT — NOT RADIAL
- NR — RADIAL

WETLANDS DELINIATION

NOTES:

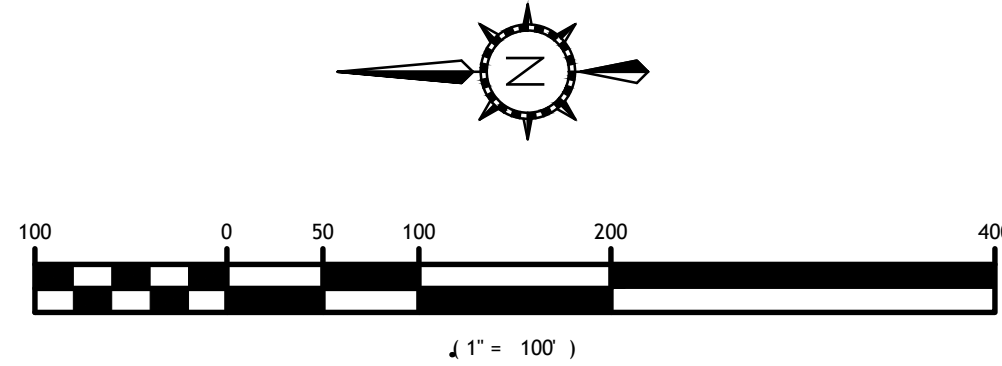
- 1.) BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES (NORTH ZONE) AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS AND OPUS SOLUTIONS, BASIS OF REFERENCE MADE TO THE EAST LINE OF THE CITY OF DESTIN PROPERTY AS RECORDED IN OR BK 1973 PG 44 SHOWN HEREON ARE GRID DISTANCES.
- 2.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
- 3.) ALL LINES COMING OFF OF CURVES ARE NOT RADIAL.

PURSUANT TO CHAPTER 177.001(27):

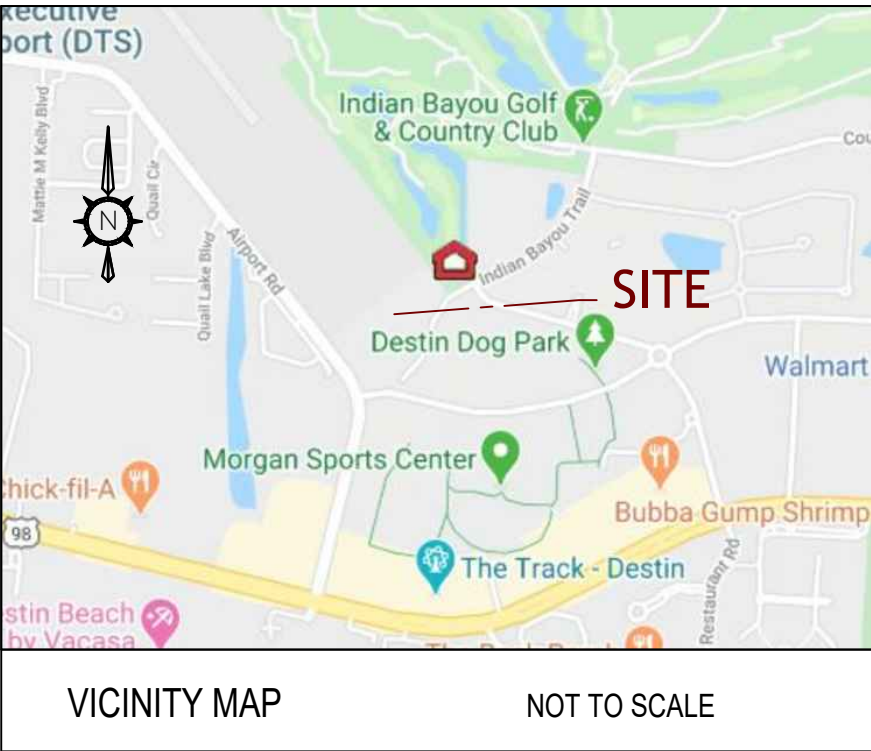
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PURSUANT TO CHAPTER 177.001(28):

ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY, IN THE EVEN CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC TELEPHONE, GAS, OR OTHER PUBLIC UTILITY, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.



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Dedication:

KNOW ALL MEN BY THESE PRESENTS THAT INDIAN BAYOU PROPERTIES, A GENERAL PARTNERSHIP UNDER THE LAWS OF THE STATE OF FLORIDA, AS OWNER OF THE LANDS HEREON PLATTED AS "INDIAN BAYOU WEST", DO DECLARE THAT EASEMENTS, ROADWAYS, OR COMMON AREAS ARE DEDICATED TO THE INDIAN BAYOU WEST OWNERS' ASSOCIATION, INC. WITH EXCEPTION TO OLD CREEK TRAIL WILL BE DEDICATED THE PUBLIC BY MEANS OF THIS PLAT, AND DO HEREBY REQUEST THAT THIS PLAT BE RECORDED IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

ROBERT E. LEE, MANAGING PARTNER
INDIAN BAYOU PROPERTIES, A GENERAL PARTNERSHIP UNDER THE LAWS OF THE STATE OF FLORIDA

WITNESS

WITNESS

Acknowledgment to Dedication:

STATE OF FLORIDA, COUNTY OF OKALOOSA

THIS IS TO CERTIFY THAT BEFORE ME, AN OFFICER DULY AUTHORIZED AND ACTING, PERSONALLY APPEARED CURTIS GWIN, WHO IS PERSONALLY KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT OF DEDICATION OR WHO HAS PRODUCED AS IDENTIFICATION, AS MANAGER OF INDIAN BAYOU PROPERTIES, A GENERAL PARTNERSHIP UNDER THE LAWS OF THE STATE OF FLORIDA, AND HAS ACKNOWLEDGED TO AND BEFORE ME THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF INDIAN BAYOU PROPERTIES.

