

**REGULAR MEETING
DESTIN CITY COUNCIL
MARCH 21, 2022
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Respect*****

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. U.S. Coast Guard Presentation - Lt Steve Browning, US Coast Guard

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. Destin High School Fund Raiser 5k

B. Replacement of Community Center Foyer Windows & Doors

C. Single-Family Residential Marine Construction Proposed at 4141 Belcourt Drive (Parcel ID: 00-2S-22-4600-0000-0110)

D. Single-Family Residential Marine Construction Proposed at 130 Country Club Drive West (Parcel ID: 00-2S-22-4600-0000-0120)

E. Single-Family Residential Marine Construction Proposed at 4137 Belcourt Dr (Parcel ID 00-2S-22-4600-0000-0120)

F. Capital Project Status

G. Operations Financial Report

H. Budget Transfer for Project EVENT (Multi-Use Center Feasibility Study) to Council Contingency

I. Approval of minutes of February 22, 2022 Regular City Council Meeting

J. Approval of minutes of February 17, 2022 City Council Workshop

K. Draft Minutes of Board and Committee Meetings

4. CITY MANAGER REPORTS

A. Compensation Study

B. Solid Waste Franchise Contract - Request for Direction

C. Destin Citizen Survey 2022

D. Announcements

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 21-15-PC - Creating a new chapter of the City of Destin's Comprehensive Plan, "Property Rights Element" pursuant to state law.
- B. Second reading of Ordinance 21-24-PC - Amending the Future Land Use Map to include a change in the Future Land Use designation of parcels from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC).
- C. Second reading of Ordinance 21-25-LC - Amending the official Zoning Map as referenced in the Land Development Code, Section 7.12.01(A)2 Zoning Maps to include a change in the zoning designations of parcels from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC).
- D. First reading of Ordinance 22-05-CC - Amending the Code of Ordinances to establish a Flag Warning System at City of Destin beaches.
- E. Second reading of Ordinance 22-03-CN - Lease of certain real property owned by the City of Destin. Providing for City Council approval of a contract for the lease of the property of Dalton Threadgill Park.

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

1.) Major Holidays and Council Meeting Schedule

- F. Councilmember King
- G. Councilmember Schmidt
- H. Mayor Gary Jarvis
- I. Land Use Attorney
- J. City Attorney

1. Request to schedule an executive session pursuant to section 286.011(8), Florida Statutes, in the case of *Destin Fishing Fleet, Inc. v. City of Destin, Florida*, Case Number 2019-CA-000425, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County, Florida.”

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.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Presentation

AGENDA OUTLINE NUMBER: 1.A.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Joey Forgione, Code Compliance Director

DATE: 03/21/2022

SUBJECT: U.S. Coast Guard Presentation - Lt Steve Browning, US Coast Guard

I. BACKGROUND: Illegal Charters

II. DISCUSSION: Discuss Illegal Chartering

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): No Effect

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION: None. Informational only.

Attachments:

1. SpeakersForm - LT Steve Browning
2. Charter and Passenger Vessel training
3. Illegal Charter Flyer

SPEAKER'S FORM
City of Destin Council Meeting

In an effort to better serve the community, the City Council requests that items or requests to be presented before Council be provided to the City Clerk by noon Tuesday of the week prior to the meeting. **Any related materials that you wish to distribute to Council in support of your item, including any Power Point presentation, must be submitted at that time as well.** This will give Council adequate time to review your request and make any necessary inquiries. In addition, the staff may need to contact you in response to your topic of concern or in response to action directed by the Council.

As you complete the form below, please note that **certain fields marked by * are required.** Late or incomplete forms, particularly where required information is omitted, will be deferred by Council to a future meeting pending receipt of all information.

Please limit your presentation to five minutes. All comments should be directed to the Mayor.

The City of Destin appreciates your cooperation and adherence to these guidelines.

******* PLEASE PRINT *******

DATE OF REQUEST: 11 Mar 2022 ***COUNCIL MEETING DATE:** 21 Mar 2022

***NAME:** LT Steve Browning, U.S. Coast Guard ***PHONE #:** 850-814-8851

ADDRESS: 1700 Thomas Drive, Panama City Beach **EMAIL:** steve.j.browning@uscg.mil

***TOPIC/ISSUE** Commercial Vessel Compliance, Uninspected Passenger Vessels, Inspected Passenger Vessels, Bareboat Charters and Illegal Charter Vessels.

***HAVE YOU SPOKEN WITH CITY STAFF ABOUT THIS ISSUE? If so, who and when?**
Mr. Kris Mercurio, Code Enforcement

***DESIRED ACTION BY COUNCIL?** _____

PRESENTATION MATERIALS ATTACHED?: YES X NO **# OF PAGES**

Passenger Vessel Operations

Sector Mobile
Investigations Division

Outline

- Passengers
- Vessel Types
- Credentialing
- References

Types of Passenger Vessels

- Recreational
 - Bareboat Charters
- Commercial
 - Uninspected Passenger (6 pax or less unless over 100 gross tons then 12 pax)
 - Inspected Passenger
 - Small Passenger Vessels (<100 gross tons)
 - Large Passenger Vessels (>100 gross tons)

Passenger

- 46 USC 2101(21)(A)
 - Individual Carried on a Vessel ... Except:
 - Master
 - Crew
 - Paid for services onboard vessel
 - Must not have contributed “consideration” for carriage

Passenger for Hire

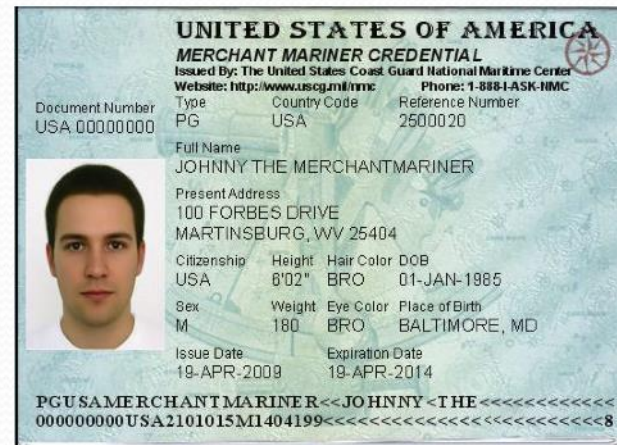
- 46 USC 2101(21a)
 - *“Passenger for Hire means a passenger for whom consideration is contributed as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having an interest in the vessel”*
- Consideration:
 - Payment to individual, person or entity
 - Economic benefit including **anticipated future gain**

Important!

- All it takes is 1 Passenger for Hire to change the service of the vessel!
- This prevents circumvention of the inspection laws by having only 1 person in a group pay.

Merchant Mariner Credential (MMC)

- Must be the appropriate MMC



- Mariner's acting under the authority of their MMC must be enrolled in a drug testing program.

Recreational Vessel

- 46 USC 2101(25)
 - Manufactured or operated primarily for pleasure
 - Leased, rented or chartered to another for the latter's pleasure
 - Does not carry any passengers for hire
 - Bareboat chartered with less than 12 passengers (not including crew) – **D8 Legal Direction**

Uninspected Passenger Vessel

- 46 USC 2101(42)
 - Less Than 100 Gross Tons
 - 6 Passengers or less, with at least 1 Passenger for Hire
 - 100 Gross Tons or More
 - 12 Passengers or less, with at least 1 Passenger for Hire
 - Licensed operator
 - Operator of Uninspected Passenger Vessel (OUPV)
 - Not Inspected by Coast Guard

Bareboat Charters

- Contract between the Owner and the Charterer
- Clarified by 1993 Passenger Vessel Safety Act NVIC7-94
- There are stringent requirements to have valid charter

Bareboat Charter Roles

- Owner:
 - Relinquishes command, control and possession of the vessel
 - Responsible for establishing a valid charter
 - Cannot serve as crew on own vessel
- Charterer:
 - Takes temporary ownership of vessel
 - Provides compensation/consideration to Owner
 - Responsible for safe/legal vessel operations
- Master:
 - Responsible for safe/legal vessel operations
 - Cannot be the Owner
 - Not required to be Licensed

Bareboat Criteria

- **Owner** must relinquish command, control and possession of the vessel to the **Charterer**.
- **Charterer** is responsible for the safe operation of the vessel, its crew, passengers, and all persons aboard during the charter.
- **Charterer** is responsible for ensuring that the vessel complies with all regulations which are applicable to the vessel's service.
- **Operator** may also be held accountable for the safe operation of the vessel as well as all equipment requirements and inspections.

Bareboat Criteria

(from D8 Legal)

- Vessel is chartered, leased, rented to an individual through a written agreement
- The owner does not provide the crew; the charterer selects and pays the crew
- A licensed Master is not required to operate the vessel
- The owner can recommend a list of Masters for the charterer to hire, but cannot stipulate that the owner make a selection solely from the list provided
- The owner can require the charterer to hire a crew with a preset level of qualifications (e.g. Coast Guard issued Merchant Mariner's Credentials)

Bareboat Criteria

(from D8 Legal)

- The vessel carries 12 or fewer passengers (not including the master and crewmember*)
- All food, fuel, and stores are provided by the charterer
- Insurance is obtained by the charterer, at least to the extent of covering liability not included in the owner's insurance
- The charterer may discharge for cause, the Master or any crew member

Bareboat Criteria

(from D8 Legal)

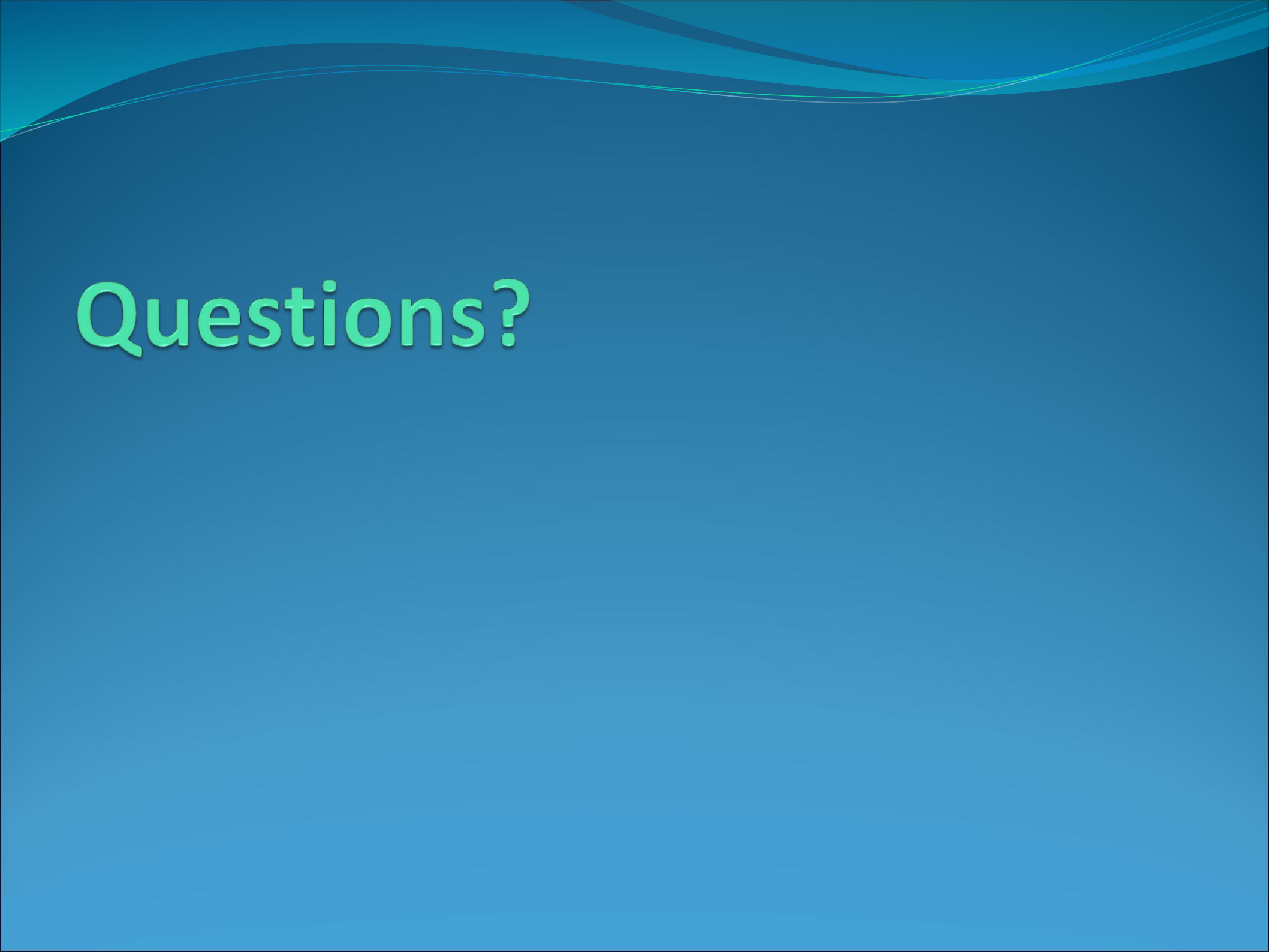
- The vessel must be surveyed upon its delivery and return
- Any provision that tends to show retention of control of the vessel such as the owner being aboard during the charter contradicts the claim that a valid bareboat charter exists

Credentialing

- Recreational:
 - No license required
- Uninspected Passenger Vessels:
 - Operator of Uninspected Passenger Vessels (OUPV)
- Inspected Passenger Vessels:
 - Master license with appropriate tonnage & route
- Bareboat Chartered Vessels:
 - ≤ 12 pax: No license required
 - >12 pax: Master license with appropriate tonnage & route and requires a COI (Remember D8 Legal Determination)

References

- 46 U.S. Code (USC) 2101
- 46 USC 3301
- 46 Federal Code of Regulations (CFR) 175.400
- 46 CFR 24.10-1
- 46 CFR 90.05-1



Questions?



U.S. COAST GUARD NOTICE

Going for a Ride?

Paying Passenger?

By Law & For Your Safety

Captain Must be USCG Licensed

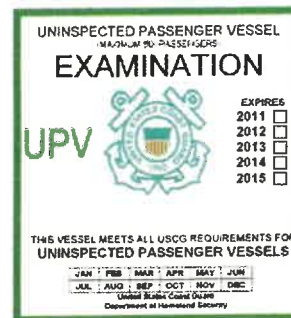


Ask to see operator's U.S. Coast Guard Issued Merchant Mariner Credential
and documentation proving enrollment in a Drug and Alcohol Program
before you or your family gets underway

Look for the USCG Vessel Inspection Decal

More than 6 Passengers?

6 or less Passengers



UPV safety exam and
decal program is
voluntary but highly
recommended

Fines: Up to \$41,456 per day or more for illegal operations:
46 U.S.C. 8906 / 46 U.S.C. 3318(j)(1) / 33 U.S.C. 1232(a)

Call Coast Guard Sector Mobile Command Center at (251) 441-5976
With question or to report illegal activity

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Consent Agenda

AGENDA OUTLINE NUMBER: 3.A.

TO: City Council

THRU: Rey Bailey, City Clerk
Kyle Bauman, City Attorney
Nichole DeVito, Human Resources Manager

FROM: Kim Montgomery, Deputy City Clerk

DATE: March 3, 2022

SUBJECT: Destin High School Fund Raiser 5k

I. BACKGROUND: The Destin High is requesting use of city right-of-way to have 5k fundraiser to benefit their Athletic Department. They have provided all of the required documentation and have notified the OCSO, the OCEMS, and the DFCD of the upcoming event. A map of the race route is provided and work crews from the high school will take down all the signs and remove all accumulated trash from the course immediately following the event.

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:

- Enhance Quality of Life
- Enhance the City's Recreation Services

B. Effect on Budget (EOB): The City of Destin shall not incur any expense or revenue as a result of this event.

C. Level of Service (LOS): There is no staff requirement for this request.

III. CONCLUSION: All related and required documentation has been submitted and approved for legal sufficiency by both the City Attorney and the Risk Manager. Staff recommends approval of this request.

IV. RECOMMENDED MOTION: I move to approve the Destin High School's request for use of city right-of-way for their fundraising 5k to benefit their Athletic Department.

Attachments:

1. Destin High School 5k Fundraiser
2022

**CHECKLIST FOR USE OF PUBLIC FACILITIES OR
PROPERTY:**

Name of Organization: DESTIN HIGH SCHOOL INC.

Type of Event: 5K RUN FUNDRAISER

Date(s) of Event: APRIL 9, 2022

Location of Event: DESTIN HIGH SCHOOL; COMMONS DRIVE; INDIAN BAYOU TRAIL

1.* Certificate of Insurance (**Endorsement to the Policy & Acord is required.**)
provided: Yes: ☒ **This is required.** Date on which provided: 3/2/22

2.* Hold Harmless (**Signed Original**) provided: Yes: ☒ **This is required.**
Date on which provided: 3/2/22

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: DEPUTY TOM HENRY
henryt@destinhigh.org (850) 204-4049

5.** Destin Fire Control District contacted: ☒ **Yes** **This is
required.**

Person contacted: CHIEF KEVIN SASSER
chief@destinfire.com
(850) 837-8413

6.** Okaloosa County Emergency Medical Services contacted:

Person contacted: DARREL WELBOAN ☒ **Yes** **This is
required**
dweiborn@myokaloosa.com
(850) 543-5462

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:
WORK CREWS FROM THE HIGH SCHOOL WILL TAKE DOWN ALL SIGNS AND REMOVE ALL TRASH FROM THE COURSE IMMEDIATELY FOLLOWING THE EVENT.
9. Please provide location & pertinent information regarding sufficient and approved event participant parking for the event:
WORK CREWS FROM THE HIGH SCHOOL WILL DIRECT PARKING INTO THE DESTIN HIGH SCHOOL PARKING LOT.
-
- *Any unauthorized event participant parking is subject to being towed from private property at vehicle owner's expense*
10. City Park Permit needed: Yes___ No ☒ 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?
EVENT WILL TAKE PLACE ON COMMONS DRIVE AND INDIAN BAY TRAIL DURING DAYLIGHT HOURS.


(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.



DESTIN HIGH SCHOOL EXECUTIVE BOARD MEETING MINUTES

Date/Time: Tuesday, October 12, 2021; 6pm

Location: Destin High School

Conference Call in no: 712-770-8092

Code 840279

Vision

Destin High School will be a model for innovation, providing unique educational opportunities for both college-bound and career-minded students living along Florida's Emerald Coast.

Mission

The mission of Destin High School is to prepare students academically, physically, and mentally to become responsible, productive, empowered citizens. Embracing the area's history as a tourist destination, military hub, and "world's luckiest fishing village" with support from strong public/private partnerships, our diverse and specialized programs will provide the foundation each student needs to secure a solid future.

CALL TO ORDER

Reminder that we are no longer using Zoom; add conference call number to meeting agenda

ROLL CALL

Fountain, Stone, Palmer, Williams, LoCicero, Cruickshank, Dorn (in person)

Via conference call: Silver, Harris

I. APPROVAL OF MINUTES

9/28 Motion by Palmer, 2nd by Williams- unanimous approval

II. PROPOSED CHANGES TO AGENDA

Fountain invited Arnold to discuss President leave of absence. Board accepted President's leave of absence. Denise Fountain – Vice President to serve as Interim President. Established Ad Hoc committee meeting to explore leave of absence policy. Meeting set for Oct. 26, at 3:30 at DHS.

In addition Fountain to reach out to Ramswell to get a list of pending items. Harris to adjust the school board emails to reflect president @destinhighschool.org, vp@. secretary@, etc.

Cocoran Realty sponsored the cost of the monument and entrance area landscaping. The total cost approximately \$4,000. Will recognize through social media.

III. INFORMATIONAL ITEMS – NO DISCUSSION

HOLD HARMLESS AGREEMENT

DESTIN HIGH SCHOOL 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 DESTIN HIGH SCHOOL 5K FOOLISH RUN to be held on APRIL 2, 2022.

In addition, the DESTIN HIGH SCHOOL 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 HIGH SCHOOL INC.
(Corporate Name)

[Signature]
Signature of President

Denise M. Fountain, Interim President

Print name and print President next to name

STATE OF Florida

COUNTY OF Okaloosa

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 15th day of February 2022 by _____ who is personally known by me or has produced identification _____ Type of Identification: _____

[Signature] (Seal)
Signature of Notary Taking Acknowledgement



Lori Ellen Ward
Printed name of Notary Taking Acknowledgement

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.

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 will not be broader than that which you are required by the contract or agreement to provide for 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;

whichever is less.

This endorsement shall not increase the applicable limits of insurance.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/2/2022

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 Aris Insurance Group 3900 Hollywood Blvd Suite PH-E Hollywood FL 33021	CONTACT NAME: Carol Sapienza PHONE (A/C, No, Ext): 954-323-0355 E-MAIL: carol@arisrisk.com ADDRESS: carol@arisrisk.com	FAX (A/C, No): 954-906-1296
INSURED Destin High School, Inc. 4325 Commons Drive W Destin FL 32541	License#: L108602 DESTHIG-01	INSURER(S) AFFORDING COVERAGE INSURER A: Arch Insurance Company INSURER B: Philadelphia Indemnity Ins Co INSURER C: INSURER D: INSURER E: INSURER F:
		NAIC # 18058

COVERAGES

CERTIFICATE NUMBER: 71380778

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 SUBR INSD 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:		NCPKG0410600	7/13/2021	7/13/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		NCAUT0410600	7/13/2021	7/13/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP \$ 10,000
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$		NCFXS0410600	7/13/2021	7/13/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
	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				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A B	Professional Liability Abuse or Molestation Student Accident		NCPKG0410600 PHPC003845	7/13/2021 6/22/2021	7/13/2022 6/22/2022	Professional Liability \$1M/\$3M Abuse or Molestation \$1M/\$3M Accident Medical Exp 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Student Accident Philadelphia Insurance, Pol #PHPA084725, Effective 6/22/21-22, Accident Medical Expense Limit \$50,000
Crime: Employee Theft \$1,000,000; Forgery or Alteration \$250,000; Computer & Funds Transfer Fraud \$250,000 - \$1000 deductible
Vehicle: 2020 ICBU CE S Bus 4DRBUWN3LB241972 - \$1000 deductible collision and other than collision

City of Destin is added as an additional insured in regards to General Liability when required by written contract with named insured for a 5K Run being held on April 9, 2022 from 8:00-10:00am. The run will begin at Destin High School and proceed west on Commons Drive on the right side of the road with a right turn in the circle to Indian Bayou Trail heading North. The course will turn around at Indian Bayou Golf Club return up the same side of the street as it entered, travel east on Commons Drive and finish at Destin High School.

CERTIFICATE HOLDER

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

David Arnd

© 1988-2015 ACORD CORPORATION. All rights reserved.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/2/2022

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 Aris Insurance Group 3900 Hollywood Blvd Suite PH-E Hollywood FL 33021	CONTACT NAME: Carol Sapienza PHONE (A/C, No, Ext): 954-323-0355 E-MAIL ADDRESS: carol@arisrisk.com FAX (A/C, No): 954-906-1296
INSURED Destin High School, Inc. 4325 Commons Drive W Destin FL 32541	INSURER(S) AFFORDING COVERAGE INSURER A : Arch Insurance Company INSURER B : Philadelphia Indemnity Ins Co INSURER C : INSURER D : INSURER E : INSURER F :
License#: L108602 DESTHIG-01	NAIC # 18058

COVERAGES

CERTIFICATE NUMBER: 867170300

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 SUBR INSD 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:		NCPKG0410600	7/13/2021	7/13/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		NCAUT0410600	7/13/2021	7/13/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ PIP \$ 10,000
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ DED ☐ RETENTION \$		NCFXS0410600	7/13/2021	7/13/2022	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
	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				PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A B	Professional Liability Abuse or Molestation Student Accident		NCPKG0410600 PHPC003845	7/13/2021 6/22/2021	7/13/2022 6/22/2022	Professional Liabilit Abuse or Molestation Accident Medical Exp \$1M/\$3M \$1M/\$3M 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Student Accident Philadelphia Insurance, Pol #PHPA084725, Effective 6/22/21-22, Accident Medical Expense Limit \$50,000
Crime: Employee Theft \$1,000,000; Forgery or Alteration \$250,000; Computer & Funds Transfer Fraud \$250,000 - \$1000 deductible
Vehicle: 2020 ICBU CE S Bus 4DRBUWN3LB241972 - \$1000 deductible collision and other than collision
Certificate holder is added as an additional insured in regards to General Liability when required by written contract with named insured.

CERTIFICATE HOLDER**CANCELLATION**

City of Destin Florida
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.

Kim Montgomery

DFCD

To: Philip Dorn
Subject: RE: Destin High School 5K Run

From: Matt Taylor <MTaylor@destinfire.com>
Sent: Tuesday, February 22, 2022 8:50:31 AM
To: Tom Henry <henryt@destinhigh.org>; jwatkins@sheriff-okaloosa.org <jwatkins@sheriff-okaloosa.org>; dwelborn@myokaloosa.com <dwelborn@myokaloosa.com>
Cc: Christine Cruickshank <principal@destinhigh.org>; Philip Dorn <dornp@destinhigh.org>; Lee Ann Dorn <dornl@destinhigh.org>; kmontgomery@cityofdestin.com <kmontgomery@cityofdestin.com>
Subject: RE: Destin High School 5K Run

Deputy Henry,

Thank you for notifying the Destin Fire Control District of the Destin High School 5 K Run on April 9, 2022 at 8:00. The appropriate shift has been copied on this e-mail.

Please advise all participants to maintain an awareness for any responding emergency vehicle during all stages of the event and to immediately cede the right-of-way.

Have a great run and if you need any other assistance, please contact me.

This e-mail will serve as the Destin Fire Control District's acknowledgement of this event. Please forward it to the appropriate agencies.

*Matt Taylor, Fire Marshal
Destin Fire Control District
850-837-8413*

From: Tom Henry <henryt@destinhigh.org>
Sent: Friday, February 18, 2022 10:35 AM
To: jwatkins@sheriff-okaloosa.org; Matt Taylor <MTaylor@destinfire.com>; dwelborn@myokaloosa.com
Cc: Christine Cruickshank <principal@destinhigh.org>; Philip Dorn <dornp@destinhigh.org>; Lee Ann Dorn <dornl@destinhigh.org>; kmontgomery@cityofdestin.com
Subject: Destin High School 5K Run

Good morning,

Destin High School is putting together their first 5K to help raise money for the athletic department. Destin High School is trying to complete all required documentation for the City of Destin's approval. Destin High School is

Kim Montgomery

Okaly. EMS

From: Tom Henry <henryt@destinhigh.org>
Sent: Friday, February 25, 2022 12:51 PM
To: Kim Montgomery
Cc: Philip Dorn; Christine Cruickshank
Subject: FW: Destin High 5K

[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.]

This is the response from Okaloosa County EMS in reference to the 5K for Destin High School.

From: Darrel Welborn <dwelborn@myokaloosa.com>
Sent: Friday, February 25, 2022 12:48 PM
To: Tom Henry <henryt@destinhigh.org>
Cc: Philip Dorn <dornp@destinhigh.org>; Christine Cruickshank <principal@destinhigh.org>
Subject: RE: Destin High 5K

I am sorry Tom. No issues from EMS perspective.

From: Tom Henry <henryt@destinhigh.org>
Sent: Friday, February 25, 2022 12:42 PM
To: Darrel Welborn <dwelborn@myokaloosa.com>
Cc: Philip Dorn <dornp@destinhigh.org>; Christine Cruickshank <principal@destinhigh.org>
Subject: Destin High 5K

Good Afternoon,

Just wanted to touch base with you about the upcoming 5K Destin High School is planning. Please reply back to this email if there is or not a problem with this event. Please see the previous email with the attached route map.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kim Montgomery

OCSO Posse

To: Tom Henry
Subject: RE: Destin High School 5K Run

From: Tom Henry <henryt@destinhigh.org>
Sent: Wednesday, March 2, 2022 1:54 PM
To: Philip Dorn <dornp@destinhigh.org>; Christine Cruickshank <principal@destinhigh.org>; Kim Montgomery <kmontgomery@cityofdestin.com>
Subject: FW: Destin High School 5K Run

[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.]

This is the email reply from Capt. Terry Watkins with the Okaloosa County Sheriff's Office Posse.

From: Terry Watkins <jwatkins@sheriff-okaloosa.org>
Sent: Tuesday, February 22, 2022 9:46 AM
To: Tom Henry <henryt@destinhigh.org>
Cc: Joseph J. Fulghum <jfulghum@sheriff-okaloosa.org>
Subject: RE: Destin High School 5K Run

Sorry if you got this twice. For some reason it kept kicking my emails back.

Tom, I did not receive the email below from you, but did receive the copy from Matt Taylor.
I will post this on the Posse detail sight for members to sign up. Do you know how many you may need?

NEVER MIND THE ROUTE MAP I SAW IT AT THE BOTTOM OF THIS EMAIL.
Please send me a route map, if you have one.

Terry

From: Matt Taylor [mailto:MTaylor@destinfire.com]
Sent: Tuesday, February 22, 2022 8:51 AM
To: Tom Henry <henryt@destinhigh.org>; Terry Watkins <jwatkins@sheriff-okaloosa.org>; dwelborn@myokaloosa.com
Cc: Christine Cruickshank <principal@destinhigh.org>; Philip Dorn <dornp@destinhigh.org>; Lee Ann Dorn <dornl@destinhigh.org>; kmontgomery@cityofdestin.com
Subject: RE: Destin High School 5K Run

WARNING: This E-Mail Originated Outside of the Sheriff's Office.

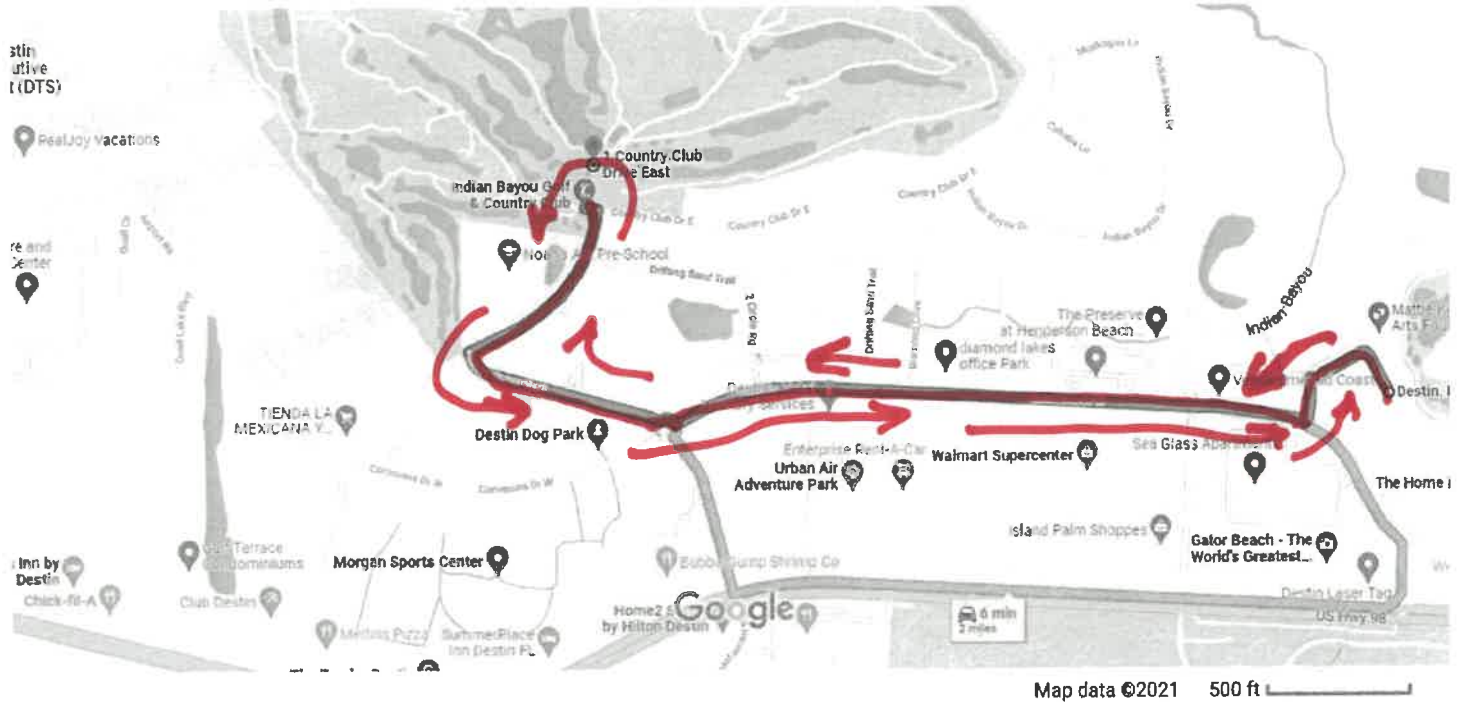
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Deputy Henry,

Google Maps

Destin, Florida 32541 to 1 Country Club Drive East,
Destin, FL

Drive 1.5 miles, 5 min



- 
via Commons Dr W and Indian Bayou Trail

5 min
1.5 miles

Fastest route, the usual traffic
- 
via US-98 W/Emerald Coast Pkwy and Indian Bayou Trail

6 min
2.0 miles

Explore 1 Country Club Dr E

[Restaurants](#)
[Hotels](#)
[Gas stations](#)
[Parking Lots](#)
[More](#)

Kim Montgomery

From: Kyle Bauman <kbauman@asglegal.com>
Sent: Friday, March 4, 2022 12:58 PM
To: Kim Montgomery; Nichole Rivera
Cc: Rey Bailey
Subject: RE: Destin High School request for use of ROW

[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.]

Looks good to me too. Good catch Nichole

From: Kim Montgomery <kmontgomery@cityofdestin.com>
Sent: Friday, March 4, 2022 12:06 PM
To: Nichole Rivera <nriviera@cityofdestin.com>; Kyle Bauman <kbauman@asglegal.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: RE: Destin High School request for use of ROW

Thanks Nicole, I will make that correction.

From: Nichole Rivera <nriviera@cityofdestin.com>
Sent: Friday, March 4, 2022 12:04 PM
To: Kim Montgomery <kmontgomery@cityofdestin.com>; Kyle Bauman <kbauman@asglegal.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: RE: Destin High School request for use of ROW

On the attachment you sent the box stating that we got the "hold harmless" is blank but I do see the form attached. Other than that it looks fine.



Nichole Rivera, MRHM/PHR
Human Resources Manager/Risk Manager
City of Destin
850.460.8546

From: Kim Montgomery <kmontgomery@cityofdestin.com>
Sent: Friday, March 4, 2022 9:21 AM
To: Kyle Bauman <kbauman@asglegal.com>; Nichole Rivera <nriviera@cityofdestin.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: RE: Destin High School request for use of ROW

Sorry ya'll, I meant to type the March 21st Council agenda not 5/21.

From: Kim Montgomery
Sent: Thursday, March 3, 2022 9:27 AM
To: Kyle Bauman <kbauman@asglegal.com>; Nichole Rivera <nrivera@cityofdestin.com>
Cc: Rey Bailey <rbailey@cityofdestin.com>
Subject: Destin High School request for use of ROW
Importance: High

Good morning Kyle & Nicole,

Please see attached request for use of city right-of-way for the Destin High School's very first 5k Fundraiser on April 9th. Please reply with your approval for legal sufficiency and that everything looks to be in order so that I can place the request on the 5/21 Council Agenda for approval.

Thanks!
-Kim

Kimberly I. Montgomery | Deputy City Clerk
City of Destin | 4200 Indian Bayou Trail
Destin, FL 32541 | (P) 850.837.4242



Please visit our web site at www.cityofdestin.com/survey to complete a customer service survey. We appreciate your honest opinion and will take it into consideration to help us improve our services. Thank you for your feedback.

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

****Please be aware, the associated cost for public records is \$.15 per page for one-sided copies, \$.20 for two-sided copies, and \$21.00 per hour after the first 15-minutes; for time spent on research.****

“Please Note: Florida has a very broad public records law. Most written communications to or from the City of Destin officials are public records available to the public and media upon request. Your e-mail address and communications may therefore be subject to public disclosure.”

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022**TYPE OF AGENDA ITEM:** Consent Agenda**AGENDA OUTLINE NUMBER:** 3.B.**TO:** City Council**THRU:** Lance Johnson, City Manager
Webb Warren, Deputy City Manager
Lisa Firth, Parks & Rec Director
Krystal Strickland, Finance Director**FROM:** Michael Burgess, Public Services Director**DATE:** 01/13/2022**SUBJECT:** Replacement of Community Center Foyer Windows & Doors

I. BACKGROUND: The replacement of the foyer windows and doors at the Destin Community Center has been identified as a Capital Improvement Project for several years. The windows leak both in between the panes and into the Community Center foyer itself.

II. DISCUSSION: City staff prepared and advertised an RFB for the replacement of these windows on two separate occasions. Both advertisements garnered no bids or proposals. The City was able, however, to secure a quote from City Glass to replace the windows with hurricane-rated glass units. The quote from City Glass is included as ATT2. Photos of the defective window panes are included as ATT1.

The City attempted to get quotes for this work from two additional local vendors. Neither were able/willing to provide quotes.

The quote will provide for the replacement of the large window units in the foyer as well as the door units with Hurricane-rated glass. As the contractor will not remove the existing storm shutters, City Staff will rent the necessary equipment to remove the faulty shutter systems and will patch the holes left by the systems' anchors.

The Community Center will remain open to the public during both the demolition and construction phases of this project.

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

6. Effective, efficient, and aesthetically pleasing infrastructure.

B. Effect on Budget (EOB): The quote from City Glass to replace the windows is

\$155,430. Funds were budgeted to renew and replace major components of culture and recreation facilities under the project number RR057 in the FY 2022 Adopted Budget. The effect on budget is as follows:

	TOTAL
30058585-565000-RR057	
GF RR-CIP-Culture&Rec Facilities	\$ 602,751
FY22 Adopted Budget	602,751
Budget Amendments/Txfrs (Rollforwards)	79,014
Revised Budget	681,765
Previous Expenses/Encumbrances	(87,545)
Available Program Budget	594,220
This Agreement +(-)	\$ (155,430)
FY22 Remaining Program Budget	\$ 438,790

C. **Level of Service (LOS)**: Mitigation of leaking windows and building envelope.

III. CONCLUSION: Replacement of the windows and removal of the existing aluminum storm shutters will mitigate water intrusion into the foyer area and will improve the aesthetics of the Community Center while also providing impact-resistance.

IV. RECOMMENDED MOTION: I move that the City Manager be authorized to engage City Glass to replace the foyer windows and doors at the Destin Community Center in the amount of \$155,430.