WITNESS MY HAND AND OFFICIAL SEAL, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

Joinder and Consent to Dedication:

_____ THE HOLDER OF A MORTGAGE ON THE HEREON DESCRIBED PROPERTY, DOES HEREBY CONSENT TO AND JOIN IN THE DEDICATION AND PLATTING AS SET FORTH HEREON.

NAME: _____ ITS: _____
BANK

Acknowledgment to Joinder and Consent:

STATE OF FLORIDA, COUNTY OF OKALOOSA

THIS IS TO CERTIFY THAT BEFORE ME, AN OFFICER DULY AUTHORIZED AND ACTING, PERSONALLY APPEARED _____, WHO IS PERSONALLY KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT OF DEDICATION OR WHO HAS PRODUCED AS IDENTIFICATION, AS IDENTIFICATION, _____ BANK, AND WHO

ACKNOWLEDGED TO AND BEFORE ME THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF _____ BANK.

WITNESS MY HAND AND OFFICIAL SEAL, THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

Title Opinion:

IT IS THE OPINION OF THE UNDERSIGNED ATTORNEY AT LAW, THAT TITLE TO THE LANDS DESCRIBED HEREON IS IN THE NAMES OF THE DEDICATORS AS SHOWN HEREON, AND THERE ARE NO UNSATISFIED MORTGAGES ON THE PROPERTY OTHER THAN AS SHOWN HEREON.

NAME: ROBERT E. MCGILL, III
FIRM NAME: _____

City of Destin Approval:

THIS CERTIFIES THAT THIS PLAT WAS PRESENTED TO THE CITY OF DESTIN, FLORIDA, AND WAS APPROVED FOR THE RECORD ON THIS _____ DAY OF _____, 2021.

MAYOR

CITY CLERK

MEMBER

MEMBER

Community Development Department Approval:

PRESENTED TO AND APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF DESTIN, FLORIDA THIS _____ DAY OF _____, 2021.

LOUIS ZUNGUZE
COMMUNITY DEVELOPMENT DIRECTOR

Public Services Department Approval:

PRESENTED TO AND APPROVED BY THE PUBLIC SERVICES DIRECTOR OF THE CITY OF DESTIN, FLORIDA THIS _____ DAY OF _____, 2021.

MICHAEL G. BURGESS MS, PH, CSM, CFM
DIRECTOR OF PUBLIC SERVICES

City Surveyor's Certificate:

THIS IS TO CERTIFY THAT THIS PLAT WAS REVIEWED BY THE CITY SURVEYOR OF DESTIN, FLORIDA, AND MEETS THE REQUIREMENTS OF CHAPTER 177.011-177.151 OF THE FLORIDA STATUTES AND WAS APPROVED BY HIM ON THE _____ DAY OF _____, 2021.

ERIC B. STUART PROFESSIONAL SURVEYOR & MAPPER NO. 6707
CITY OF DESTIN SURVEYOR

Tax Collectors Statement

I, BEN ANDERSON, DO HEREBY CERTIFY THAT TAXES HAVE BEEN PAID FOR THE TAX YEAR _____ FOR THE PROPERTY DESCRIBED HEREON TO THE BEST OF MY KNOWLEDGE AS OF THE _____ DAY OF _____, 2021.

BEN ANDERSON, TAX COLLECTOR
OKALOOSA COUNTY, FLORIDA

County Clerk Certificate of Recording:

J.D. PEACOCK II, CLERK OF THE CIRCUIT COURT, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THE _____ DAY OF _____, 2021 IN PLAT BOOK _____, PAGE _____

J.D. PEACOCK II
CLERK OF CIRCUIT COURT, OKALOOSA COUNTY, FLORIDA

Surveyor's Certificate:

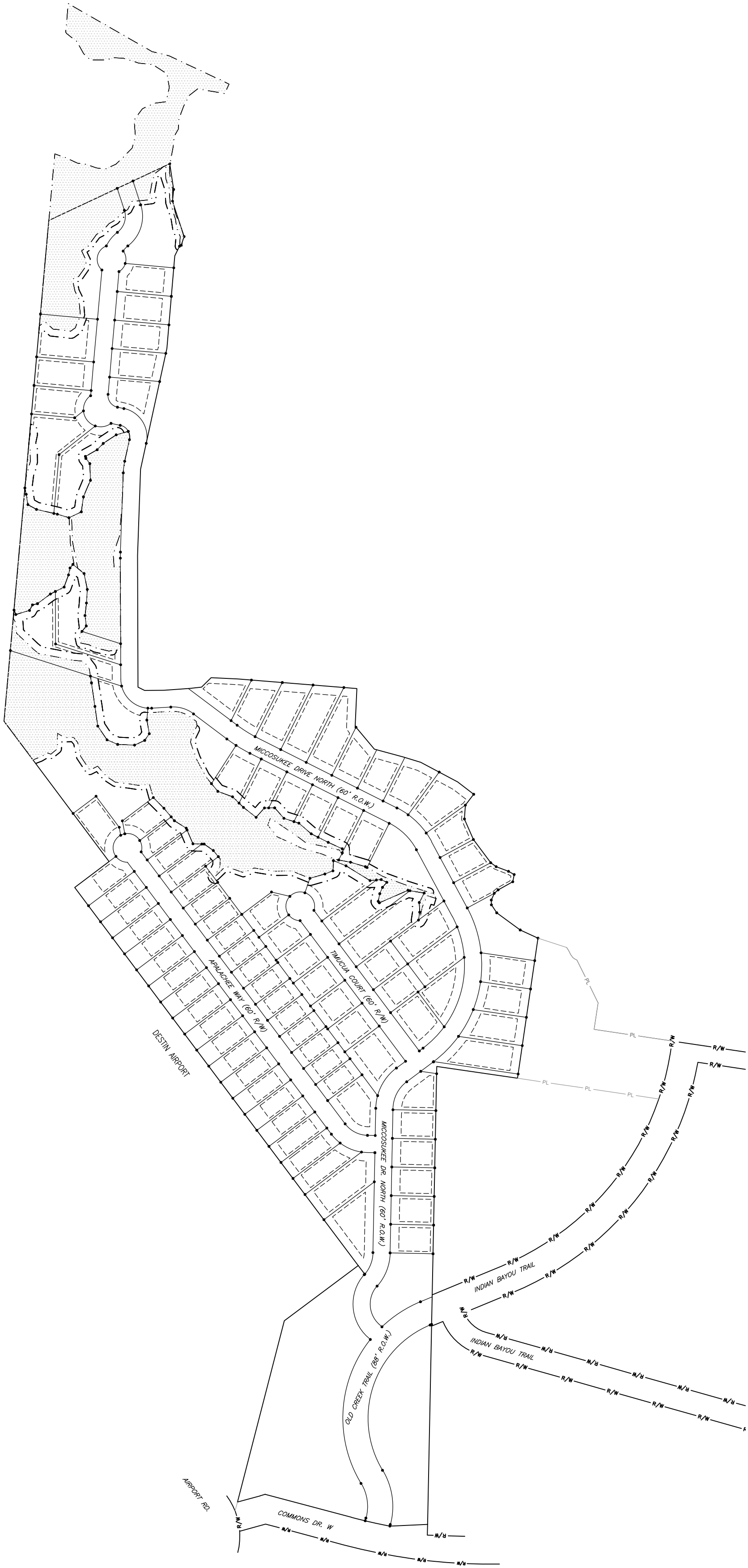
STATE OF FLORIDA, COUNTY OF OKALOOSA

I, CORY E. RUSHING, DO HEREBY CERTIFY THAT A SURVEY OF THE LANDS WITHIN THE BOUNDARY OF THIS PLAT HAS BEEN MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED AND THAT THE SURVEY COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES; THAT P.R.M.'S HAVE BEEN SET AS SHOWN AND THAT P.C.P.'S WILL BE SET AS SHOWN AT SUCH TIME WHEN IMPROVEMENTS ARE COMPLETE OR WITHIN ONE YEAR OF THE RECORDING OF THIS PLAT.

CORY E. RUSHING, P.S.M. No. 6532
PLSGROUP, INC.
4417 COUNTY ROAD 2214, TROY, AL 36079
PHONE: (334) 403-42041 FAX: (334) 460-9851

INDIAN BAYOU WEST

IN UNSECTIONALIZED, TOWNSHIP 2 SOUTH, RANGE 22 WEST
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA
JANUARY 2022



PURSUANT TO CHAPTER 177.091(27):
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PURSUANT TO CHAPTER 177.091(28):
ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC TELEPHONE, GAS, OR OTHER PUBLIC UTILITY, SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION..

LEGAL DESCRIPTION

COMMENCE AT THE SOUTHEAST CORNER LOT 4, BLOCK A, HIDDEN PINES, AS RECORDED IN PLAT BOOK 17, PAGE 30, BEING IN AN UNDIVIDED SECTION, TOWNSHIP 2 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA BEING MARKED BY A 4"x4" CONCRETE MONUMENT; THENCE S 05°07'09" W A DISTANCE OF 760.14 FEET TO 1/2" REBAR WITH CAP STAMPED LB#8096 AND ALSO BEING THE POINT OF BEGINNING.