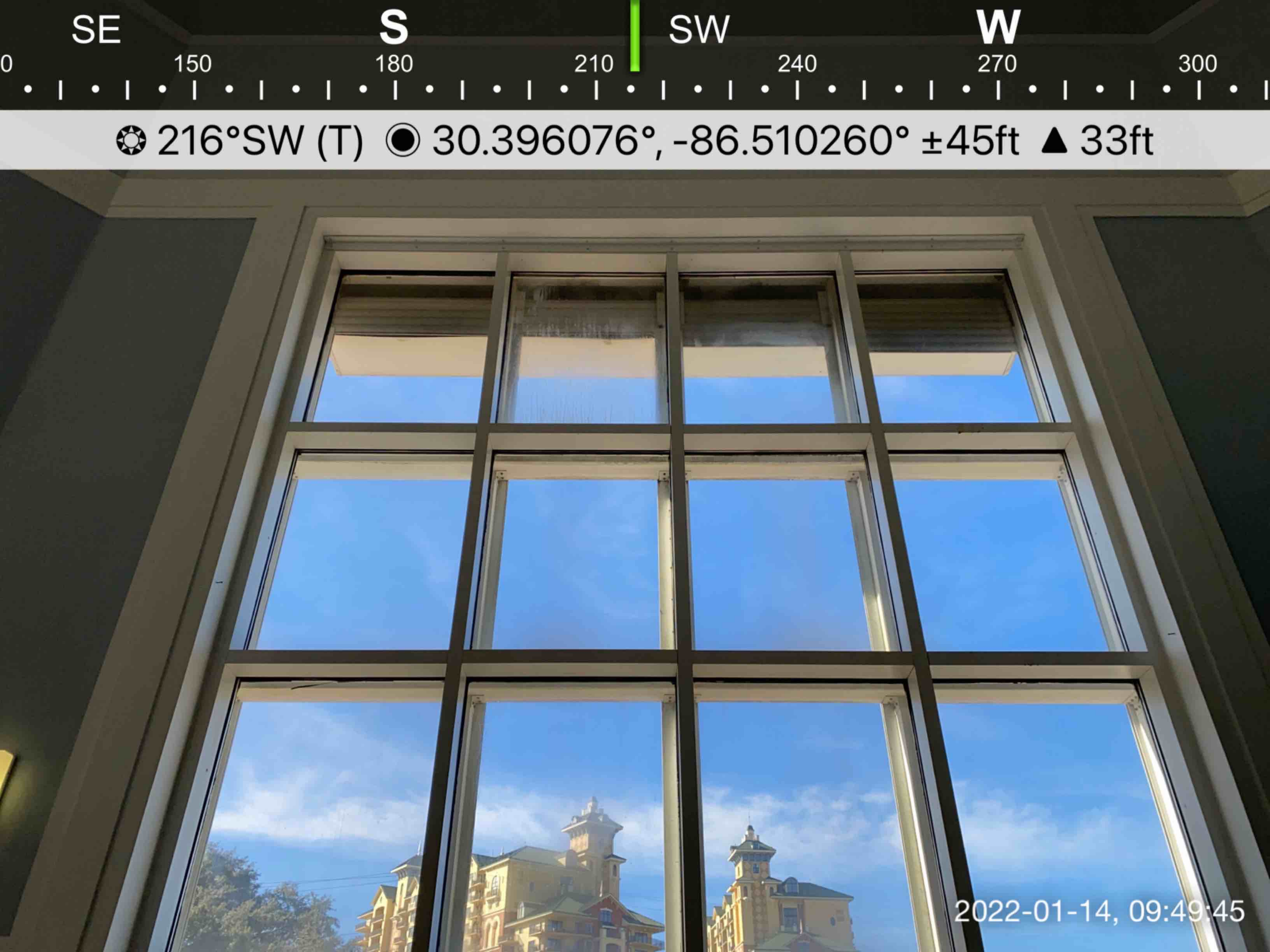
Attachments:

1. ATT1: Community Center windows water damage 011422
2. ATT2: PROPOSAL FOR DESTIN COMMUNITY CENTER

SW W NW
210 240 270 300 330
☼ 261°W (T) ☉ 30.395970°, -86.510368° ±104ft ▲ 33ft



2022-01-14, 09:49:30



SE

S

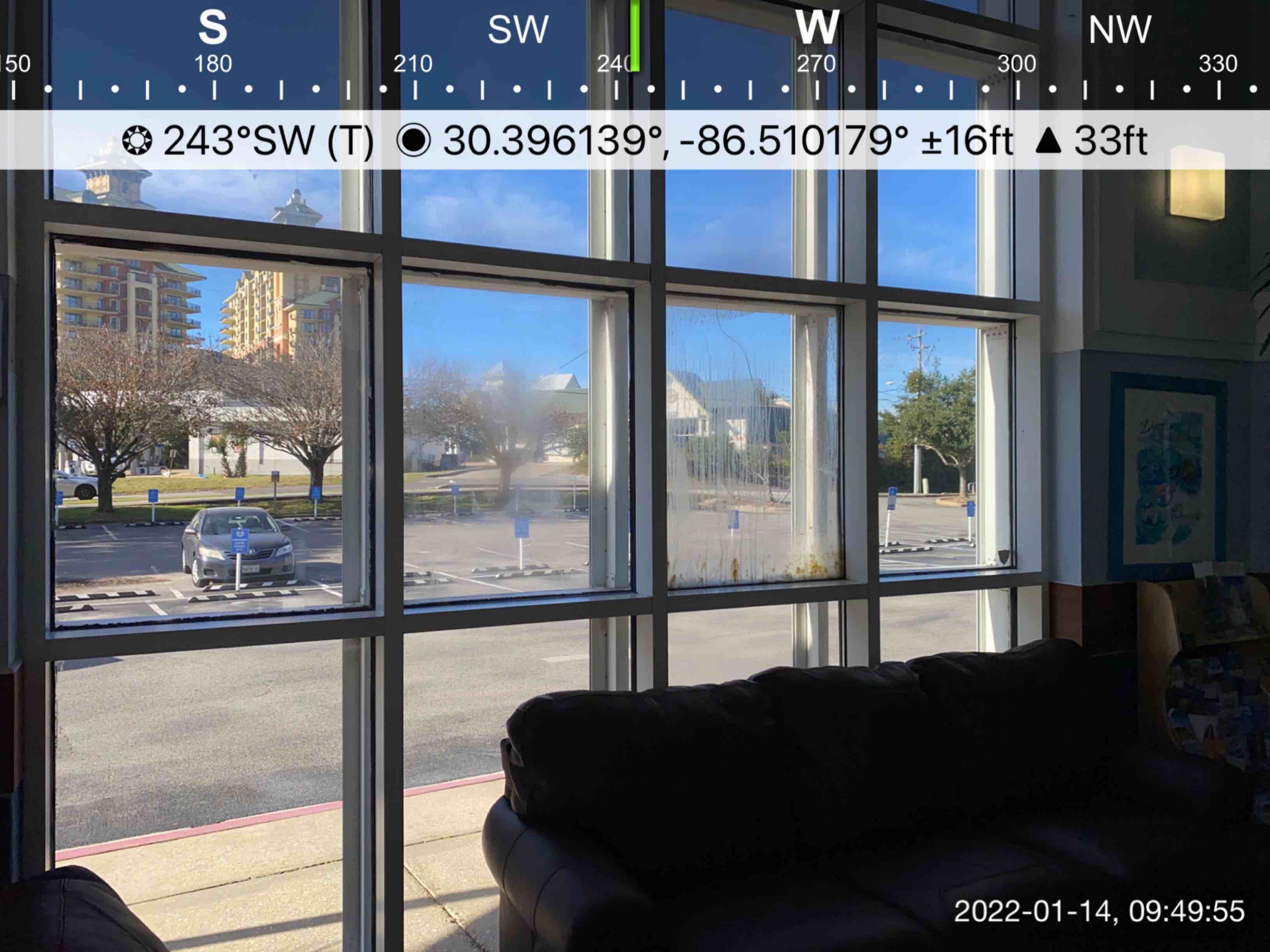
SW

W

0 150 180 210 240 270 300

☀ 216°SW (T) ● 30.396076°, -86.510260° ±45ft ▲ 33ft

2022-01-14, 09:49:45



☀ 243°SW (T) ● 30.396139°, -86.510179° ±16ft ▲ 33ft

2022-01-14, 09:49:55

NE

E

SE

S

30

60

90

120

150

180

☀ 111°E (T) ● 30.396143°, -86.510065° ±19ft ▲ 34ft



2022-01-14, 09:50:16

S

180

SW

210

SW

240

W

270

NW

330

☀ 257°W (T) ● 30.396118°, -86.510174° ±19ft ▲ 33ft



2022-01-14, 09:51:19

PROPOSAL
--FROM--

City Glass Company

16 S.W. HOLLYWOOD BLVD. · FT. WALTON BEACH, FLORIDA 32548
PHONE: 850-243-8167, FAX: 850-243-8995
VISIT OUR WEBSITE AT www.cityglassco.com
Florida License #SCC131151051

TO: CITY OF DESTIN
ATTN: LISA FIRTH
PH: (850) 685-6087 FAX:
EMAIL: lfirth@cityofdestin.com

DATE: MARCH 14, 2022 REVISION I
JOB: DESTIN COMMUNITY CENTER
LOCATION: 101 STAHLMAN AVE
DESTIN, FL 32541

Subject to acceptance within 30 days and to all conditions of proposal per attached.
WE PROPOSE TO FURNISH & INSTALL THE FOLLOWING:

CURTAIN WALL, ENTRANCES, GLASS & GLAZING.

CURTAIN WALL TO BE YKK YHC 300 OG, 3" X 10 1/2" FRAMING. FINISH TO BE WHITE. **CURRENT SUBSTRATES WILL HAVE TO ACCOMMODATE A 10 1/2" SYSTEM.** TOTAL OF FIVE (5) ELEVATIONS INCLUDED.

DOORS TO BE MEDIUM STILE, WITH 10" BOTTOM RAILS, STANDARD CVR PANIC, SURFACE MOUNT CLOSERS, AND BUTT HINGES. (NO ELECTRIC HARDWARE OR ELECTRONIC CLOSER INCLUDED).

GLASS FOR CURTAIN WALL TO BE 1 5/16" GRAY WITH LOW-E INSULATED IMPACT WITH 0.090 PVB INTERLAYER, AND GLASS FOR DOORS TO BE 9/16" GRAY WITH LOW-E IMPACT WITH 0.090 PVB INTERLAYER.

PLEASE SEE ATTACHED DRAWINGS FOR REFERENCE.

- NO SHOP DRAWINGS INCLUDED.
- CIRCLE WINDOW NOT INCLUDED.
- NO BOARD UP OVERNIGHT INCLUDED. GENERAL CONTRACTOR WILL HAVE TO FRAME IN STRUCTURE ON INSIDE OF ELEVATIONS ABOUT 3 FEET BACK AND CLOSE IN OPENINGS FROM THE ELEMENTS UNTIL DRIED IN. CITY GLASS **WILL NOT DRY** IN OPEN ELEVATION(S) AFTER DEMO FOR OVERNIGHT.
- CURTAIN WALL MATERIAL CAN BE A 7 3/4" SYSTEM IF STRUCTURAL BEAM IS PLACED STRUCTURALLY TO HAVE A MID-POINT ANCHOR ATTACHED TO CURTAIN WALL.
- HURRICANE SHUTTERS TO BE REMOVED BY OTHERS.
- REVISED 03/14/2022 TO REFLECT MANUFACTURER'S PRICING INCREASE.

INSTALLED FOR THE SUM OF \$155,430.00

PRICE INCLUDES ALL APPLICABLE TAXES
ANY REVISIONS COULD INCUR A PRICE INCREASE

- STANDARD EXCLUSIONS:
- REPLACEMENT OF MATERIAL DAMAGED BY OTHERS
 - ANY PERMITTING
 - CERTIFIED TESTING
 - CLEANING
 - WARRANTY OTHER THAN MANUFACTURER'S STANDARD
 - PROTECTIVE COATINGS OR COVERINGS AFTER INSTALLATION
 - PERFORMANCE AND PAYMENT BOND
 - ANYTHING NOT SPECIFICALLY STATED HERE IN
 - ALL HARDWARE IS QUOTED STANDARD UNLESS STATED OTHERWISE
 - ADEQUATE STRUCTURAL SUPPORT (BY OTHERS)
 - PE STAMP
 - SHOP DRAWINGS
 - ANCHORAGE CALCULATIONS

Notwithstanding anything in the bid documents to the contrary; this bid is conditioned upon entering a contract on an AGC / ASA / ASC standard for construction subcontract, AGC Document # 640 / ASA Document # 4100 / ASC For # 52, Copyright 1994. This subcontract has been approved by the Association General Contractor of America, the American Subcontractors Association, Inc., and the Associated Specialty Contractors.

The undersigned accepts this proposal and all its terms and conditions as a binding contract subject only to the approval of the credit of the Buyer by **City Glass Company** which shall not be unreasonably withheld.

COMPANY _____ SELLER CITY GLASS COMPANY
BY _____ BY JESSE CASSOUTT
TITLE _____ TITLE ESTIMATOR
DATE _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Consent Agenda

AGENDA OUTLINE NUMBER: 3.C.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kyle Bauman, City Attorney

DATE: March 14, 2022

SUBJECT: Single-Family Residential Marine Construction Proposed at 4141 Belcourt Drive
(Parcel ID: 00-2S-22-4600-0000-0110)

I. BACKGROUND: William F Davis Construction, Inc, on behalf of Blase Craig has submitted an application for Harbor and Waterways Board review for construction of a 106.5' x 4' access pier, one (1) 16' x 10' terminal platform, two (2) 40' x 4' finger piers, one (1) 40' x 18' covered boat slip, and one (1) 20' x 1' roof overhang, comprising approximately ±1,646 square feet.

II. DISCUSSION: The applicant requests City Council approval for a single-family marine construction project located at 4141 Belcourt Drive, located within Choctawhatchee Bay, a Class II Florida Waterbody.

The proposed marine construction project meets the following requirements of **Article 11.05.00**, City of Destin Land Development Code, in addition, to including the required 25-foot riparian setback,

- **11.05.01.A** – Construction of new dock
- **11.05.01.C, 11.05.01.D** – Waste Disposal into the Harbor and Waterways of Destin
- **11.05.01.F, 11.05.01.G, and 11.05.01.M** – Length of the pier

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with **Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.**

A. Link to Strategic Goals / Objectives: 1) Enhance Quality of Life

2) Enhance and Preserve Heritage and Environment.

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

C. Level of Service (LOS): There is no anticipated effect on the LOS.

III. CONCLUSION: The contractor provided a Florida Department of Environmental Protection (FDEP), Permit No. 0229019-002-EI/46. City staff reviewed the application and determined that the plans comply with City Codes and regulations. Specifically, the proposed dock complies with **Article 11.05.01.M., Marina Siting of the City's Land Development Code, and the Coastal Management Element of the City's Comprehensive Plan (Coastal Management Element Policy 6-1.1.3).**

HARBOR AND WATERWAYS BOARD RECOMMENDATION

At the regularly scheduled Harbor and Waterways Board (HWB) meeting on February 28, 2022, the Harbor and Waterways Board unanimously recommended City Council approval for the single-family marine construction project proposed at 4141 Belcourt Drive, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION: I move the City Council to approve the single-family marine construction project located at 4141 Belcourt Drive, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. Warranty Deed_v1
2. Blase Building Plan_v1 with the proposed permit drawing
3. Blase Dock_APPROVAL_0299019-002-EI-46 FDEP
4. Blase Army Corp Permit_v1

This Instrument Prepared by and Return to:

Shoreline Title, LLC
60 Clayton Lane, Suite B
Santa Rosa Beach, FL 32459
Our File No.: 21-00455
Property Appraisers Parcel Identification (Folio) Number: 00-2S-22-4600-0000-0110
Florida Documentary Stamps in the amount of \$6,300.00 have been paid hereon.

SPACE ABOVE THIS LINE FOR RECORDING DATA

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made effective this 3rd day of June, 2021 by **Provident Investments LLC, a Louisiana limited liability company**, whose post office address is **1598 Ochsner Blvd., Ste. 100, Covington, LA 70433** herein called the Grantor, to **Craig Stephen Blase**, whose post office address is **219 Scenic Gulf Dr., Unit 1520, Miramar Beach, FL 32550**, hereinafter called the Grantee:

(Wherever used herein the terms "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 company)

W I T N E S S E T H: That the Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars 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, State of Florida, viz.:

Lot 11, Estates at Indian Pointe, according to the map or plat thereof, as recorded in Plat Book 24, Page(s) 73, of the Public Records of Okaloosa County, Florida.

Subject to easements, restrictions and reservations of record and taxes for the year 2021 and thereafter.

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, and hereby warrants the title to said land and will defend the same against all lawful claims which arise by, through, or under Grantor, but against no others.

Continued next page

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Maureen Dreyfus
Witness #1 Signature

Maureen Dreyfus
Witness #1 Printed Name

Joy Briggs
Witness #2 Signature

Joy Briggs
Witness #2 Printed Name

Provident Investments LLC, a Louisiana limited liability company

By: William S. Sheffield, Jr.
William S. Sheffield, Jr., Manager

STATE OF LOUISIANA
PARISH OF _____

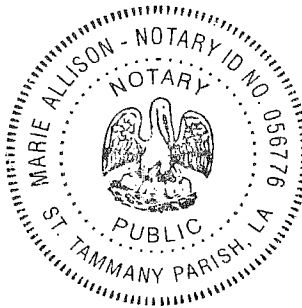
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 2nd day of June, 2021 by William S. Sheffield, Jr., as Manager on behalf of Provident Investments LLC, a Louisiana limited liability company, who (☒) is personally known to me or () has produced _____ as identification.

SEAL

Marie Allison
Notary Public

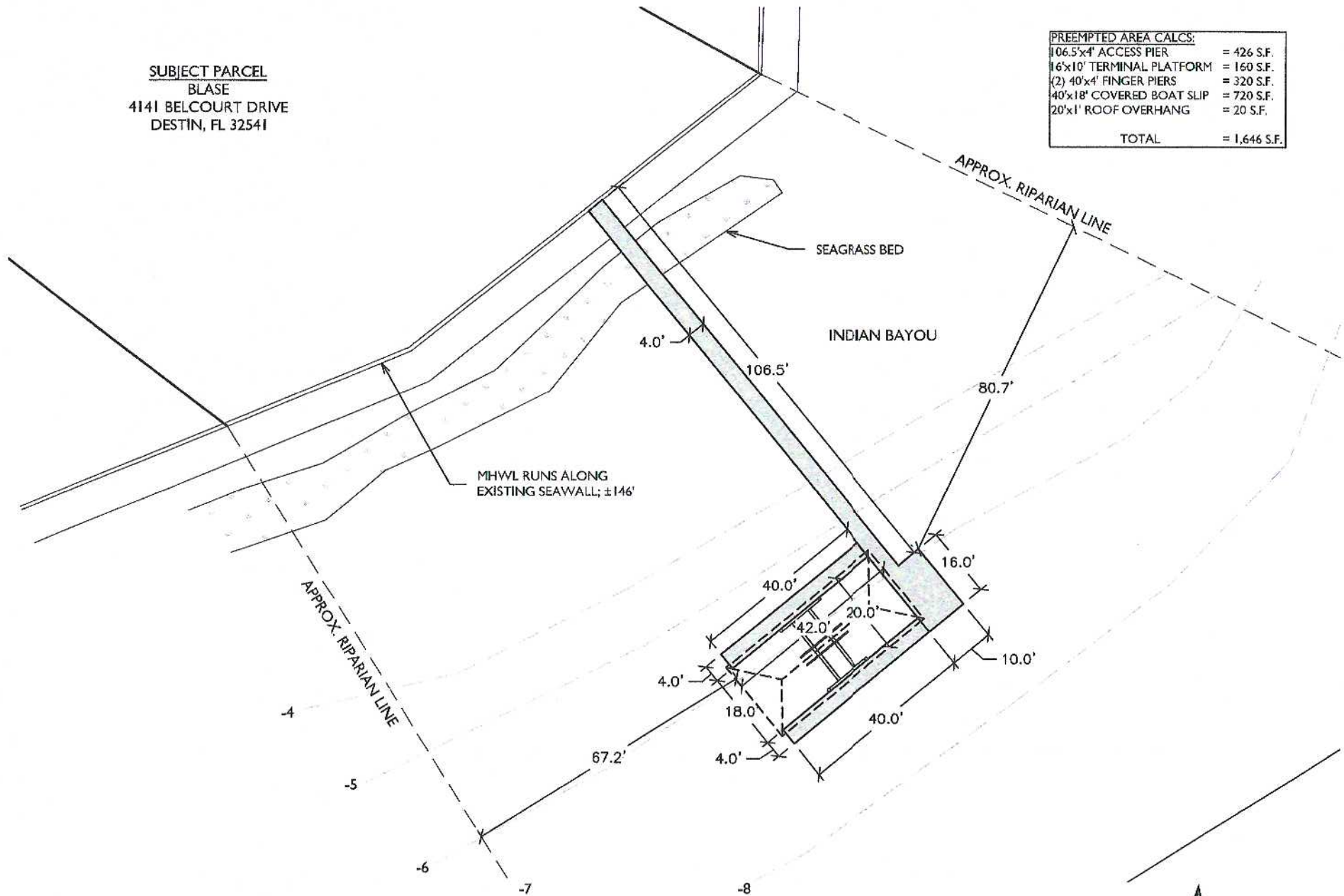
Marie Allison
Printed Notary Name
NP # 056776

My Commission Expires: at my death
4815-1029-3997, v. 2



SUBJECT PARCEL
BLASE
4141 BELCOURT DRIVE
DESTIN, FL 32541

PREEMPTED AREA CALCS:	
106.5'x4' ACCESS PIER	= 426 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
(2) 40'x4' FINGER PIERS	= 320 S.F.
40'x18' COVERED BOAT SLIP	= 720 S.F.
20'x1' ROOF OVERHANG	= 20 S.F.
TOTAL	= 1,646 S.F.



PROJECT NAME: 4141 BELCOURT DRIVE, BLASE

PLAN VIEW OVERALL

PROJECT NO.: 2021-045

DRAWN BY: JAT

DATE: 7/25/21

SHEET: 3 OF 4





FLORIDA DEPARTMENT OF Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Permittee/Authorized Entity:

Craig Blasé
4141 Belcourt Drive
Destin, Florida 32541, Okaloosa County
CSBlase@gmail.com

Blasé Dock

Authorized Agent:

Oakhurst Environmental
c/o Jason Taylor
1225 Oakview Road
Decatur, Georgia 30030
OakhurstEnvironmental@Gmail.com

Environmental Resource Permit State-owned Submerged Lands Authorization – Granted

U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

Okaloosa County
Permit No.: 0229019-002-EI/46

Permit Issuance Date: December 22, 2021

Permit Construction Phase Expiration Date: December 22, 2026

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee/Grantee: Craig Blasé
Permit No: 0299019-002-EI/46

PROJECT LOCATION

The activities authorized by this permit and sovereignty submerged lands authorization are located at 4141 Belcourt Drive, Destin, Florida 32541, Parcel ID 00-2S-4600-0000-0110, in Section 21, Township 02 South, Range 22 West in Okaloosa County, at 30°24'17.8279" North Latitude, 86°27'10.0769" West Longitude.

PROJECT DESCRIPTION

The permittee is authorized to construct a 106.5 foot by 4 foot access pier, a 16 foot by 10 foot terminal platform, a 40 foot by 2 foot finger pier, and a 40 foot by 18 foot covered boat lift, totaling 1,646 square feet. No mooring will occur at the proposed pier. The project is located within Indian Bayou, a Class II Florida Waterbody, Prohibited Shellfish Harvesting Area. Those activities include 1,646 square feet of structure and preemption of state-owned sovereignty submerged lands. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

Blasé Dock

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S. As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a Letter of Consent, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

During the term of this Letter of Consent you shall maintain satisfactory evidence of sufficient upland interest as required by paragraph 18-21.004(3)(b), F.A.C. If such interest is terminated or the Board of Trustees determines that such interest did not exist on the date of issuance of this Letter of Consent, this Letter of Consent may be terminated by the Board of Trustees at its sole option. If the Board of Trustees terminates this Letter of Consent, you agree not to assert a claim or defense against the Board of Trustees arising out of this Letter of Consent.

Federal Authorization

Your proposed activity as outlined in your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit VI-

R1. **SEPARATE permit(s)** or authorization **will be required** from the U.S. Army Corps of Engineers (USACOE).

Authority for review - an agreement with the USACOE entitled “Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit”, Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida’s Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT / SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The Special Consent Conditions**
- **The General Conditions for Sovereignty Submerged Lands Authorization**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit and sovereignty submerged lands authorization, as described.

SPECIFIC CONDITIONS – ADMINISTRATIVE/EMERGENCIES

1. The construction phase expires at 11:59 p.m. on the date indicated on the cover page of this permit.
2. For emergencies involving a serious threat to the public health, safety, welfare, or environment, the emergency telephone contact number is (800) 320-0519 (State Warning Point). The Department telephone number for reporting nonthreatening problems or system malfunctions is (850) 595-0663, day or night.
3. The mailing address for submittal of forms for the “Construction Commencement Notice”, “As-Built Certification ...”, “Request for Conversion of Stormwater Management Permit Construction Phase to Operation and Maintenance Phase”, or other correspondence is FDEP, SLERP, 160 W. Government Street, Suite 308, Pensacola, Florida 32502.

SPECIFIC CONDITIONS – PRIOR TO ANY CONSTRUCTION

4. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the active construction areas of the site. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed 29 NTU’s above background levels. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.
5. Best management practices for erosion control shall be implemented prior to construction commencement and shall be maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. Methods shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, staged construction and the installation of turbidity screens around the immediate project site.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

6. If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
7. All wetland areas or water bodies which are adjacent to the specific limits of construction authorized by this permit shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.
8. Any damage to wetlands outside of the authorized impact areas as a result of construction shall be immediately reported to the Department at (850)595-8300 and repaired by reestablishing

the pre-construction elevations and replanting vegetation of the same species, size, and density as that in the adjacent areas. The restoration shall be completed within 30 days of completion of construction, and the Department shall be notified of its completion within that same 30-day period

9. The following measures shall be taken immediately by the permittee when turbidity levels within waters of the State surrounding the project site exceed 29 NTUs above background:

- a. Immediately cease work contributing to the water quality violation.
- b. Stabilize exposed soils contributing to the violation. Modify the work procedures responsible for the violation, install additional turbidity containment devices and repair non-functioning turbidity containment devices.
- c. Notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, Northwest District Office, 160 W Government Street, Pensacola, Florida 32502-5794, in writing or by telephone at (850)595-8300 within 24 hours of the time the violation is first detected

10. There shall be no stock piling of tools, materials, (i.e., lumber, pilings, riprap, and debris) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters/waters of the state.

11. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the state.

12. All cleared vegetation, excess lumber, scrap wood, trash, garbage and any other type of debris shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

13. All watercraft associated with the construction of the permitted structure shall only operate within waters of sufficient depth to preclude bottom scouring and prop dredging.

14. This permit does not authorize the construction of additional structures not illustrated on the permit drawings. Examples of additional structures, which are not authorized by this permit include but are not limited to: walkways, doors, awnings, and decking around or under the bottom of the pile-supported structures. Storage of equipment, pesticides, herbicides, construction material, trash receptacles, or part of a septic tank system beneath the pile-supported structure is prohibited.

SPECIFIC CONDITIONS – OTHER LISTED SPECIES

15. This permit does not authorize the permittee to cause any adverse impact to or “take” of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of “take” and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a “take” permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

16. Overboard discharges of trash, human or animal waste, or fuel shall not occur at the dock.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual* (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual* (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference in paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or

- b. For all other activities – “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
- a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
- a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

SPECIAL CONSENT CONDITIONS

1. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.

2. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of

Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.

3. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.

4. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.

5. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions, which are binding upon the applicant and are enforceable under Chapter 253, F.S.

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.

2. Authorization under Rule 18-21.005, F.A.C., conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.

3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.

4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.

5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the

administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant to Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you

do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@FloridaDEP.gov, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S. by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Patricia Engel at the letterhead address, at (850)595-0669, or at Patricia.Engel@FloridaDEP.gov.

EXECUTION AND CLERKING

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



For Kimberly R. Allen
Permitting Program Administrator

KRA:tae

Attachment(s):

Project Drawings and Design Specs., 4 pages

Copies of 62-330 forms may be obtained at: <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/forms-environmental-resource>

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Kimberly R. Allen, DEP, Kim.Allen@FloridaDEP.gov
Jennifer Waltrip, DEP, Jennifer.Waltrip@FloridaDEP.gov
Trish Engel, DEP, Patricia.Engel@FloridaDEP.gov
Okaloosa County, mmartinez@co.okaloosa.fl.us, jautrey@co.okaloosa.fl.us,
sbitterman@co.okaloosa.fl.us, propertyappraiser@okaloosapa.com, planning@cityofdestin.com

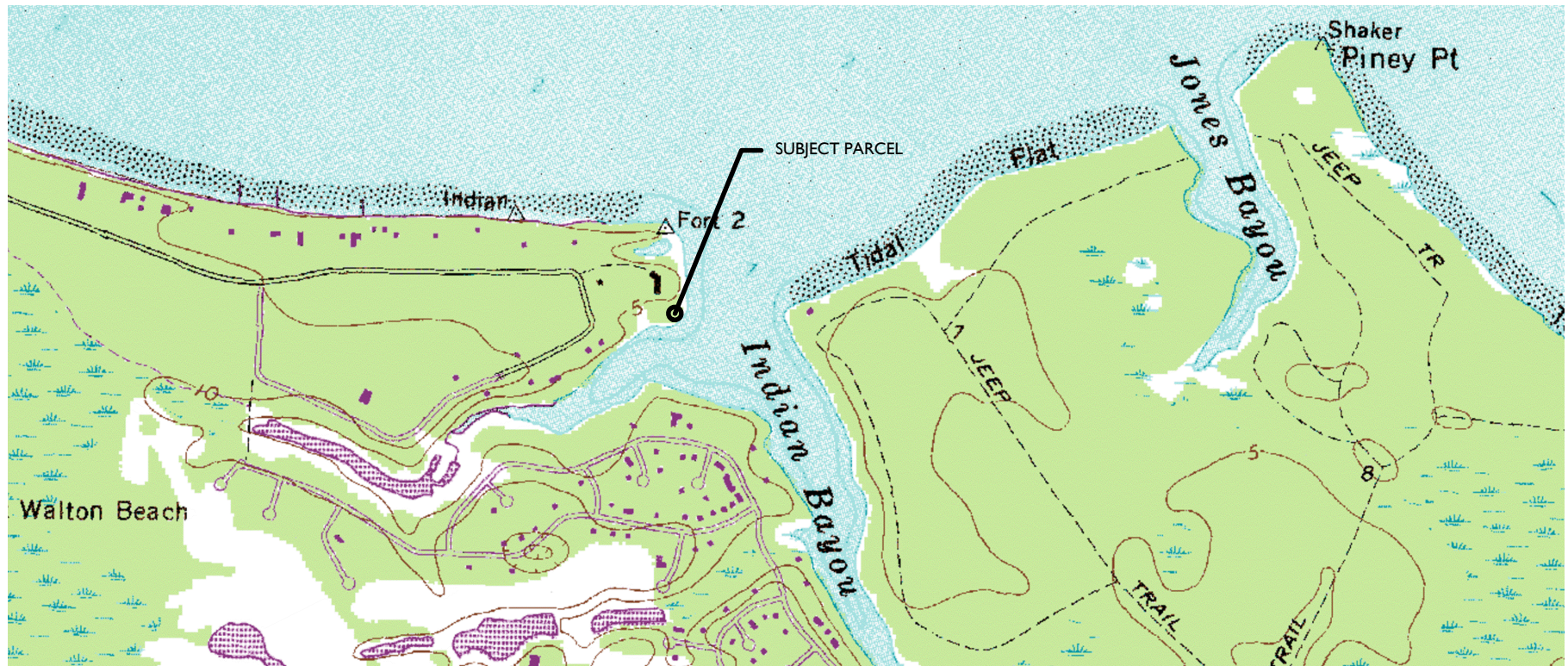
FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

December 22, 2021
Date

PROPERTY INFO

PID: 00-2S-22-4600-0000-0110
 SITUS: 4141 BELCOURT DRIVE
 DESTIN, FL 32541
 LAT: 30.404719
 LONG: -86.452376

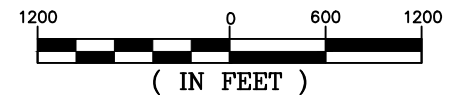
RECORD OWNER

BLASE CRAIG S
 219 SCENIC GULF DR #1520
 MIRAMAR BEACH, FL 32550

INDEX OF SHEETS

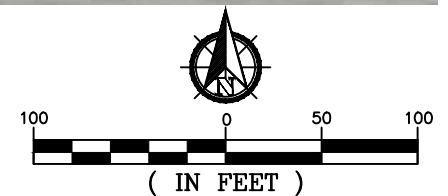
1-SITE LOCATION & SHEET INDEX
 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW OVERALL
 4-DOCK PROFILE

PROJECT NAME: 4141 BELOCOURT DRIVE, BLASE
SITE LOCATION MAP & SHEET INDEX
PROJECT NO.: 2021-045
DRAWN BY: JAT DATE: 7/25/21
SHEET: 1 OF 4



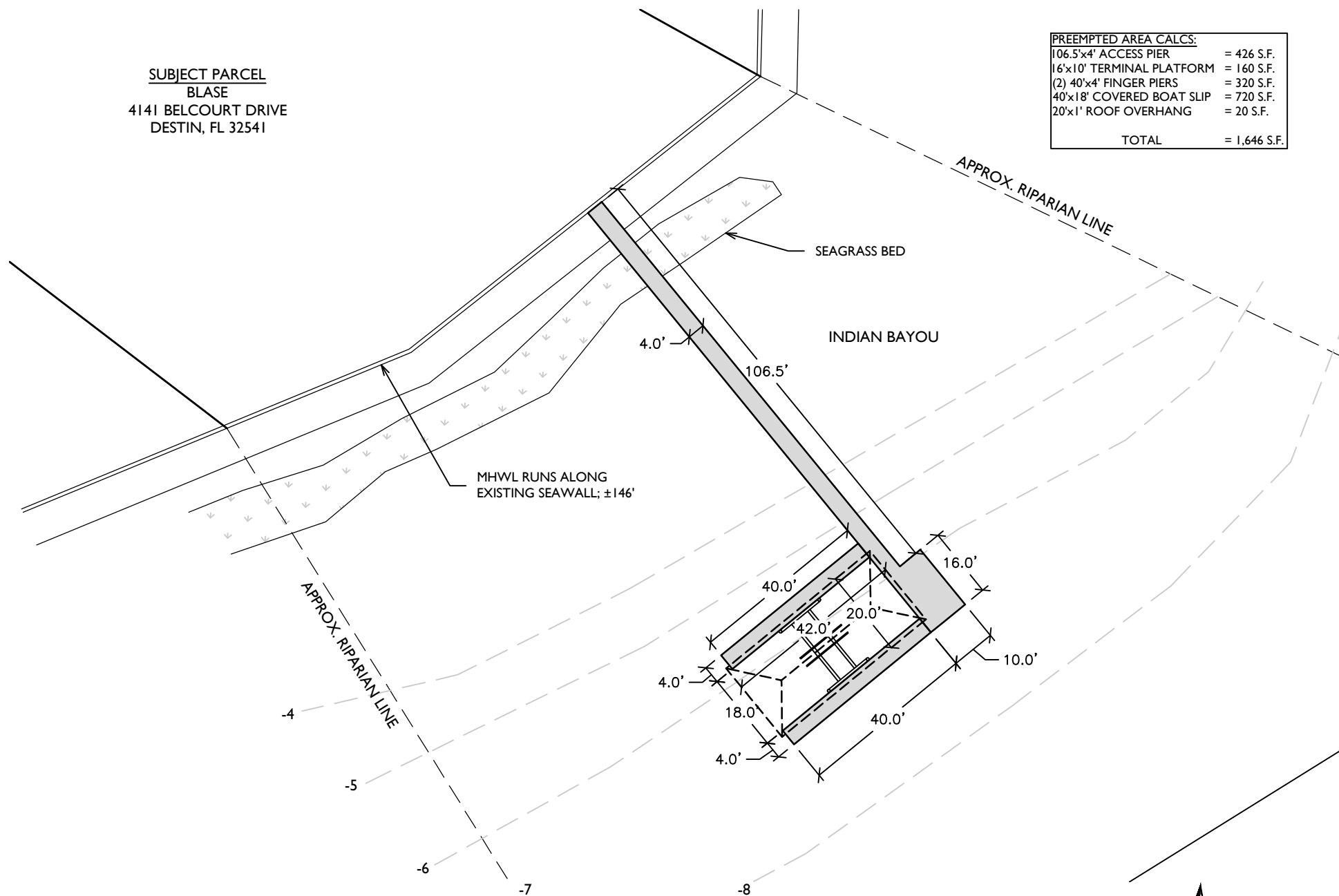


PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 2 OF 4	



SUBJECT PARCEL
BLASE
4141 BELCOURT DRIVE
DESTIN, FL 32541

PREEMPTED AREA CALCS:	
106.5'x4' ACCESS PIER	= 426 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
(2) 40'x4' FINGER PIERS	= 320 S.F.
40'x18' COVERED BOAT SLIP	= 720 S.F.
20'x1' ROOF OVERHANG	= 20 S.F.
TOTAL	= 1,646 S.F.