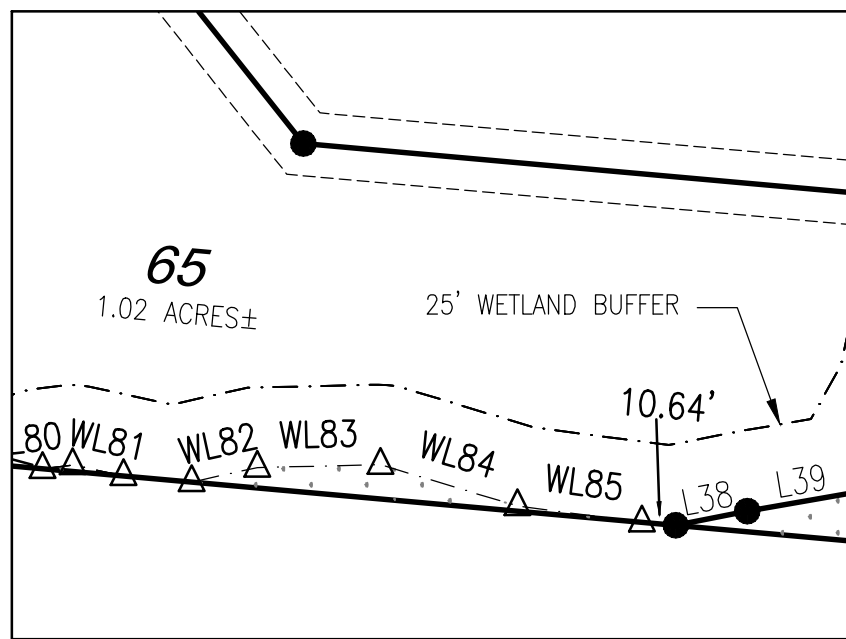
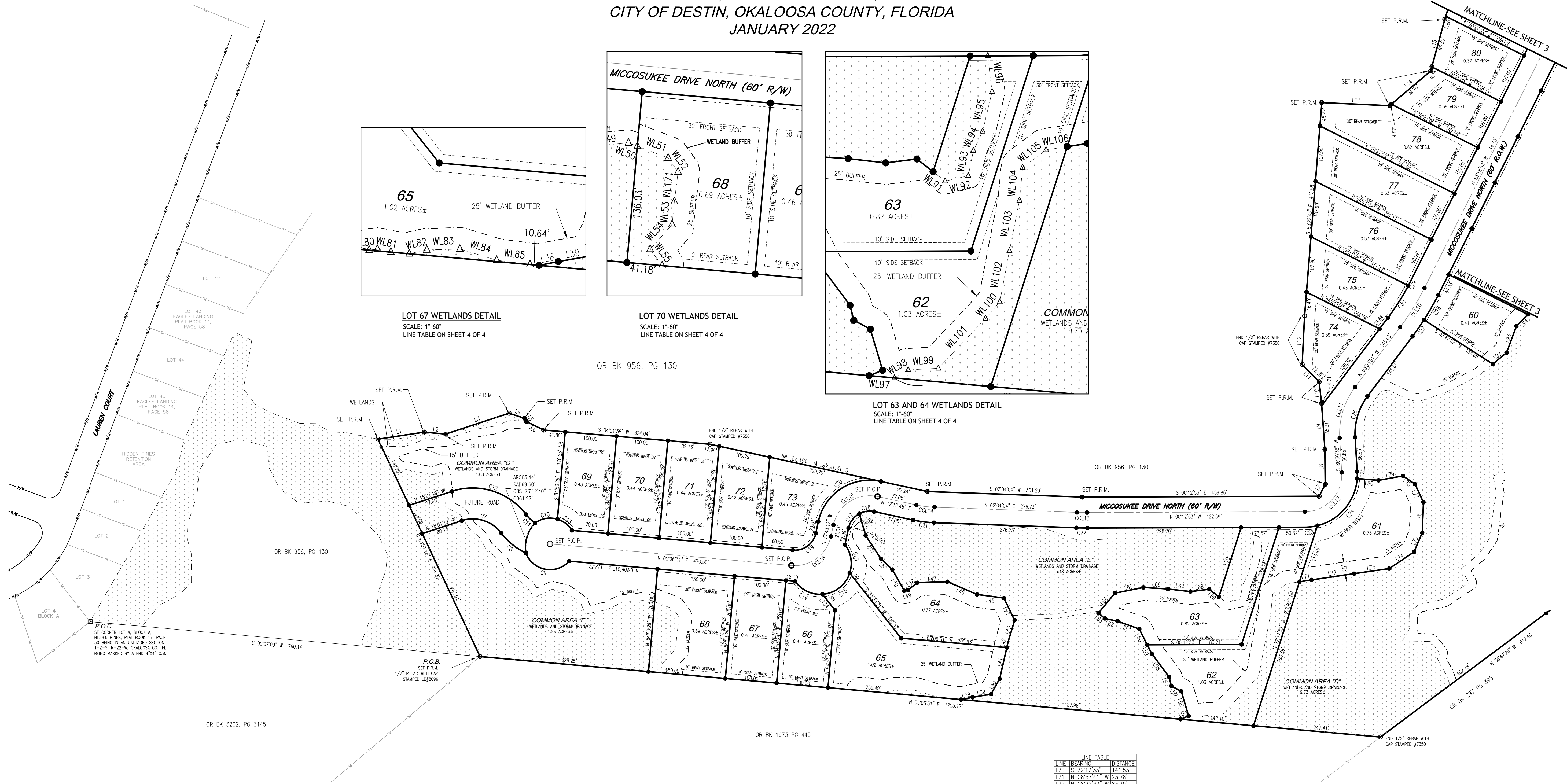
FROM SAID POINT OF BEGINNING; THENCE N 64°51'18" E A DISTANCE OF 466.37 FEET TO A 1/2" REBAR WITH CAP STAMPED #8096; THENCE S 08°40'03" E A DISTANCE OF 90.98 FEET TO A 1/2" REBAR WITH CAP STAMPED #8096; THENCE S 05°16'32" W A DISTANCE OF 41.45 FEET TO A 1/2" REBAR WITH CAP STAMPED #8096; THENCE S 18°08'03" E A DISTANCE OF 129.78 FEET TO A 1/2" REBAR WITH CAP STAMPED #8096; THENCE S 18°18'51" W A DISTANCE OF 31.98 FEET TO A 1/2" REBAR WITH CAP STAMPED #8096; THENCE S 53°00'12" W A DISTANCE OF 6.78 FEET TO A 1/2" REBAR WITH CAP STAMPED #8096; THENCE S 26°05'29" W A DISTANCE OF 37.71 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 04°51'58" W A DISTANCE OF 324.04 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 12°16'48" W A DISTANCE OF 431.72 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 02°04'04" W A DISTANCE OF 301.29 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 00°12'53" E A DISTANCE OF 459.86 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 62°55'24" E A DISTANCE OF 25.89 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 89°26'20" E A DISTANCE OF 67.60 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 85°52'00" E A DISTANCE OF 90.03 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 83°38'43" E A DISTANCE OF 41.92 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 45°24'34" E A DISTANCE OF 47.10 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 87°07'22" E A DISTANCE OF 94.57 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 85°22'43" E A DISTANCE OF 415.58 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 02°38'36" W A DISTANCE OF 131.69 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 40°10'02" E A DISTANCE OF 104.33 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 74°40'08" E A DISTANCE OF 104.74 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 73°07'59" E A DISTANCE OF 63.52 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 37°32'30" W A DISTANCE OF 48.06 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 03°43'38" W A DISTANCE OF 48.27 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 23°34'04" E A DISTANCE OF 78.25 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 36°36'29" E A DISTANCE OF 101.06 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 54°32'30" E A DISTANCE OF 23.45 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 69°22'12" E A DISTANCE OF 46.15 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 60°08'28" E A DISTANCE OF 22.73 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 11°06'31" W A DISTANCE OF 25.70 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 60°57'58" W A DISTANCE OF 58.36 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 48°02'30" W A DISTANCE OF 18.09 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 24°06'10" W A DISTANCE OF 25.75 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 01°49'10" E A DISTANCE OF 16.63 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 33°36'31" E A DISTANCE OF 33.39 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 53°51'53" E A DISTANCE OF 101.66 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 65°28'54" E A DISTANCE OF 68.30 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE S 08°19'10" W A DISTANCE OF 494.57 FEET TO A 1/2" REBAR WITH CAP STAMPED LB#8096; THENCE N 81°40'50" W A DISTANCE OF 284.89 FEET TO A 1/2" REBAR; THENCE S 01°09'18" W A DISTANCE OF 1599.28 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 87°24'52" W A DISTANCE OF 131.16 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350 ON THE NORTH RIGHT OF WAY LINE OF COMMONS DR., W (R/W VARIES); THENCE ALONG SAID RIGHT OF WAY IN A CURVE TO THE RIGHT HAVING A RADIUS OF 1882.87 FEET, AN ARC LENGTH OF 138.42 FEET AND A CHORD BEARING AND DISTANCE OF N 77°10'55" W, 138.39 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 75°04'34" W A DISTANCE OF 311.74 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE IN A CURVE TO THE RIGHT HAVING A RADIUS OF 382.99 FEET, AN ARC LENGTH OF 18.54 FEET AND A CHORD BEARING AND DISTANCE OF S 73°07'17" W, 18.54 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE S 74°30'30" W A DISTANCE OF 82.09 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE LEAVING SAID RIGHT OF WAY N 14°28'59" E A DISTANCE OF 654.03 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 53°13'07" E A DISTANCE OF 322.54 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 36°52'03" W A DISTANCE OF 1649.80 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 53°04'20" E A DISTANCE OF 150.01 FEET TO A 4"x4" CONCRETE MONUMENT; THENCE N 36°47'28" W A DISTANCE OF 612.40 FEET TO A 1/2" REBAR WITH CAP STAMPED #7350; THENCE N 05°06'31" E A DISTANCE OF 1755.17 FEET TO THE POINT OF BEGINNING, SAID PARCEL LYING IN AND BEING A PART OF AN UNDIVIDED SECTION, TOWNSHIP 2 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA AND CONTAINING 77.11 ACRES, MORE OR LESS.