PROJECT NAME: 4141 BELCOURT DRIVE, BLASE

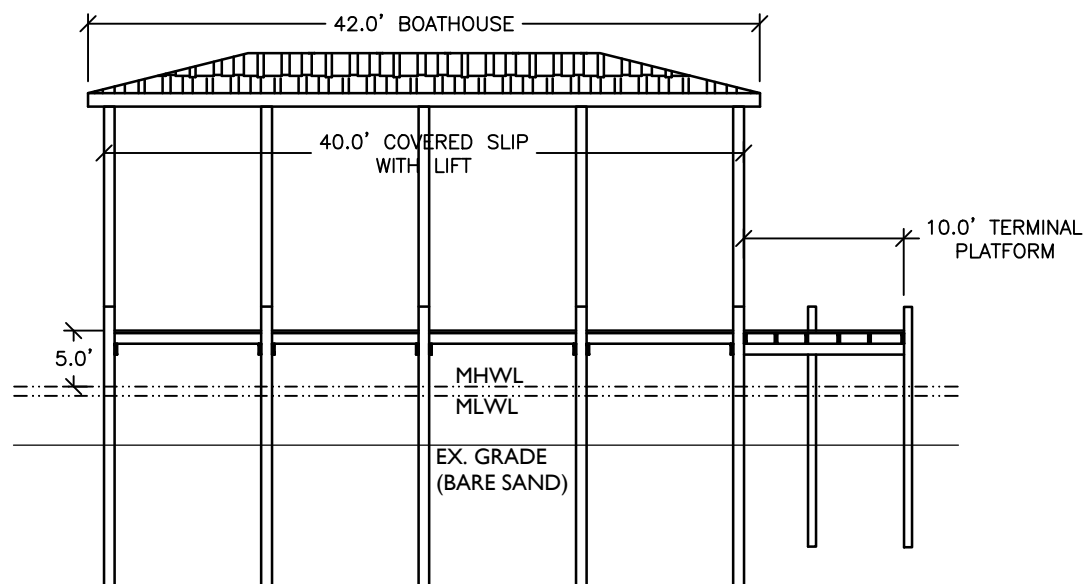
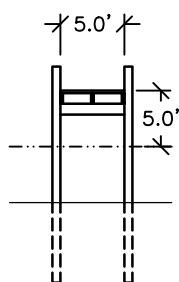
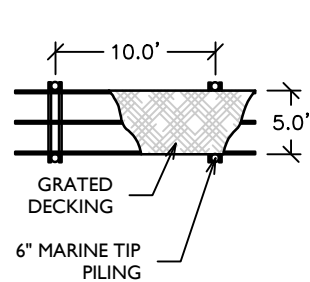
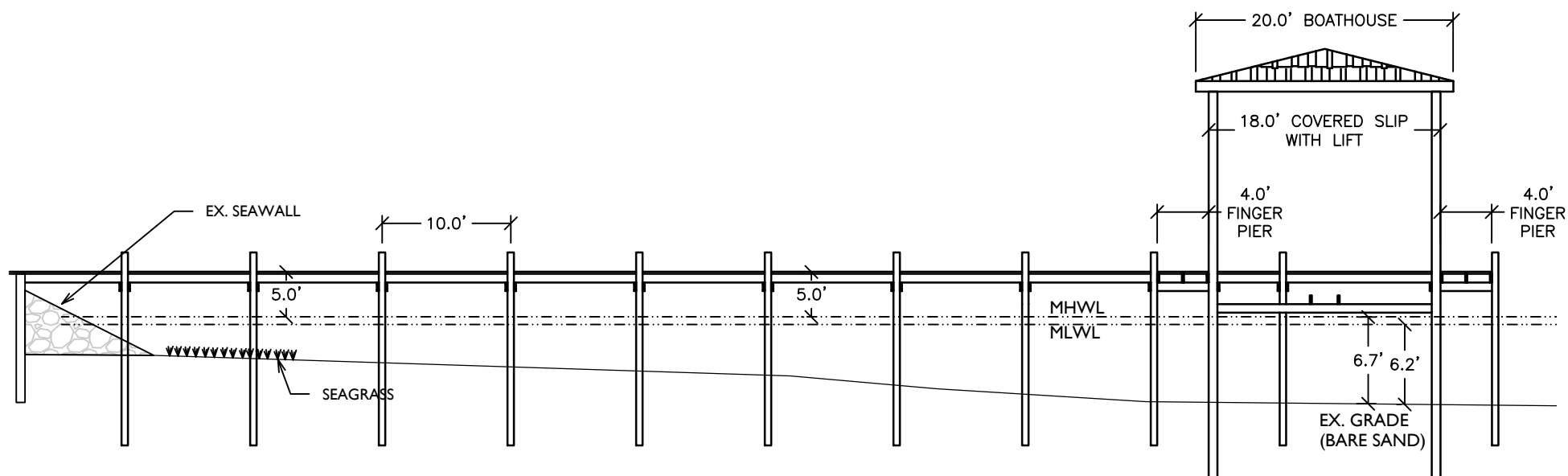
PLAN VIEW OVERALL

PROJECT NO.: 2021-045

DRAWN BY: JAT DATE: 7/25/21

SHEET: 3 OF 4





PROJECT NAME: 4141 BELCOURT DRIVE, BLASE

DOCK PROFILE

PROJECT NO.: 2021-045

DRAWN BY: JAT DATE: 7/25/21

SHEET: 4 OF 4





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PENSACOLA REGULATORY OFFICE
41 NORTH JEFFERSON STREET, SUITE 301
PENSACOLA, FLORIDA 32502

September 16, 2021

Regulatory Division
North Permits Branch
Pensacola Permits Section
SAJ-2010-00162 (GP-HMM)

Craig Blase
219 Scenic Gulf Drive #1520
Miramar Beach, Florida 32550

Dear Mr. Blase:

The U.S. Army Corps of Engineers (Corps) has completed the review of your application for a Department of the Army permit. Your application was assigned file number SAJ-2010-00162. A review of the information and drawings provided indicates that the proposed work will result in the construction of a 106.5-foot by 4-foot access pier, a 16-foot by 10-foot terminal platform, and two 40-foot by 4-foot catwalks forming a covered 40-foot by 18-foot boat slip with lift and a 42-foot by 20-foot roof. The activities subject to this permit are authorized pursuant to authorities under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403). The project is located at 4141 Belcourt Drive, in Indian Bayou, Latitude 30.404719° North, Longitude 86.452376° West, Section 00, Township 2 South, Range 22 West, in Destin, in Okaloosa County, Florida.

This letter verifies your project, as described above and depicted on the enclosed drawings, is authorized by Regional General Permit (RGP) SAJ-20 and any subsequent modifications, if applicable. **This RGP authorization is valid until March 27, 2023.** Please access the Corps' Jacksonville District Regulatory Division Source Book webpage to view the special and general conditions for SAJ-20, which apply specifically to this authorization. The Internet URL address is: <http://www.saj.usace.army.mil/Missions/Regulatory.aspx>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there select "Source Book"; and, then select "General Permits." Then you will need to select the specific SAJ permit noted above.

You must comply with ALL the RGP general and special conditions, attached and/or incorporated by reference, and the Project Specific Special Conditions and General Conditions, listed below, or you may be subject to enforcement action.

General Conditions (33 CFR PART 320-330):

1. The time limit for completing the work authorized ends on **March 27, 2023.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner on the transfer form attached to this letter and forward a copy to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Project Specific Special Conditions:

The following project specific special conditions are included with this verification:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to either (not both) of the following addresses:
 - a. For electronic mail (preferred): SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).
 - b. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.

The Permittee shall reference this permit number, SAJ-2010-00162 (GP-HMM), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" Form (Attached).
3. **Self-Certification:** Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
4. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
5. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.
6. **Agency Changes/Approvals:** Should any other agency require and/or approve changes to the work authorized or obligated by this permit, the Permittee is advised a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the **Pensacola** Permits Section. The Corps reserves the right to fully evaluate, amend, and approve or deny the request for modification of this permit.
7. **Posting of Permit:** The Permittee shall have available and maintain for review a copy of this permit and approved plans at the construction site.
8. **Dock Construction Guidelines:** The Permittee shall comply with the attached "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat – U.S. Army Corps of Engineers/National Marine Fisheries Service – November 2017.

9. **Manatee Conditions:** The Permittee shall comply with the attached “Standard Manatee Conditions for In-Water Work – 2011”.
10. **Jacksonville District Programmatic Biological Opinion (JAXBO), November 2017, Project Design Criteria (PDCs):** Structures authorized under this permit must comply with all applicable PDCs, based on the permitted activity, as required by JAXBO. Please note that failure to comply with the applicable PDCs, where a take of listed species occurs, would constitute an unauthorized take, and noncompliance with this permit. The NMFS is the appropriate authority to enforce the terms and conditions of JAXBO. The most current version of JAXBO can be accessed at the Jacksonville District Regulatory Division internet webpage in the Endangered Species section of the Sourcebook located at:
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>.

Note - JAXBO may be subject to revision at any time. The most recent version of these conditions must be utilized during the design and construction of the permitted work. In accordance with the Endangered Species Act, and for those projects which do not comply with JAXBO, the Corps will seek individual consultation with the NMFS.

Note - some authorized activities may deviate from the PDCs. In cases, where the activity (i.e., structure dimensions, length, etc.) deviates from the PDCs, the permit drawings shall supersede the PDCs.

For each of the following authorized activities subject of this permit, the permittee shall adhere to the following PDCs, which are attached to, and made part of, this authorization/verification letter:

Activity 2 - Pile-supported Structures: (AP.1-14; A2.1-16; S.2)

11. Cultural Resources/Historic Properties:

- a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.
- b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

- c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.
- d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

This letter of authorization does not include conditions that would prevent the 'take' of a state-listed fish or wildlife species. These species are protected under sec. 379.411, Florida Statutes, and listed under Rule 68A-27, Florida Administrative Code. With regard to fish and wildlife species designated as species of special concern or threatened by the State of Florida, you are responsible for coordinating directly with the Florida Fish and Wildlife Conservation Commission (FWC). You can visit the FWC license and permitting webpage (<http://www.myfwc.com/license/wildlife/>) for more information, including a list of those fish and wildlife species designated as species of special concern or threatened. The Florida Natural Areas Inventory (<http://www.fnai.org/>) also maintains updated lists, by county, of documented occurrences of those species.

This letter of authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

Please note U.S. Coast Guard regulations may require you as permittee to provide information for a Notice to the maritime community regarding your project. You should contact the Coast Guard Sector Mobile Waterways Management Branch (spw), 1500 15th Street, Mobile, AL 36615 or by phone at 251-441-5684 to determine if a Notice is necessary. Also any safety lights, signs and signals prescribed by the U.S. Coast Guard through their regulations or otherwise, must be installed and maintained at your expense as permittee on authorized facilities in navigable waters of the United States.

To receive a U.S. Coast Guard Private Aids to Navigation marking determination, you are advised to contact the Eighth Coast Guard District (dpw), 500 Poydras St. Suite 1230, New Orleans, LA 70130, 504-671-2328 or via email to: D8oanPATON@uscg.mil prior to installation/construction of any fixed structures. For general information related to Private Aids to Navigation please visit the Eighth CG District web site at: <http://www.atlanticarea.uscg.mil/district-8/district-divisions/waterways/PATON>.

This letter of authorization does not preclude the necessity to obtain any other Federal, State, or local permits, which may be required.

Thank you for your cooperation with our permit program. The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to complete our automated Customer Service Survey at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Should you have any questions related to this GP verification or have issues accessing the documents reference in this letter, please contact Holly Millsap at the letterhead address above, via telephone at 850-470-9823, or via e-mail at Holly.M.Millsap@usace.army.mil.

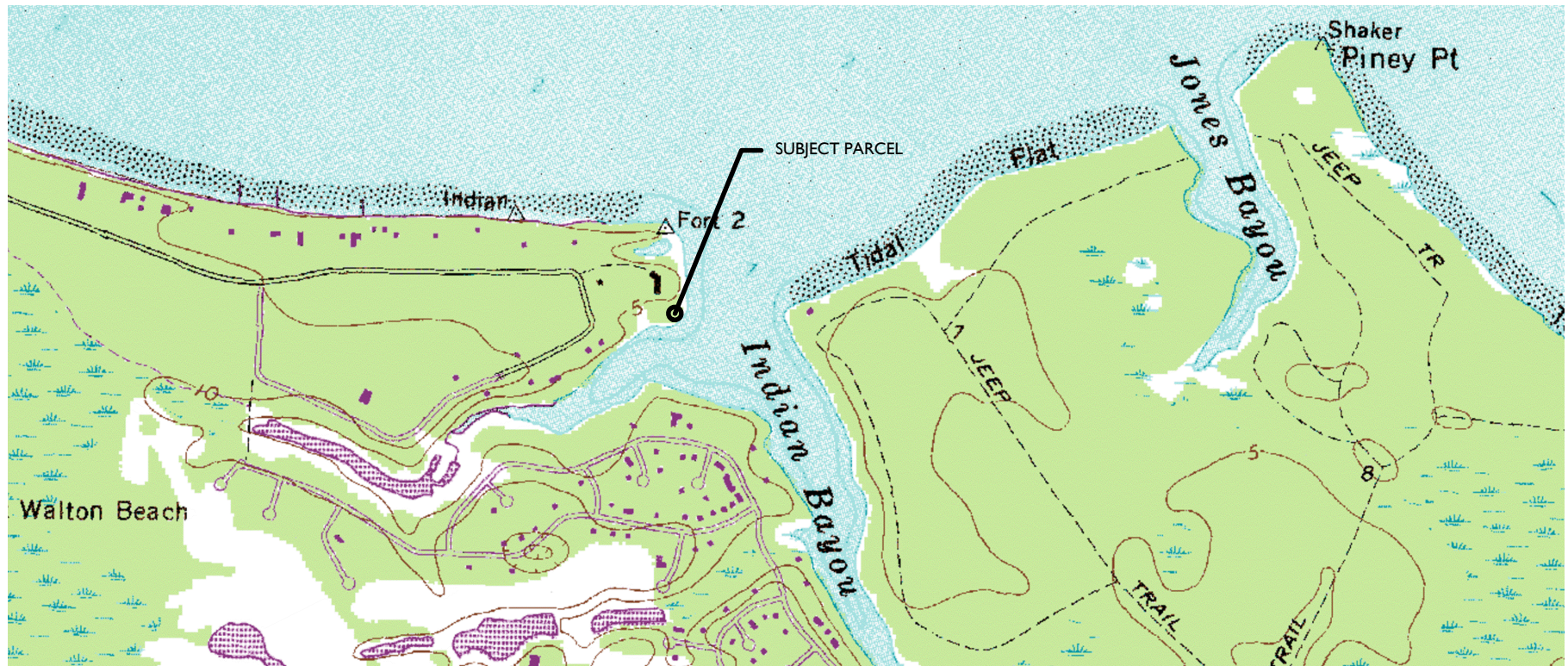
Sincerely,

A handwritten signature in black ink, appearing to read 'Holly Millsap', written over a circular stamp or seal.

Holly Millsap
Project Manager

Enclosures

Copy:
Jason Taylor, Oakhurst Consulting, Agent

PROPERTY INFO

PID: 00-2S-22-4600-0000-0110
 SITUS: 4141 BELCOURT DRIVE
 DESTIN, FL 32541
 LAT: 30.404719
 LONG: -86.452376

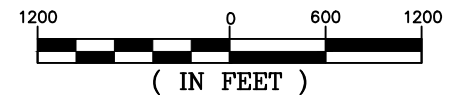
RECORD OWNER

BLASE CRAIG S
 219 SCENIC GULF DR #1520
 MIRAMAR BEACH, FL 32550

INDEX OF SHEETS

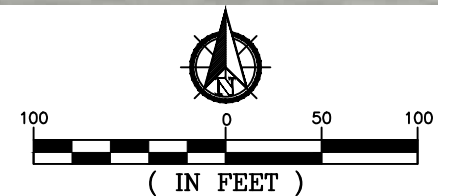
1-SITE LOCATION & SHEET INDEX
 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW OVERALL
 4-DOCK PROFILE

PROJECT NAME: 4141 BELOCOURT DRIVE, BLASE
SITE LOCATION MAP & SHEET INDEX
PROJECT NO.: 2021-045
DRAWN BY: JAT DATE: 7/25/21
SHEET: 1 OF 4



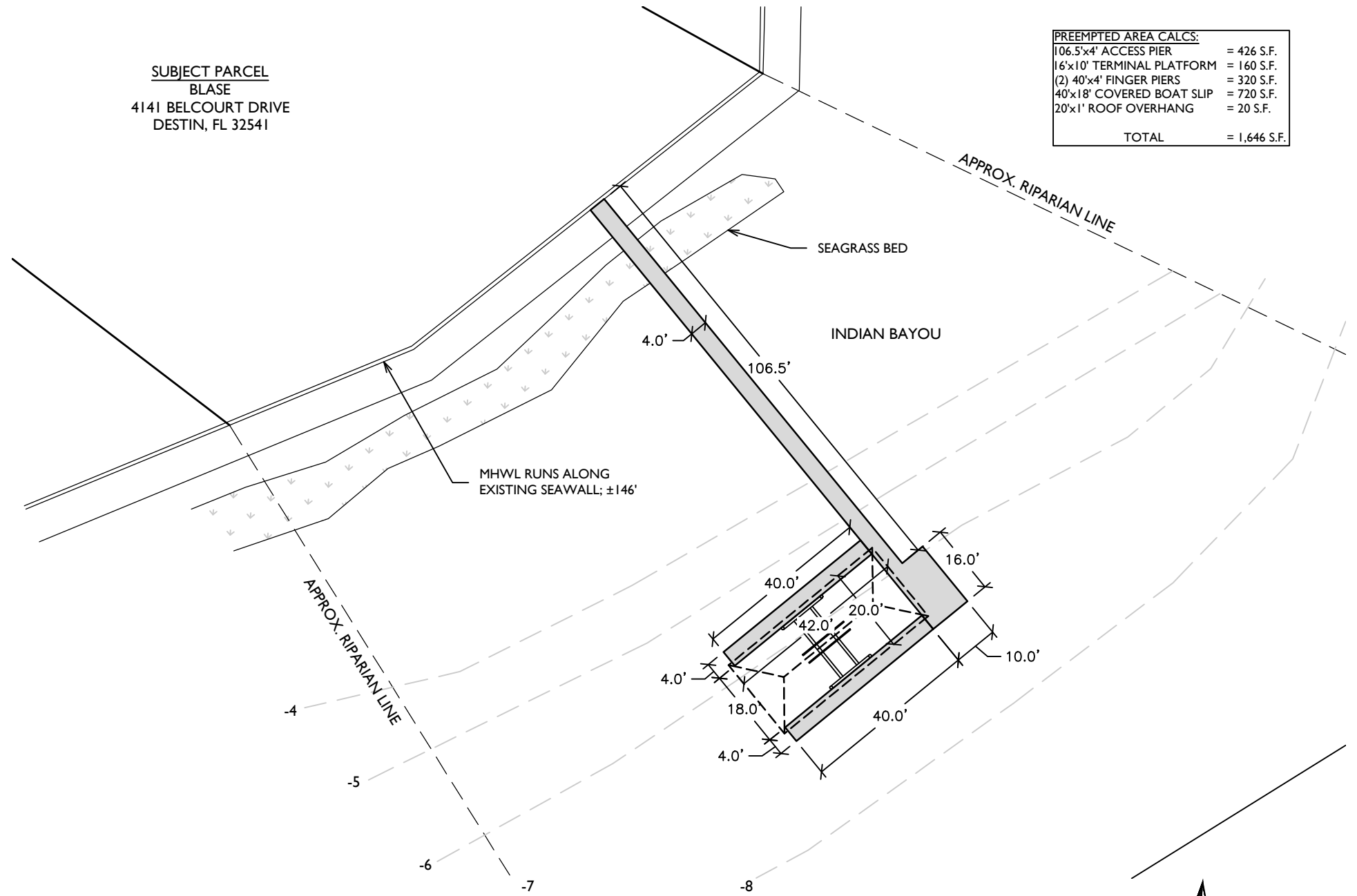


PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
PLAN VIEW DEPICTED ONTO AERIAL	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 2 OF 4	

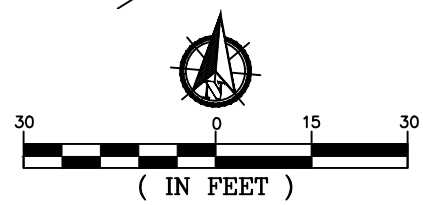


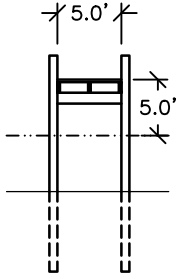
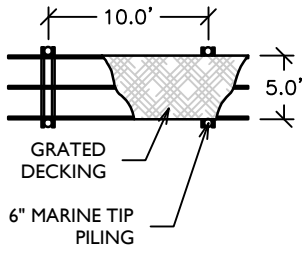
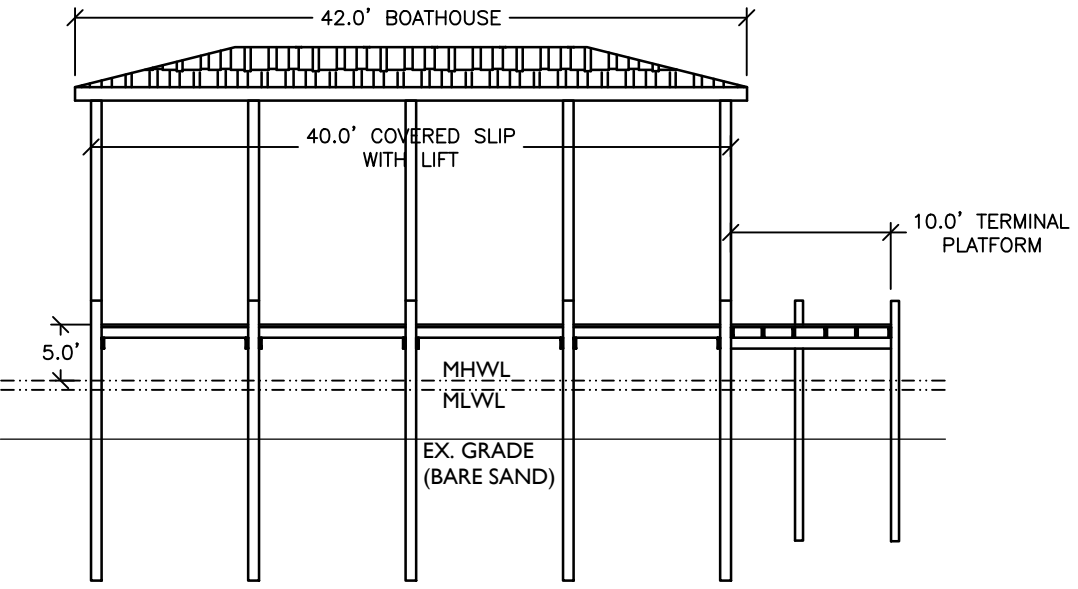
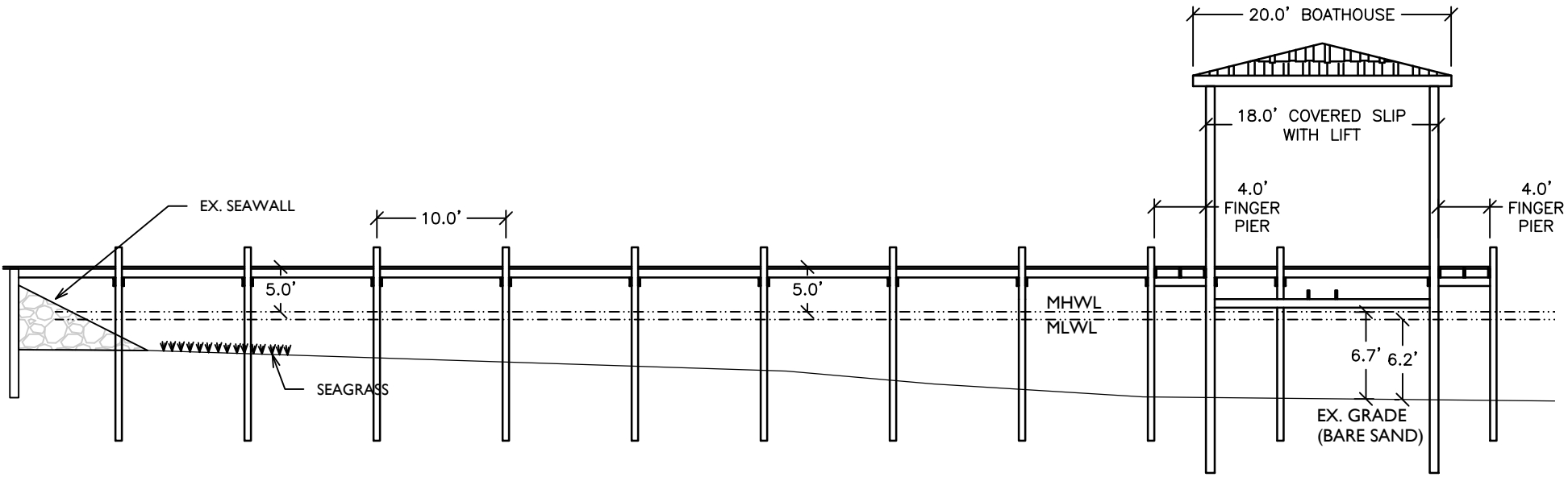
SUBJECT PARCEL
BLASE
4141 BELCOURT DRIVE
DESTIN, FL 32541

PREEMPTED AREA CALCS:	
106.5'x4' ACCESS PIER	= 426 S.F.
16'x10' TERMINAL PLATFORM	= 160 S.F.
(2) 40'x4' FINGER PIERS	= 320 S.F.
40'x18' COVERED BOAT SLIP	= 720 S.F.
20'x1' ROOF OVERHANG	= 20 S.F.
TOTAL	= 1,646 S.F.

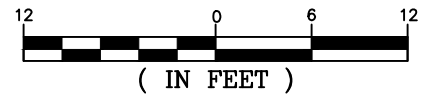


PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
PLAN VIEW OVERALL	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 3 OF 4	





PROJECT NAME: 4141 BELCOURT DRIVE, BLASE	
DOCK PROFILE	
PROJECT NO.: 2021-045	
DRAWN BY: JAT	DATE: 7/25/21
SHEET: 4 OF 4	



**Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in
or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat
U.S. Army Corps of Engineers/National Marine Fisheries Service
November 2017**

Submerged Aquatic Vegetation:

1. Avoidance. The piling-supported structure shall be aligned so as to minimize the size of the footprint over SAV beds.
2. The height of piling-supported structure shall be a minimum of 5 feet above MHW/OHW as measured from the top surface of the decking.
3. The width of the piling-supported structure is limited to a maximum of 4 feet. A turnaround area is allowed for piling-supported structures greater than 200 feet in length. The turnaround is limited to a section of the piling-supported structure no more than 10 feet in length and no more than 6 feet in width. The turnaround shall be located at the midpoint of the piling-supported structure.
4. Over-SAV bed portions of the piling-supported structure shall be oriented in a north-south orientation to the maximum extent that is practicable.
5. a. If possible, terminal platforms shall be placed in deep water, waterward of SAV beds or in an area devoid of SAV beds.

b. If a terminal platform is placed over SAV areas and constructed of grated decking, the total size of the platform shall be limited to 160 square feet. The grated deck material shall conform to the specifications stipulated below. The configuration of the platform shall be a maximum of 8 feet by 20 feet. A minimum of 5 feet by 20 feet shall conform to the 5-foot height requirement; a 3 feet by 20 feet section may be placed 3 feet above MHW to facilitate boat access. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable.

c. If the terminal platform is placed over SAV areas and constructed of planks, the total size of the platform shall be limited to 120 square feet. The configuration of the platform shall be a maximum of 6 feet by 20 feet of which a minimum 4-foot wide by 20-foot long section shall conform to the 5-foot height requirement. A section may be placed 3 feet above MHW to facilitate boat access. The 3 feet above MHW section shall be cantilevered. The long axis of the platform should be aligned in a north-south direction to the maximum extent that is practicable. If the 3 feet above MHW section is constructed with grating material, it may be 3 feet wide.
6. One uncovered boat lift area is allowed. A narrow catwalk (2 feet wide if planks are used, 3 feet wide if grating is used) may be added to facilitate boat maintenance along the outboard side of the boat lift and a 4-foot wide walkway may be added along the stern end of the boat lift, provided all such walkways are elevated 5 feet above MHW. The catwalk shall be cantilevered from the outboard mooring pilings (spaced no closer than 10 feet apart).
7. Pilings shall be installed in a manner which will not result in the formation of sedimentary deposits("donuts" or "halos") around the newly installed pilings. Pile driving is the preferred method of installation, but jetting with a low pressure pump may be used.
8. The spacing of pilings through SAV beds shall be a minimum of 10 feet on center.
9. The gaps between deckboards shall be a minimum of ½ inch.

October 2002 - Grid Specifications and Suppliers Section modified to add an additional vendor of materials.

February 2003 – Manufacturer name changed from ChemGrate to FiberGrate

May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.

March 2008 – Added requirement for 43% open space in grids; added additional manufacturer of grating.

November 2017 – Manufacturer of grated material updated to include Voyager Industries.

Marsh:

1. The piling-supported structure shall be aligned so as to have the smallest over-marsh footprint as practicable.
2. The over-marsh portion of the piling-supported shall be elevated to at least 4 feet above the marsh floor.
3. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.

Mangroves.

1. The width of the piling-supported structure is limited to a maximum of 4 feet.
2. Mangrove clearing is restricted to the width of the piling-supported structure.
3. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.

Grid Specifications and Suppliers

The following information does not constitute a U.S. Army Corps of Engineers endorsement or advertisement for any particular provider and is provided only as an example for those interested in obtaining these materials for piling-supported structure construction. Light-transmitting materials are made of various materials shaped in the form of grids, grates, lattices, etc., to allow the passage of light through the open spaces. **All light-transmitting materials used in construction for minor piling-supported structures shall have a minimum of forty-three (43) percent open space.**

A type of fiberglass grate panel is manufactured by SeaSafe (Lafayette, LA; phone: 1-800-326-8842) and FiberGrate (1-800-527-4043). A type of plastic grating is manufactured by ThruFlow Interlocking Panels (1-888-478-3569). Plastic grate panels are also distributed by Southern Pine Lumber Company (Stuart, FL; 772-692-2300). Grated panels can be obtained from Titan Deck/Voyager Industries (Brandon, MN; 877-207-4136; www.titandeck.net). Panels are available in a variety of sizes and thicknesses. For safety, the grate should contain an anti-slip texture which is integrally molded into the top surface. The manufacturer or local distributor should be consulted to ensure that the load-bearing capacity of the selected product is sufficient to support the intended purpose. Contact the manufacturer(s) for product specifications and a list of regional distributors.

October 2002 - Grid Specifications and Suppliers Section modified to add an additional vendor of materials.

February 2003 – Manufacturer name changed from ChemGrate to FiberGrate

May 2003 - The terms dock and pier were removed and replaced by the term piling-supported structure, to clarify our intent.

March 2008 – Added requirement for 43% open space in grids; added additional manufacturer of grating.

November 2017 – Manufacturer of grated material updated to include Voyager Industries.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The Permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. [Omitted]
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.
- f. [Omitted]

[Conditions "c" and "f" have been omitted as they are not applicable in this location.]

Project Design Criteria (PDCs) Applicable to All Projects

NOTE - You are required to comply with the following PDCs, which serve to address requirements pursuant to Section 7, Endangered Species Act (ESA) for those listed species and designated critical habitat under purview of the National Marine Fisheries Service Protected, Resources Division. These PDCs are taken from the Programmatic Biological Opinion (PBO) referred to as JaxBO. These criteria serve to address ESA requirements only, and additional conditions may be required to address other Federal laws, including the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act. Authorization under this permit is conditional upon your compliance with all applicable PDCs, which are made part of this permit. You are reminded that you must complete the attached self-certification statement of compliance following completion of the authorized work. Your statement of compliance does not obviate the need to satisfy all PDCs, including those requirements (e.g., such as structural dimensions and educational signs) that are observable post-construction, and those requirements (e.g., construction methods or procedures to be followed) that are not observable post-construction. Please note that failure to comply with the applicable PDCs of this PBO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute noncompliance with this permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of this PBO.

AP.1. The applicant must agree to adhere to PDCs for *In-Water Activities* (provided below).

AP.2. All projects involving the installation of piles or sheet piles shall follow the PDCs for *In-Water Noise from Pile and Sheet Pile Installation* (Section 2.2). This Opinion does not cover projects that use seismic surveys, low frequency sonar, explosions, and seismic air guns.

AP.3. All projects proposed in or near areas with mangroves, seagrasses, corals, or hard bottom habitat must refer to PDCs for *Mangroves, Seagrasses, Corals, and Hard Bottom for All Projects* (provided below) to determine whether the project is covered under the Opinion and, if it is covered, to ensure it is sited, designated, and implemented following all of the PDCs in that section.

AP.4. For every project, the USACE must determine if the project is located within:

- a) Smalltooth sawfish critical habitat limited exclusion zones (Section 2.1.1.1)
- b) Gulf sturgeon critical habitat migratory restriction zones (Section 2.1.1.2)
- c) Atlantic sturgeon critical habitat exclusion zone (St. Marys River) (Section 2.1.1.3)
- d) North Atlantic right whale educational sign zones (Section 2.1.1.4)
- e) U.S. Caribbean sea turtle critical habitat restriction zones (Section 2.1.1.5)
- f) Bryde's whale exclusion zone (Section 2.1.1.6)

Where the activity is excluded from the Opinion within a particular zone, the application must be processed under a separate consultation. Where additional restrictions apply to activities within that zone, the USACE or other authorizing entity must ensure that the project meets the requirements for that zone.

AP.5. This Opinion only covers new construction (i.e., installation, repair, replacement) and does not apply to after-the-fact consultations or enforcement actions handled by the Corps.

AP.6. All activities must be completed during daylight hours.

Project Design Criteria (PDCs) for In-Water Activities

AP.7. Education and Observation: The permittee must ensure that all personnel associated with the project are instructed about the potential presence of species protected under the ESA and the Marine Mammal Protection Act (MMPA). All on-site project personnel are responsible for observing water-related activities for the presence of protected species. All personnel shall be advised that there are civil and criminal penalties for harming, harassing, or killing ESA-listed species or marine mammals. To determine which species may be found in the project area, please review the relevant Protected Species List at:

http://sero.nmfs.noaa.gov/protected_resources/section_7/threatened_endangered/index.html

AP.8. Reporting Interactions with Protected Species:

- a) Any collision(s) with and/or injury to any sea turtle, sawfish, whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (1-727-824-5312) or by email to: takereport.nmfs@noaa.gov and SAJ-RD-Enforcement@usace.army.mil.
- b) Smalltooth sawfish: Report sightings to 1-844-SAWFISH or email: Sawfish@MyFWC.com
- c) Sturgeon: Report dead sturgeon to 1-844-STURG 91 (1-844-788-7491) or email: nmfs.ser.sturgeonnetwork@noaa.gov
- d) Sea turtles and marine mammals: Report stranded, injured, or dead animals to 1-877-WHALE HELP (1-877-942-5343).
- e) North Atlantic right whale: Report injured, dead, or entangled right whales to the USCG via VHF Channel 16.

AP.9. Vessel Traffic and Construction Equipment: All vessel operators must watch for and avoid collision with species protected under the ESA and MMPA. Vessel operators must avoid potential interactions with protected species and operate in accordance with the following protective measures:

- a) *Construction Equipment*:
 - i) All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while operating in water depths where the draft of the vessel provides less than a 4-foot (ft) clearance from the bottom, and in all depths after a protected species has been observed in and has departed the area.
 - ii) All vessels will follow marked channels and/or routes using the maximum water depth whenever possible.
 - iii) Operation of any mechanical construction equipment, including vessels, shall cease immediately if a listed species is observed within a 50-ft radius of construction equipment and shall not resume until the species has departed the area of its own volition.
 - iv) If the detection of species is not possible during certain weather conditions (e.g., fog, rain, wind), then in-water operations will cease until weather conditions improve and detection is again feasible.

- b) *All Vessels:*
- i) Sea turtles: Maintain a minimum distance of 150 ft.
 - ii) North Atlantic right whale: Maintain a minimum 1,500-ft distance (500 yards).
 - iii) Vessels 65 ft in length or longer must comply with the Right Whale Ship Strike Reduction Rule (50 CFR 224.105) which includes reducing speeds to 10 knots or less in Seasonal Management Areas (<http://www.fisheries.noaa.gov/pr/shipstrike/>).
 - iv) Mariners shall check various communication media for general information regarding avoiding ship strikes and specific information regarding right whale sightings in the area. These include NOAA weather radio, USCG NAVTEX broadcasts, and Notices to Mariners.
 - v) Marine mammals (i.e., dolphins, whales [other than North Atlantic right whales], and porpoises): Maintain a minimum distance of 300 ft.
 - vi) When these animals are sighted while the vessel is underway (e.g., bow-riding), attempt to remain parallel to the animal's course. Avoid excessive speed or abrupt changes in direction until they have left the area.
 - vii) Reduce speed to 10 knots or less when mother/calf pairs or groups of marine mammals are observed, when safety permits.

- AP.10. Turbidity Control Measures during Construction:** Turbidity must be monitored and controlled. Prior to initiating any of the work covered under this Opinion, the Permittee shall install turbidity curtains as described below. In some instances, the use of turbidity curtains may be waived by the USACE project manager if the project is deemed too minimal to generate turbidity (e.g., certain ATON installation, scientific survey device placement, marine debris removal) or if the current is too strong for the curtains to stay in place. Turbidity curtains specifications:
- a) Install floating turbidity barriers with weighted skirts that extend to within 1 ft of the bottom around all work areas that are in, or adjacent to, surface waters.
 - b) Use these turbidity barriers throughout construction to control erosion and siltation and ensure that turbidity levels within the project area do not exceed background conditions.
 - c) Position turbidity barriers in a way that does not block species' entry to or exit from designated critical habitat.
 - d) Monitor and maintain turbidity barriers in place until the authorized work has been completed and the water quality in the project area has returned to background conditions.
 - e) In the range of ESA-listed corals (St. Lucie Inlet, Martin County south to the Dry Tortugas and the U.S. Caribbean) and Johnson's seagrass (Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida):
 - i. Projects that include upland earth moving (e.g., grading to install a building or parking lot associated with a dock and seawall project), must install sediment control barriers to prevent any upland sediments from reaching estuarine or marine waters.
 - ii. The turbidity curtain requirement cannot be waived for any project that moves or removes sediment (e.g., dredging, auger to create a pile, trenching to install a cable

line). If turbidity curtains are not feasible in an area based on site conditions such as water current, high wave action, or stormy conditions, the project must undergo individual Section 7 consultation and is not covered under this Programmatic Opinion.

AP.11. Entanglement: All turbidity curtains and other in-water equipment must be properly secured with materials that reduce the risk of entanglement of marine species (described below). Turbidity curtains likewise must be made of materials that reduce the risk of entanglement of marine species.

- a) In-water lines (rope, chain, and cable, including the lines to secure turbidity curtains) must be stiff, taut, and non-looping. Examples of such lines are heavy metal chains or heavy cables that do not readily loop and tangle. Flexible in-water lines, such as nylon rope or any lines that could loop or tangle, must be enclosed in a plastic or rubber sleeve/tube to add rigidity and prevent the line from looping and tangling. In all instances, no excess line is allowed in the water.
- b) Turbidity curtains and other in-water equipment must be placed in a manner that does not entrap species within the construction area or block access for them to navigate around the construction area.

Project Design Criteria (PDCs) for Mangroves, Seagrasses, Corals and Hard Bottom for All Projects

Note: **For projects authorized in reliance on this Opinion only**, the PDCs below supercede any other guidance documents otherwise applicable to reduce or avoid impacts to mangroves, seagrasses, and corals. This includes the NMFS's *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation, Marsh, or Mangrove Habitat* dated August 2001, and NMFS's *Key for Construction Conditions for Docks or Other Minor Structures Constructed in or over Johnson's Seagrass (Halophila johnsonii)*, dated October 2002. NMFS may still apply these guidance documents in other consultations, including consultations on Essential Fish Habitat under the Magnuson-Stevens Fishery Conservation and Management Act, as appropriate.

AP.12. Mangroves:

- a) To qualify for coverage under this Opinion, all projects must be sited and designed to avoid or minimize impacts to mangroves.
- b) Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - i. Removal to install up to a 4-ft-wide walkway for a dock.
 - ii. Removal to install up to an 8-ft-wide walkway for public docks, where the walkway is necessary to address compliance with the Americans with Disability Act (ADA).
 - iii. Removal to install culverts necessary to improve water quality or restore hydrology between 2 water bodies. Such mangrove removal is limited to a maximum of 20 linear feet (lin ft) of shoreline per culvert opening.
 - iv. Removal of mangroves above mean high water (MHW) provided that the tree does not have any prop roots that extend into the water below the MHWL.
- c) Mangrove Trimming. Mangrove trimming is regulated by FDEP, Puerto Rico Department of Natural and Environmental Resources, and U.S. Virgin Islands Department of Planning and Natural Resources. Consistent with those authorities, when used in this Opinion, mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner that ensures survival of the tree. This Opinion does not limit or supersede any restrictions on mangrove removal required under any federal, state, or local law.
 - i. This Opinion only covers projects with associated mangrove trimming occurring waterward of MHW if such trimming (1) occurs within the area where the authorized structures are placed or will be placed (e.g., removal of branches that overhang a dock),
 - ii. (2) is necessary to provide temporary construction access, and (3) is conducted in a manner that avoids any unnecessary trimming.

- iii. The Opinion does not apply to projects proposing to remove red mangrove props roots waterward of MHW, except for removal to install the dock walkways, as described above (up to a 4-ft walkway and up to a 8-ft ADA compliant walkway) and to install culverts necessary to improve water quality or restore hydrology between 2 water bodies.

AP.13. Seagrass:

- a) Pile-supported structures must follow the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2)

Johnson's seagrass:

- b) This Opinion does not apply to projects where Johnson's seagrass is found within the project footprint except for:
 - i. Installation of pile-supported structures that meet the PDCs for *Docks or Other Minor Structures* (PDC A2.17, Section 2.2.2).
 - ii. Maintenance dredging of previously authorized areas. This is limited to the removal of no more than 0.1 acre (ac) (4,356 ft²) of Johnson's seagrass per year (Activity 3; see Section 2.2.3).
 - iii. Transmission/utility line repairs within the same footprint of the lines being repaired (Activity 8; see Section 2.2.8).