OVERALL LAYOUT
NOT TO SCALE

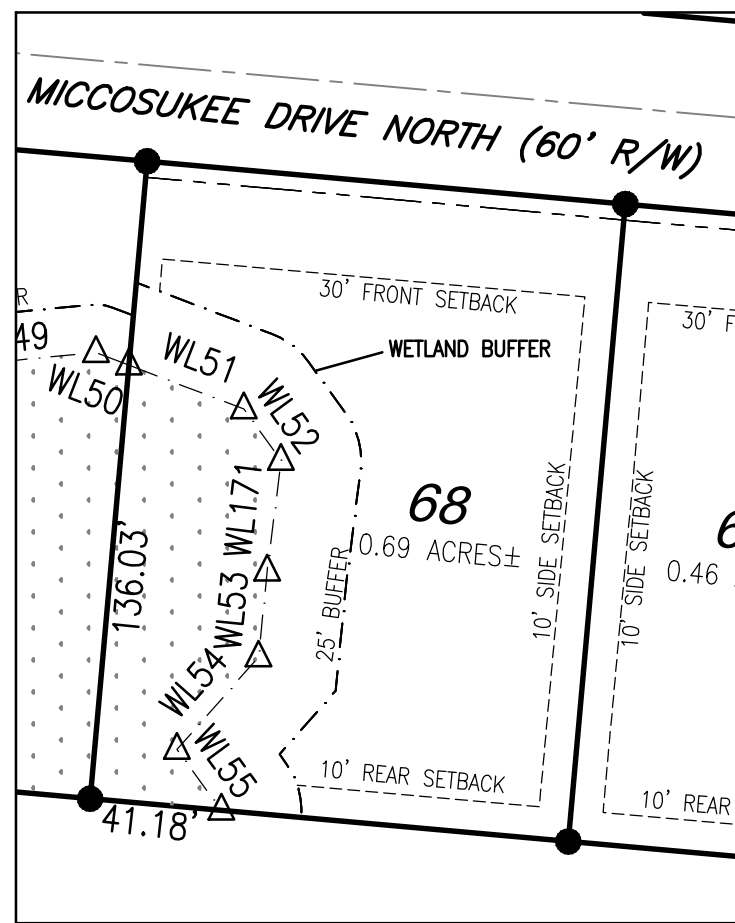
INDIAN BAYOU WEST

IN UNSECTIONALIZED, TOWNSHIP 2 SOUTH, RANGE 22 WEST
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA
JANUARY 2022

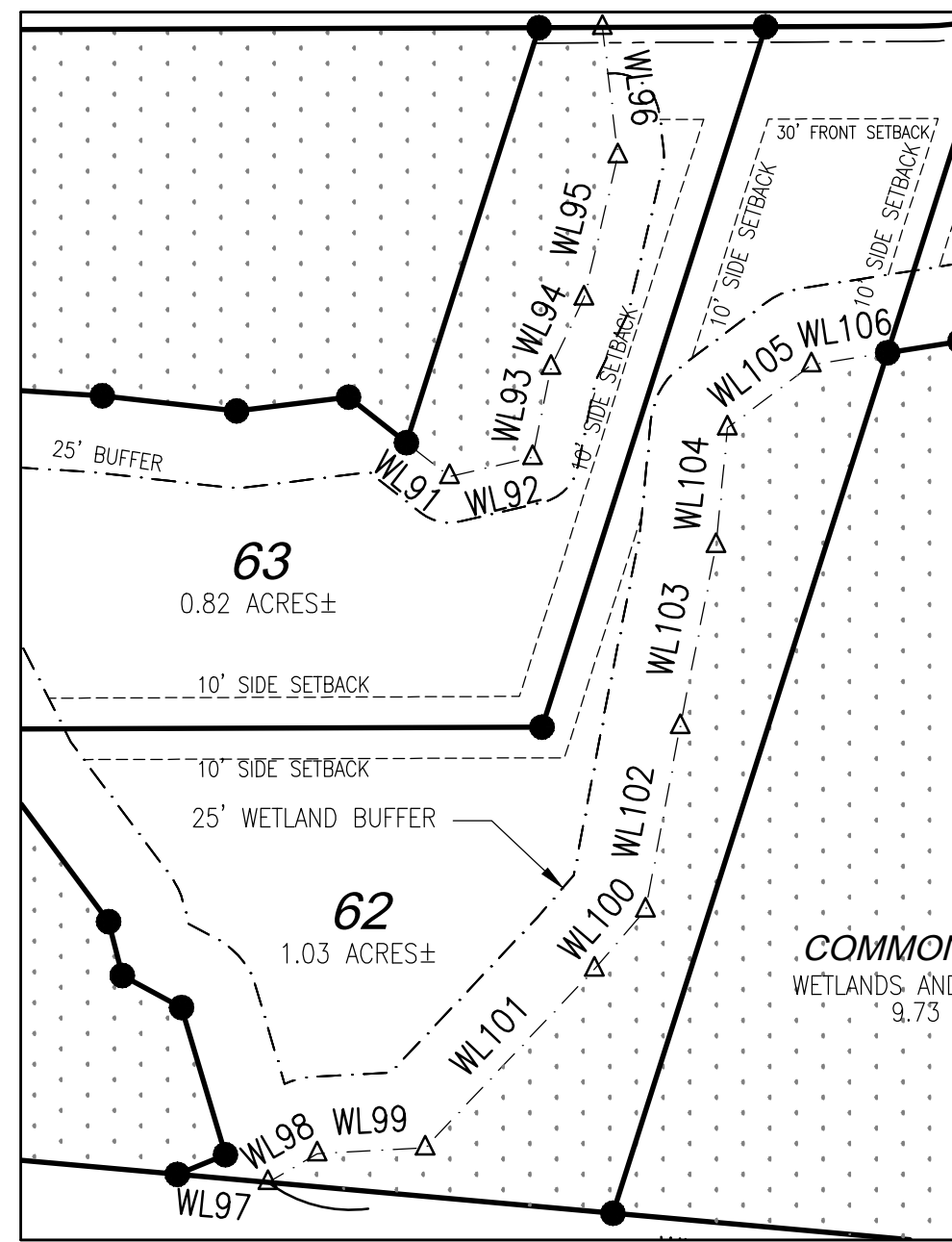
PLAT BOOK _____, PAGE _____



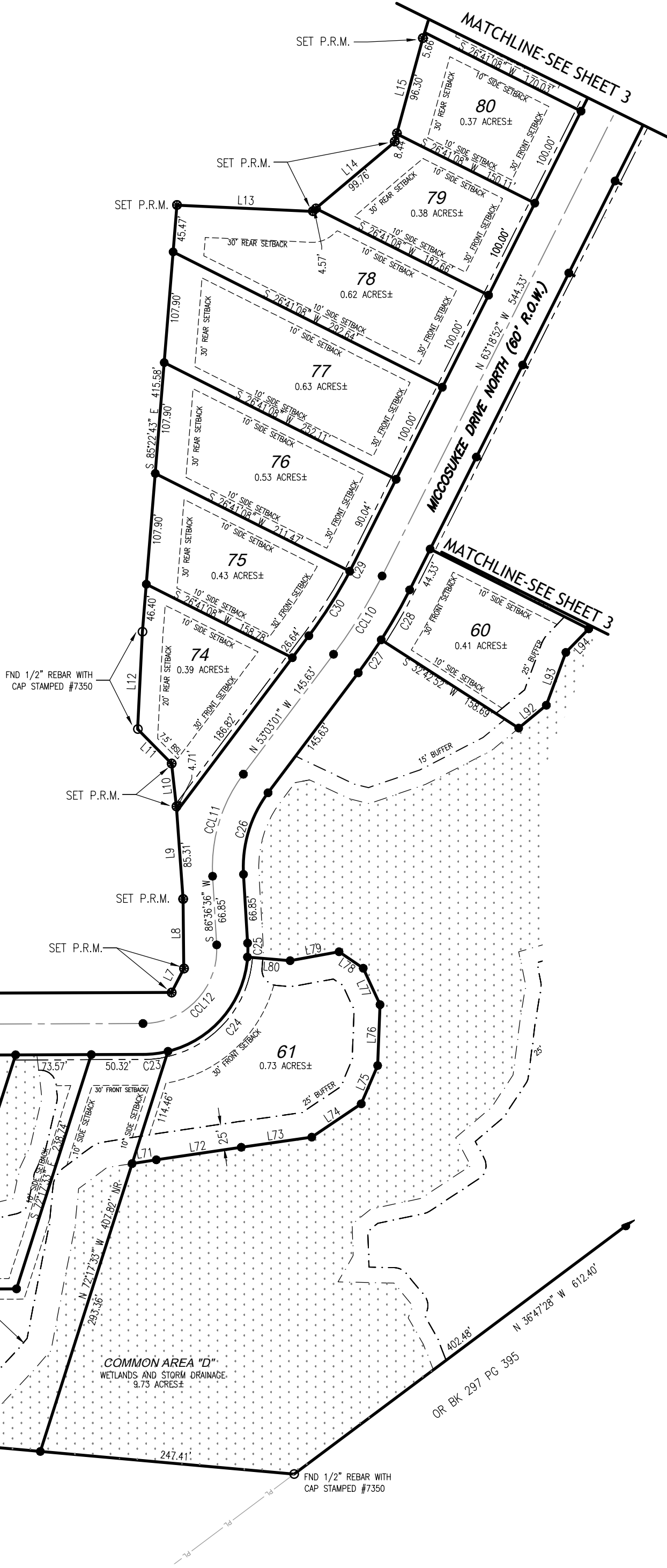
LOT 65 WETLANDS DETAIL
SCALE: 1"=40'
LINE TABLE ON SHEET 4 OF 4