Non-listed seagrasses:

- a) All impacts to non-ESA listed native, non-invasive seagrasses should be avoided and minimized to the extent practicable.
- b) This Opinion does not apply to projects located within the geographic boundary of U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat identified in Section 2.1.1.5) if non-ESA listed, native, non-invasive seagrasses are found within the project footprint.
- c) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- d) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.

AP.14. Coral and Hard Bottom Habitat:

- a) This Opinion does not apply to projects that may affect, directly or indirectly, ESA-listed corals.
- b) Projects occurring within in the Florida Keys National Marine Sanctuary (FKNMS) may require separate consultation or authorization from NOAA's FKNMS. Projects authorized to occur in the FKNMS shall comply with any measures NOAA FKNMS has developed to avoid, minimize, and/or mitigate any effects on non-listed corals. For projects occurring outside of the FKNMS, if non-listed corals are found within the project footprint, we recommend relocating all non-listed corals, when possible, in a manner that is protective of the corals.
- c) This Opinion does not apply to projects where hard bottom habitat is found within the project footprint, except for the temporary placement (up to 24 months) of scientific survey devices (Activity 5) that have a footprint of less than 1 square foot (ft²) per device and are installed in a manner that does not permanently alter the hardbottom (e.g., the devices are not installed by drilling). For this Opinion, we define hard bottom in 2 ways:
 - i. Natural consolidated hard substrate that is suitable to support corals, coral larval settlement, reattachment and recruitment of asexual coral fragments. These areas of hard bottom or dead coral skeleton must be free from fleshy or turf macroalgae cover and sediment cover.
 - ii. Nearshore and surf-zone, low-profile hard bottom outcroppings (e.g., worm-rock reef [sabellariid worm reefs] and eolianite, granodiorite). This habitat can be persistent or ephemeral, cycling through periods of exposure and cover by sand. The range of this hard bottom habitat extends along the southeastern coast of Florida from Cape Canaveral to Miami-Dade County and in the U.S. Caribbean. It is an important developmental habitat for juvenile hawksbill and green sea turtles, which use it for both foraging and refuge.

Project Design Criteria (PDCs) Specific to Activity 2 for Pile-Supported Structures and Anchored Buoys

A2.1. Activities covered by this Opinion include the installation, repair, replacement, and removal of structures as described below:

- A2.1.1. The pile-supported and anchored structures included in this Opinion are: docks and piers, boatlifts, mooring piles and dolphin piles associated with docks/piers; ATONs and PATONs; floating docks; pile-supported chickees (i.e., small, back-country, over-water, pile-supported, primitive camping shelters); boardwalks (as long as they are designed and clearly marked to prohibit fishing and vessel mooring); mooring fields and buoys; and other minor pile-supported structures. This does not include structures that support large commercial vessels including ferries, tankers, and cargo ships such as ferry terminals and large ports.
- A2.1.2. Pile-supported docks/piers for a single-family residential lot are limited to 4 slips for motorized vessels. Slips for non-motorized vessels (e.g., kayak, canoe, and paddleboard) and associated launching areas do not count toward the total slip number.
- A2.1.3. Pile-supported structures for marinas, multi-family facilities (e.g., condo complexes, trailer parks, subdivisions when the homeowners association owns and controls the in-water structures). Docks and piers for multi-family residential properties (e.g., condos, trailer parks, apartment complexes), and marinas are limited to a maximum of 50 total slips (i.e., combination of wet and dry slips for existing plus proposed slips).
- A2.1.4. Anchored buoys and temporary pile-supported structures associated with marine events. Upon completion of the event, these structures must be removed and, to the maximum extent practical, the site must be restored to pre-construction elevations. Water depths in the area of marine events must be deep enough to support at least 5 ft of water depth under the keel of a vessel and between the keel of a vessel and ESA-listed coral colonies when transiting to the mooring areas. There is no limit on the number of vessel slips allowed for temporary structures associated marine events such as boat shows.
- A2.1.5. Mooring fields are limited to a maximum of 50 motorized vessels (there is no limit on the number of non-motorized vessels).
- A2.1.6. All pile-supported structures constructed must comply with PDC 2.17 for *Docks or Other Minor Structures Constructed in Florida Under this Opinion* (see below).

The following PDCs apply to all the activities described in PDC A2.1 above:

A2.2. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at:

(http://sero.nmfs.noaa.gov/protected_resources/section_7/protected_species_educational_signs/index.html). The signs required to be posted by area are stated below:

- A2.2.1. All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine

- mammal stranding networks and smalltooth sawfish encounter database.
- A2.2.2. Projects within the North Atlantic right whale educational sign zone (as defined in Section 2.1.1.4) shall post the Help Protect North Atlantic Right Whales sign.
- A2.2.3. On the east coast of Florida, projects located within the St. John's River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
- A2.2.4. We are still developing the signs to be used in the U.S. Caribbean. Once developed, those signs will be included at the website above.

A2.3. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:

- A2.3.1. Be constructed and labeled according to the instructions provided at <http://mrrp.myfwc.com>.
- A2.3.2. Be maintained in working order and emptied frequently (according to <http://mrrp.myfwc.com> standards) so that they do not overflow.

A2.4. For any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of North Atlantic right whale critical habitat (as measured in a radius from the center of the nearest inlet to open ocean and described in Section 2.1.1.4), the property owner will be provided a handout with their USACE permit describing the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales (Appendix C).

A2.5. ATONs and PATONs must be approved by and installed in accordance with the requirements of the USCG (see 33 CFR, chapter I, subchapter C, part 66 and RHA Section 10 and any other pertinent requirements).

A2.6. Chickees must be less than 500 ft² and support no more than 2 slips.

A2.7. No activities associated with municipal or commercial fishing piers are covered under this Opinion.

A2.8. Docks installed within visible distance of ocean beaches are required to comply with turtle-friendly lighting, if lighting is necessary to the project. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website:
<http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/>

A2.9. Project construction will take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited.

Additional PDCs for Activity 2 applicable in Critical Habitat

- A2.10.** *Acropora* critical habitat and the U.S. Caribbean: This Opinion does not cover new and expanded pile-supported structures in *Acropora* critical habitat where the essential features are present. The distance from ATONs to ESA-listed corals and *Acropora* critical habitat shall ensure there are no impacts to the corals or the essential feature of *Acropora* critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom.
- A2.11.** Gulf sturgeon critical habitat: Additional noise restrictions are required for pile and sheet pile installation in the Gulf sturgeon critical habitat migratory restriction zones defined in Section 2.1.1.2. The noise restrictions are described in that section.
- A2.12.** Smalltooth sawfish critical habitat: This Opinion does not cover activities occurring in areas identified as smalltooth sawfish limited exclusion zones defined in Section 2.1.1.1.
- A2.13.** North Atlantic right whale critical habitat: This Opinion does not cover installation of anchored ATONs and permanent buoys in North Atlantic right whale critical habitat; temporary buoys for marine events are allowed in North Atlantic right whale critical habitat.
- A2.14.** Johnson's seagrass critical habitat: This Opinion does not cover new marinas or multi-family facilities in Johnson's seagrass critical habitat. Repair, replacement, and reconfiguration of existing marinas or multi-family facilities may be covered if it (1) occurs within same overall footprint (out to the perimeter of the facility, including the outer limits of the structure and permitted mooring locations), (2) does not increase the total aerial extent (i.e., area of coverage from the dock structures) of the existing facility, and (3) does not affect Johnson's seagrass. Mooring fields are allowed in Johnson's seagrass critical habitat and within the range of Johnson's seagrass so long as they occur in waters deeper than -13 ft (-4 m).
- A2.15.** NWA DPS of loggerhead sea turtle critical habitat: ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the NWA DPS of loggerhead sea turtles under this Opinion. No other pile-supported structures are allowed in nearshore reproductive habitat under this Opinion.
- A2.16.** U.S. Caribbean sea turtle critical habitat (hawksbill, leatherback, and the NA DPS of green sea turtle critical habitat): ATONs (pile-supported and anchored buoys) are allowed near sea turtle nesting beaches under this Opinion. No other pile-supported structures are allowed near sea turtle nesting beaches under this Opinion.

Project Design Criteria (PDCs) for In-Water Noise from Pile and Sheet Pile Installation

Open Water

The letters A-E in the tables below specify the PDC category. Activities labeled A-D must follow the corresponding PDCs for labeled Category A-D below. Activities labeled E are excluded from this Opinion, as stated in Category E below.

	Trench and	Pilot hole (auger or	Jetting	Vibratory	Impact hammer
Wood piles 14-inch (in) diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less in open	A	A	A	A	B
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Concrete slab wall- any size	A	A	A	A	B
Vinyl sheet pile- any size	A	A	A	A	B
Metal sheet pile- any size	A	A	A	A	E

Confined Space

In Florida, we consider the confined space to be any area that has a solid object (e.g., shorelines or seawalls) within 150 ft of the pile installation site and in the U.S. Caribbean we consider confined space to be any area that has a solid object within 260 ft of the pile installation site.

	Trench and	Pilot hole (auger or	Jetting	Vibratory	Impact hammer
Wood pile 14-in diameter or less when installed via impact hammer and 36-in or less for all other installation methods	A	A	A	A	B
Concrete pile 24-in diameter/width or less (5 piles	A	A	A	A	C
Concrete pile 24-in diameter/width or less (6-10	A	A	A	A	D
Metal pipe pile 36-in diameter or less	A	A	A	A	E
2 metal boatlift I-beams	A	A	A	A	B
Vinyl sheet pile – any size	A	A	A	A	B
Concrete slab wall- any size (5 slabs or less	A	A	A	A	C
Concrete slab wall- any size (6-10 slabs installed/day)	A	A	A	A	D
Metal sheet pile- any size	A	A	A	A	E

- A. The Projects identified as A above must comply with PDCs identified for all projects in this Opinion. Specific PDCs related to noise include:**
1. All work must occur during daylight hours only (PDC AP.6).
 2. All construction personnel are responsible for observing water-related activities to detect the presence of these species and avoid them (PDC AP.7).
- B. The projects identified as B above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 10 piles per day.**
- C. The projects identified as C above must follow all of the conditions under A, above, AND also must limit the maximum number of piles installed per day to no more than 5 piles per day.**
- D. The projects identified as D above must follow all of the conditions under A and B, above, AND also must abide by one of the noise abatement measures below, as chosen by the applicant:**
1. Bubble curtain: The bubble curtain design must adhere to the guidelines for unconfined and confined bubble curtains described in Appendix B.
 2. Temporary noise attenuation pile (TNAP) also known as a pile isolation casing: The TNAP design must be constructed of a double-walled tubular casing (a casing within a larger casing), with at least a 5-in-wide area between the casings that is dewatered to create a hollow space or 5-in wide area between the casings completely filled with closed-cell foam or other noise dampening material between the walls. The TNAP must be long enough to be seated firmly on the sea bottom, fit over the pile being driven, and extend at least 3 ft above the surface of the water.
 3. The use of any other alternative noise control method must receive prior approval by NMFS and the USACE, as described in Section 2.3.
- E. The projects identified as E are not covered under this Opinion.**

COMMENCEMENT NOTIFICATION

*Within ten (10) days of initiating the authorized work, submit this form via electronic mail to saj-rd-enforcement@usace.army.mil (preferred, not to exceed 15 MB) **or** by standard mail to U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019.*

1. Department of the Army Permit Number: SAJ-2010-00162 (GP-HMM)

2. Permittee Information:

Name: _____

Email: _____

Address: _____

Phone: _____

3. Construction Start Date: _____

4. Contact to Schedule Inspection:

Name: _____

Email: _____

Phone: _____

Signature of Permittee

Printed Name of Permittee

Date

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2010-00162 (GP-HMM)

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

**TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____**

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging, etc.):

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

Permit Number: SAJ-2010-00162 (GP-HMM)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019 or submit via electronic mail to: SAJ-RD-Enforcement@usace.army.mil (not to exceed 15 MB).

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 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
Kyle Bauman, City Attorney

DATE: March 9, 2022

SUBJECT: Single-Family Residential Marine Construction Proposed at 130 Country Club Drive West (Parcel ID: 00-2S-22-4600-0000-0120)

I. BACKGROUND: Gulf Coast Maintenance, on behalf of Mark Hotopp has submitted an application for Harbor and Waterways Board review of a residential construction application for construction of a 70' long and 36" high seawall to be built in two sections of 30' and 40' on both sides of the existing dock.

II. DISCUSSION: The applicant requests City Council approval for the proposed marine construction project located at 130 Country Club Dr W, located within Indian Bayou, a Class II Florida Waterbody, and tributary of Choctawhatchee Bay.

The proposed marine construction project meets the requirements of **Article 11.05.00**, City of Destin Land Development Code, including the following section:

- **11.05.01.A** - Construction of new seawall.
- **11.01.06.B.3.a** – Construction of private seawalls.

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with **Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.**

- A. Link to Strategic Goals / Objectives:** 1) Enhance Quality of Life
2) Enhance and Preserve Heritage and Environment.
- B. Effect on Budget (EOB):** There is no anticipated effect on the budget.
- C. Level of Service (LOS):** There is no anticipated effect on the LOS.

III. CONCLUSION: The contractor provided an exemption letter from the Florida Department of Environmental Protection (FDEP) stating that the proposed activity does not require FDEP approval. City staff reviewed the application and determined that the plans comply with City Codes and regulations, including **Section 11.05.01, Marina Siting**.

HARBOR AND WATERWAYS BOARD RECOMMENDATION

At the regularly scheduled Harbor and Waterways Board (HWB) meeting on February 28, 2022, the Harbor and Waterways Board unanimously recommended City Council approval of the proposed single-family marine construction project located at 130 Country Club Dr W, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION: I move that the City Council approve the single-family marine construction project located at 130 Country Club Dr W, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. FDEP exemption Letter
2. Site Plan_v1

Hi Sarah,

Here is the rule language to show the project as described is exempt:

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under chapters 253 and 258, F.S., as applicable.

(12) Construction, Replacement, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(c) The construction of seawalls or riprap in wetlands or other surface waters between and adjoining existing seawalls or riprap at both ends in accordance with section 403.813(1)(o), F.S. For purposes of this exemption, riprap is subject to the same length and orientation limitations as a seawall.

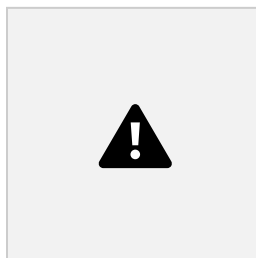
403.813 Permits issued at district centers; exceptions.—

(1) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for activities associated with the following types of projects; however, except as otherwise provided in this subsection, this subsection does not relieve an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or a water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(o) The construction of private seawalls in wetlands or other surface waters where such construction is between and adjoins at both ends existing seawalls; follows a continuous and uniform seawall construction line with the existing seawalls; is no more than 150 feet in length; and does not violate existing water quality standards, impede navigation, or affect flood control. However, in estuaries and lagoons the construction of vertical seawalls is limited to the circumstances and purposes stated in s. [373.414](#)(5)(b)1.-4. This paragraph does not affect the permitting requirements of chapter 161, and department rules must clearly indicate that this exception does not constitute an exception from the permitting requirements of chapter 161.

Feel free to reach out with any further questions!

Thank you,

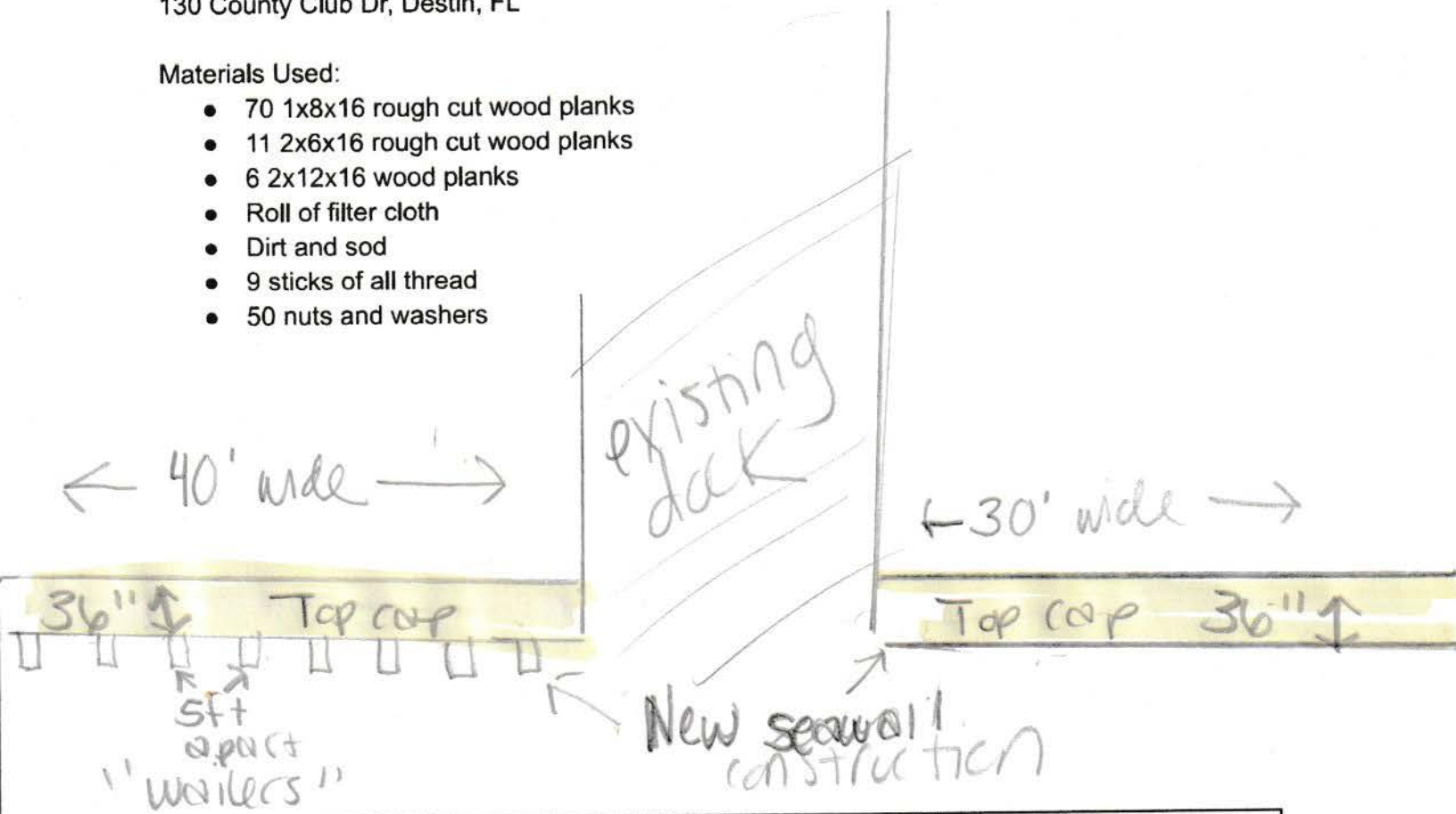


Ms. Blakely Gill
Florida Department of Environmental Protection
Compliance Assurance Program
Northwest District - Pensacola
Environmental Specialist II
Blakely.Gill@FloridaDEP.gov
Office: 850-595-0568

130 County Club Dr, Destin, FL

Materials Used:

- 70 1x8x16 rough cut wood planks
- 11 2x6x16 rough cut wood planks
- 6 2x12x16 wood planks
- Roll of filter cloth
- Dirt and sod
- 9 sticks of all thread
- 50 nuts and washers



Constructed with posts (wailers) 5' apart	Horizontal board on top (wood) 2x6 on bottom and top
Posts (wailers) are inserted into ground after water is pumped out.	Filter cloth mounted vertically to keep sediment on shoreline
Posts are inserted with an an excavator and vibrating tamp	
Posts are grounded down by anchoring them down with all thread to 'deadman' boards that are inserted into ground at a 45 degree angle	

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Consent Agenda

AGENDA OUTLINE NUMBER: 3.E.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kyle Bauman, City Attorney

DATE: March 9, 2022

SUBJECT: Single-Family Residential Marine Construction Proposed at 4137 Belcourt Dr
(Parcel ID 00-2S-22-4600-0000-0120)

I. BACKGROUND: B&W Services, LLC, on behalf of Josh Reiker, has submitted an application for Harbor and Waterways Board review of a residential construction application for one (1) 110' x 5' access pier, one (1) 20' x 10' terminal platform, one (1) 15' x 4' finger pier, and one (1) 16' x 10' step-down platform, comprising approximately 970 square feet.

II. DISCUSSION: The applicant requests City Council approval for a proposed marine construction project located at 4137 Belcourt Drive, located within Indian Bayou, a Class II Florida Waterbody, and tributary of Choctawhatchee Bay.

The proposed marine construction project meets the requirements of Article 11.05.00, City of Destin Land Development Code, including the following sections:

- **11.05.01.A** – Construction of new pilings.
- **11.05.01.C** – Waste Disposal into the Harbor and Waterways of Destin.
- **11.05.01.F** – Length of the pier.
- **11.05.01.H, 11.05.01.K** – Mooring of the vessel.
- **11.05.01.S** – 25' riparian setback.

COMPREHENSIVE PLAN CONSISTENCY: The proposed marine construction project is consistent with **Coastal Management Element Goal 6-1, Coastal Management Element Objective 6-1.1, and Coastal Management Element Policy 6-1.1.3: Protect Coastal and Estuarine Environmental Quality and the Shoreline.**

A. Link to Strategic Goals / Objectives: 1) Enhance Quality of Life

2) Enhance and Preserve Heritage and Environment.

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

C. Level of Service (LOS): There is no anticipated effect on the LOS

III. CONCLUSION: The contractor provided a Florida Department of Environmental Protection (FDEP) Self-Certification (File No.: 0411074001EE) for the project. City staff reviewed the application and determined that the plans comply with City Codes and regulations, including **Section 11.05.01, Marina Siting**.

HARBOR AND WATERWAYS BOARD RECOMMENDATION

At the regularly scheduled Harbor and Waterways Board (HWB) meeting on February 28, 2022, the Harbor and Waterways Board unanimously recommended City Council approval of the proposed single-family marine construction project located at 4137 Belcourt Drive, subject to the applicant meeting all applicable City permit requirements.

IV. RECOMMENDED MOTION: I move that the City Council approve the single-family marine construction project located at 4137 Belcourt Drive, subject to the applicant meeting all applicable City permit requirements.

Attachments:

1. DEP Permit_v1
2. PERMIT DRAWINGS_v1 (1)

Ben Williams

From: wright branson <wright.branson@gmail.com>
Sent: Monday, January 10, 2022 7:34 PM
To: Ben Williams
Subject: Fwd: FDEP ERP Self-Certification Receipt
Attachments: mime-attachment; 2dfc9b4dcfaa57c94d9c52f87dfe5ea1.pdf; 2ed875b8cd9ceb4c9ed697f6feb7b.pdf; ProjectDesignCriteria_1_01.pdf

Sent from my iPhone

Begin forwarded message:

From: Josh Reiker <joshreiker@gmail.com>
Date: November 11, 2021 at 12:56:52 PM CST
To: wrightbranson@gmail.com
Subject: Fwd: FDEP ERP Self-Certification Receipt

Sent from my iPhone

Begin forwarded message:

From: no-reply@dep.state.fl.us
Date: October 13, 2021 at 2:41:33 PM CDT
To: joshreiker@gmail.com
Cc: ERP.SELFCERTS@dep.state.fl.us, SPGP@usace.army.mil, NMFS.SER.PROGRAMMATICREVIEW@noaa.gov, NWD_ERP_APPLICATIONS@floridadep.gov
Subject: FDEP ERP Self-Certification Receipt

FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

Receipt for Submission

**SELF-CERTIFICATION FOR A PROJECT AT A
PRIVATE, RESIDENTIAL SINGLE-FAMILY DOCK**

10/13/2021

Self-Certification File No.: **0411074001EE**

File Name: **4137 Belcourt Dr Destin, FL 32541 - Self Cert Exempt Dock with Boat Lift(s) (General)**

Dear **Joshua Reiker**: On **10/13/2021** you used the Florida Department of Environmental Protection's electronic Self Certification Process to certify compliance with the terms and conditions of the Single-Family Dock ERP Exemption Self Certification Process for a project at private, single-family residence located at:

LAT - Degrees: **30** Minutes: **24** Seconds: **16.0591**

LONG - Degrees: **-86** Minutes: **27** Seconds: **9.2852**

SITE ADDRESS: **4137 Belcourt Dr Destin, FL 32541**

COUNTY: **Okaloosa**

For:

Joshua Reiker

737 Bayou Dr. Destin, FL 32541

You have certified that the project you propose to construct at the above location meets all the conditions of the Self-Certification Process. A project that is built in conformance to those conditions (attached for reference) will:

1. Qualify for a regulatory exemption under Section 403.813(1)(b) of the Florida Statutes (F.S.) and Chapter 62-330, Florida Administrative Code (F.A.C.). As such, it is exempt from the need to obtain a DEP Environmental Resource Permit.;
2. Qualify for Consent by Rule or Letter of Consent (as applicable) under Chapter 253, F.S. and Chapter 18-21, F.A.C. (and Chapter 258, F.S. and Chapter 18-20, F.A.C., if applicable), when the project is located on submerged lands owned by the State of Florida.

Your Self-Certification is based solely on the information you provided under this process, and applies only to the statutes and rules in effect when your certification was completed. The certification is effective only for the specific project proposed, and only if the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the Self-Certification Process. In addition, any substantial modifications in your plans should be submitted to the Department for review, as changes may result in a permit being required.

You have acknowledged that this Self Certification will automatically expire if:

1. Construction of the project is not completed within one year from the self-certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

Receipt of this Self-Certification constitutes authorization to use sovereignty/state-owned submerged lands, as required by rule 18-21.005, F.A.C.

The authorization must be visibly posted during all construction activities.

In waters that are accessible to manatees, obtain information on your mandatory Manatee Protection sign by [clicking here](#).

FEDERAL STATE PROGRAMMATIC GENERAL PERMIT (SPGP)

You have certified that the project you propose to construct at the above location meets all the conditions of the SPGP Self-Certification Process and will be built in conformance to those conditions (attached for reference). Your proposed activity as certified is in compliance with the SPGP program. U.S. Army Corps of Engineers (Corps) Specific conditions apply to your project, attached. **No further permitting for this activity is required by the Corps. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.**

Notifications to the Corps. For all authorizations under this SPGP V-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:

- a. Commencement Notification. Within 10 days before the date of initiating the work authorized by this permit or for each phase of the authorized project, the Permittee shall provide a written notification of the date of commencement of authorized work to the Corps
- b. Corps Self-Certification Statement of Compliance form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
- c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.
- d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.
 1. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 2. For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

This SPGP Self-Certification is based solely on the information you provided under this process, and applies only to the statutes and rules in effect when your certification was completed. You have recognized that your certification is effective only for the specific project proposed, and provided the project is constructed, operated, and maintained in conformance with all the terms, conditions, and limitations stated in the SPGP Self-Certification Process. This Self-Certification will not apply if any substantial modifications are made to the project. You agree to contact the Department for review of any plans to construct additional structures or to modify the project, as changes may result in a permit being required.

You have acknowledged that this Self-Certification will automatically expire if:

1. construction of the project is not completed by midnight, July 25, 2021, unless construction commenced or a contract to construct was executed before July 25, 2021, in which case the time limit for completing the work authorized by the SPGP ends at midnight, July 25, 2022. However, in no case can construction continue for more than one year beyond the Self-Certification date;
2. site conditions materially change;
3. the terms, conditions, and limitations of the Self-Certification are not followed; or
4. the governing statutes or rules are amended before construction of the project.

Completion of the Self-Certification constitutes your authorization for Department or Corps personnel to enter the property for purposes of inspecting for compliance.

If you have any questions, please contact your local Department District Office. Contact information can be found at:

https://floridadep.gov/sites/default/files/SLERC_contacts_web_map_01-2017_0.pdf.

For further information, contact the Corps directly at:

<https://www.saj.usace.army.mil/Missions/Regulatory.aspx>. When referring to your project, please use the SPGP Self-Certification file number listed above.

Authority for review - an agreement with the U.S. Army Corps of Engineers entitled Coordination Agreement between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection State Programmatic General Permit, Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

ADDITIONAL INFORMATION

This Self-Certification Process does not relieve you from the responsibility of obtaining other permits or authorizations from other agencies (federal, state, Water Management District, or local) that may be required for the project. Failure to obtain all applicable authorizations prior to construction of the project may result in enforcement.

If you have any questions or issues with the attached documents, please contact your local Department District Office:

Northwest District

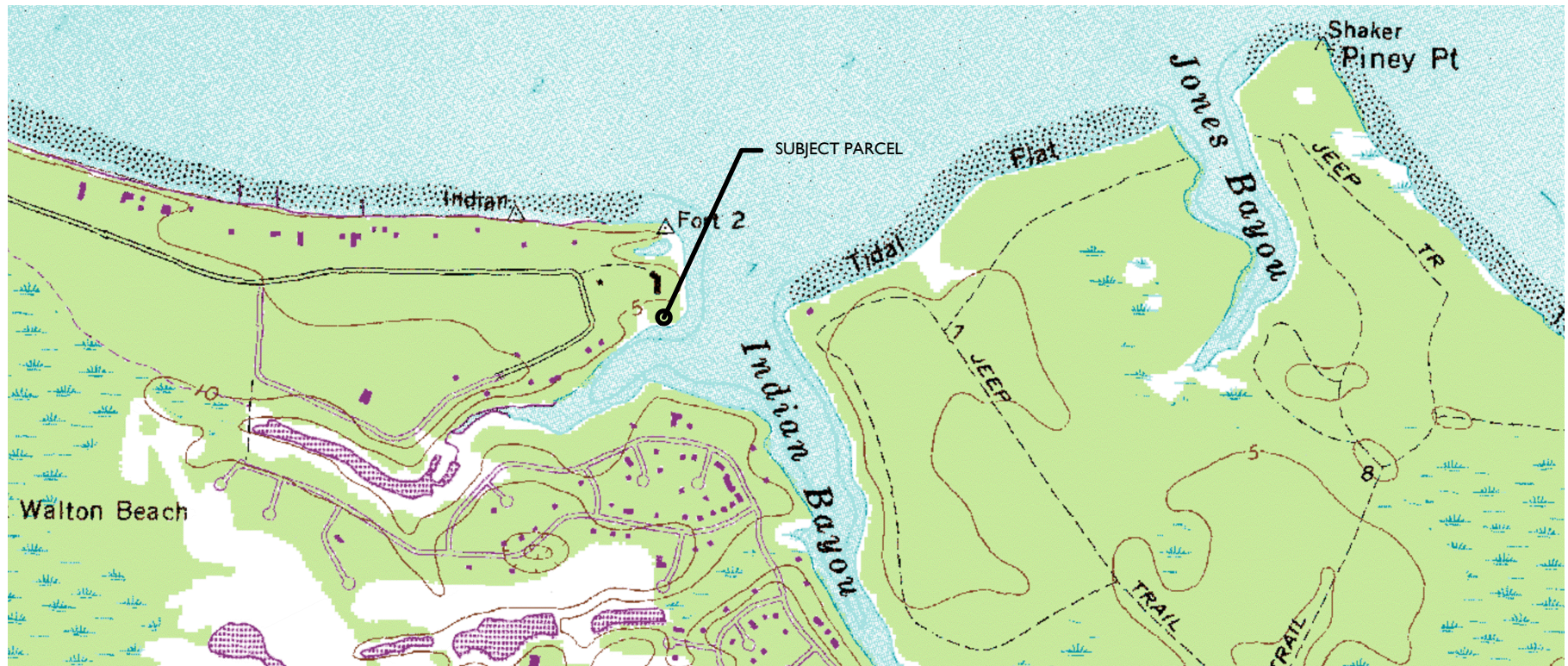
NWD_ERP_Applications@FloridaDEP.gov

Sincerely,
Florida Department of Environmental Protection.

Attachments:

FDEP Terms and Conditions
SPGP Terms and Conditions
Project Design Criteria



PROPERTY INFO

PID: 00-2S-22-4600-0000-0120
 SITUS: 4137 BELCOURT DRIVE
 DESTIN, FL 32541
 LAT: 30.404580
 LONG: -86.452742

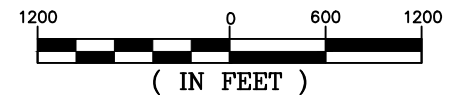
RECORD OWNER

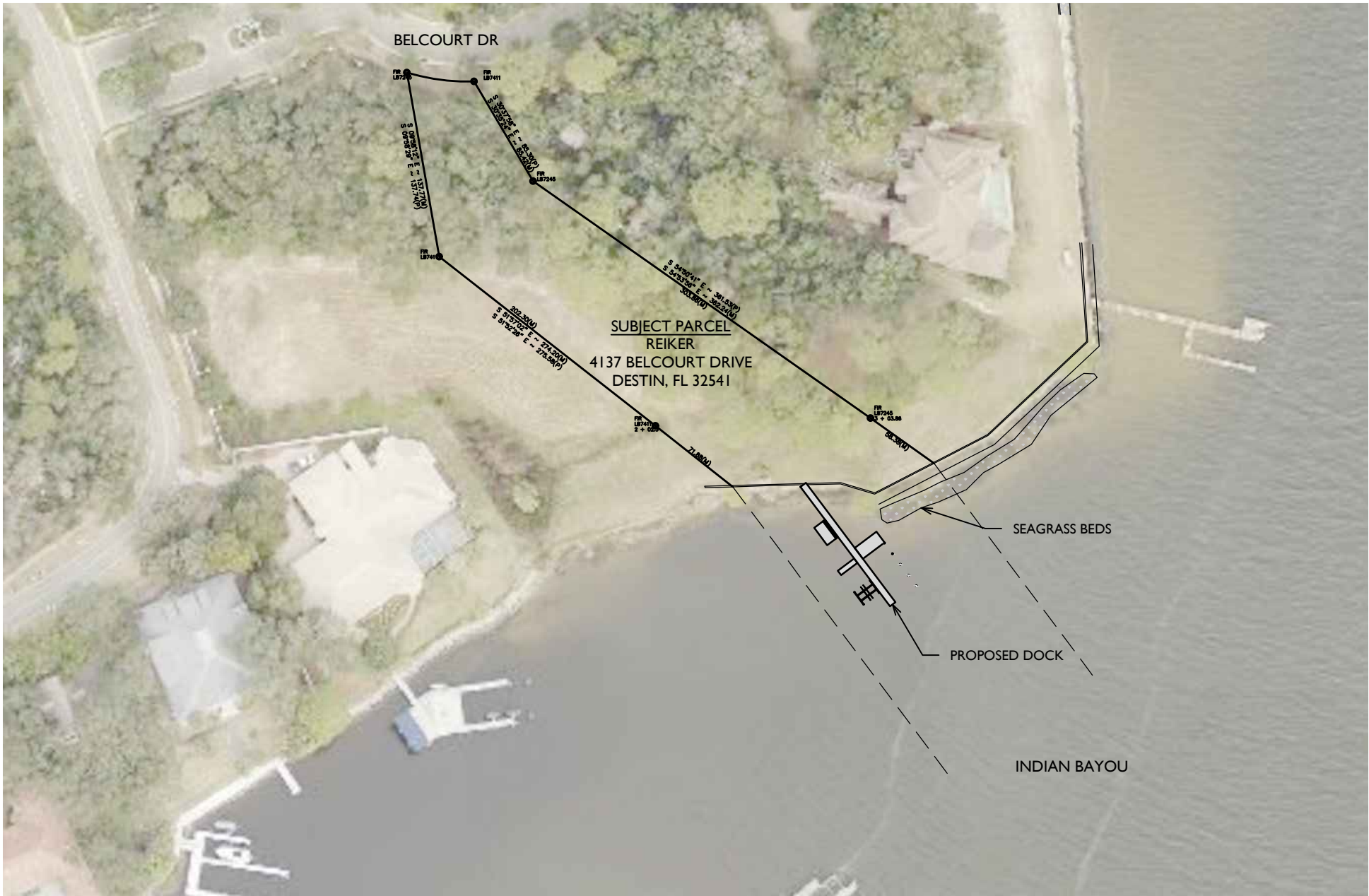
REIKER, JOSH & ILONA
 737 BAYOU DRIVE
 DESTIN, FL 32541

INDEX OF SHEETS

1-SITE LOCATION & SHEET INDEX
 2-PLAN VIEW DEPICTED ONTO AERIAL
 3-PLAN VIEW OVERALL
 4-DOCK PROFILE

PROJECT NAME: 4137 BELCOURT DRIVE, REIKER
SITE LOCATION MAP & SHEET INDEX
PROJECT NO.: 2021-081
DRAWN BY: JAT DATE: 12/10/2021
SHEET: 1 OF 4





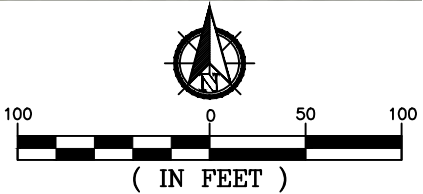
PROJECT NAME: 4137 BELCOURT DRIVE, REIKER

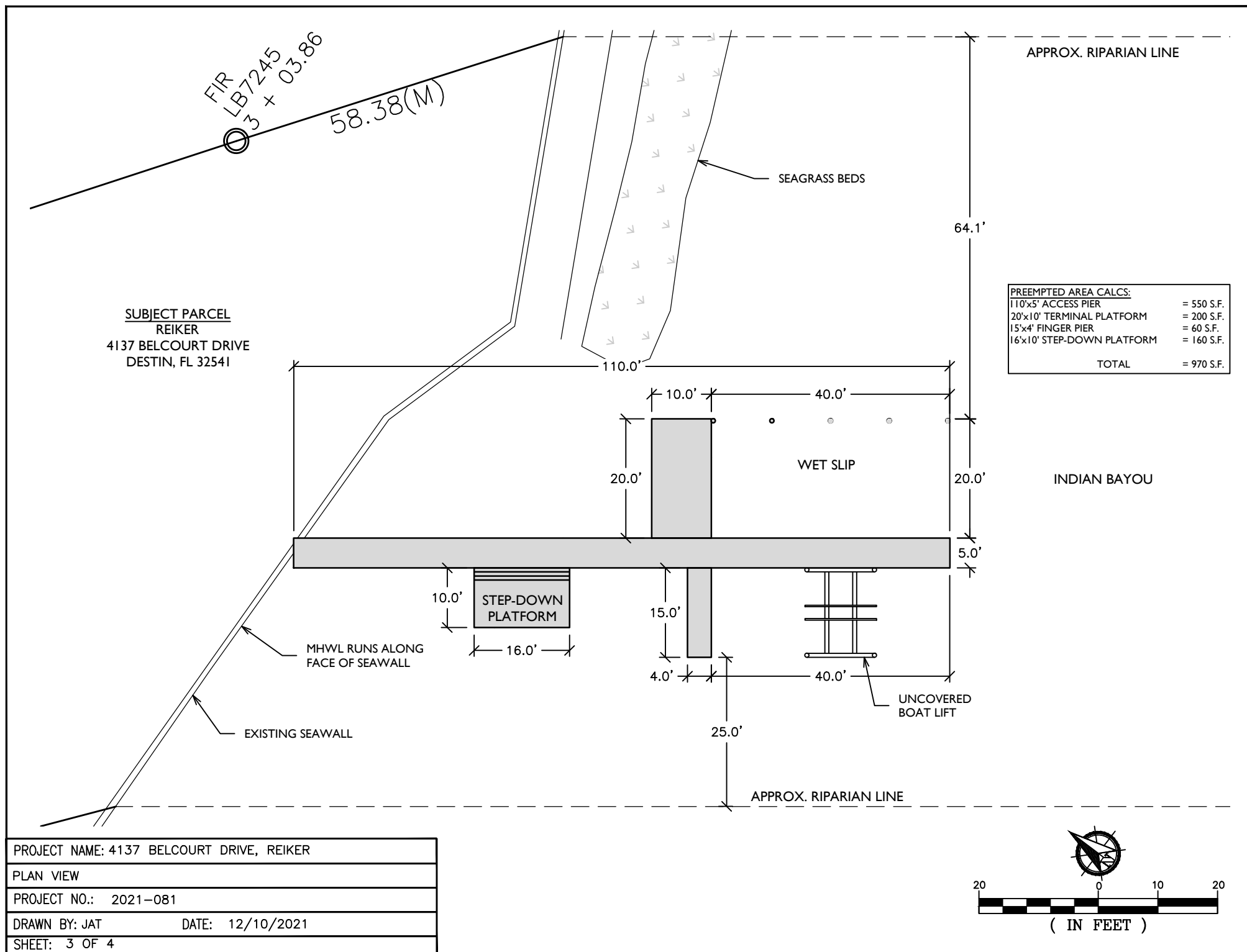
PLAN VIEW DEPICTED ONTO AERIAL

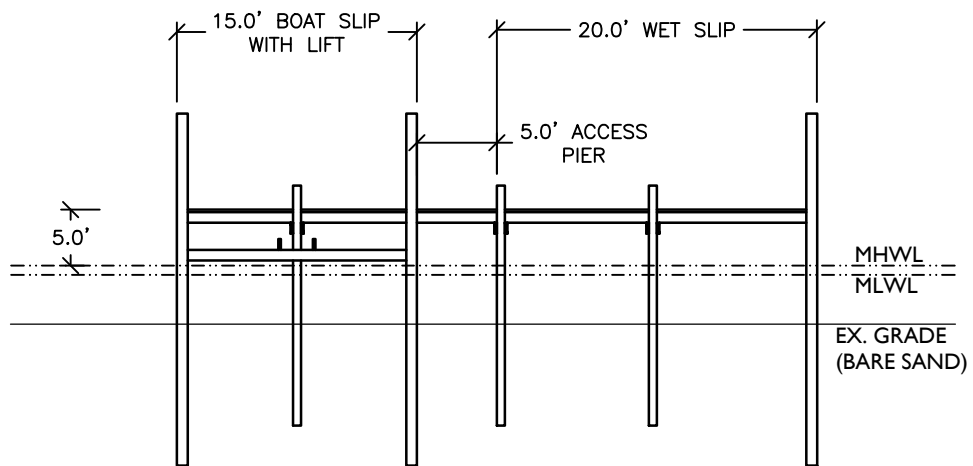
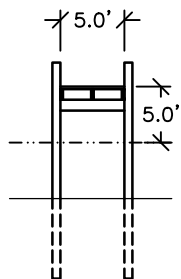
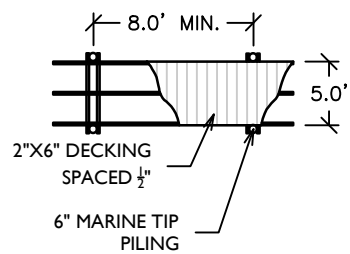
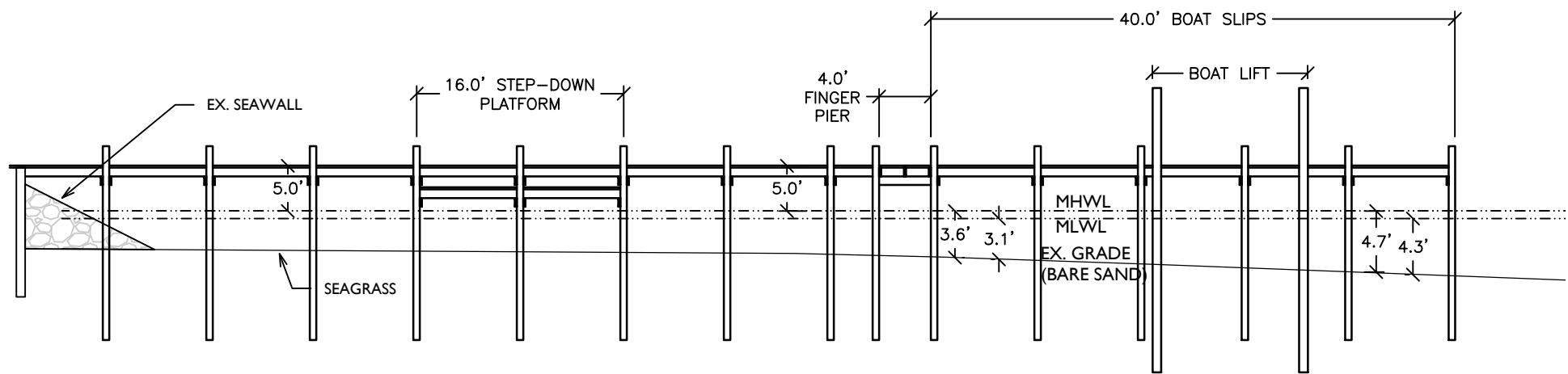
PROJECT NO.: 2021-081

DRAWN BY: JAT DATE: 12/10/2021

SHEET: 2 OF 4







PROJECT NAME: 4137 BELCOURT DRIVE, REIKER	
DOCK PROFILE	
PROJECT NO.: 2021-081	
DRAWN BY: JAT	DATE: 12/17/2021
SHEET: 4 OF 4	



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022
TYPE OF AGENDA ITEM: City Manager Report
AGENDA OUTLINE NUMBER: 3.F.

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: March 14, 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. Feb 2022 Capital Projects

CITY OF DESTIN CAPITAL IMPROVEMENT PLAN - Monthly Status Report

COUNCIL/ MGMT OBJECTIVE	October 1, 2021 - February 28, 2022		FY2022 Budget*	YTD Actuals	YTD Encumbrances	FY2022 Available Budget	Status	Notes
PRIORITY	Citizen/Council Directed							
1.2	EN615	Cross-Town Connector	\$ 2,963,036	\$ 114,534	\$ 537,509	\$ 2,310,993	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	74,837	39,552	249,716	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)	295,868	196,970	101,731	(2,833)		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)	957,727	18,241	458,899	480,587		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	356,381	107,046		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	5,150	54,850	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	1,881	139,160	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)	921,344	261,849	509,495	150,000	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	22,576	-	27,424		
	LB001	Library Tablet Station & Biblioteca RFID and Mobil Ap	27,704	13,996	7,083	6,626	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	-	9,000	91,000		
	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	36,575	22,376	-		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			\$ 16,031,631	\$ 1,263,850	\$ 2,500,838	\$ 12,266,944		

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

		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	Norriego 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



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: City Manager Report

AGENDA OUTLINE NUMBER: 3.G.

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 01/31/2022:

- *We are 42% of the way through the fiscal year
- * 93% of Ad Valorem Taxes have been received/recorded
- * We have expended approximately 27% of Operating budget
- * We have expended approximately 7% of Capital Outlay budget
- *Current net change in total fund balance is a year-to-date increase of \$7.5 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. 2022 0131 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 January 31,</i>								2022
	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	\$ 14,407,276	\$ 1,329,119	\$ -	\$ -	\$ 4,148,373	\$ -	\$ 2,337,571	\$ 22,222,339
Investments	14,101,749	-	-	-	-	-	-	14,101,749
Due from other funds	214,509	-	-	-	(6,617)	-	43,636	251,528
Due from other governments	130,185	-	-	-	-	-	176,138	306,323
Advance to other funds	2,448,824	-	-	-	-	-	-	2,448,824
Accounts receivable - other	28,454	-	-	-	-	-	-	28,454
Prepaid expenditures	-	-	-	-	-	-	-	-
Restricted cash and cash equivalents	-	-	816,471	307,270	-	617,485	4,012,160	5,753,386
Total assets	\$ 31,330,996	\$ 1,329,119	\$ 816,471	\$ 307,270	\$ 4,141,756	\$ 617,485	\$ 6,569,506	\$ 45,112,602
Liabilities, deferred inflows of resources and fund balances								
Liabilities:								
Accounts payable	121,081	6,306	3,385	9,322	6,370	-	142,742	289,205
Accrued payroll	18,537	-	-	-	-	-	-	18,537
Due to other funds	37,019	-	-	-	(6,617)	1,363	219,763	251,528
Advance from other funds	-	2,448,824	-	-	-	-	-	2,448,824
Total liabilities	176,638	2,455,129	3,385	9,322	(247)	1,363	362,505	3,008,094
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	-	-	806,920	293,328	-	616,121	1,692,903	3,409,272
Committed	10,084,733	-	-	-	4,080,925	-	1,656,268	15,821,927
Assigned	2,218,506	12,333	6,167	4,620	61,078	-	2,067,281	4,369,985
Unassigned	16,026,990	(1,138,344)	-	-	-	-	-	14,888,646
Total fund balances (deficit)	30,892,069	(1,126,010)	813,086	297,948	4,142,003	616,121	5,416,452	41,051,669
Total liabilities, deferred inflows of resources and fund balances	\$ 31,330,996	\$ 1,329,119	\$ 816,471	\$ 307,270	\$ 4,141,756	\$ 617,485	\$ 6,569,506	\$ 45,112,602

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 - 01/31/2022

SUMMARY ALL FUNDS	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
Ad Valorem Taxes	\$ 9,333,671	\$ 8,632,677		\$ 9,445,887	\$ 700,994
Tax Increment Financing (TIF)	1,310,929	1,313,239		1,313,239	(2,310)
Delinquent Ad Valorem Taxes	5,000	111		3,445	4,889
Sales and Use Taxes	3,230,855	1,138,292		3,371,093	2,092,563
Licenses and Permits	3,463,479	1,222,934		3,474,480	2,240,545
Impact Fees	115,500	27,666		104,666	87,834
Intergovernmental	10,059,280	1,059,023		7,739,822	9,000,256
Charges for services	749,898	196,836		772,000	553,062
Fines and Forfeitures	59,957	13,063		52,976	46,894
Investment Income	60,120	(256,498)		(217,392)	316,618
Contributions	2,500	5,034		5,034	(2,534)
Miscellaneous income	2,701	13,347		15,013	(10,646)
TOTAL REVENUES	28,393,890	13,365,727	-	26,080,264	15,028,163
General Government	4,275,974	1,120,560	513,313	4,092,141	2,642,100
Public Safety	4,527,264	1,305,847	1,861,245	4,519,936	1,360,171
Physical Environment	198,821	57,652	5,509	191,853	135,660
Transportation	1,937,012	477,600	44,637	1,786,628	1,414,775
Economic Environment	321,636	43,982	27,750	267,852	249,904
Health & Human Services	101,254	9,230	38,313	48,593	53,711
Culture and Recreation	3,718,780	1,019,887	70,511	3,502,923	2,628,381
Capital Outlay	16,625,545	1,152,148	2,785,358	12,818,942	12,688,039
Debt Service	2,669,656	643,065	-	2,677,156	2,026,591
TOTAL EXPENDITURES	34,375,941	5,829,972	5,346,635	29,906,023	23,199,334
Excess (deficiency) of revenues over expenditures	(5,982,052)	7,535,754		(3,825,759)	
Proceeds from issuance of debt	-	-		-	-
Transfers In	6,237,075	2,397,977		6,168,403	3,839,099
Transfers Out	(6,237,075)	(2,397,977)		(6,168,403)	(3,839,098)
Total other financing sources (uses)	0	-	-	-	0
Net change in fund balances	(5,982,051)	7,535,754		(3,825,759)	
Fund Balance, Beginning	33,515,915	33,515,915		33,515,915	
Fund Balance, Ending	27,533,863	41,051,669		29,690,156	

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

CITY OF DESTIN - MONTHLY FINANCIAL REPORT**Actuals 10/01/2021 - 01/31/2022**

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	3,409,272	3,012,996
Committed	11,930,294	15,821,927	11,338,459
Assigned	1,000,000	4,369,985	1,000,000
<i>Unassigned</i>	<i>9,867,547</i>	<i>14,888,646</i>	<i>11,776,860</i>
Ending Fund Balance	27,533,863	41,051,669	29,690,156

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

	FY2022	FY2022	FY2022	FY2022	FY2022
	BUDGET*	YTD Actuals	ENCUMBRANC	PROJECTION	AVAILABLE
01 GENERAL FUND			ES		BUDGET
01-31 Ad Valorem Taxes	8,574,910	7,873,916		8,687,126	700,994
01-31 Delinquent Ad Valorem Taxes	5,000	111		3,445	4,889
01-31 Sales and Use Taxes	1,608,694	556,569		1,592,032	1,052,125
01-32 Licenses and Permits	2,826,871	945,129		2,824,587	1,881,742
01-32 Impact Fees	-	-		-	-
01-33 Intergovernmental	2,763,870	882,886		2,775,254	1,880,984
01-34 Charges for Services	331,398	148,932		331,004	182,466
01-35 Fines and Forfeitures	59,957	13,063		52,976	46,894
01-36 Investment Income	58,084	(260,610)		(222,954)	318,694
01-36 Contributions	2,500	5,034		5,034	(2,534)
01-36 Miscellaneous Revenue	2,201	13,347		14,680	(11,146)
TOTAL REVENUES	16,233,485	10,178,378	-	16,063,184	6,055,107
01-51 General Government	4,275,974	1,120,560	513,313	4,092,141	2,642,100
01-52 Public Safety	3,247,402	1,010,381	1,850,731	3,385,099	386,290
01-53 Physical Environment	198,821	57,652	5,509	191,853	135,660
01-54 Transportation	1,849,512	467,033	44,637	1,702,770	1,337,843
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	1,019,887	70,511	3,502,923	2,628,381
01-59 Capital Outlay	109,250	14,574	-	87,407	94,676
01-59 Debt Service Principal	78,405	53,563	-	83,310	24,842
01-59 Debt Service Interest	2,511	1,759	-	5,106	752
TOTAL EXPENDITURES	13,596,109	3,758,253	2,523,013	13,102,815	7,314,842
Excess (deficiency) of revenues over expenditures	2,637,376	6,420,125		2,960,370	
01-38 Proceeds from Issuance of Debt	-	-		-	-
01-38 Transfers In	-	-		-	-
01-58 Transfers Out	(4,608,306)	(1,847,491)		(4,538,239)	(2,760,815)
Total other financing sources (uses)	(4,608,306)	(1,847,491)		(4,538,239)	(2,760,815)
01 Net change in fund balances	(1,970,930)	4,572,634		(1,577,869)	
01 Fund Balance (deficit), Beginning	26,319,435	26,319,435		26,319,435	
01 Fund Balance (deficit), Ending	24,348,505	30,892,069		24,741,565	

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

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

102 TOWN CENTER CRA 1998-2028 OR until Debt Paid 2037 (RESTRICTED; ECON DEV)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	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	170		1,130	1,131
TOTAL REVENUES	1,358,373	1,360,339		1,361,299	(1,966)
102-55 Economic Environment	151,257	26,149	18,500	136,650	106,608
102-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	151,257	26,149	18,500	136,650	106,608
Excess (deficiency) of revenues over expenditures	1,207,116	1,334,190		1,224,649	
102-38 Transfers In	-	-		-	-
102-58 Transfers Out	(731,418)	(243,806)		(731,489)	(487,612)
Total other financing sources (uses)	(731,418)	(243,806)		(731,489)	(487,612)
102 Net change in fund balances	475,698	1,090,384		493,160	
102 Fund Balance (deficit), Beginning	(2,216,394)	(2,216,394)		(2,216,394)	
102 Fund Balance (deficit), Ending	(1,740,696)	(1,126,010)		(1,723,234)	

**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 ENCUMBRANC ES	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	146		346	154
TOTAL REVENUES	712,918	711,977		712,177	941
110-55 Economic Environment	156,179	14,220	9,250	127,589	132,709
110-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	156,179	14,220	9,250	127,589	132,709
Excess (deficiency) of revenues over expenditures	556,739	697,757		584,588	
110-38 Transfers In	-	-		-	-
110-58 Transfers Out	(481,057)	(160,914)		(481,057)	(320,143)
Total other financing sources (uses)	(481,057)	(160,914)		(481,057)	(320,143)
110 Net change in fund balances	75,682	536,843		103,530	
110 Fund Balance (deficit), Beginning	276,243	276,243		276,243	
110 Fund Balance (deficit), Ending	351,925	813,086		379,774	

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

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

111 FLORIDA BUILDING CODE FUND (RESTRICTED; PUBLIC SAFETY)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
111-32 Licenses and Permits	636,608	277,805		649,893	358,803
111-36 Investment Income	60	-		40	60
TOTAL REVENUES	636,668	277,805		649,933	358,863
111-52 Public Safety	1,152,362	262,946	8,174	1,036,227	881,242
111-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	1,152,362	262,946	8,174	1,036,227	881,242
Excess (deficiency) of revenues over expenditures	(515,694)	14,859		(386,294)	
111-38 Transfers In	328,507	-		240,811	328,507
111-58 Transfers Out	(63,210)	(27,661)		(64,533)	(35,549)
Total other financing sources (uses)	265,297	(27,661)		176,277	292,958
111 Net change in fund balances	(250,397)	(12,802)		(210,017)	
111 Fund Balance (deficit), Beginning	310,750	310,750		310,750	
111 Fund Balance (deficit), Ending	60,353	297,948		100,733	

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

122 PARKING FUND (IN GF; TRANSPORTATION)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
122-34 Charges for Services	418,500	47,904		440,996	370,596
122-36 Investment Income	25	-		17	25
TOTAL REVENUES	418,525	47,904		441,013	370,621
122-54 Transportation	87,500	10,568	-	83,857	76,932
122-59 Capital Outlay	126,000	-	-	84,000	126,000
TOTAL EXPENDITURES	213,500	10,568	-	167,857	202,932
Excess (deficiency) of revenues over expenditures	205,025	37,337		273,155	167,688
122-38 Transfers In	-	-		-	-
122-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	-	-		-	-
122 Net change in fund balances	205,025	37,337		273,155	
122 Fund Balance (deficit), Beginning	-	-		-	
122 Fund Balance (deficit), Ending	205,025	37,337		273,155	

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

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

125 TECH FUND (COMMITTED; IN GF; PUBLIC SAFETY)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
125-36 Investment Income	-	82		82	(82)
TOTAL REVENUES	-	82		82	(82)
125-52 Public Safety	127,500	32,520	2,340	98,610	92,640
125-59 Capital Outlay	-	-	-	-	-
TOTAL EXPENDITURES	127,500	32,520	2,340	98,610	92,640
Excess (deficiency) of revenues over expenditures	(127,500)	(32,438)		(98,528)	
125-38 Transfers In	139,982	48,805		137,334	91,177
125-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	139,982	48,805		137,334	91,177
125 Net change in fund balances	12,482	16,368		38,806	
125 Fund Balance (deficit), Beginning	201,406	201,406		201,406	
125 Fund Balance (deficit), Ending	213,888	217,774		240,212	

**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 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
129-31 Sales and Use Taxes	1,390,761	493,680		1,536,751	897,081
129-36 Investment Income	150	1,444		1,544	(1,294)
TOTAL REVENUES	1,390,911	495,124		1,538,295	895,787
129-59 Capital Outlay	3,080,232	69,588	65,963	3,080,232	2,944,681
TOTAL EXPENDITURES	3,080,232	69,588	65,963	3,080,232	2,944,681
Excess (deficiency) of revenues over expenditures	(1,689,321)	425,536		(1,541,937)	
129-38 Transfers In	-	(0)		(0)	0
129-58 Transfers Out	(353,084)	(118,105)		(353,084)	(234,979)
Total other financing sources (uses)	(353,084)	(118,105)		(353,085)	(234,979)
129 Net change in fund balances	(2,042,405)	307,431		(1,895,022)	
129 Fund Balance (deficit), Beginning	3,579,462	3,579,462		3,579,462	
129 Fund Balance (deficit), Ending	1,537,056	3,886,893		1,684,440	

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

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

213 DEBT SERVICE 2013 NOTE (RESTRICTED; DEBT SERVICE)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
213-36 Investment Income	100	83		150	17
TOTAL REVENUES	100	83		150	17
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)	83		(555,095)	
213-38 Transfers In	555,245	185,082		555,245	370,163
213-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	555,245	185,082		555,245	370,163
213 Net change in fund balances	100	185,165		150	
213 Fund Balance (deficit), Beginning	93,097	93,097		93,097	
213 Fund Balance (deficit), Ending	93,197	278,262		93,247	

214 DEBT SERVICE 2014 NOTE (RESTRICTED; DEBT SERVICE)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
214-36 Investment Income	100	128		195	(28)
TOTAL REVENUES	100	128		195	(28)
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)	(152,070)		(731,223)	
214-38 Transfers In	731,418	243,806		731,489	487,612
214-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	731,418	243,806		731,489	487,612
214 Net change in fund balances	100	91,736		266	
214 Fund Balance (deficit), Beginning	245,566	245,566		245,566	
214 Fund Balance (deficit), Ending	245,666	337,301		245,831	

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

221 DEBT SERVICE 2021 NOTE (RESTRICTED; DEBT SERVICE)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
221-36 Investment Income	-	20		20	(20)
TOTAL REVENUES	-	20		20	(20)
221-59 Debt Service Principal	1,200,000	400,000	-	1,200,000	800,000
221-59 Debt Service Interest	102,077	35,544	-	102,077	66,533
221-51 General Government	-	-	-	-	-
TOTAL EXPENDITURES	1,302,077	435,544	-	1,302,077	866,533
Excess (deficiency) of revenues over expenditures	(1,302,077)	(435,524)		(1,302,057)	
221-38 Transfers In	1,302,077	435,544		1,302,077	866,533
221-58 Transfers Out	-	-		-	-
221-38 Proceeds from issuance of debt	-	-		-	-
Total other financing sources (uses)	1,302,077	435,544		1,302,077	866,533
221 Net change in fund balances	-	20		21	
221 Fund Balance (deficit), Beginning	538	538		538	
221 Fund Balance (deficit), Ending	538	558		558	

300 RENEWAL AND REPLACEMENT FUND (IN GF; CAPITAL OUTLAYS)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
300-36 Investment Income	-	724		724	(724)
TOTAL REVENUES	-	724		724	(724)
300-59 Capital Outlay	2,784,199	295,199	1,080,787	1,375,986	1,408,213
TOTAL EXPENDITURES	2,784,199	295,199	1,080,787	1,375,986	1,408,213
Excess (deficiency) of revenues over expenditures	(2,784,199)	(294,475)		(1,375,263)	
300-38 Transfers In	1,410,814	1,092,781		1,433,324	318,033
300-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	1,410,814	1,092,781		1,433,324	318,033
300 Net change in fund balances	(1,373,385)	798,306		58,061	
300 Fund Balance (deficit), Beginning	1,402,960	1,402,960		1,402,960	
300 Fund Balance (deficit), Ending	29,575	2,201,266		1,461,021	

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

CITY OF DESTIN - MONTHLY FINANCIAL REPORT

Actuals 10/01/2021 - 01/31/2022

305 GRANT AND GF CAPITAL PROJECT FUND (IN GF; CAPITAL OUTLAYS)	FY2022 BUDGET*	FY2022 YTD Actuals	FY2022 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
305-33 Intergovernmental	7,295,410	176,138		4,964,568	7,119,272
TOTAL REVENUES	7,295,410	176,138		4,964,568	7,119,272
305-59 Capital Outlay	9,067,240	656,533	1,141,500	6,732,693	7,269,207
TOTAL EXPENDITURES	9,067,240	656,533	1,141,500	6,732,693	7,269,207
Excess (deficiency) of revenues over expenditures	(1,771,830)	(480,395)		(1,768,125)	
305-38 Transfers In	1,769,032	391,959		1,768,125	1,377,073
305-58 Transfers Out	-	-		-	-
Total other financing sources (uses)	1,769,032	391,959		1,768,125	1,377,073
305 Net change in fund balances	(2,798)	(88,436)		0	
305 Fund Balance (deficit), Beginning	(1)	(1)		(1)	
305 Fund Balance (deficit), Ending	(2,799)	(88,437)		(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 ENCUMBRANC ES	FY2022 PROJECTION	FY2022 AVAILABLE BUDGET
315-32 Impact Fees	115,500	27,666		104,666	87,834
315-31 Sales and Use Taxes	231,400	88,043		242,310	143,357
315-36 Investment Income	-	1,315		1,315	(1,315)
315-36 Miscellaneous Revenue	500	-		333	500
TOTAL REVENUES	347,400	117,024		348,624	230,376
315-59 Capital Outlay	1,458,623	116,254	497,107	1,458,623	845,262
TOTAL EXPENDITURES	1,458,623	116,254	497,107	1,458,623	845,262
Excess (deficiency) of revenues over expenditures	(1,111,223)	770		(1,110,000)	
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	(1,111,223)	770		(1,110,000)	
315 Fund Balance (deficit), Beginning	3,302,853	3,302,853		3,302,853	
315 Fund Balance (deficit), Ending	2,191,630	3,303,623		2,192,853	

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

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Action Item

AGENDA OUTLINE NUMBER: 3.H.

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: March 8, 2022

SUBJECT: Budget Transfer for Project EVENT (Multi-Use Center Feasibility Study) to Council Contingency

I. BACKGROUND: At the March 7, 2022 regular council meeting, a motion was made to move the \$75,000 of general fund dollars budgeted for a Multi-Use Center Feasibility study to Council Contingency.

II. DISCUSSION: Attached is a budget transfer to decrease the project EVENT (Multi-Use Center Feasibility Study) from \$75,000 down to \$0, and to increase Council Contingency from \$35,000 to \$110,000.

This is not a budget amendment because the total budget is neither decreased nor increased.

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

B. Effect on Budget (EOB): The net effect on the city's adopted budget is \$0.

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION: I move to approve the budget transfer to decrease funds allowed for the Multi-Use Center feasibility study to Council Contingency in the amount of \$75,000.

Attachments:

1. Budget Txfr EVENT to Council
Contingency

CITY OF DESTIN Budget Internal Transfer Form

Fiscal Year	2022	Short Description	Txfr EVENT to Council Contingency	Entity Code	1
Period	6	Effective Date	3/7/2022	Amendment Type*	1
Ref 1	BUA	Budget Year Code	2	Budget Projection Inclusion	One Time
Ref 2	ADJ				

*AMENDMENT TYPE: 1 = Exp/Exp or Rev/Rev, 2 = Exp/Rev, 3 = Exp/Rev one sided, 7 = Exp/Rev Inter fund, 8 = Exp/Exp Inter Fund

ORG	OBJECT	PROJECT	LINE DESCRIPTION	(I)increase (D)ecrease	AMOUNT	CURRENT AVAILABLE BUDGET	REVISED AVAILABLE BUDGET
30558500 GF\$ for Capital Projects	565000 Capital Project	EVENT Multi-Use Feasibility Study	Transfer to Council Contingency	D	\$ 75,000.00	\$ 75,000.00	\$ -
305300 Capital Projects	381305 Txfr in from GF		Transfer to Council Contingency	D	\$ 75,000.00	\$ 1,377,072.96	\$ 1,302,072.96
0151110 City Council	599000 Council Contingency		Txfr from 305 EVENT	I	\$ 75,000.00	\$ 35,000.00	\$ 110,000.00
0158188 GF Transfers Out	581305 Txfr out to 305 fund		Txfr from 305 EVENT	D	\$ 75,000.00	\$ 1,377,072.96	\$ 1,302,072.96

Created by:	Initials	Date
Entered by:		
Approved by:		

Note
March 7, 2022 regular council item 4.E. motion to reclass GF dollars from
EVENT (multi-center feasibility study) to Council Contingency.

03/11/2022 08:34
kstrickland

CITY of DESTIN, FL
YEAR-TO-DATE BUDGET REPORT



P 1
glytdbud

FOR 2022 13

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
305 CAPITAL PROJECTS						
30558500 GF CIP PROJECTS						
EVENT MULTI-USE CONVENTION/SPORTS/COM						
305 -58-585-00-00-565000-EVENT	75,000.00	EVENT CTR CAPITAL PROJECT	0.00	0.00	75,000.00	.0%
TOTAL GF CIP PROJECTS	75,000.00	0.00	0.00	0.00	75,000.00	.0%
TOTAL CAPITAL PROJECTS	75,000.00	0.00	0.00	0.00	75,000.00	.0%
TOTAL EXPENSES	75,000.00	0.00	0.00	0.00	75,000.00	.0%
GRAND TOTAL	75,000.00	0.00	0.00	0.00	75,000.00	.0%

** END OF REPORT - Generated by Krystal Strickland **

03/11/2022 08:43
kstrickland

CITY of DESTIN, FL
YEAR-TO-DATE BUDGET REPORT



P 1
glytdbud

FOR 2022 13

ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
305 CAPITAL PROJECTS						
305300 REVENUE						
305 -30-000-00-00-381305- -1,205,700.00	-1,769,032.06	TXFR TO 305 -391,959.10	0.00	0.00	<i>\$15,000</i> -1,377,072.96	22.2%
ARP AMERICAN RECOVERY PLAN						
305 -30-000-00-00-331390-ARP 0.00	-790,000.00	ARP - AMERICAN RECOVERY PLAN 0.00	0.00	0.00	-790,000.00	.0%
305 -30-000-00-00-381305-ARP -790,000.00	0.00	TXFR TO 305 0.00	0.00	0.00	0.00	.0%
CM001 BEACH ACQUISITION						
305 -30-000-00-00-337712-CM001 0.00	-2,256,155.62	TDC BEACH LAND ACQ GRANT 0.00	0.00	0.00	-2,256,155.62	.0%
305 -30-000-00-00-381305-CM001 -3,885,150.00	0.00	TXFR TO 305 0.00	0.00	0.00	0.00	.0%
CRH63 HERITAGE PARK & PLAZA						
305 -30-000-00-00-331302-CRH63 0.00	-698,147.39	RESTORE PARK CIP GRANT -76,223.52	0.00	0.00	-621,923.87	10.9%
305 -30-000-00-00-381323-CRH63 -556,530.00	0.00	TXFR RESTORE PARK 0.00	0.00	0.00	0.00	.0%
EN615 CORRIDOR MGMT PLAN SEC II						
305 -30-000-00-00-334491-EN615 0.00	-2,699,663.56	STATE GRANT - TRANSPORTATI -2,200.00	0.00	0.00	-2,697,463.56	.1%
305 -30-000-00-00-381305-EN615 -2,700,000.00	0.00	TXFR TO 305 0.00	0.00	0.00	0.00	.0%
LB001 SELF-CHECK OUT AND TABLET STATION						
305 -30-000-00-00-331700-LB001 0.00	-24,906.01	FED GRANT / IMLS CARES LIBRARY -13,995.75	0.00	0.00	-10,910.26	56.2%

03/11/2022 08:35
kstrickland

CITY of DESTIN, FL
YEAR-TO-DATE BUDGET REPORT



P 1
glytdbud

FOR 2022 13

ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
01 GENERAL FUND						
0151110 CITY COUNCIL						
01 -51-5111-10-00-531000-	27,375.00		0.00	0.00	20,000.00	26.9%
01 -51-5111-10-00-534000-	40,000.00					
01 -51-5111-10-00-534000-	18,000.00		0.00	9,750.00	4,500.00	75.0%
01 -51-5111-10-00-540000-	12,700.00		0.00	0.00	11,414.48	10.1%
01 -51-5111-10-00-546000-	1,000.00		0.00	0.00	1,000.00	.0%
01 -51-5111-10-00-547000-	0.00		0.00	0.00	-32.60	100.0%*
01 -51-5111-10-00-552000-	19,000.00		0.00	0.00	9,192.28	51.6%
01 -51-5111-10-00-554000-	5,550.00		0.00	0.00	281.00	94.9%
01 -51-5111-10-00-582000-	1,000.00		0.00	0.00	1,000.00	.0%
01 -51-5111-10-00-599000-	35,000.00		0.00	0.00	35,000.00	.0%
TOTAL CITY COUNCIL	119,625.00	27,519.84	0.00	9,750.00	82,355.16	31.2%
TOTAL GENERAL FUND	119,625.00	27,519.84	0.00	9,750.00	82,355.16	31.2%
TOTAL EXPENSES	119,625.00	27,519.84	0.00	9,750.00	82,355.16	
GRAND TOTAL	119,625.00	27,519.84	0.00	9,750.00	82,355.16	31.2%

** END OF REPORT - Generated by Krystal Strickland **

and decrease txb accounts
from GF to 305

* As per motion in Y.E. of March 7, 2022
regular council meeting
D. 30558500-565000-EVENT Event Center Feasibility
I 0151110-599000 Council Contingency

03/11/2022 08:42
kstrickland

CITY of DESTIN, FL
YEAR-TO-DATE BUDGET REPORT



P
glytodbud
1

FOR 2022 13

ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	MTD ACTUAL	ENCUMBRANCE/REQ	AVAILABLE BUDGET	% USED
01 GENERAL FUND						
0158188 INTERFUND TRANSFERS						
01 -58-581-88-00-581005-	510,814.00	TRANSFER OUT TO INFRA R&R GT#1				
01 -58-581-88-00-581111-	328,507.00	192,780.92	0.00	0.00	318,033.08	37.7%
01 -58-581-88-00-581125-	76,772.00	TXFR OU TO BUILDING FUND	0.00	0.00	328,507.00	.0%
01 -58-581-88-00-581213-	555,245.00	TRANSFER TO TECH FUND	0.00	0.00	55,627.64	27.5%
01 -58-581-88-00-581221-	467,936.00	21,144.36	0.00	0.00	277,622.72	50.0%
01 -58-581-88-00-581300-	900,000.00	TRANSFER OUT FOR 213 DEBT SERV	0.00	0.00	233,353.19	50.1%
01 -58-581-88-00-581305-	1,205,700.00	277,622.28	0.00	0.00	0.00	100.0%
01 -58-581-88-00-581321-	1,390,760.00	TXFR TO 2021 DEBT SVC	0.00	0.00	1,377,072.96	22.2%
01 -58-581-88-00-581509-	231,400.00	234,582.81	0.00	0.00	0.36	100.0%
ARP AMERICAN RECOVERY PLAN		TRANSFER OUT TO FACILITIES R&R	0.00	0.00	0.15	100.0%
		900,000.00	0.00	0.00		
		TXFR OUT TO 305	0.00	0.00		
		391,959.10	0.00	0.00		
		TXFR OKA 1/2 PENNY	0.00	0.00		
		-0.36	0.00	0.00		
		TXFR GAX TAX#2	0.00	0.00		
		-0.15	0.00	0.00		
01 -58-581-88-00-581305-ARP	790,000.00	TXFR OUT TO 305	0.00	0.00	0.00	.0%
CM001 BEACH ACQUISITION						
01 -58-581-88-00-581305-CM001	3,885,150.00	TXFR OUT TO 305	0.00	0.00	0.00	.0%
CRH63 HERITAGE PARK & PLAZA						
01 -58-581-88-00-581323-CRH63	556,530.00	TXFR RESTORE PARK GRANT	0.00	0.00	0.00	.0%
EN615 CORRIDOR MGMT PLAN SEC II						
01 -58-581-88-00-581305-EN615	2,700,000.00	TXFR OUT TO 305	0.00	0.00	0.00	.0%

**ACTION AGENDA
REGULAR MEETING
DESTIN CITY COUNCIL
MARCH 7, 2022
ANNEX COUNCIL CHAMBERS**

AGENDA APPROVAL

See page 4.

Motion to approve the agenda passed 7-0.

1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS / ANNOUNCEMENTS

- A. Destin High School (DHS) - Ms. Christine Cruickshank, Principal

Ms. Christine Cruickshank, DHS Principal, and Mr. Phil Dorn, DHS Athletic Director, updated the council on the first 7 months since DHS opened its doors; and shared the vision of the future for DHS and its role in Destin with the council.

2. PUBLIC COMMENTS

3. CONSENT AGENDA

- A. Choctawhatchee Basin Alliance (CBA) FY22 Contract Renewal
- B. Milling/Resurfacing/Restriping of a Section of Scenic 98 (Western Loop to Cobia Street)
- C. Renewal & Replacement FY22 - Vehicle, Public Works/Emergency Management Department
- D. Approval of minutes of February 7, 2022 Regular City Council Meeting
- E. Draft Minutes of Board and Committee Meetings
- F. FDOT Lighting Agreement, 22 additional crosswalk lights on US98

Motion to approve Consent Agenda items 3A thru 3F, a printed above, passed 7-0.

4. CITY MANAGER REPORTS

A. Choctawhatchee Bay Alliance (CBA) FY21 Water Quality Presentation

Ms. Jenna Kilpatrick of Choctawhatchee Bay Alliance (CBA) provided a report on CBA activities conducted for FY 2021.

B. FY 2021 Annual Audit and Financial Statements

Mr. Thomas Smith, Director of EFPR Group, LLP, presented the independent auditor's report for the fiscal year ending September 30, 2021.

Motion to accept the 2021 Annual Audit and Financial Statements passed 7-0.

C. Update on Capt. Royal Melvin Heritage Park

Mr. Scott Jenkins of Construction Engineering and Inspection Services provided a progress update on the Capt. Royal Melvin Heritage Park.

Motion to direct the City Manager to execute Change Order 11 to the GLC Contracting Construction Contract passed 6-1, with Councilmember Braden dissenting.

D. Destin Cross Town Connector Retention Areas and Traffic Safety

Mr. James Park of Atkins Engineering discussed the architectural renderings, proposed Pond 2 modifications and traffic calming devices for the Destin Cross Town Connector project.

Motion to direct the project engineer to explore the idea of reducing the footprints of the pond and adding exfiltration piping and bringing back recommendations in 4 weeks failed 3-4 (Bagby / Destin / Wagner voted “yes”; Schmidt / King / Hebert voted “no”; Mayor Jarvis casts the tiebreaking vote of “no”; Councilmember Braden was not present during the voting).

Motion to direct the City Manager to authorize the continued design of the Destin Cross Town Connector to the 90% phase passed 5-1; with Councilmember Wagner dissenting; Councilmember Braden was not present during the voting)

E. Strategic Plan FY 2023 - Strategic Goals & Council Objectives

Motion to adopt the FY 2023 Council Strategic Objectives with the following modifications:

- Move “*Research viability of Multi-use Convention/Sports/Community Center (Phase 1 Feasibility Study)*” from the Desirable Priorities category to Critical Priorities category (1.2) and change the title to “*Work with stakeholders to pursue the Destin City Center.*”
- Table “1.6 – *Zerbe St/Calhoun Avenue Phase II Design pedestrian pathway under the Marler Bridge*” until further notice,

and instruct staff to begin their research and planning for future budget workshop with the city council passed 6-0.

It was the consensus of the City Council not to move forward with the feasibility study for the city center until directed to do so by them.

4, E. *
D. EVENT
I 6151110-599000 Council Contingency

Motion to direct staff to bring back a budget amendment to move the \$75,000 budgeted for FY 2022 for the feasibility study and put it in Council Contingency account for the remainder of FY 2022 passed 6-0. *

F. Compensation Study

Dr. Jeff Ling of Evergreen Solutions provided a brief update on the methodology and results of the compensation study for the City of Destin.

G. Utility Undergrounding - Utility Consultants of Florida - Task Order 2

Motion to direct the City Manager to execute Task Order 2 of the Destin Utility Undergrounding Project Management Agreement with Utility Consultants of Florida passed 6-0.