LOT 70 WETLANDS DETAIL
SCALE: 1"=40'
LINE TABLE ON SHEET 4 OF 4



LOT 63 AND 64 WETLANDS DETAIL
SCALE: 1"=40'
LINE TABLE ON SHEET 4 OF 4



LEGEND

- SET PROPERTY CORNER
1/2" REBAR WITH CAP
STAMPED LB#8096
- FOUND IRON PIN
TYPE AND SIZE AS SHOWN
- P.C.P.-PERMANENT CONTROL POINT
- ⊗ P.R.M.-PERMANENT REFERENCE MARKER
ALUMINUM DISK STAMPED LB#8096
- △ CALCULATED POINT NOT SET
- C.M. CONCRETE MONUMENT (SIZE AS SHOWN)
- FEET / MINUTES
- INCHES / SECONDS
- NOT TO SCALE
- WETLANDS
- AS MEASURED THIS SURVEY
- RECORD INFORMATION,
DEED OR OTHER
- RIGHT OF WAY LINE
- 5' LANDSCAPE BUFFER
- CENTERLINE
- WETLANDS BUFFER WIDTH AS NOTED
- MINIMUM BUILDING LINE
- APPROXIMATE ADJOINING PROPERTY LINES
- PROPERTY LINE (THIS SURVEY)

LEGEND OF ABBREVIATIONS

- C.M. — CONCRETE MONUMENT
- R/W — RIGHT OF WAY
- N/F — NOW OR FORMERLY
- PL — PROPERTY LINE
- OR BK — OFFICIAL RECORD BOOK
- PG — PAGE
- P.O.C. — POINT OF COMMENCEMENT
- P.O.B. — POINT OF BEGINNING
- CP — CONTROL POINT
- N — NORTH
- S — SOUTH
- E — EAST
- W — WEST
- RAD — RADIUS
- ARC — ARC LENGTH
- TAN — TANGENT
- CB — CHORD BEARING
- CD — CHORD DISTANCE
- P.R.M. — PERMANENT REFERENCE MONUMENTS
- P.C.P. — PERMANENT CONTROL POINTS
- FND — FOUND
- PID# — PARCEL IDENTIFICATION NUMBER
- N.T.S. — NOT TO SCALE
- BLDG — BUILDING
- NR — NOT RADIAL
- NR — RADIAL

NOTES:

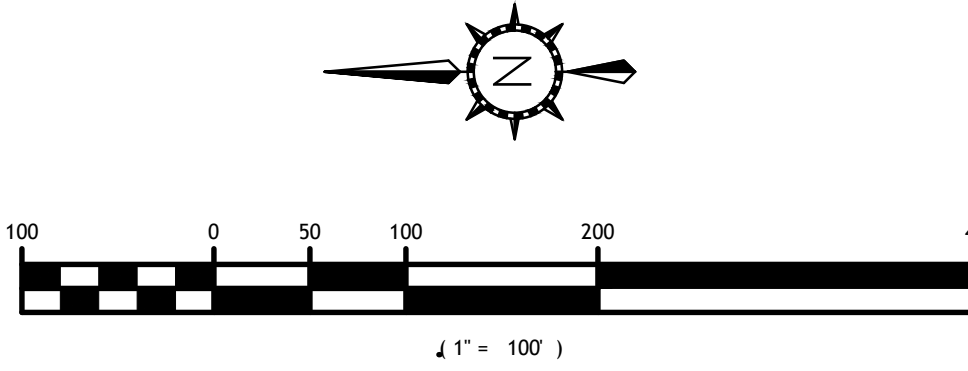
- 1.) BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES (NORTH ZONE) AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS AND OPUS SOLUTIONS. BASIS OF REFERENCE MADE TO THE EAST LINE OF THE CITY OF DESTIN. PROPERTY AS RECORDED IN OR BK 1973 PG 44 SHOWN HEREON ARE GRID DISTANCES.
- 2.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
- 3.) ALL LINES COMING OFF OF CURVES ARE NOT RADIAL.

PURSUANT TO CHAPTER 177.091(22), THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

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CENTERLINE CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
CCL1	200.00	151.01	156.69	N 08°07'28" W	46.07°51'
CCL2	396.00	312.93	304.85	N 08°52'53" W	45°16'38"
CCL3	396.00	196.61	194.60	N 28°18'51" E	28°26'48"
CCL4	396.00	172.11	170.76	N 54°59'19" E	24°54'08"
CCL5	125.00	194.42	175.41	N 02°58'55" W	89°08'52"
CCL6	150.00	105.83	103.65	N 21°22'02" E	40°25'29"
CCL7	150.00	136.08	131.46	N 27°08'36" E	51°58'40"
CCL8	391.77	556.92	511.20	N 22°04'12" E	61°28'52"
CCL9	250.00	152.71	150.35	N 45°48'53" W	34°59'57"
CCL10	500.00	89.57	89.45	N 58°10'57" W	10°15'51"
CCL11	150.00	105.61	103.44	N 73°13'13" W	40°20'23"
CCL12	122.00	117.09	104.61	N 48°48'09" W	83°10'51"
CCL13	500.00	19.92	19.92	N 00°55'35" E	2°16'57"
CCL14	200.00	35.65	35.60	N 07°10'26" E	10°12'44"
CCL15	72.00	113.10	101.82	N 32°43'12" W	90°00'00"
CCL16	72.00	104.09	86.29	N 36°18'20" W	82°40'44"
CCL17	130.00	117.93	113.93	N 62°51'22" W	51°58'40"