H. Adoption of Resolution 22-05 Investment Policy

Motion to adopt Resolution 22-05 Investment Policy; with the following amendment to the Investment Policy:

- * ✓ done
- Section XI – Competitive Selection of Investment Manager. First sentence to read, *"If the Investment Officer in consultation with the City Council determine that an Investment Manager is desirable, then a minimum of three (3) qualified broker/dealers must be contacted and asked to provide bids/offers in writing to manage the City's investments."* *

passed 6-0.

I. TDC FY22 and FY23 Expenditure Plan

Motion to authorize the City Manager to sign and submit the proposed Expenditures Plans and Operations Funding Request to the TDC for consideration by the March 15th deadline passed 6-0.

J. Announcements:

- **Over 200 citizens have completed the Joe's Bayou Recreation Area Improvement Project survey to date.**
- **The links to the Joe's Bayou Recreation Area Improvement Project survey and the Community Development Citizen Engagement Survey can be found on the City of Destin website under the News Release section. They are also posted on the City Government Facebook page, on Tweeter, Instagram, and Next Door**
- **City Manager will be out of the office from March 21-25. Mr. Webb Warren will be the Acting City Manager from March 21-23. Mr. Zunguze will be the Acting City Manager from March 24-25.**
- **The City of Destin will host the Destin Forward Class on Thursday, March 10th.**

5. PUBLIC HEARINGS

- A. First reading of Ordinance 22-03-CN - Lease of certain real property owned by the City of Destin. Providing for City Council approval of a contract for the lease of the property of Dalton Threadgill Park.

Motion to approve Ordinance 22-03-CN on first reading passed 6-0.

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

- 1. Outside Employment Personnel Policy

Item pulled from agenda

- 2. "Drive Slowly" sign at Main Street and Kelly Street

Councilmember Schmidt requests the City's Public Works/Safety Committee to consider viable options for placement of the 4 "Please Drive Slowly we ♥ our Children" signs around the city.

- H. Mayor Gary Jarvis

Will be absent from the City Council meeting on April 4th. He will sit on a panel for the National Marine Fisheries for Shark Predation.

- 1. Imposing tougher enforcement actions against troubled properties in the City of Destin

Item discussion to be rescheduled at a later date.

- 2. Update on a Destin City Center

- I. Land Use Attorney

- J. City Attorney

7. PUBLIC COMMENTS

ADJOURNMENT: 10:10 PM

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

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Gary Jarvis

Councilmember Jim Bagby

Councilmember Bobby Wagner

Councilmember Johnny King

Councilmember Dewey Destin

Councilmember Rodney Braden

Councilmember Terésa Hebert

Destin City Staff

City Manager Lance Johnson

City Clerk Rey Bailey

Community Dev. Director Louis Zunguze

Parks & Recreation Director Lisa Firth

Grants/Project Manager Jeffrey Cozadd

Deputy Code Compliance Dir. Kris Mercurio

Public Works Director Michael Burgess

Land Use Attorney Kim Kopp (virtual)

Deputy City Manager Webb Warren

IT Manager Matthew Pace

Finance Director Krystal Strickland

Library Director Wen Livingston

Deputy Public Works Director JT Hart

Principal Planner Steve O'Connor

City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 pm; Pastor Kevin Wendt of Grace Lutheran Church of Destin gave the invocation, followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Mayor Jarvis made the following announcements:

Consent agenda item 3C – *Milling/Resurfacing/ Restriping of a Section of Scenic Hwy 98* has been pulled from the agenda.

Public Hearing agenda item 5C – *Indian Bayou West 1st Amendment*, will be rescheduled to April 4, 2022 at 6:00 PM.

Motion by Councilmember Hebert, seconded by Councilmember King, to approve the agenda, as amended, past 6-0 (Council members King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

1. PROCLAMATIONS / RECOGNITIONS / SPECIAL / PUBLIC PRESENTATIONS/ ANNOUNCEMENTS

A. State of the City

Mayor Gary Jarvis delivered the annual State of the City Address.

STATE OF THE CITY - 2022

Mayor Jarvis recognized the following officials:

- Councilmember Rodney Braden
- Councilmember Dewey Destin
- Councilmember Jim Bagby
- Councilmember Bobby Wagner
- Councilmember Terésa Hebert
- Councilmember Johnny King
- Councilmember Kevin Schmidt

Mayor Jarvis Speech:

*“Through the strategic planning process, Council has established a **vision statement**, which is the **anchor point** of the City’s **strategic plan**. This statement outlines what an organization would like to ultimately achieve and gives purpose to the mission of our city.*

Our Vision statement that our council members have established:

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

This statement embodies the plan that is vital for our city because it ensures that the priorities set by the City Council are conveyed in the organization’s goals and strategies and are clearly developed to meet those goals to ensure we are meeting our community’s needs.

In addition to our vision statement, council prioritized our Key Customer Groups to provide guidance for city priorities. These customer groups are in priority order:

- 1.) Year-Round Residents*
- 2.) Destin-based businesses*
- 3.) Visitors*

Our strategic plan fuels the strategic management process, which is how we will achieve these strategic goals.

- *Financially sound city providing service excellence*
- *Enhanced quality of life and safety for families*
- *Economic development and revitalization*
- *Improve mobility and connectivity*
- *Effective, efficient, and aesthetically pleasing infrastructure*
- *A green and sustainable environment*

From these established goals, council established these objectives for the organization to focus on for 2021. These are in priority order:

To help accomplish the goal of a financially sound city providing service excellence, Council's top priority objective within the strategic plan is to offer livable wages and benefits to attract and maintain high caliber, qualified staff. Council and staff have worked through the budgeting process to ensure this top priority objective could be achieved so that Destin can recruit and retain our most important resources, our employees.

Thanks to the leadership of our city manager, deputy city manager and Council, a 5% COLA and up to a 2% merit increase was approved to help our staff meet the rising pressure of inflation. Council also approved a one-time longevity award for long-term eligible employees. The Human Resources staff was able to negotiate a new health insurance plan, providing increased benefits at more affordable rates. This was just one way the City Council and administration is following through in our commitment to our staff by reducing costs for our employees and expanding limited health care benefits to our part-time workers. We want to ensure that we can strategically attract, engage, and retain the talent within our city government. The compensation study is nearing completion and our consultant plans to bring it before council in March.

Another strategic goal is to improve mobility and connectivity in Destin. We are helping to meet that goal through the council objective of the two-lane crosstown connector. We all know what it is like to travel throughout our city, especially during the busy, tourist season. This project is designed to be an alternative road for our residents to access city amenities within Destin. Just last meeting, the City Council voted to proceed with property acquisitions and to continue to keep pressing forward in the design of this important project. The design, engineering, and right-of-way acquisition is slated for completion in FY2025.

Another effort to improve mobility and connectivity, as well as safety for our residents and visitors, is our council established an objective to design a pedestrian pathway underneath the Marler bridge. Council approved a conceptual plan for this project and staff is working with the Florida Department of Transportation on future options for safe pedestrian pathways in that area.

The city received over six million dollars in grant revenue in fiscal year 2021, those grant revenues represented over 26% of the City's total revenue. Our Projects, Grants and Contracts Manager has worked on a 5-year projection for grant revenue exceeding 27 million dollars. Projects like the Norriego Point Improvements and the Joes Bayou Recreation Area Improvements are funded through the Florida Department of Environmental Protection and are not reflected in the before mentioned revenue numbers. The cost of both projects combined will total more than 30 million dollars leaving Destin's residents and visitors with two legacy parks and providing a substantial boost to our local economy. The city maintains an excellent relationship with local, state, and federal agencies which makes the grant awards at these levels possible. It is our goal to continue these strong relationships and to expand the grant funding as new opportunities become available.

Enhanced quality of life and safety for our families as well a green and sustainable environment is another strategic goal for the city. The city has established a very ambitious objective with a public beachfront acquisition initiative. This is now a reality thanks to the hard work and partnership between the city, Okaloosa County Board of County Commissioners, Okaloosa County Tourist Development Council, and the Trust for Public Land. We started with \$2 million as a commitment to acquire beach front property and now have over 22 million committed, with most of the funding coming from tourist tax dollars. So far, we have bought back over 100 feet of beach for public use in the Crystal Beach area. The exciting news is this initiative is going to provide even more public beach front access that will remain in

our community forever. Our efforts to expand our beach access, open space and preserve our beachfront for Destin will continue well into the future.

Another strategic goal is to have effective, efficient, and aesthetically pleasing infrastructure. To accomplish this, our council and staff is in the process to underground utilities within the city. We have negotiated a new franchise agreement with Florida Power and Light that will allow us to move forward with undergrounding utilities along Highway 98 and throughout the city. By moving utility lines underground, this project will beautify the area and protect the lines from storm-caused power outages. Hardening our infrastructure to protect our homes and businesses and reduce the loss of power is a big win for us. This project is going to take 10 to 15 years and a substantial investment but is a worthwhile endeavor for our city to improve safety, better reliability, and create an unobstructed gateway throughout Destin. Staff and Council is working hard to find as many external funding and grant sources as possible to help fund this important project.

Another effort to improve mobility and connectivity, as well as safety for our residents and visitors, is our council established an objective to design a pedestrian pathway underneath the Marler bridge. Council approved a conceptual plan for this project and staff is working with the Florida Department of Transportation on future options for safe pedestrian pathways in that area.

At this time, I'd like to briefly review some highlights of our departments and how they are helping to accomplish the strategic goals and objectives council has established for our city government. This past year the Community Development Department was focused on improvements in three key metrics in the delivery of its services. These metrics are customer service, productivity, and quality of life projects. The Department has now fully implemented the new COMPASS software system. The early results of this implementation are already showing substantial improvement in customer service. The COMPASS portal enables residents, developers, contractors, and business owners to easily apply for their building permit, development, business tax receipts and engineering applications from their computer in the comfort of their home or office. They can submit necessary documents, track the progress, pay invoices, and receive final documentation via the COMPASS portal without calling or making a trip to City Hall Annex. Furthermore, the average turnaround time between application submittal and permit issuance for permits and business tax receipts has improved by 80%.

With respect to productivity, the volume of permit application submittals has risen from 1,679 prior to COMPASS to 2,095, that is a 25% increase since the implementation of COMPASS. In addition, the department processed 61 development orders, 771 building permits and completed over 5,169 inspections. This department continues to work on projects that have direct ties to accomplishing the City's strategic goals of connectivity and safety of our community like the preparation of the Mobility Plan and the redesign of the Cross-Town Connector; as well as the Stormwater Master Plan to address flood prone areas in the city.

Thanks to the leadership of our community development staff and land use attorney, the city is accomplishing the strategic goal of economic development and revitalization by aligning the City's Comprehensive Plan, Future Land Use Map and Zoning Map, which will guide Destin's future development and redevelopment. In addition, the completion of the Harbor Capacity Study will guide our council on ways to enhance the economic vitality and safety of the Destin Harbor. Staff has completed the preparation of the City's Wayfinding Master Plan, which will help our city define the Destin Brand. This initiative is more than just creating a logo or signage, it will produce results that will represent the City's heritage, soul, and character.

I personally want to thank the entire staff and leadership of the Community Development Department for their commitment to excellence in all areas of the department's goal of providing consistent, efficient, and high value customer service to the residents of Destin.

Our Code Compliance Department has been working diligently to create a culture of professionalism and individual commitment to improve the quality of life of Destin residents. Starting with a focused effort to gain voluntary compliance through the education of all city codes and ordinances. To provide for the safety, health, and welfare of our citizens and visitors alike, the department has increased staffing; and all officers will become dual certified Florida Code Compliance Officers and Parking Enforcement Specialists. In 2021, our Code Compliance Department addressed almost 10,000 Code Compliance case activities, which is down from almost 14,000 in 2020. This proves that compliance efforts and the education of our city codes is working.

Code's proactive and reactive efforts range from land use and harbor and waterways compliance issues to short-term rental/ long-term rentals, livery vessel, and beach vendor registrations. In addition, code compliance handles beach management and parking compliance activities and much more. Code has also established a designated Patrol Division, Beach, Harbor and Waterways Division, and Registration Division within the Code Compliance Department. The newly created Registration Division and the new Compass software has accelerated our city's registration process. Overall, Code Compliance is maintaining a 90% compliance rate and providing service excellence for our community. Keeping our citizens informed and communicating what the city is doing is the key role of our Public Information Manager. She has done an excellent job enhancing our community and media relations, increasing social media engagement on city platforms, strengthening relationships with our strategic partners and most importantly, is a reliable source of information for our residents, businesses, and visitors. In 2021, we had over 368,000 visits to our website and our social media exposure is growing. We also had a broader outreach through traditional media and had over 172 stories covered by local and regional media outlets. We will continue to stay at the forefront of our communication efforts in this digital age, adapt to new trends, be innovative, to ensure Destin is promoted and highlighted in a positive way as we move forward into the future.

The City Clerk's Office worked diligently with Municipal Code Corporation to streamline the ordinance codification process. Processing time for ordinances enacted by the city council was reduced from 6 weeks to less than 3 weeks on average. The volume and diversity of public records requests filed with the city continues to increase and technology has played a key part in allowing staff to be more transparent, while providing a quicker response in fulfilling record requests. In 2020, staff received 388 public records requests. In 2021, 502 requests were made, and staff was able to fulfill those requests within 3 days of receipt, 94% of the time.

The Finance Department is helping us to remain a financially sound city by re-financing several loans in 2021 which will result in \$400k less interest payments over the next seven years. With assistance from other departments, our finance department set up continuing service contract prices in MUNIS to speed up PO issuance and invoice reviews. Staff has worked diligently to re-organize the accounting system to improve transparency and timeliness of reporting, especially for restricted funds. With a fiscal budget totaling over \$34 million dollars, the City Council has continued to keep taxes low for Destin residents, while providing service excellence to our residents, businesses, and visitors.

The Public Works Department act as stewards of our beautiful city by helping to achieve the strategic goal of "an enhanced quality of life and safety for families," as well as "providing effective, efficient and aesthetically pleasing infrastructure" through the ongoing maintenance of, and improvements to, our critical infrastructure. This department provides services to our community and organization in five key functional areas: Pavement Management, Stormwater Management, Beautification, Facilities and Fleet Maintenance, and Emergency Management. Speaking of Emergency Management, our Public Works Department takes a leadership role in all four areas of the City's Emergency Management Program that include: Mitigation, Preparedness, Response and Recovery. It is the objective of these four mission areas to ensure that our community is ready before, during, and after a natural disaster.

A few of their many successes experienced during the past year include the completion of the Zerbe-Calhoun Pedestrian Improvements Project Phase I that came in \$90,000 dollars under budget. They completed 1,282 work orders from the five key functional areas. Staff inspected 889 storm sewer system components which contributes to proper operation of our drainage systems during severe weather events. Finally, to help keep a green and sustainable environment the Destin Harbor Pump, in operation since 1992, was completely rebuilt, an arduous process that took over six months. This represents a small sample of what this department does, and I would like to thank the men and women of our Public Works Department for their diligence and commitment to Team Destin and recognize how truly thankful we all are for their many contributions to our community.

In 2021, the IT Department continued to face many challenges, as well as achieving many accomplishments, to provide service excellence to our departments and for our city. With the assistance of our help desk technician and the use of our ticketing software, processes that flow across the city regarding service requests, such as onboarding, termination/separation, general service requests, phone system support, and other IT related functions, continue to be enhanced and streamlined. The City's help desk ticket system has become the department's best tool for monitoring and maintaining service levels. This year, IT handled over 1100 help desk tickets in 2021, which is a 34% increase over the previous year. This departmental tool is critical to providing excellent customer service and improved response time for service requests.

One of the key accomplishments in 2021, was COMPASS, which I spoke of a few moments ago. IT remains a vital role in this project, and they have worked hard to successfully implement COMPASS into the city's information technology ecosystem. In fact, they fielded 102 help desk tickets on COMPASS since its inception. IT remains instrumental in making mobile computing and telework a viable option for city employees. Maintaining access to city services and applications for employees while off-site continues to be a top priority by the department. This is still a critical part in the way the city can conduct business during uncertain times as well as in emergency situations.

The Destin Library continually updates and adjusts the library's collections, space, and programs to provide the best possible experience for patrons as a vital cornerstone of the Destin community. 2021 saw many new technology items added to include a self-service kiosk that makes checking out materials, paying for copies, and printouts more convenient, thus improving customer service and providing quick, accessible means for library patrons. The library has always had public access computers, but now they have added a tablet station with six Samsung tablets that library cardholders can use anywhere in the library and connect to the internet. Furthermore, the Okaloosa County Public Library Cooperative has switched its member libraries to a new operating system software, public access catalog, and events calendar for an updated, easier to use website interface.

Even with the pandemic, the Destin community enjoys its Library services. For example, 32% of Destin's population has library cards. Additionally, the Library's physical and digital books circulation increased to 76,600 in FY2021, 10% higher than the previous year. Lastly, the Library wishes to acknowledge the support of the Friends Guild of the Destin Library, who generously provided the funds for the new furniture in the young adult area and are helping with funding for the remodel in the children's section to be completed in 2022.

Our Parks Department staff made significant improvements at the Nancy Weidenhamer Dog Park with Destin Forward as a Co-Sponsor, to include sod, mulch, and two dog agility pieces. As noted earlier, we expanded beach access at the Shore at Crystal Beach, which staff maintains, and they rebuilt the handicap ramp to the Clement Taylor Park Pier. The Harbor Boardwalk replacement project is in progress with installation of new "Wear Deck" for the entire boardwalk and is scheduled for completion in 2022. The city hosted a ribbon cutting and official grand opening of Captain Leonard Destin Park and a ground-breaking ceremony took place at the Shore at Crystal Beach Park expansion. We also had the

grand opening of the city's very first high school. These are critical milestones that continue to lay a strong foundation for our growing community by enhancing the quality of life for our families.

After opening the city's newest park, Captain Leonard Destin, Hurricane Sally, left behind significant damage. Park and Public Works staff moved 240 cubic tons of sand (that is 16 dump trucks full) and repaired the beach erosion as well as the walking paths, seawall, and irrigation. Also, some of the docks at Joe's Bayou were impacted by Sally. Bids for repair were extremely high and staff made the decision to have the repair work initiated internally by our Public Works and Parks and Recreation staff. Despite weather and material shortages, staff completed the project in time for the busy season. This was great teamwork and innovation by our staff, and we commend them for their efforts!

If you visited one of our green spaces, participated in one of our many recreation programs or attended one of our events, you have seen the positive impacts our Recreation Department has here in Destin. Sports tourism continues to grow in our area through the strong partnerships with our renters to provide top-notch adult and youth tournaments. We hosted 12 tournaments in 2021, which brought over 100,000 visitors and participants to Morgan Sports Center. Staff replaced the 4 scoreboards at Morgan's and in partnership with Destin Water Users, reclaimed water was added to the Destin Sports Complex, which staff is working with Destin High School's Athletic Department for field space.

Flag Football, which started in 2019, has been a huge success. This program has doubled its participants with 224 players in 2021. Recreation staff worked year-round spearheading 261 programs throughout the year with nearly 30,000 participants. We love the engagement of our Destin Seniors who stay active at Buck Destin Park. We know Pickleball is very popular, and we are looking for alternatives to provide more pickleball courts in Destin. Staff always strives to improve upon existing programs and services that promote quality of health, connect the community, and impact the local economy in a prosperous way, but with that success also comes challenges. Our recreation amenities are at capacity, and we are looking at alternatives of what we can do for our future to give our community the recreational experience they deserve.

I would like to acknowledge all our hard-working staff who display the utmost professionalism and have built so many positive relationships in this community. You all are on the front lines every day as public servants, which is more than just a job, it's a calling. Every day we see the results of their commitment to Destin by providing service excellence for not only to our residents but to tourists as well. This City depends on YOU and we greatly appreciate everything you do.

The next group of folks I would like to recognize and thank are the men, women and leadership of the Okaloosa County Sheriff's Office, these folks are true public servants. They work long hours to include nights, weekends, and holidays. These dedicated professionals spend a great deal of time away from their families and risk their lives to protect ours.

The Okaloosa County Sheriff's Office has implemented a Community Resource Deputy, specifically dedicated to Destin. This position will be a great asset to our community to further develop strong bonds and liaison with our local businesses and neighborhoods to address issues of concern and find solutions together. In 2021, the Sheriff's Office made 83 arrests for boating under the influence. For the third year in a row, Okaloosa County is ranked #1 in the State of Florida for boating under the influence arrests. Due to the efforts of our deputies, they saw a significant decrease from 25 boat crashes with injuries in 2020 to 14 in 2021. This was attributed to targeted media, partnering with the local liveries to spread information about the dangers and consequences of boating under the influence, participated in Operation Dry Water, which is a national effort to curb BUI's, and participated in the Designated Skipper Campaign which is a national program through the Sea Tow Foundation.

Another key component of our public safety is the Destin Fire Control District. The district just opened a new station off Calhoun Avenue in July, which will house their newly purchased Engine 19 once it arrives. They secured several grants, one being the Port Authority Grant, which will provide the fire department with a 42' fire boat with more enhanced capabilities to handle any of the vast fishing fleet or large condos on the water here in our area. They also added a type I Technical Rescue Team, where they can handle all types of advanced rescues from confined space emergencies to building collapse rescues. They are the only team of this level north of Orlando that has this type of certification and training. During the 2021 season the Beach Safety Division aided with over 157,000 preventative acts, rescued 403 people, and responded to 67 major medical incidents.

To our first responders, thank you for your devotion, bravery, service, and commitment to the safety of our city, our residents as well as our visitors – not just today, but every day.

Please join me in sharing your thanks and recognition to our outstanding city employees and first responders.

Destin's vision and strategic planning is a collaborative effort across our community. This is the opportunity for our businesses and our residents to work with city staff and our council members to shape the future of Destin. What's great about visioning and strategic planning is that it gives us an opportunity to understand what the community needs, and we get to work together to accomplish that.

To facilitate this planning the Community Development Department is beginning a major public engagement effort to involve our citizens and community partners that will allow us to usher in a unified community development vision. The list of projects currently being worked on includes the Land Development Code update, Harbor Capacity Study, Mobility Plan, Impact Fee program update, and Comprehensive Plan updates. The Council and I highly recommend that, our resident families and the development partners in the city, take time to be part of this effort and help shape the recommendations that will come for Council consideration tomorrow, February 23rd.

Destin is led by a committed and volunteer council who generously give of their time because they are passionate about Destin. They work hard. They work for FREE. They have been diligent in investing in Destin's future by focusing on common goals and at times, making difficult decisions on challenging issues. Our council seeks community input and gives our residents the opportunity to share how they want to see our city evolve in the years to come. It will take all of us to develop a great plan where future generations of Destin will continue to live, work, and play in the place that we love.

During my tenure, my goal was to maintain the integrity and heritage that Destin was built upon and to achieve the objectives set within our strategic plan. And, also have shorter meetings...which we achieved some of the time. In all seriousness, my main vision was to maintain the heritage of our city because if we ever lose our heritage, we're going to lose our identity. Despite our beautiful beaches, shopping, recreational activities, and the tremendous growth we are experiencing in this great community, the heritage of Destin needs to remain above all. How it was founded, the fishermen and their families that made it grow, the integrity and hard work they imparted on generation after generation is what separates us from every other community in the United States, and we need to hold on to that sentiment. We need to espouse and highlight these values as we move forward in everything we say and do. Our heritage is what defines a community, and it takes a community to achieve our vision.

Thank you, God bless you, and God bless the City of Destin.

- B. Joe's Bayou Recreational Area Improvement Project update from Florida Department of Environmental Protection (FDEP).

Mr. Pierce Barrett of FDEP provided an update on the Joe's Bayou Recreational Area Improvement Project.

Project History

- 2016 – Project Selected as a RP – 1 Recreational Enhancement Project by FL Trustee Implementation Group (FL TIG)
- 2020 – FDEP Released Request for Solicitations for Professional Planning, Design, Permitting Services and Construction Administration
- 2021 – Executed Contract w/Taylor Engineering, Inc for the Planning, Design, Permitting and Construction Administration Services
- 2021 – Issued Notice to Proceed to Consulting Team and began the process of Planning and Designing the proposed project and developing a project website.
- 2022 – Release Project Website and Public Survey and continue with planning and design of project amenities

Project Description

- This project includes actions to increase recreational access at Joe's Bayou Recreation Area/Mattie Kelly Park and Nature Trail as follows:
- Improve access to the existing boat ramp area and access piers
- Replace the existing fishing pier
- Development of the former CEMEX site with new seawall, additional parking, walking trails and viewing areas
- Creation of a Living Shoreline w/Breakwaters
- Stormwater Pond Restoration
- Saltmarsh and Upland Restoration
- Enhancements and improvements to a kayak/paddle-craft launch
- Rehabilitation and expansion to existing parking areas

- Interpretive educational signage
- Lighting Improvements
- Landscaping/benches/trash receptacles
- Upgrading of Nature Walk
- Wetland enhancements
- Restrooms
- Inclusion of ADA accessibility to all improvements where possible

Funding

- Funding provided through the NRDA Final Restoration Plan RP-1
- Total Amount Allocated - \$12,202,891 (Administration, Engineering, Construction)

Project Team

- FDEP – Funding, Project Management
- Consultant Team
 - Taylor Engineering – Prime Consultant
 - Project Management
 - Coastal Engineering
 - DAG Architects – Project Architect
 - Halff Associates, Inc – Civil Engineering
- City of Destin Staff – Project Input

Plans Review

Permitting

Project Update

- Review of Background and Historical Data – Completed
- Initial Site Reviews – Completed
- Development of Project Website and Public Survey – Completed
- Surveys – Boundary, topographic, and Bathymetric, Natural Resources – Completed
- Geotechnical Investigations – Initial investigations - Completed
- Existing Structure Assessment – Completed
- Next Steps – Release of Website and Public Survey – March 1, 2022 (30 days)

Review and Assess results of public survey and present to City Council

Planning Assessments (traffic circulation, stormwater, parking, boat ramp, coastal conditions and waterfront structures) and Architectural Master Plan

Design – 30% (Public Presentation after completion of 30%), 60%, 90% and Final Plans and Specs

- Existing Structure Assessment – Completed
- Next Steps – Release of Website and Public Survey – March 1, 2022 (30 days)

Review and Assess results of public survey and present to City Council

Planning Assessments (traffic circulation, stormwater, parking, boat ramp, coastal conditions and waterfront structures) and Architectural Master Plan

Design – 30% (Public Presentation after completion of 30%), 60%, 90% and Final Plans and Specs

- Existing Structure Assessment – Completed
- Next Steps – Release of Website and Public Survey – March 1, 2022 (30 days)

Review and Assess results of public survey and present to City Council

Planning Assessments (traffic circulation, stormwater, parking, boat ramp, coastal conditions and waterfront structures) and Architectural Master Plan

Design – 30% (Public Presentation after completion of 30%), 60%, 90% and Final Plans and Specs

- Existing Structure Assessment – Completed
- Next Steps – Release of Website and Public Survey – March 1, 2022 (30 days)

Review and Assess results of public survey and present to City Council

Planning Assessments (traffic circulation, stormwater, parking, boat ramp, coastal conditions and waterfront structures) and Architectural Master Plan

Design – 30% (Public Presentation after completion of 30%), 60%, 90% and Final Plans and Specs

- Permitting – FDEP/USACE Submerged Lands

FDEP Environmental Resource Permit

Local – Development Order

Building Permit

These activities are anticipated to be completed in early 2023.

- Release for Bids and start of Construction – 2023 – 2024.

Project Website and Public Input Survey

- Release – March 1, 2022
- Public Survey – 30 days
- Project Update – continuous throughout project duration
- Link: [https://kgreene562.wixsite .com/jbrai](https://kgreene562.wixsite.com/jbrai)

Councilmember Bagby recommends that a handout be produced and provided to everyone that launches a boat at Joe's Bayou reminding them to take the Joe's Bayou Recreation Area survey once the link to the survey becomes available on the City of Destin website. He also recommends placing a sign on the walking path at the park reminding people to take the survey.

2. PUBLIC COMMENTS

Mr. Cyron Marler, a Destin resident and former council member, stated that before he left the council, he and the city's Public Works Director worked on a plan to have the intersection at Benning Drive, 4th Street, and 1st Street realigned to remedy a line-of-sight problem at that intersection. He asked the council to follow up with the Public Works Director and take the necessary steps to remedy the situation as this is a serious safety issue which could result in a tragedy.

Mr. Marler also noted that they placed a bigger speed hump on Beach Drive, a lot bigger than the one that was there before. He asked the council to consider lowering the speed hump slightly.

Finally, Mr. Marler mentioned that the Florida Power and Light (FPL) recently increased their rates, which is outrageous especially for families on a limited income. Several counties are now discussing the feasibility of forming their own electric utility. He urged the council to conduct the necessary due diligence to try to lower the rates or follow the lead of the other counties.

Mr. Mike Abadie, a Destin resident and livery operator, stated that his experience with the new livery vessel application program has been very good. Last year's application consisted of 67 pages, and it took him about 3 days to complete it. This time it only took him 15 to 20 minutes, and that he only had to upload 5 pages of documents. The overall process only took about 30 minutes, including having the documents notarized at city hall. He added that he was treated professionally by the Code Compliance staff, and that the entire experience was nothing short of excellent.

Ms. Lisa Rockwell, a Destin resident, provided the following slide presentation:

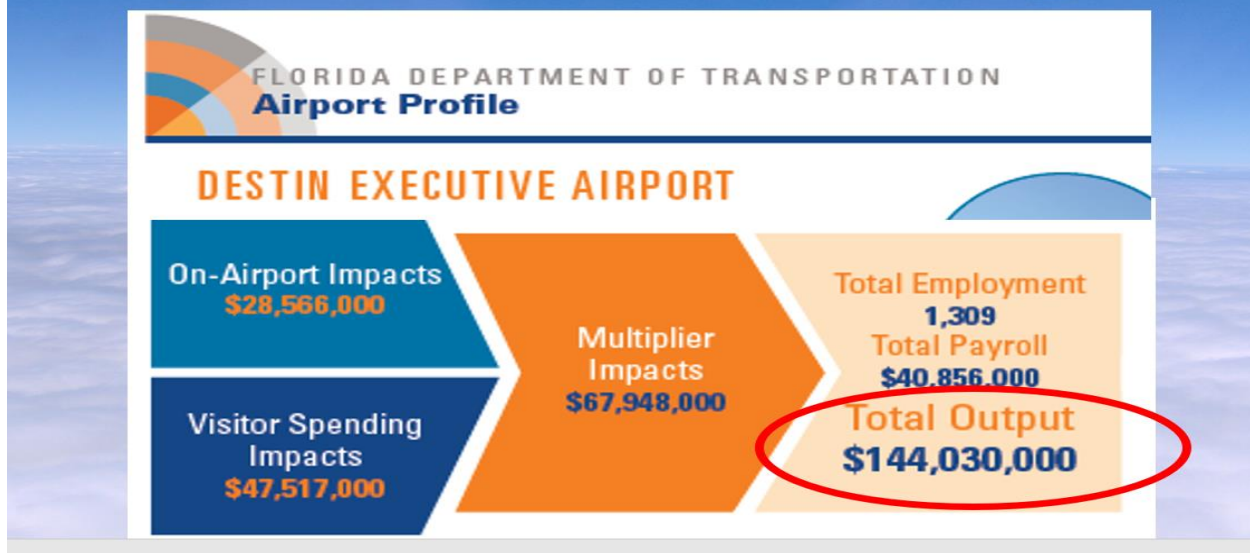
Encroachment: Treat to Airports / Treat to Quality of Life

New approved development near the airport boundary is clearly encroaching on the runway, clearly affecting the airport, and a threat to the quality of life of citizens who are going to live there.

Airports + Residential Homes

- Complaints from homeowners
- Political pressure
- Airport restrictions
- Airport closure
 - Santa Monica, California – East Hampton Long Island Airport scheduled for foreclosure in 6 days all due to noise complaints from those living in homes too close to the airport
 - It could happen in Destin. No airport with residential development around it is immune to this problem.

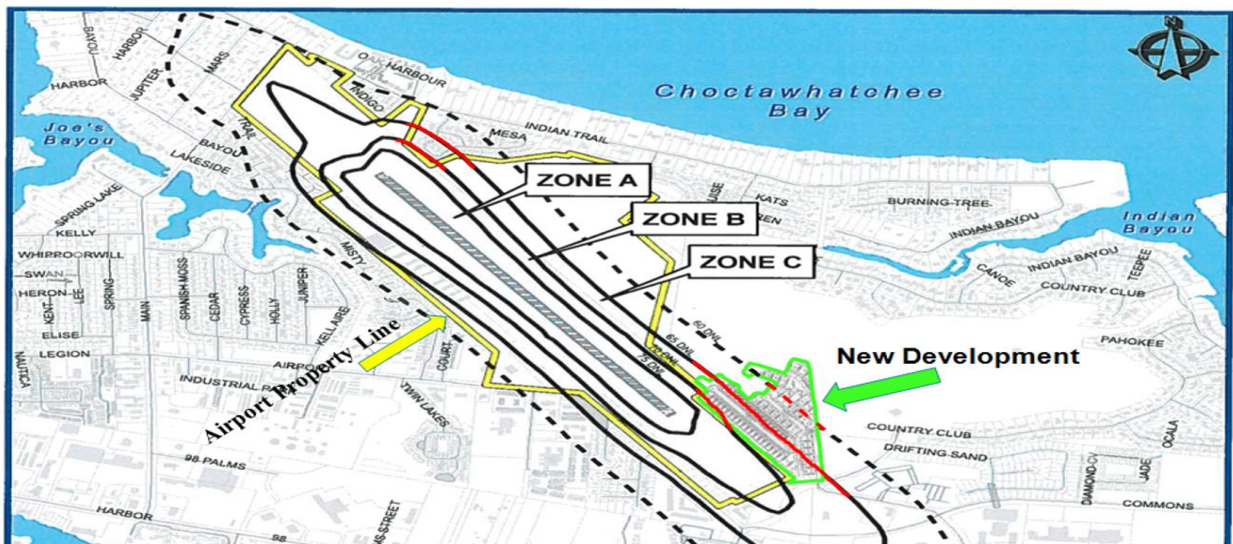
Airport Economic Impact



Economic impact of airport should not be taken for granted.

2013 Official Noise Exposure Map

Figure 7.15.08A



- The most current Noise Exposure map dated 2013.
- Noise zones clearly marked, and new development outlined. New development almost in the noise sensitive area. Almost one-third of the homes inside the incompatible noise zones.
- Noise zones based on scientific decibel levels.

Federal Land-Use Compatibility Chart

Exhibit 11-3. Land-Use Compatibility* with Yearly Day-Night Average Sound Levels

Land Use	Yearly DNL Sound Level (decibels)					
	<65	65-70	70-75	75-80	80-85	>80
Residential						
Residential, other than mobile homes and transient lodgings	Y	N (1)	N (1)	N	N	N
Mobile home parks	Y	N	N	N	N	N
Transient lodgings	Y	N (1)	N (1)	N (1)	N	N
Public Use						
Schools	Y	N (1)	N (1)	N	N	N

Y = Land use and related structures compatible without restrictions

N = Land use and related structures are not compatible and should be prohibited

- Above chart shows uses of land that are and are not incompatible with airports, with “N” means not compatible with airports, and should be prohibited.
- 33 lots from the newly approved development violates the noise zones; 7 of which are within Zone B.
- Developer requested development of 11 more homes along the western portion of the airport in January 2022, all within the noise zones, but was denied by the city council.
- Need council’s continued support on this issue.
- The development area was previously zoned Recreational until 2019, when it was rezoned back to Residential, which was against recommendations from Okaloosa County.
 - The county’s Technical Response Memorandum states, “*As proposed, the requested rezoning does not appear to provide a transition of uses compatible with existing airport.*” They also recommended some further planning and collaboration.

Acceptable Encroachment

can be achieved with

Compatible Land Use

Non-Compatible
Residential
Educational

Compatible
Commercial
Agricultural
Industrial
Recreational

Federal Regulations

governing development near airports

Part 77 - OBSTACLES

Structures
Building Heights
Antennas

Safe Maneuvering of Aircraft

Part 150 - NOISE

Compatible Land Use
Noise Compatibility Planning
Noise Exposure Maps

Community Coexist w/ Airport

- Okaloosa County receives money from the federal government. They have accepted over \$4.9 million in federal funds since 2012 for two major projects.
 - To lengthen the airport runway
 - Construction of control tower
 - Both improvements are aimed to attract larger jets to come to Destin
 - Historically, the biggest complaints from residents that reside near the airport involved larger jets
 - Accepting federal funds and allowing construction of housing development create a conflict of interest
 - The county signed a contract with the federal government when they accepted the money agreeing to 39 specific conditions to protect the federal investment
 - One item on the list involves preventing incompatible land uses around the airport

- According to the Director of Airports, the reason they have not come before this council to oppose the residential development in the noise zones around the airport was during the process, they received approval back from FAA stating that the FAA has no objections to the development
- In contact with the FAA, it was determined that the FAA only provided approval for was the review that ensured all structures will not be in the way of airborne aircrafts
 - The FAA did not approve the residential development in the noise zones.
 - The FAA approved Part 77 review for safe maneuvering of aircrafts
 - The FAA did not approve Part 150 that ensures the community can co-exist with the airports.

Federal - FAA
 Airport Safety and ... 1979
 FAR Part 150, Noise Compatibility Program
 Airport and Airway Improvement Act of 1982
 FAA Airport Compliance Policy
 Federal Grant Assurance 21, Compatible Land Use

State - FDOT
 FL Statutes, Chapter 329
 Gov Crist, House Bill 1021, 2010
 Airport Compatible Land Use Guidebook (FDOT)
 State Grant Assurance for Compatible Land Use

County - Collier County Airport Authority
 Airport Master Plan
 Technical Response ... 2019





Mitigation Strategies

1. Sound Level Reduction (SLR)

- reduces noise, doesn't eliminate
- windows/doors closed
- no reduction outdoors

2. Airport Disclosure Statement

3. HOA Covenants and Restrictions

- Mitigation strategies will not fix the problem
 - Sound Level Reduction only reduces and not eliminate noise. There is no reduction outdoors
 - Sound Level Reduction is not recognized as noise mitigation strategy
 - Not being able to open windows and use the yard is a serious quality of life issues
- Sound Level Reduction is not recognized by the federal government as justification to allow homes to be built beside the established noise zones. It is only intended to mitigate pre-existing problems.
- According to the FAA, new incompatible development within the 65-decibel contour (Zone C in the zoning map), even with sound level attenuation is inconsistent with the FAA guidelines and is disapproved for purposes of Part 150.
- Airport Disclosure Form only includes a brief statement notifying the purchaser that the land lies within the noise zone area. The form is not required to be given to the purchaser until the day of closing.
- The HOA Covenants and Restrictions serves little people. It contains nothing more than a liability statement to keep the county from being sued in the future if residents had health issues from fumes, vibrations, sleep deprivations, or whatever they want to claim.

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

Motion by Councilmember Hebert, seconded by Councilmember Wagner, to approve Consent Agenda items 3A, 3B, and 3D thru 3K, as printed above, passed 6-0 (Council members King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

4. CITY MANAGER REPORTS

- A. Mobility Plan and Fee Schedule Update

According to the City Manager, this is in line with council’s direction last year to replace existing transportation concurrency with a mobility fee-based plan. The purpose of the Mobility Plan is to establish long-term needs for the transportation network to facilitate the safe and effective movements of people to and around the City of Destin.

Mr. Alan Steinbeck, 3TP Ventures, Inc, presented the mobility plan and fee schedule update.

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 an 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.

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 bewteen 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

Multimodal Facilities Network

- Goals of the comprehensive plan met
- Network not complete
- Pathways plan needs updating
- Neighborhoods need focus

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 Hwy 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

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

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

GROWTH FORECAST – CHANGE UP TO 2050									
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
 - Evaluate trends in traffic and network utilization
 - Assess level and quality of service
 - Inventory current and planned projects

Step 2

- Draft Projects
 - Identify potential capacity projects and network improvements
 - Assess needs for different parts of city

B. Facilities and Needs Assessment RFP 21-11-PS

The City Manager explained that 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. Four bids were received for this RFP. All submissions were deemed responsive. Matrix Design Group, Inc. received the most points and Tetra Tech, Inc. came in second. He asked for council's authorization to negotiate with Matrix Design Group, Inc. In the event that negotiations are unsuccessful, staff to enter negotiations with Tetra Tech, Inc.

Councilmember Bagby moved to authorize the City Manager to 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. Councilmember Hebert provided a second to the motion, which passes 6-0 (Council members King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

C. Announcements

The City Manager made the following announcements:

- Community Engagement workshop in the Annex Chambers on Wednesday, February 23rd, at 5:30 PM. Everyone is encouraged to attend.
- Urging everyone to take the Joe’s Bayou Recreation Area Survey online on March 1st.
- Median Beautification Project on US Hwy 98, from Airport Road to the Marler Bridge, scheduled to begin Wednesday, February 23rd.

5. PUBLIC HEARING

- A. Second reading of Ordinance 22-04-CN - Reduction of Speed Limit on Airport Road, 98 Palms Blvd, and Azalea Drive

The City Attorney read Ordinance 22-04-CN by title, and then presented it to the city council on second reading.

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.

The mayor opened a public hearing to receive comments for or against the proposed ordinance.

Mr. Cyron Marler commented that lowering the speed limit on Airport Road will not help improve safety unless they improve enforcement action on that road to reduced speed of vehicles. The average speed right now is about 45 mph. He is still very hesitant to drive his Low-Speed Vehicle on that road even with the reduced speed limit.

Having no further comments from the public, the mayor closed the public hearing portion of this item and turned the matter over to the city council for their discussion and consideration.

Motion by Councilmember Hebert, seconded by Councilmember Destin, to approve Ordinance 22-04-CN on second reading passed 5-1 Council members King, Hebert, Bagby, Destin, and Wagner voted “yes”; Councilmember Braden voted “no”; Councilmember Schmidt was absent from the meeting).

B. Proposed Annotations for Land Development Code Articles I and II

Community Development Director Louis Zunguze noted that over the past 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 its Land Development Code with the recent changes to the Comprehensive Plan. The framework and methodology for the Land Development Code updates are detailed in the staff report. This report provides both the Local Planning Agency and Harbor and Waterways Board recommendations to the city council.

The mayor opened a public hearing to receive comments for or against the matter on the floor. Having none, the mayor closed the public hearing portion of this item and turned the matter over to the city council for their discussion and consideration.

Councilmember Bagby moved to 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 and Harbor & Waterways Board; seconded by Councilmember Hebert. Motion passed 6-0 (Council members King, Hebert, Bagby, Destin, Wagner, and Braden voted “yes”; Councilmember Schmidt was absent from the meeting).

- 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.

Item rescheduled to Monday, April 4, 2022 regular city council meeting beginning at 6:00 PM.

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

- A. Councilmember Braden
- B. Councilmember Wagner

C. Councilmember Destin

Councilmember Destin requests Cross Town Connector item be placed on the March 7, 2022 council meeting agenda and invite Atkins Engineering back to discuss the architectural rendering council requested at the last meeting.

Councilmember Destin also requested that the Compensation Study be placed on the March 7, 2022 council meeting agenda for discussion.

D. Councilmember Bagby

Councilmember Bagby requests staff provides council a copy of the Joe's Bayou and Destin Airport presentations as copies were not included in their agenda packet.

E. Councilmember Hebert

F. Councilmember King

G. Councilmember Schmidt

H. Mayor Gary Jarvis

I. Land Use Attorney

J. City Attorney

7. PUBLIC COMMENTS

Mr. Shane Moody, President and CEO of Destin Chambers, noted that something needs to be done to the speed limit and traffic on the east portion of US Hwy 98. Motorists are driving on a high rate of speed, passing each other, and blowing their horns at one another.

Mr. John Stephens, Destin resident and livery operator, announced that the Watersports Coalition will be filming the second boat safety video in March and that it will be available soon.

A Destin resident asked the council to consider placing a crosswalk or speed bump at the corner of Destin Point at Gulf Shore Drive. He stated that traffic is out of control in that area and that he almost got hit by a car while trying to cross the street. He also asked the council to consider creating its own police force.

The mayor stated that the City of Destin is a small town with big city problems and a small budget. The city has explored the idea of creating and operating its own police force in the past. It is very expensive, and they would need to increase taxes tremendously in order to afford it. He continued that the level of service they receive from the Sheriff's Department for the money they spend has been exceptional. They try their very best with the resources they have to enforce the law. He also stated that this issue is not being ignored, and that council is taking steps to calm traffic down including lowering the speed limits around town. He recommends contacting the City Manager with regards to the process involved with placement of speed humps.

Councilmember Bagby recommends the citizen attends the Destin Public Works and Safety Committee meeting as this is the committee that makes recommendations to council with regards to speed humps, crosswalks, and signage.

Having no further business at this time, the meeting was adjourned at 8:40 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

**MINUTES
SPECIAL WORKSHOP
DESTIN CITY COUNCIL
FEBRUARY 17, 2022
ANNEX COUNCIL CHAMBERS
5:30 PM**

The Council of the City of Destin met in special session with the following members and staff present:

Destin City Council

Mayor Gary Jarvis
Councilmember Jim Bagby
Councilmember Dewey Destin

Councilmember Terésa Hebert
Councilmember Kevin Schmidt

City of Destin Staff

City Manager Lance Johnson
Public Works Director Michael Burgess
IT Manager Matthew Pace
Community Development Director Louis Zunguze
Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
Building Official Noel Bell
Stormwater Manager Traci Goodhart
Engineering Assistant Joe Bodi
City Attorney Kyle Bauman

CALL TO ORDER

Mayor Gary Jarvis called the meeting to order at 5:30 PM.

WORKSHOP

A. Flood Ordinance

Stormwater Manager Traci Goodhart provided the following presentation:

Workshop Focus:

- How height is measured
- Current flood design standards
 - ❖ FIRM updates & changes
 - ❖ Risk rating 2.0
 - ❖ Repetitive loss
 - ❖ Council directive
- Proposed flood design standards
- Impact of new proposed standards

How height is measured:

- The Flood Ordinance does **not** impact the overall height of a structure
- Criteria for measuring Building Height within a Special Flood Hazard Area (SFHA) is found in Chapter 13: Glossary – Comprehensive Plan
 - *Building height shall be measured from the highest point of the crown of the road, average grade of the subject property, if it is not in an area that has a Federal Emergency Management Agency (FEMA) Minimum Based Flood Elevation, or FEMA Minimum Base Flood Elevation, whichever is higher, to the cornice line of the building.*
- Currently, 2-foot freeboard is considered in the overall height of structures located in AE and VE Flood zones unless located in South Harbor Mixed Use or Calhoun Mixed Use where 1-foot freeboard is required.

Current Flood Design Standards:

- There are 3 flood zones identified on city's effective FIRM
 - AE Flood Zones
 - VE Flood Zones
 - AO Flood Zones
- In each designated flood zone, there are specific flood design standards that apply.

Below lists Design Standards that are the same for both VE and AE Flood Zones:

- Enclosed areas below Design Flood Elevation (DFE) shall be used solely for parking, building access, and storage ONLY.
- Building access and storage below DFE can be no more than 200 square feet and only 70 square feet can be used for storage.
- Areas below DFE shall be outfitted with flood openings/vents
- Enclosed area used for parking shall be enclosed with lattice, screening, or material that permits unobstructed flow of flood waters.
- Non-conversion agreement is required.

Design standards that are different for VE and AE Flood Zones, specifically where flood elevation is measured and the use of fill.

VE Zones:

- Building or structures shall be elevated so that the bottom of the lowest horizontal member shall be above the base flood elevation (BFE) plus 2 feet or design flood elevation (DFE), whichever is highest.
- Use of fill material for structural support is prohibited.

Design standards that are different for VE and AE Flood Zones, specifically where flood elevation is measured and the use of fill.

AE Flood Zones:

- Building or structures in flood hazard areas (AE zone) shall have the lowest floors elevated to or above the BFE plus 2 feet, or DFE whichever is highest, unless located in South Harbor Mixed Use or Calhoun Mixed Use where 1-foot freeboard is required.
- Structural fill is permitted.

FIRM Changes & Impacts:

- There have been 4 FIRM updates since 1992
- Flood Zones and Base Flood Elevations have changed with each revision
- Revision can negatively impact construction by creating nonconformity with current flood design standards requiring substantial improvements or substantial damage review per flood ordinance.
- Revisions may negatively impact design and construction uniformity.

What is Risk Rating 2.0?

- Risk Rating 2.0 applies to new NFIP policies and renewal policies effective October 1, 2021
- NFIP is moving away from premiums based primarily on a building's elevation and its location inside or outside of a high-risk flood zone.
- NFIP premiums will more accurately reflect associated risk (i.e., storm surge)
- Risk Rating 2.0 methodology considers:
 - Proximity to the risk
 - Other sources of flooding (i.e., storm surge)
 - Amount of impervious surface
 - Cost to rebuild

Repetitive Loss Statistics

- From 1995 – 2020, there have been – 365 NFIP claims city-wide
- Out of 365 claims – 201 were on Holiday Isle
- Totaling \$19.7 million
- This accounts for 55% of the overall repetitive loss claims.

Council Directive

- The new FEMA Flood Insurance Rate Map (FIRM) became effective March 2021
- The City Flood Ordinance is required as part of the National Flood Insurance Program (NFIP) Community Rating System (CRS)
- The City has been part of the CRS program since 1980s
- City Council directed staff to determine how the new FIRM will affect development in Destin and to bring any proposed changes to the Flood Ordinance to City Council for consideration.
- Proposed changes were presented to the Local Planning Agency (LPA).
 - The LPA recommended a workshop.

Flood Design Standard Comparison

CURRENT FLOOD REGULATIONS

VE Flood Zone

- 2-foot freeboard
- Piling Construction
- Elevation measured from Lowest Horizontal Member
- Enclose no more than 200 SF below Design Flood Elevation (DFE)
- Structural fill is *prohibited*

AE Flood Zone

- 2-foot freeboard
- Elevation measured from top of Lowest Floor
- Enclose no more than 200 SF below DFE
- Structural fill is *permitted*

Coastal A Zone (CAZ)

- Not Defined

PROPOSED FLOOD REGULATIONS

VE Flood Zone & Coastal A Zone (CAZ) *

- 2-foot freeboard
- Piling Construction
- Elevation measured from Lowest Horizontal Member
- Enclose no more than 200 SF below Design Flood Elevation (DFE)
- Structural fill is *prohibited*

AE Flood Zone (Non-Coastal A Zone)

- 1-foot freeboard *
- Elevation measured from top of Lowest Floor
- May utilize engineered flood vents for enclosed areas below DFE *
- Structural fill is *permitted*

* Denotes change

Impacts of Proposed Changes:

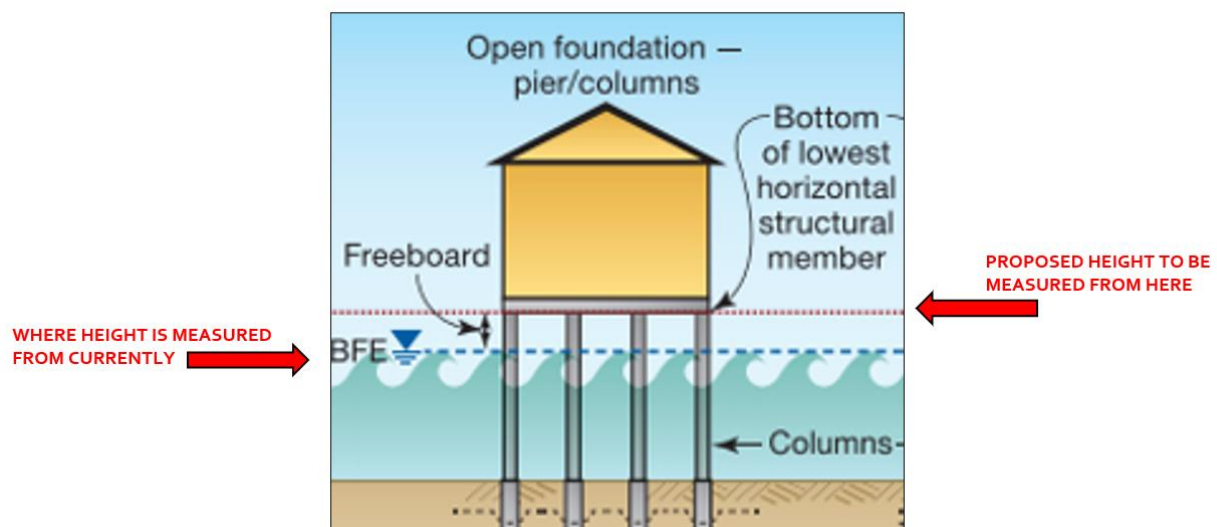
1. FEMA flood elevation in designated AE zones on Holiday Isle (i.e., Coastal A Zone) will be taken from the bottom of the Lowest Horizontal Structural Member rather than Finished Floor Elevation (FFE)
 - Will the proposed changes to Flood Ordinance affect the overall height of a structure?
NO – *how height is measured is defined in the City Comprehensive Plan.*
 - Will the proposed changes to the Flood Ordinance affect habitable space?
***YES** – *the elevation for structures located on Holiday Isle or a designated Coastal A Zone will be measured from the bottom of the lowest structural horizontal member.*

2. Will prohibit slab on grade construction on Holiday Isle
3. Provides for higher flood design standards in a Coastal High Hazard Area
 - Protects homes and investment
 - More resilient post natural disaster
 - Potential lower insurance premiums
 - Potential CRS rating increase
4. Provides uniform flood design standards on Holiday Isle
 - Piling construction
 - Enclose no more than 200 SF below Design Flood Elevation (DFE)
 - Structural fill is prohibited
5. Non-Coastal AE zones utilize the Florida Building Code (FBC) 1-foot freeboard design standard and m have enclosed area for parking per FBC and ASCE24.

Staff Recommendations:

HEIGHT MEASUREMENT

- Modify the definition of "Building Height" in the Comprehensive Plan to measure height in SFHA from FEMA base flood elevation (BFE) to FEMA BFE + freeboard.
 - This will exclude freeboard in the overall height measurement for structures located in a SFHA



FLOOD ORDINANCE

- No change to VE Flood Zone design standards
- Designate Coastal A Zone
 - Provides for higher design standards in a Coastal High Hazard Area
 - Potential increase in CRS ratings and reduction in insurance premiums
- Coastal A and VE Flood Zone design standards will be the same:
 - 2-foot freeboard
 - Piling construction
 - Elevation measured from Lowest Horizontal Member
 - Enclose no more than 200 SF below Design Flood Elevation (DFE)
 - Structural fill is prohibited
- 1 foot freeboard in Non-Coastal AE Flood Zone per Florida Building Code (FBC)
- Enclosed space below DFE in Non-Coastal AE Flood Zones utilize engineered flood vents
 - Parking and storage only
 - Will allow structures located in a Non – Coastal AE Flood Zone more than 250 SF of enclosed space below base flood elevation.

B. PUBLIC COMMENTS

Mr. Paul Hertzog, a general contractor, stated that he agrees with making the changes on the VE zones, but disagrees with a lot of the changes in the AE zones. He does not believe they are going to satisfy insurance companies where they are going to be paying claims and providing discounts automatically. He believes the current building codes are very stringent. Houses can withstand the hurricanes. They have not seen hurricanes demolished any houses with the new building code, just those older homes which are under the old building codes. He disagrees completely how they currently measure the height of the houses. They are limited on what they could build in terms of height because they are required to measure two feet into the ground.

Ms. Marcie Bell, a Destin resident, stated that she reviewed the FEMA map and determined that the AE zones Ms. Goodhart spoke of appear to only affect 2 or 3 properties and not all properties across Gulf Shore Drive. She pointed out that Hurricane Opal that hit in 1995 happened only 3 years after Hurricane Andrew. The State of Florida made very strong stringent changes to the building codes because of Hurricane Andrew. They also had Hurricane Ivan in 2004, and several other hurricanes from category 1 to 3 that hit nearby. Holiday Isle has not had a problem. Holiday Isle's only flooding problem is in the City of Destin's rights-of-way each time it rains, and that the city has not done anything to address it. She then posed the following questions:

- *If FEMA was so concerned with Holiday Isle and they reduced the base flood elevation for almost all properties on Holiday Isle when the new FEMA flood maps came out in March 2021, why is it a problem now? If FEMA was not concern about it then, why is the City of Destin concern about it now?*
- *If the city is so concerned with flooding, why have they recently allowed a property, 355 Gulf Shore Drive, to renovate a garage space into a bedroom that*

is several feet below the currently allowed standards yet being advertised on the vacation rental to sleep 20-plus people?

Mr. Daryl Shelton, a Destin resident, stated that he served in the Local Planning Agency (LPA) when this issue came before the LPA, and that he was instrumental in delaying approval of the ordinance on this issue until after they schedule a workshop to further discuss it. He stated that he saw a lot of unintended consequences when this came before the LPA. In the presentation, it was stated that the flood ordinance does not impact the overall height of the structure, but he believes it will impact the overall height structure on Holiday Isle without a Covenant, Condition and Restriction (CC&R) change, which is not an easy thing to do. They have a 40-foot maximum height limit on houses. They measure from the base flood elevation and not from the base design standard. Now that they are changing the designation to coastal, it is going to add 3 feet because the floor system, especially if it is a wood floor, is going to be about 12 inches thick. It will decrease the amount of livable space in the house by at least another foot. If the ordinance passes the way it is written, when somebody has a low-lying lot, it will diminish the value of that lot by at least half a million dollars. He also asked where the number came from with regards to insurance statistics over a 27-year period that was given during the presentation.

Public Works Director Michael Burgess noted that the insurance statistics is information they get directly from the National Flood Insurance Program Insurance Services Office. It is privileged information, and it is non-releasable. They had to sign a non-disclosure statement stating they would not share specific information on specific homes because it contains personally identifiable information.

Mr. Guy Tadlock, a Destin resident, noted that the proposed ordinance, as written, failed at the LPA, and that the LPA recommended they hold this workshop before the ordinance goes before the city council for first reading. He stated that the timing for this ordinance is bad, as they are still going through the pandemic. People that have bought properties the last 5 years and planned to build their dream homes are going to be affected by this ordinance, if approved. He pointed out that the last 10 houses that have been built on Holiday Isle could not be built under the proposed ordinance. It is going to change the architectural designs at Holiday Isle. It will have a lot of unintended circumstances which will far outweigh any possible benefits from flood insurance.

Mr. Mike Ziegler, a Destin resident noted that looking at the damages during the last few storms, very few houses on Holiday were affected. The city council should not consider placing Holiday Isle into coastal A zone.

Mr. Jim Parker, a Destin resident, stated they have been designing a house and plan to submit it fairly quickly before this new change takes effect. He has been a contractor for 30 years and have done a lot of commercial work, and that he believes they are changing the rules in a major way for Holiday Isle. They have a lot of room for redevelopment. They have a lot of houses that would be gone in 5-10 years. They are going to be upgrading and adding to the tax base. He stated that further consideration needs to be taken in designating a coastal A zone for Holiday Isle.

Ms. Rita Mason, a Destin resident, stated that he has been in contact with some of the out-of-town owners. They are unable to share their comments tonight. Some of them have bought properties that they intend to build on the next few years. They are planning their dream homes and are not aware of this pending change. It may also increase the cost of construction for these people tremendously.

Mr. Jim Wood, a Destin resident and Chairman of the LPA, stated they did not have the same turnout as they did tonight when this issue came before the LPA, and they did not hear most of the comments being expressed tonight. He stated that he does not live in a flood zone, but he purchases flood insurance anyway. Things are different for those who live by the water and away from the water. He continued that there are ramifications for every decision they make. He does not want to see those who do not live by the water being affected by a decision for those who do.

Having no further comments from the public, the mayor turned the matter over to the city council for their discussions.

The mayor inquired as to the perceived savings and motivation for the changes they want to make that would benefit the entire community.

Building Official Noel Bell noted they have had some communications with several representatives from the National Flood Insurance Program (NFIP) Community Rating System (CRS) Office. They informed the city that since it is a point rated system, they would get up to 500 more points for designating a coastal A hazard area.

Public Works Director Michael Burgess explained that the CRS program is rated from Class 10 to Class 1, and that each class designation is separated by 500 points. They are currently a Class 6, with about 2250 points. This would put them in Class 5, which would provide an additional 5 percent insurance premium discount.

Councilmember Destin stated that a 5 percent discount in insurance rate is a poor exchange for the heartache the changes would create. He is not sure the savings is worth the pain it is going to cost a lot of people.

Councilmember Bagby asked when the FEMA Map was adopted by the federal government.

Mr. Burgess noted that FEMA released the map preliminary in 2016, but it was not adopted until last year by the city and county.

Councilmember Bagby inquired as to the rationale for wanting to create a zone on the coastal portion which basically affects just Holiday Isle.

Mr. Burgess explained that the 3 zones they spoke of earlier, VE, Coastal A or non-Coastal AE, have an additional height factor associated with wave action. In a velocity zones or VE, they could experience wave action over 3 feet. Coastal A is typically designated for those areas with expected wave action from 3 feet to 1½ feet. Areas with less than 1½ feet wave action is the traditional non-Coastal AE. When they have flooding, they have the so-called hydrostatic pressure with the water resting up against the building. In the VE zone, they also have the hydrodynamic pressure with waves crashing against the building. Coastal A will still have the wave action. It will be less than 3 feet, but it is expected to be more than 1½ feet. They may have things like scour, debris, or erosion that could affect the structural integrity of the home if the storm is of sufficient intensity and duration. The purpose of the NFIP is to protect homeowners from encountering losses of life and property. Floodplain management basically covers construction and regulation. Following that is when the flood insurance comes in. Traditionally, older homes built before the flood maps were even produced provided subsidy. They did not have to pay for the full cost for

flood insurance coverage. The Biggert-Waters Flood Insurance Reform Act of 2012 put them on a 5-year implementation period to get from a subsidy to full actuarial rates. Due to a public outcry, a reform to the 2012 reform act changed the 5-year to a 10-year implementation period. They will either have losses associated with events, or premiums they have to pay. They want the homes on Holiday Isle to last and survive major storm events, and they need to build at a higher standard to do that.

Councilmember Bagby asked whether they consider the impact of the proposed flood regulation to the Holiday Isle CC&R in terms of construction.

According to the Land Use Attorney, staff considered FEMA's recommendations only. When the matter went before the LPA, they heard from residents of Holiday Isle who became aware of this issue, and hence scheduled this workshop to further discuss and gather more information about it. No votes will be taken tonight. They could come back to city council with information gathered tonight, and the city council can then make any changes they want and provide a policy decision. She added that FEMA's intent was not to cause pain but to increase safety at Holiday Isle.

Councilmember Bagby stated that the bottom line here is whether the insurance reduction is worth making these changes; and whether a 5 percent insurance reduction for 13,000 people is offset by the pain they could cause the residents of Holiday Isle.

Ms. Goodhart clarified that FEMA did not recommend a Coastal A zone. FEMA's new maps became effective in 2021. The council's directive was for staff to review those maps and bring back any potential changes or modifications to the city's flood ordinance. Staff reviewed the ordinance and brought this information before the council. These changes have been vetted through both FEMA and the State Flood Plain Management Office. She added that the Community Rating System is the community's program. It is for higher standards and to protect lives and property investment.

Ms. Bell added there is already a FEMA designated Coastal A zone on the maps; staff broaden that zone area to encompass Holiday Isle.

According to Mr. Burgess, what the public sees are the Flood Insurance Rate Maps (FIRMs). Flood losses, repetitive losses, and the history of flooding for various structures are not represented on the maps. Staff recommend adjustments to the regulations in order to protect lives, properties, and investments.

Ms. Goodhart explained that FEMA has the so-called Limited Moderate Wave Action (LIMWA), which is the 1½ to 3 feet of wave action in the Coastal AE zone and which had been clearly identified on the FEMA maps. Communities that participate in the CRS may take those FIRMs and look at the LIMWAs and may apply higher standards in order to protect lives, property, and investment. In this case, looking at the history of repetitive losses at Holiday Isle, with its location being a high hazard coastal area, city staff is bringing forth these recommendations.

Councilmember Schmidt remarked that FEMA took it upon themselves to place parts of the city into the Coastal A zone, but they did not put Holiday Isle into a Coastal A zone like staff was trying to do. He asked if they have the option to allow stem wall construction under the Coastal A zone designation.

Ms. Bell explained that if they designate a Coastal A zone, the guideline in that designated area is to build to VE (velocity) standard, which prohibits stem wall construction.

Councilmember Bagby recommends city staff, Holiday Isle Homeowners Association, and the LPA come together and discuss a possible compromise or a solution to this issue and bring that solution back to council.

Councilmember Destin stated that staff has the best of intention in bringing their recommendation to council. They want to build structures that would withstand the storm. The prohibition on stem wall construction under the Coastal A zone is a FEMA prohibition. They should be able to make some revisions by providing supporting documentations from experts and from engineers that built some of the structures that survived in Mexico Beach following Hurricane Michael.

Mr. John Green, a Destin resident, informed the council that he conducted over 30 forensic investigations from Mexico Beach all the way down to Panama City following Hurricane Michael. He stated that if the City of Destin was in the path of that hurricane, any type of structures they have would have come down.

The mayor stated that staff brought in some recommendations based on their knowledge and information on what FEMA requires, but this council does not have to adopt them. He continued that his workshop exposed a lot of information they could explore. They need to find out if there is room for a compromise if they designate a Coastal A zone. Staff needs to provide some possible revisions and options for the LPA to consider at their future meeting. They should solicit inputs from the community; and bring recommendations back to council.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 7:10 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022
TYPE OF AGENDA ITEM: Consent Agenda
AGENDA OUTLINE NUMBER: 3.K.

TO: City Council

THRU: Rey Bailey, City Clerk

FROM: Kim Montgomery, Deputy City Clerk

DATE: March 14, 2022

SUBJECT: Draft Minutes of Board and Committee Meetings

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:

- 1. 2-9-2022 - hcraac
- 2. 2-24-22 LPA
- 3. 2-28-22HB

**MINUTES
HARBOR COMMUNITY REDEVELOPMENT
AGENCY ADVISORY COMMITTEE MEETING
FEBRUARY 9, 2022 - 5:30 PM
DESTIN CITY HALL BOARDROOM**

1. CALL TO ORDER:

Vice Chairman Green called the meeting to order at 5:30 p.m. on Thursday, February 9, 2022, in the Destin City Hall Council Chambers.

2. ROLL CALL & PLEDGE OF ALLEGIANCE:

Present

Mike Buckingham
Sandy Trammell
Jan Best
Casey Jones
Mike Raim

Members Absent

Ian Blaise
James Green

Staff Present

Kim Montgomery Deputy City Clerk
Steven O'Connor Principal Planner
Tunazzina Alam
Daniel Butler, Senior Planner
Joe Bodi, Engineering Asst. II
Joey Forgione, Code Comp. Dir.
Louis Zunguze CD Director

3. MINUTES: January 12, 2022

Motion to approve the minutes of the January 12, 2022 meeting as written, was made by Committee member Raim with Committee member Trammell providing the second. The motion passed with a 5-0 vote for approval.

4. DIRECTOR'S REPORT

A) Work Plans

Mr. O'Connor explained the work plans from last year have been rolled over and they can always add other workplan item at any time at future meetings as well as any updates.

The members briefly discussed the Cross Town Connector and what portion of it is their responsibility. Mr. Zunguze explained that both their committee and the Town Center has already been presented the 60% plans. Also, Council at their Monday night meeting, asked to see some architectural renderings as well as what traffic calming measures could be implemented along the entire length of the Cross Town Connector. The suggestion to have both Chairmen of the PW/PS and the Town Center CRA invited to attend the next HCRAAC meeting when the renderings are available to make a recommendation to City Council.

5. NEW BUSINESS:

A) Development Projects and City Projects Update – Steven O'Connor

Mr. O'Connor provided the members with the current information adding that there is not a lot of movement with the projects at this time.

Committee member Trammell questioned if there are any plans for the city to merge with the

McGuire's Parking Structure. According to Mr. Zunguze, there are not any discussions of a structure but there are discussions to consolidate the two lots into one.

Committee member Jones asked staff what the Pelican Adventures Major Deviation is. According to Mr. O'Connor, this is a request to have off site parking for the business.

Committee member Trammell spoke specifically on this issue expressing concern about Mountain Drive becoming a parking lot for the pontoon boat businesses on Harbor Blvd. and spoke of how it may start effecting the businesses that are already there. She spoke of how to her; the business owners should have to go vertical if they exceed their current parking requirements on Highway 98.

According to Mr. Zunguze, when they get to that section of the LDC rewrite, staff will be bringing the section before them for discussion and recommendations to Council.

Motion by Committee member Trammell to recommend to CRA Board/City Council to direct staff develop criteria for parking based on use and develop criteria for structured onsite parking. Committee member Raim provided the second. The motion passed 4-1 with Committee member Jones dissenting.

Committee member Raim spoke of how the pontoon boats are still being lined up at the businesses along Harbor Blvd. and feels the property owners should have to have certain setback and landscaping requirements adding the way it currently looks, does not fit the look of a resort atmosphere the city should have.

Motion by Committee member Raim, seconded by Committee member Trammell to recommend Council direct staff to create criteria for regulating parking and/or storage of vessels in the off season by enacting a setback from the highway with required stormwater and landscaping screen. In discussion, Committee member Jones spoke of how he does not agree with this at all and feels that there is no need to create an ordinance when all they have to do is to get the livery vessel owners together and come to an agreement. **The motion failed by a vote of 3-2 with Buckingham, Best and Jones voting no.**

6. COMMITTEE MEMBER COMMENTS:

Chairman Buckingham – Spoke of how he is concerned that if there is going to be an initiative to make businesses have offsite parking along the harbor, then there needs to be something in place to safely get folks across the Highway 98 installed first.

He provided the members a brief update on the status of the DFCD substation on Calhoun Ave. As well as asked what the status is of their motion to have the speed table removed on Calhoun Avenue.

According to Mr. O'Connor, the topic has been forwarded to the Public Works/Public Safety Committee for their input.

The Chairman then spoke of how he feels that they should start meeting every other month. After a brief discussion on this topic **Chairman Buckingham made the motion to meet bimonthly with Committee member Raim providing the second. Committee member Jones amended the motion to add meeting bimonthly except for May through September, unless there is a need to call a meeting**

also to have staff check into the bylaws to find out if it is allowed. The motion passed 3-2 was committee members Best and Trammell voting against the motion.

Mr. O'Connor clarified if approved, the meetings would take place September, November, January and March and May.

Code Compliance Director Joey Forgione provided the members with the status of the livery vessel registration. He also informed the members the 22-foot boat donated to his department from the Okaloosa County Sheriff's Office is currently being inspected and once its ready, his staff will be able to get it on the water. He spoke of how they can now access boat ownership information they'll be able to find out who is running businesses out the city parks and write citations. Additionally, with the help of the Sherriff's Department and the Coast Guard, they will be able crack down on the vessels that are moored in the harbor and start getting them removed.

7. ADJOURNMENT:

Having no further business at this time, the meeting was adjourned at 6:20 PM.

Adopted and approved this ____ day of _____ 2022.

Jim Green, Vice Chairman

Kim Montgomery, Deputy City Clerk

**LOCAL PLANNING AGENCY
MEETING MINUTES
FEBRUARY 24, 2022 - 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 24, 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.
Karen Hudson
Marcie Bell
Todd Buhr
Jason Klosterman
Corey Ledbetter

Members Absent

Staff Members Present

Kim Montgomery City Clerk
Steve O'Connor Principal Planner
Louis Zunguze CD Director
Kyle Bauman City Attorney

3. APPROVAL OF MINUTES:

February 3, 2021

Motion by Agency member Bell, seconded by Agency member Hudson to approve the February 3, 2021, minutes as written. The motion passed 6-0.

4. OLD BUSINESS:

➤ **Comprehensive Plan Discussion**

Mr. Zunguze explained to the Agency members that this point they are not to debate the policies just to audit them only and that they have been met.

Both Mr. Zunguze and Mr. O'Connor explained the difference the LDC and the new Design Manual that is being initially created and the differences between the two.

Comprehensive Plan Chapter 1: Future Land Use Element

Completed Policies & Objectives

- 1. Policy 1-1.1.1.(b).** Other Architectural Features. Within one year from Plan adoption, the LDC shall be amended to specify appropriate standards for architectural details which may regulate the use of materials and colors, the minimum frequency of detail elements, and the use of rooflines

appropriate to a given architectural style. Buildings shall be designed to be pedestrian-oriented to encourage travel on foot within and between sites. Staff Comment: This has been implemented through LDC Section 7.09.03. Design Review Requirements. This policy should be continued into the new LDC update.

Staff Comment: This has been implemented through LDC Section 7.09.03. Design Review Requirements. This policy should be continued into the new LDC update.

The Agency members agreed to move this forward.

- 2. Policy 1-1.1.1(2).** Design Criteria for Sites. Within one year from Plan Adoption, the LDC shall be amended to enhance site design criteria that promote multimodal connectivity, maximize functional open space, and promote harmony with existing structures. The following are design standards that shall be applicable to all development, with the exception of industrial uses, and single-family and duplex residences, that front onto a street in the Mixed-Use Districts.

- **Building Siting.** Buildings shall be sited in order to maximize functional open space and meet LDC design standards to provide frontage on existing and proposed public and publicly accessible streets.

Staff Comment: This has been implemented through LDC Section 7.09.03. Design Review Requirements. This policy should be continued into the new LDC update.

The Agency members concurred with this statement.

- **Location of Off-Street Parking.** The following are the design standards that shall be applicable to all off-street parking.
- **Surface Parking Lots.** Surface parking lots should be located at the side or rear of the principal structure whenever feasible. If parking lots about the right-of-way, vegetative screens consisting of trees and shrubs shall be constructed to create a visual buffer.
- **Parking Structures.** Where feasible, parking structures shall be located towards the interior of the lot. Parking structures that face the street shall comply with design criteria in the LDC.

Staff Comment: This has been implemented through LDC Section 8.09.03(A)(2)(c) - Parking Structures and 8.09.03(A)(4) - Multimodal Transportation District Design Standards, On-site Parking (only in Old Destin MMTD). This policy should be continued into the new LDC update.

The Agency members concurred with this statement.

Pedestrian Walkways and Linkages. All new development shall be designed with pedestrian sidewalks that provide safe and convenient pedestrian movement that is separated from drives, traffic

aisles, and other areas of vehicular traffic. A logical pedestrian sidewalk network shall be provided throughout the development and shall interconnect all buildings including dwelling units and nonresidential uses, common open space, transit stops and sensitive area tracts and connect with the public sidewalk system.

Staff Comment: This has been implemented through LDC Sections 8.09.03(A)(6), 8.09.03(B)(4) Multimodal Transportation District Design Standards, Pedestrian Network (both Old Destin and Crystal Beach) and 8.05.03 Sidewalk specifications. This policy should be continued into the new LDC update.

The Agency members concurred on the statement.

- Bikeways. Bikeways shall be required on collectors and arterials. Bikeways shall be a minimum of five feet wide and may use asphalt paving.

Staff Comment: This has been implemented through LDC Section 8.03.00 Design standards for new and reconstructed roads and streets (Table 8-1) Allows for 4' wide bikeway on collectors without on-street parking. This policy should be continued into the new LDC updates.

The Agency members concurred.

- **Supplemental Setback and Buffering Requirements from Single-Family, Duplex, or Townhome Uses.** The LDC shall maintain supplemental setback and buffering requirements, in relation to building height, for projects located in the NHMU, HIMU, CG, HDR, BRMU and TCMU designations that abut single family, duplex or townhome uses.

Staff Comment: This policy should be continued into the new LDC update.

Agency member Bell asked for the definition of supplemental setback which Mr. O'Connor provided the location of where in the LDC the design criteria information is located.

The Agency members agreed with the statement.

3. Policy 1-3.6.3: Noncomplying Structures and Nonconforming Uses.

Within one year from Plan adoption, the city shall adopt an ordinance within the LDC which prohibits development that intensifies a nonconforming use or increases or exacerbates the intensities of a non-complying feature of building or structure. Standards shall continue to require that plans for alterations to non-complying structures incorporate improvements to bring the subject structure into compliance to the greatest reasonable and practical extent. In no case shall any existing non-compliance be increased or exacerbated.

Staff Comment: This has been implemented through LDC Section 7.13.00 – Nonconforming Structures and Uses. This policy should be continued into the new LDC updates.

The Agency members agreed with the statement.

Partially Completed Policies & Objectives

1. Policy 1-1.1.1(a). Building Massing and Scale. Buildings shall be designed to reduce the mass/scale and uniform monolithic appearance of large unadorned walls, while providing visual interest that will be consistent with the community's identity and character through the use of detail and scale and variations in rooflines and fenestration (i.e., character and interrelationships of facade design components including windows, dormers, doors, and roof design). Within one year from Plan adoption, the LDC shall be amended to specify:

- i) the maximum length of facades, measured horizontally;
- ii) the minimum height above which a building shall step back farther from the street or other public realm;
- iii) the minimum distance between buildings of a given height; and
- iv) appropriate proportions for building façade elements. **PUD submittals shall demonstrate the impact of the project on access to light, impact on airflow dynamics, as well as other visual impacts that may be deleterious to adjacent properties, motorists, pedestrians, or segments of the population.**

Staff Comment: Implemented through LDC Sections 7.09.03. Design Review Requirements, 7.12.08. Dimensional Requirements. However, No LDC language currently exists regarding PUD requirements. Staff recommends the PUD language be removed from this policy. The PUD discussion will be reviewed under Policy 1-3.2.5 (#3 below). This policy should be continued into the new LDC update.

The Agency members agreed with moving the underlined PUD language above to #3.

2. Policy 1-1.2.2: Prevent Deterioration and Enhance the Appearance of Residential Areas.

Prior to the next Evaluation, Appraisal and Review (EAR), the LDC shall be amended to include standards for exterior building maintenance, maintenance of landscaping, and limitations on storage of vehicles and other items in yard areas.

Staff Comment: No Code language exists in the LDC related to exterior building maintenance. Should there be specific language developed and placed in the LDC to enforce exterior maintenance of residential structures?

There was a brief discussion regarding buildings that are falling apart and if this language applies. According to Mr. O'Connor, if it's an unsafe building, those conditions are regulated under Unsafe Building Abatement language in the Florida Building Code.

Staff Comment: Implemented through 12.04.06 – Landscaping Maintenance and Use Standards, **only applies** to development which receives a development order. Currently, there is no landscaping maintenance requirement for properties that do not have a Development Order. Should language be developed and placed in the LDC to enforce maintenance of landscaping on residential lots and development?

Agency member Bell inquired about the State Statutes passed in the last year where homeowners cannot be forced to not have vegetable gardens in their front yards. After a brief discussion, the LUA

stated that she would investigate that to find out if it applies to municipalities or HOA's and provide them the answer.