LINE TABLE	
LINE	BEARING DISTANCE
L70	S 72°12'53" E 144.53'
L71	N 08°57'41" W 23.78'
L72	N 08°22'39" W 83.39'
L73	N 08°08'49" W 69.10'
L74	N 33°54'13" W 51.95'
L75	N 66°46'31" W 40.47'
L76	N 87°46'58" W 59.14'
L77	S 65°15'44" W 38.92'
L78	S 34°19'33" W 28.41'
L79	S 10°19'00" E 48.31'
L80	S 04°47'47" W 41.64'
L81	S 10°40'02" E 28.34'
L82	N 10°40'02" W 46.24'
L83	S 45°05'19" E 52.67'
L84	S 39°48'59" E 49.39'
L85	S 39°48'59" E 7.16'
L86	S 57°36'48" E 49.39'
L87	S 23°16'32" E 58.29'
L88	S 23°16'32" E 0.77'
L89	S 88°24'50" E 39.13'
L90	S 55°01'12" E 39.14'
L91	S 39°02'46" E 37.75'
L92	S 39°02'46" E 54.81'
L93	S 69°44'53" E 54.75'
L94	S 49°45'20" E 31.84'
L95	S 45°45'20" E 18.31'
L96	S 51°51'33" E 56.19'
L97	N 41°45'12" E 43.94'
L98	N 89°40'43" E 14.93'
L99	N 89°40'43" E 20.90'
L100	S 41°26'58" E 48.50'
L101	S 71°45'42" E 36.76'
L102	S 71°45'42" E 18.31'
L103	S 49°23'31" E 56.76'
L104	S 63°20'48" E 26.79'
L105	S 63°20'48" E 39.40'
L106	S 65°30'20" E 54.07'
L107	S 00°32'40" E 14.35'
L108	S 26°41'08" W 28.02'
L109	S 79°32'40" E 44.96'
L110	S 73°24'11" E 54.30'
L111	S 60°40'20" E 6.26'
L112	N 19°15'10" E 53.60'
L113	N 73°53'32" E 54.35'
L114	N 68°24'55" E 30.31'



PLS
PROFESSIONAL LAND SURVEYORS
SERVING REAL ESTATE AND UTILITIES

4417 COUNTY ROAD 2214
TROY, AL 36078
OFFICE: 334-463-4204
FAX: 334-460-8801

206 JOHNSON BAYOU DR.
PANAMA CITY BEACH, FL 32407
OFFICE: 850-368-1354

210 EAST GRUBBS AVE., ST. 6
ENTERPRISE, AL 36331
OFFICE: 334-941-5144
FAX: 334-460-8801

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INDIAN BAYOU WEST
IN UNSECTIONALIZED, TOWNSHIP 2 SOUTH, RANGE 22 WEST
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA
JANUARY 2022

PLAT BOOK _____, PAGE _____

NOTES:

- 1.) BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES (NORTH ZONE) AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS AND OPUS SOLUTIONS. BASIS OF REFERENCE MADE TO THE EAST LINE OF THE CITY OF DESTIN PROPERTY AS RECORDED IN OR BK 1973 PG 44 SHOWN HEREON ARE GRID DISTANCES.
- 2.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
- 3.) ALL LINES COMING OFF OF CURVES ARE NON RADIAL.

PURSUANT TO CHAPTER 177.091(27), THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PURSUANT TO CHAPTER 177.091(28), ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES, PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRIC SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

OR BK 2252, PG 3230

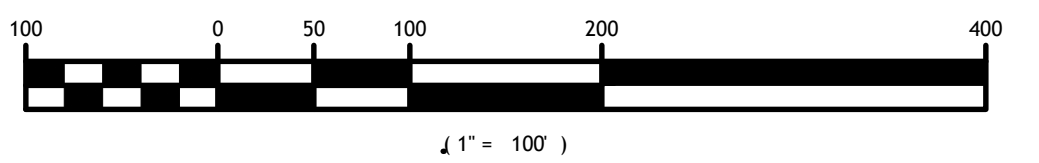
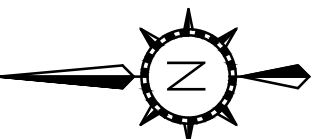


LEGEND

- SET PROPERTY CORNER
- FOUND IRON PIN
- TYPE AND SIZE AS SHOWN
- P.C.P.-PERMANENT CONTROL POINT
- P.R.M.-PERMANENT REFERENCE MARKER
- ALUMINUM DISK STAMPED LBH096
- CALCULATED POINT NOT SET
- CONCRETE MONUMENT (SIZE AS SHOWN)
- FEET / MINUTES
- INCHES / SECONDS
- NOT TO SCALE
- WETLANDS
- AS MEASURED THIS SURVEY
- RECORD INFORMATION, DEED OR OTHER
- RIGHT OF WAY LINE
- 5' LANDSCAPE BUFFER
- CENTERLINE
- WETLANDS BUFFER WIDTH AS NOTED
- MINIMUM BUILDING LINE
- APPROXIMATE ADJOINING PROPERTY LINES
- PROPERTY LINE (THIS SURVEY)

LEGEND OF ABBREVIATIONS

- C.M. - CONCRETE MONUMENT
- R/W - RIGHT OF WAY
- N/F - NOW OR FORMERLY
- PL - PROPERTY LINE
- OR BK - OFFICIAL RECORD BOOK
- PG - PAGE
- P.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- P.C. - CONTROL POINT
- N - NORTH
- S - SOUTH
- E - EAST
- W - WEST
- RAD - RADIUS
- ARC - ARC LENGTH
- TAN - TANGENT
- CB - CHORD BEARING
- CD - CHORD DISTANCE
- P.R.M. - PERMANENT REFERENCE MONUMENTS
- P.C.P. - PERMANENT CONTROL POINTS
- FND - FOUND
- PID# - PARCEL IDENTIFICATION NUMBER
- N.T.S. - NOT TO SCALE
- BLDG - BUILDING



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