Staff Comment: Storage of vehicles is regulated through LDC Section 9.05.00 – Conserve Residential Neighborhoods, however it allows storage in the side yard. This does not prevent storage of all vehicles. Should language be developed and placed in the LDC to enforce maintenance of landscaping on residential lots and development?

There was a discussion regarding the proliferation of junk built up in a property owners' front yard and how those are regulated in the city.

3. Policy 1-3.2.5: Mixed Use Developments. Within one year from Plan adoption, the LDC shall be amended to include provisions intended to implement the Comprehensive Plan mixed-use goals, objectives and policies. The LDC shall implement programs directed at advancing the mixed-use development provisions within the Comprehensive Plan and illustrated on the Future Land Use Map (FLUM). The provisions shall, at a minimum, contain:

- LDC provisions governing total floor area ratio, lot coverage requirements, height variations, setbacks, elevations, rooflines, and other design features shall be designed to implement Policies addressing land use transition, ITEM # 2022-4911 compatibility, and consistency with goals, objectives, and Policies of the Comprehensive Plan. Design criteria shall also be included in the LDC to assist in implementing these Plan initiatives.

Staff Comment: This has been implemented through LDC Sections 7.09.03. - Design Review Requirements and 7.12.08. - Dimensional Requirements. In addition, Ord 21-08-LC helps further implement this policy. This policy should be continued into the new LDC update.

- Planned Unit Developments (PUD) shall be designed to provide innovative design. The city will develop a revised and more robust PUD ordinance to guide the development of mixed-use projects and larger sites that require more sensitive planning and quality place-making.

Staff Comment: No PUD ordinance was adopted or implemented. However, the PUD process is being rewritten through the LDC update project. Is there specific direction or guidance for PUDs from the LPA members?

There was a brief discussion about Mixed Use PUD's and examples of them in Destin, that being the Winn Dixie and apartments nearby. Mr. O'Connor also explained there are different criteria for different type of PUD's. Additionally, he explained that the PUD language will reference the design manual in reference to what type of PUD the person is looking for.

4. Policy 1-3.4.2: Enhance Waterfront Access. Harbor and Gulf access is a treasure to be enjoyed by all citizens of Destin. Access can be provided directly through boat ramps, docks, and piers. Access can also be provided visually through walkways, control of exotic vegetation, open space, scenic easements, and breezeways. Within one year from Plan adoption, the city shall

amend the LDC to include procedures and substantive provisions that protect and ensure public access to the Harbor area, especially the waterfront and planned Harbor boardwalk. Within one year following Plan adoption, the city shall develop incentive programs to provide additional pedestrian access to the Harbor boardwalk.

Staff Comment: This policy has been implemented through LDC Section 8.09.03.A(9) - Multimodal Transportation Design Standards, Harbor Connections & 8.09.03.B - Crystal Beach MMTD sub-area. However, no incentive program has been developed but we did develop parking lots in the Harbor District. We also purchased lots in Crystal Beach at Crystal Shores, so this has been partially implemented. This policy should be continued into the new LDC update.

The Agency members agreed with this statement.

5. Policy 1-3.5.6: Encouraging Infill Development. The city shall use its fiscal resources to encourage infill, including such actions as the installation of sewer line expansion, reuse line expansion, under grounding utilities, and similar actions. Within one year from Plan adoption, additional incentives programs shall be adopted as part of the amended LDC to encourage the reuse and improvement of marginal structures or redevelopment of land within the Town Center and Harbor CRAs.

Staff Comment: Infill is encouraged via zoning districts, not financially. Several public projects have taken place in the CRA districts. However, there are no additional incentive programs in the LDC. Should financial or reduced limitations incentives be developed to further encourage infill?

Staff briefly explained what Infill is and provided descriptions of several in the city. The Agency members agreed.

In-Progress Policies & Objectives

1. Policy 1-1.7.3: Underground Utilities. Prior to the next EAR, the city shall identify and prioritize areas for implementing programs to dismantle above ground utility facilities and bury the same underground in a manner coordinated with economic development opportunities. The city shall coordinate with Gulf Power to develop a cost-feasible plan for undergrounding in the areas that the city has determined to be the highest priorities.

Staff Comment: With Utility Undergrounding underway so the policy is complete execution is not. However, all references to Gulf Power need to be changed to “local energy provider.” Policies & Objectives to be implemented through the LDC Update.

The Agency members agreed to the statement.

1. Policy 1-1.3.3: Major Mixed-Use and Resort Planning Areas. Within one year from Plan adoption, the LDC shall include special design criteria to achieve the identity, form, and function established for these areas as stated below and in Section 1-2 of this Comprehensive

Plan. Major commercial and mixed-use activity centers are described below:

- Harbor Planning Area
- Town Center Planning Area
- Crystal Beach Planning Area • Holiday Isle Planning Area
- Gulf Resort Planning Area

Staff Comment: This policy is currently being implemented through Ordinance 22-02- PC, which are the Planning Areas that were introduced to them a few months ago. The Agency members agreed to the statement.

- 2. Policy 1-1.6.1: Coordinated Land Use Planning.** The city shall ensure that all proposed land development is located and designed with appropriate consideration for soil and topographic conditions. The city shall ensure that all new development is consistent with performance criteria governing resource conservation, public facilities, concurrency management, and level of service standards before a development order is issued. In addition, within one year from Plan adoption, the LDC shall be updated to ensure that newly proposed land use criteria, including, but not limited to, density, intensity, design, and other characteristics of the development, are consistent with the character of the surrounding area, can be accommodated on the site without adversely impacting natural features of the site or the surrounding environment, meet concurrency requirements, and are consistent with the Comprehensive Plan and LDC.

Staff Comment: This policy is currently being implemented through Ordinance 22-02-PC and the LDC Update.

The Agency members agreed to the statements.

- 3. Policy 1-2.6.1: Airport (A).** Within one year from Plan adoption, Destin shall coordinate land use issues impacting the airport with the Federal Aviation Administration (FAA) and Okaloosa County, as appropriate, in order to accomplish the following objectives:

- Foster use of Destin-Fort Walton Beach Airport in a manner that contributes to the development of the c
- City's economic base through selective pursuit of industry consistent with Policy 1-1.3.3.
- Promote safe operation of aircraft through:
 - i. Efficient use of airspace in relation to the surrounding land use within the Airport environs (i.e., within the noise contours and clear zone).
 - ii. Promote fire safety to protect surrounding land uses, especially nearby residential neighborhoods.
 - iii. Ensure that airport improvements accommodate operationally compatible aircraft and do not cause increased safety risks due to resultant expansion of noise contours and flight patterns inconsistent with established and projected land use patterns, or

- increased risk of accidents.
- iv. Ensure that new development within noise zones includes sound insulation consistent with best management practices for noise attenuation as may be established by the FAA or the Standard Building Code.

Achieve compatible Airport and industrial development by adoption of an Airport Master Plan that ensures compatibility of Airport uses with surrounding land use, through:

- i. Proper control of land uses that protects airport operations, avoids encroachment into environmentally sensitive areas, and ensures compatibility with nearby residential land uses, and reduces noise impacts outside the Airport property.
- ii. Preservation of the ecologically unique terrestrial wetlands on the property and perimeter buffer areas around the entire Airport property.
- iii. Promotion of aviation activity compatible with community needs and characteristics.

Staff Comment: This was implemented through LDC Section 7.15.00 – Airport and aircraft zoning regulations. However, this will need to be revised through LDC update, i.e. Staff has control of all uses, such as the dimensional limitations, but not the air space and flight patterns.

The Agency Members agreed to the statement.

Policies and Objectives Recommended for Removal

1. Policy 1-1.1.6: Site Plan Review. The site plan review process is necessary to enforce the policies of this plan and the standards in the LDC. The process shall be designed to allow staff to interact efficiently and collaboratively with applicants. Within one year of plan adoption, site plan review process documents shall be amended to provide checklists containing all design requirements and standards contained in those LDC provisions that implement Objective 1-1.1 and policies of this Plan applicable to review of site plan and development order applications. This shall include processes for reviewing compliance with enhanced landscaping and architectural standards. A pre-application meeting with city staff and a preliminary concept plan review shall be required for any new construction other than a single-family home on an existing lot in order to ensure applicants are able to receive feedback in a timely manner. The LDC may give staff the option to combine these steps for projects below certain size thresholds.

Staff Comments: Article 17 of the Land Development Code contains development checklists. However, the documents were modified by the city in 2019, and now the checklist documents and Land Development Code checklists are not consistent. It is recommended the city maintains the development checklists as city documents independent of the LDC. Therefore, as part of the LDC Update, Staff recommends removing Article 17 and maintaining the checklists outside the LDC.

The decision was to modify it and add nuances and point out to where the applicant needs

to go to find the necessary information.

Staff provided a brief outline of how the rest of the review process will take place for the entirety of the Comprehensive Plan.

5. ADJOURNMENT:

Having no further discussion at this time, the meeting adjourned at 7:20 p.m.

Adopted and approved this _____ day of _____ 2022.

James Wood, Jr. Chairman

Kim Montgomery, Destin City Clerk

**MINUTES OF THE
HARBOR AND WATERWAYS BOARD MEETING
DESTIN CITY HALL, FEBRUARY 28, 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, February 28, 2022, at Destin City Hall, with the Pledge of Allegiance immediately following.

2. ROLL CALL:

<u>Member Present:</u>	<u>Members Absent</u>	<u>Staff:</u>
Richard Hoey	Harvey Hurst	Kim Montgomery Deputy City Clerk
Guy Tadlock	Casey Jones	Daniel Butler Senior Planner
John Stephens		Tunazzina Alam Planner
Jim Green		Sace More Planner
Bill McKissick		Kyle Bauman City Attorney

3. APPROVAL OF MINUTES:

➤ **January 24, 2022**

Board member Green moved to approve the minutes of the January 24, 2022 minutes as written, with Board member Stephens providing the second; the motion passes with a 5-0 vote.

4. PUBLIC COMMENTS:

None

5. OLD BUSINESS:

None

6. NEW BUSINESS:

A. 4137 Belcourt Drive- Proposed Single-Family Residential Marine Construction

Mrs. Alam provided the members with the details of the request adding that the request meets all the requirements of the Code and staff recommends approval of the request by the applicant, Josh Reiker, of a residential construction for one (1) 110' x 5' access pier, one (1) 20' x 10' terminal platform, one (1) 15' x 4' finger pier, and one (1) 16' x 10' stepdown platform, comprising approximately 970 square feet.

Board member Green made the recommended motion to that the Harbor and Waterways Board recommends City Council approve the request located at 4137 Belcourt Drive, subject to the applicant meeting all the requirements. Board member Stephens provided the second and the motion passed with a 5-0 vote.

B. 4141 Belcourt Drive - Proposed Single-Family Residential Marine Construction

Mrs. Alam provided the Board members with the background information on the request explaining that the request meets all the requirements of the code and staff recommends approval of the request by Blase Craig for the construction of a 106.5' x 4' access pier, one (1) 16' x 10' terminal platform, two (2) 40' x 4' finger piers, one (1) 40' x 18' covered boat slip, and one (1) 20' x 1' roof overhang, comprising approximately ±1,646 square feet.

Board member Green made the recommended motion to that the Harbor and Waterways Board recommends City Council approve the request located at 4141 Belcourt Drive, subject to the applicant meeting all the requirements. Board member Stephens provided the second. In discussion, Board member Tadlock questioned the submerged land lease requirements. Board member Green noted the location of the submerged land lease information in the application. **Having no further questions, the Chairman called for the vote and the motion passed with a 5-0 vote.**

C. 130 Country Club Drive W. - Proposed Single-Family Residential Marine Construction

Mrs. Alam provided the Board members with the background information on the request explaining that the request meets all the requirements of the code and staff recommends approval of the request residential construction of a 70' long and 36" high seawall to be built in two sections of 30' and 40' on both side of the existing dock.

Board member Green asked the applicant if the project was already built prior to obtaining a city Building Department permit.

The Applicant stated that he uploaded the information to Compass and thought that was all he needed to do to get the project started since it was to be built landward.

Board member Stephens asked if the project impacted seagrass beds. According to the applicant, it did not.

Board member Green stated that since he has the letter from the FDEP which is essentially an exemption, he has no issues with the request.

Board member Green moved to approve the requested project and for the Harbor & Waterways Board to recommend City Council approve the single-family marine construction project located at 130 Country Club Dr. W., subject to the applicant meeting all applicable City permit requirements. Board member Stephens provided the second. The motions passed with a 5-0 vote.

D. 138 Durango Road a Short-Term Rental- Proposed Commercial Marine Construction

Ms. Sae More provided the members with the background information of the project request. She explained that the project meets all the requirements of the Code as well as the 25' riparian line setback requirements, and staff recommends City Council approve the request to construct eight (8) mooring pilings, consisting of 4 measuring 8'X 25' piles with wrap and another 4 measuring 6' X 16' piles with wrap.

Board member Green asked how this request meets the 25" riparian setback when it's on a cove and have there been any comments for concern from the adjacent property owners.

Mr. Butler explained that staff mailed out the required letters to the adjacent property owners and staff has not received any comments within the required timeframe from the adjacent property owners.

Motion by Board member Green seconded by Board member Stephens for the Harbor & Waterways Board recommendation that City Council approve the request for a single-family marine construction project located at 138 Durango Road, subject to the applicant meeting all applicable City permit requirements.

Board member McKissick asked why this is considered a commercial request. According, the applicant's attorney, Alicia Hurwood, the owner, Ms. McDonald has the home listed as a short term rental, therefore the city deemed it as a commercial request. Board member McKissick asked if there are plans for a boat to be present full time as part of the rental. According to the applicant, yes, her personal pontoon boat.

Board member Tadlock provided the members with the background information regarding the horseshoe shaped easement owned by the County. And spoke of several concerns that the HIIA has with the project. He also mentioned that he has obtained the deed to the upland easement owned by the County.

The City Attorney warned Board member Tadlock regarding his conflict and with this being a Quasi-Judicial request and speaking of providing potential evidence.

The applicant's attorney spoke of how the County has supplied a letter for the applicant stating they have no objection to the request and do not have any concerns. And how they have expressed their concern with Mr. Tadlock's conflict with that panel as well.

Board member Green spoke of how at this point of the project review, with the County having no objection and neither adjacent property owner has voiced any concerns, HIIA should deal with their concerns separately from this Board's decision.

Board member McKissick asked the question if the request is for installation of mooring pilings or a boat slip.

According to Mr. Butler, the request is for 8-mooring pilings which constitutes a slip and is why it is before the Board as a boatslip. He reiterated the verbiage in 11.05.01(Q), "No pier shall extend more than 6-feet into a canal or right-of-way. However, it does not say anything about a boatslip extending 6-feet, it says, pier, which is a delimited wooden structure.

Vice Chairman Green pointed out that the waterway is a canal and the pilings would not impede any navigational waters. Also, the letter from the County clearly states they have no objection to the request.

The City Attorney explained he has spoken with the Community Development Director as well as the Land Use Attorney regarding this request and it is his determination and the city's position that the Board members need to "divorce" themselves from the HIIA process. Because they are two completely separate processes and, is not a legitimate basis to deny the application request based on potential HIIA issues.

The Chairman spoke of how his concern is whether the city has the right to authorize construction based upon the fact that there are no riparian rights associated with the applicant's property based on the State's 25-foot riparian rights requirements. He also spoke concern that the city may be held liable in the future if this request were approved.

According to Vice Chairman Green, if the County owns the water and the easement, and they have stated they have no objection to the request, he questions if the HIIA even have authority over this since the easement is not State waters, and it was dug by the County. Adding that the letter from the county keeps the city from being liable for anything.

Chairman Hoey also voiced his concern for the fact that the applicant does not have their State permits for the request and feels they should not be able to make a recommendation without them.

The City Attorney advised the members that they are all aware that this board does not have the authority to hold their recommendation based on whether those permits has been obtained. Reminding them those conditions can only be held at the building permit level at time of construction, where those type permits are required.

According to Mr. Butler, staff only needs the proof of submission to the FDEP which is included in the agenda item exhibits.

Vice Chairman Green restated his motion he made earlier **for the Harbor & Waterways Board recommendation that City Council approve the request for a single-family marine construction project located at 138 Durango Road, subject to the applicant meeting all applicable City permit requirements, which involves the FDEP, the State, and everything else discussed.** Adding that everything they've been discussing has a different venue to be dealt with at that level. He also spoke of how he feels if this board denies the permit based on other board members issues and some who sit on other panels to review this application, could potentially open the city up for litigation or liability problem.

Board member Stephens asked for the explanation as to why again this was being deemed commercial at a single family residence. Staff informed the board that the request is being deemed commercial because of the short term rental of the home, and not the marine construction, which are not allowed to be rented or provide the homeowner income based on the zoning regulations.

The City Attorney advised the Chairman to open the hearing for any other public comment. With there being none, Chairman Hoey closed the public.

The City Attorney then explained he doesn't normally swear in Harbor Board attendees because its normally perfunctory however, in this project, being Quasi-Judicial in nature, he asked for everyone that provided testimony to swear and affirm the testimony they provided earlier in the hearing was whole truth earlier. The following individuals swore:

Daniel Butler

Sae More

Missy McDonald

Alicia Hurwood

Board member Tadlock made a substitute motion to table the request until the County has resolved the ownership of the upland property. Board member McKissick provided the second.

The applicant's attorney reiterated that since the County has not conveyed the piece of property in 35 years, the idea that it's going to happen in the next month or two is farfetched. Additionally, that is not what is before the board. What is before them is the application for 8-pilings, and the county has already granted the use for those pilings and asked for the Boards vote to approve and move forward with the application. Noting that if there are later issues that come up, then it can be handled at that time.

Board member Green spoke out against the amended motion pointing out that the request is simply for 8 pilings to make a slip. Not a pier, not a dock, just a slip. And if the County has an issue with it later on, then it's up to them to make the applicant remove the pilings at a later date.

Adding that whatever issues anyone of them have with the request, there are plenty of other venues to voice those concerns.

The applicants attorney, Ms. Hurwood again spoke to the fact that Board member Tadlock has a conflict of interest with this project being that he sits on the HIIA Architectural Board and is making an amended motion to table the project.

Board member Tadlock withdrew his substitute motion.

Chairman spoke of how it's incumbent for the staff to make sure that all of the required permits are received prior to final approval of this project. **He then called for the vote and the motion passed 3-2 with Board members Tadlock and Chairman Hoey dissenting.**

7. BOARD MEMBER COMMENTS:

None

8. DIRECTOR'S REPORT:

None

9. NEXT MEETING DATE:

10. ADJOURNMENT:

With there being no further discussion, the meeting adjourned at 6:40 p.m.

Adopted and approved this _____ day of _____ 2022.

Richard Hoey, Chairman

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Action Item

AGENDA OUTLINE NUMBER: 4.A.

TO: City Council

THRU: Nichole DeVito, Human Resources Manager
Krystal Strickland, Finance Director
Lance Johnson, City Manager

FROM: Webb Warren, Deputy City Manager

DATE: 3/14/22

SUBJECT: Compensation Study

I. BACKGROUND: In 2021, the Destin City Council adopted the 2021 strategic plan. This plan had the top and critical priority council objective for our organization to “offer livable wages to attract and maintain high caliber staff”.

FY22 – Critical Priorities

1.1 Offer livable wages to attract and maintain high caliber, qualified staff
adopted by City Council on 7/19/21

In 2021, staff and Council prepared the FY22 budget through a series of annual budget workshops. Council later adopted the FY22 budget which allocated \$5,666,275 for salaries and \$1,762,633 for employee benefits. The budgeted amount was intended to cover a 5% cost of living adjustment (COLA) effective October 1, 2021, potential 2% merit increases for employees on their anniversary dates, and also was intended to cover anticipated effects of a wage and compensation study.

In accordance with Council's top priority objective, staff negotiated an increase in benefits within our health insurance package while decreasing the total cost of health insurance for FY22.

The existing FY22 budget also assumed:

1. 100% staffing for the entire year.
2. A possible mid-year adjustment in salaries when a compensation study is completed

In 2022, the Destin City Council reaffirmed to keep the top priority objective as a top and critical

priority.

FY23 – Critical Priorities

1.1 Offer livable wages to attract and maintain high caliber, qualified staff (I.*)

*Strategic Goal - I. Financially sound city providing service excellence
approved by the City Council on 3/7/22

II. DISCUSSION: Staff is recommending a hybrid of the COMPA and COMPA to MID methodology as described in Evergreen Solution's presentation. In Staff's presentation, the recommended option is option 3.

The COMPA methodology takes an employee's relation to the current salary scale midpoint, and places them within the ratio of the new salary scale midpoint. Staff recommend this method for approximately 70 FTEs from entry level generalist positions up to Specialist 1 mid-level positions.

The COMPA to MID methodology is similar to the above described COMPA methodology, but it caps the increase of salaries to a maximum of the new salary scale midpoint. Staff recommend this method for the City's 26 FTEs of upper mid-level positions.

Staff do not recommend compensation study adjustments for the 10 FTEs that are the top level managers aside from the normal annual merit and annual COLA increases.

In addition to the recommended compensation study increases, City staff would like to formalize a practice of automatically applying a cost of living increase each October 1 based upon a particular consumer price index. This item will be drafted in the form of a resolution to be brought forth to Council in the near future.

A. Link to Strategic Goals / Objectives: FY23 – Critical Priorities

1.1 Offer livable wages to attract and maintain high caliber, qualified staff (I.*)

*Strategic Goal - I. Financially sound city providing service excellence
approved by the City Council on 3/7/22

B. Effect on Budget (EOB): Below is a summary of the effect on budget as per staff's recommended hybrid approach to application of the compensation study.

- The FY 2022 adopted budget for salaries was \$5,666,275.
- At current rates, we estimate our total expenditures for FY 2022 salaries will be \$4,302,265**.
- Assuming Option 3 is adopted with an effective date of April 2nd (the next pay period start date), this would increase salary expenditure projections for FY 2022 by \$248,728.

	# of FTEs	% of staff	*Current Personnel Costs (1 year)	Hybrid Compa/Compa-Mid	Difference	Current Average Salary	Recommended Average Salary	% increase	
General	32.93	31%	\$ 1,041,749	\$ 1,259,375	\$ 217,626	\$ 31,640	\$ 38,250	21%	COMPA
Specialists Level 1	38.90	36%	1,560,049	\$ 1,825,715	\$ 265,666	\$ 40,104	\$ 46,934	17%	COMPA
Specialists Level 2	22.00	20%	1,322,203	\$ 1,396,900	\$ 74,697	\$ 60,100	\$ 63,495	6%	MID
Sr Specialists	4.00	4%	351,714	\$ 390,672	\$ 38,958	\$ 87,929	\$ 97,668	11%	MID
Sr Leaders	10.00	9%	980,442	\$ 980,442	\$ -	\$ 98,044	\$ 98,044	0%	
Total	107.83	100%	\$ 5,256,157	\$ 5,853,104	\$ 596,947				
Implementation Cost April-Sept (5 months)					\$ 248,728				
							Salaries ONLY	FY23 vs FY22	Future
			FY 2022 Budget	\$ 5,666,275		FY 2023 Budget	\$ 5,853,104	\$ 186,829	\$
			**YTD Exp/Encumber	4,302,265		FY 2022 Budget	\$ 5,666,275		
			Available Balance	1,364,010		FY 2021 Budget	\$ 4,738,300		
			This Motion	(248,728)		FY 2021 Actuals	\$ 4,254,736		
			Remaining Budget	\$ 1,115,282					

Below is a summary of the effect on the benefits budget. Most of the benefits will not be affected, because they are not related to salaries and wages. Certain personnel expenditures, such as employer taxes and retirement plan contributions are related to salaries, and this effect on the benefit budget is summarized below:

Current Benefits	New Benefits	Change
\$ 453,877	\$ 471,863	\$ 17,986
\$ 628,789	\$ 653,375	\$ 24,586
\$ 435,741	\$ 443,881	\$ 8,139
\$ 79,658	\$ 83,300	\$ 3,642
\$ 280,363	\$ 280,368	\$ -
\$1,878,428	\$1,932,787	\$ 54,354
April-Sept (5 months)		\$ 22,647
FY 2022 Budget		\$1,762,633
*YTD Exp/Encumber		1,574,286
Available Balance		188,347
	This Motion	(22,647)
Remaining Budget		\$ 165,700

The proposed option 3 would increase the upcoming FY2023 salaries budget by \$186,829 and the FY2023 benefits budget by \$54,354.

C. Level of Service (LOS): Increased Level of Service

III. CONCLUSION: Staff recommends that Option 3 be implemented.

IV. RECOMMENDED MOTION: I move to authorize the City Manager to implement Option 3 of the compensation study, effective for the pay period beginning April 2nd, 2022.

Attachments:

1. Briefing for
Compensation Study



Compensation Study

MARCH 16TH, 2022

Strategic Planning - Council Objectives

FY22 – Critical Priorities

1.1 Offer Livable wages to attract and maintain high caliber, qualified staff

adopted by City Council on 7/19/21

FY23 – Critical Priorities

1.1 Offer Livable wages to attract and maintain high caliber, qualified staff (I.*)

**Strategic Goal - I. Financially sound city providing service excellence*

adopted by City Council on 3/7/22

Implementing the Strategic Plan

Council adopted the FY22 budget which allocated \$5,666,275 for salaries for employees.

- Allocated \$1,762,633 for FY22 Benefits
- These included a 5% COLA and a possible 2% increase in merit for employees
- Staff negotiated an increase of benefits in our health insurance package while decreasing the total cost for Health Insurance

Implementing the Strategic Plan

In late FY21, Council authorized Evergreen Solutions to perform a compensation study that Council could consider for implementation in mid-FY22.

Survey Participation:

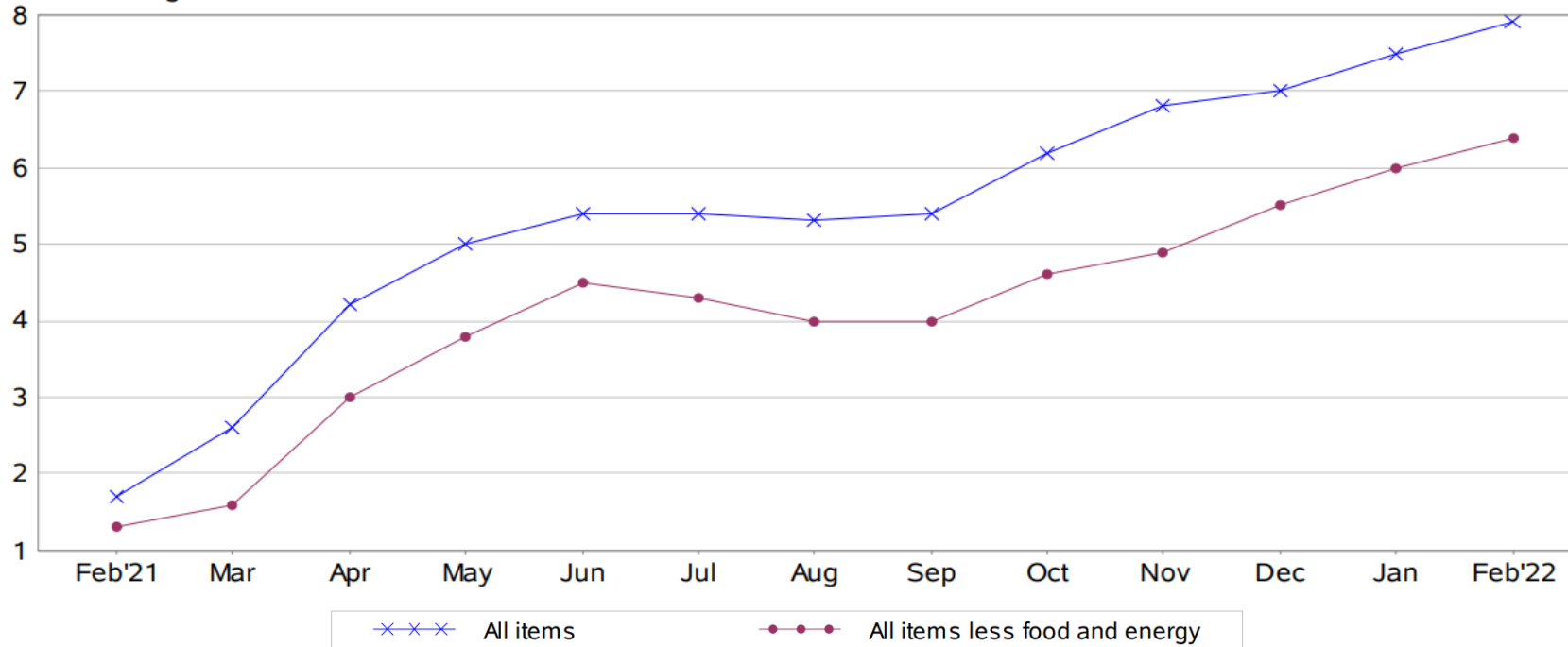
Employee Summary		
Total # of Employees taking electronic JAT	# Of Employee Surveys Complete	# Of Employee Surveys Incomplete
103	95	8
	% Complete	% Incomplete
	92.23%	7.77%

Economic Conditions – Consumer Price Index

*Bureau of Labor Statistics

Chart 2. 12-month percent change in CPI for All Urban Consumers (CPI-U), not seasonally adjusted, Feb. 2021 - Feb. 2022

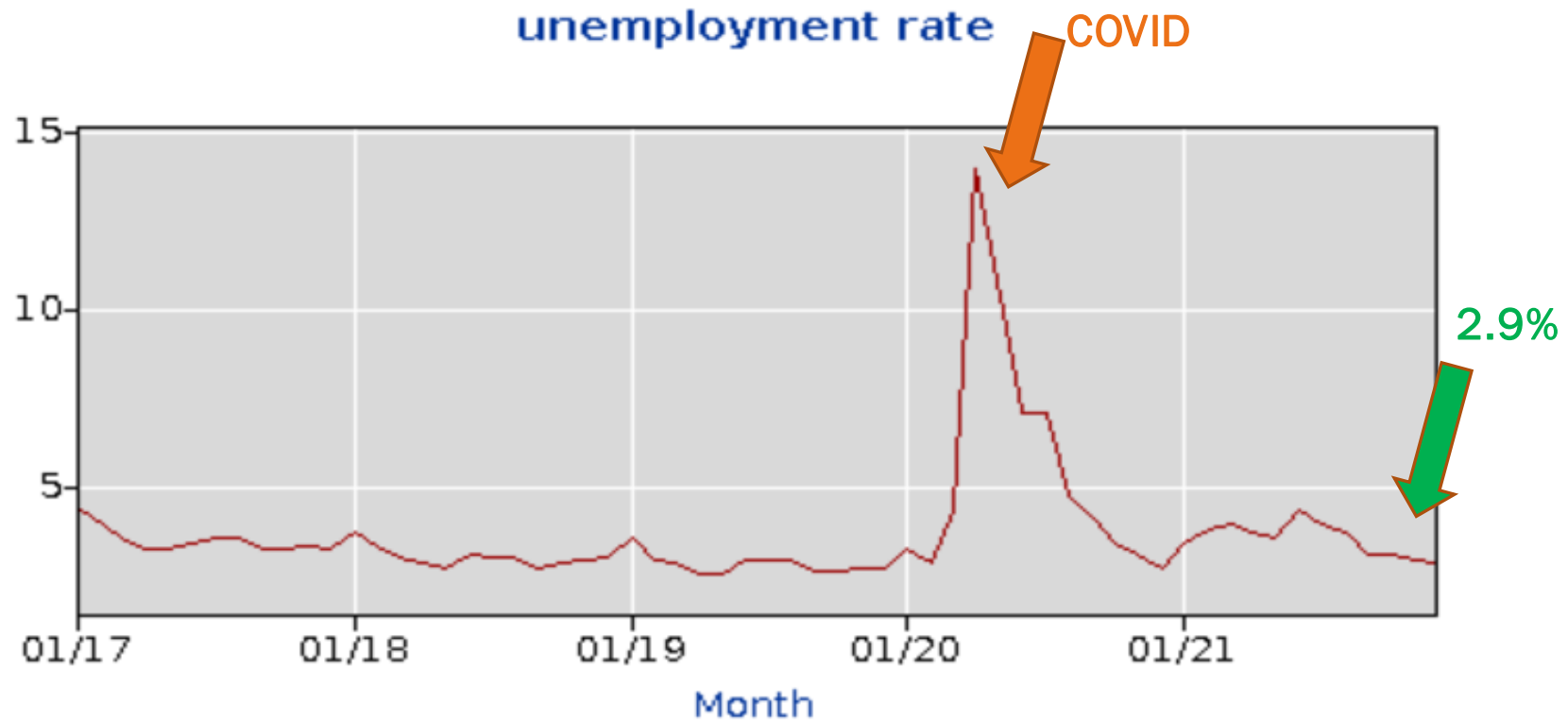
Percent change



Inflationary
Pressures
Continue to
Rise

Unemployment Rate in Okaloosa County

*Bureau of Labor Statistics – 2.9% in December of 2021



Evergreen Compensation Study – Market Results

Unadjusted Results (no cost-of-living adjustment)			Adjusted Results (cost-of-living adjusted)		
Minimum	Midpoint	Maximum	Minimum	Midpoint	Maximum
-19.4%	-19.1%	-18.8%	-17.4%	-16.9%	-16.4%

- A negative differential indicates the City is behind at that market position on average.
- While cost-of-living adjustments make the City slightly more comparable than an evaluation without an adjustment, the City is significantly behind the market at the minimum, midpoint, and maximum of the range.
- When considering benefits, most peers are within +/- 1 percent.

Compensation Study- Key Recommendations

1. Adopt an adjusted pay plan with fewer pay grades. The newly recommended pay plan has consistent range spreads and progression between the grades.
2. Reassign pay grades to positions based on internal equity and the market results. Some positions will see larger adjustments than others due to the market response.
3. Place employees within their newly recommended pay grades. Select an implementation methodology that aligns with the compensation philosophy and financial means of the City.

Compensation Study- Implementation Options

- **Compa Ratio** – sets an employee's salary in the recommended range so that their compa ratio is unchanged. Compa ratio is a ratio between an employee's salary and their range midpoint. Therefore, if an employee is at midpoint before the study, they would remain at the midpoint after the study. If they are 5% below the midpoint in their current pay grade, they would be placed 5% below the midpoint of their newly recommended pay range as well.
- **Compa Ratio to Midpoint** – uses the compa ratio methodology, but does not adjust employees who are above the midpoint. Therefore, an employee who is at the midpoint currently would remain at the midpoint in their new pay range, but an employee who is 5% above their midpoint currently may fall to the midpoint of their new grade.

Option 1 – COMPA to MID FOR ALL

*** Assumes fully staffed Oct 1 - Sept 30, 2022 on current salary scales**

****YTD Exp/Encumber=ytd actuals/(11/26
payperiods paid to date)**

Options for Implementation

Option 2 Straight COMPA FOR ALL

	# of FTEs	% of staff	*Current Personnel Costs (1 year)	Recommended Personnel Costs (1 year Compa)	Difference	grades	Current Average Salary	Recommended Average Salary	% increase		
General	32.93	31%	\$ 1,041,749	\$ 1,259,375	\$ 217,626	101-103	\$ 31,640	\$ 38,250	21%		
Specialists Level 1	38.90	36%	1,560,049	1,825,715	265,666	104-107	\$ 40,104	\$ 46,934	17%		
Specialists Level 2	22.00	20%	1,322,203	1,456,468	134,265	108-110	\$ 60,100	\$ 66,203	10%		
Sr Specialists	4.00	4%	351,714	423,969	72,255	111-115	\$ 87,929	\$ 105,992	21%		
Sr Leaders	10.00	9%	980,442	1,069,165	88,724	111-115	\$ 98,044	\$ 106,917	9%		
Total	107.83	100%	\$ 5,256,157	\$ 6,034,693	\$ 778,535						
			Implementation Cost April-Sept (5 months)		\$ 324,390						
								Salaries ONLY	FY23 vs FY22	Future COLA each 1%	
			FY 2022 Budget	\$ 5,666,275			FY 2023 Budget	\$ 6,034,693	\$ 368,418	\$ 60,244	
			**YTD Exp/Encumber	4,302,265			FY 2022 Budget	\$ 5,666,275			
			Available Balance	1,364,010			FY 2021 Budget	\$ 4,738,300			
			This Motion	(324,390)			FY 2021 Actuals	\$ 4,254,736			
			Remaining Budget	\$ 1,039,620							

* Assumes fully staffed Oct 1 - Sept 30, 2022 on current salary scales

**YTD Exp/Encumber=ytd actuals/(11/26 payperiods paid to date)

Options for Implementation

Staff's Recommendation - Option 3 – Hybrid of COMPA and COMPA-MID

	# of FTEs	% of staff	*Current Personnel Costs (1 year)	Hybrid Compa/Compa-Mid	Difference	grades	Current Average Salary	Recommended Average Salary	% increase		
General	32.93	31%	\$ 1,041,749	\$ 1,259,375	\$ 217,626	101-103	\$ 31,640	\$ 38,250	21%	COMPA	
Specialists Level 1	38.90	36%	1,560,049	\$ 1,825,715	\$ 265,666	104-106	\$ 40,104	\$ 46,934	17%	COMPA	
Specialists Level 2	22.00	20%	1,322,203	\$ 1,396,900	\$ 74,697	107-110	\$ 60,100	\$ 63,495	6%	MID	
Sr Specialists	4.00	4%	351,714	\$ 390,672	\$ 38,958	111-115	\$ 87,929	\$ 97,668	11%	MID	
Sr Leaders	10.00	9%	980,442	\$ 980,442	\$ -	111-115	\$ 98,044	\$ 98,044	0%		
Total	107.83	100%	\$ 5,256,157	\$ 5,853,104	\$ 596,947						
			Implementation Cost April-Sept (5 months)		\$ 248,728						
			FY 2022 Budget	\$ 5,666,275			FY 2023 Budget	\$ 5,853,104	\$ 186,829		Future COLA each 1%
			**YTD Exp/Encumber	4,302,265			FY 2022 Budget	\$ 5,666,275			
			Available Balance	1,364,010			FY 2021 Budget	\$ 4,738,300			
			This Motion	(248,728)			FY 2021 Actuals	\$ 4,254,736			
			Remaining Budget	\$ 1,115,282							

* Assumes fully staffed Oct 1 - Sept 30, 2022 on current salary scales

**YTD Exp/Encumber=ytd actuals/(11/26 payperiods paid to date)

Strategic Planning - Council Objectives

FY22 – Critical Priorities

1.1 Offer Livable wages to attract and maintain high caliber, qualified staff

adopted by City Council on 7/19/21

FY23 – Critical Priorities

1.1 Offer Livable wages to attract and maintain high caliber, qualified staff (I.*)

**Strategic Goal - I. Financially sound city providing service excellence*

adopted by City Council on 3/7/22

How can a proposed solution be sustainable where Destin can remain a financially sound city?



Inflationary and Rising Cost of Business – News Headlines

'It directly affects us'; rising fuel cost impacts businesses, governments

Rising gas prices impacts local workers, from rideshare drivers to small business owners

Restaurants face a triple threat with rising costs

By: Rachael Eyer **Mar 10, 2022** Updated **10 hrs ago**  0

Strategy for Financial Sustainability

ALL FUNDS	ADOPTED BUDGET			Projections		
Operating Revenue	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
01 CITY REVENUES	\$ 11,713,556	\$ 12,495,960	\$ 13,823,686	\$ 14,376,181	\$ 14,930,032	\$ 15,509,033
02 OPERATIONAL REV	4,610,849	4,349,919	4,947,401	5,051,446	5,133,678	5,218,307
Subtotal Recurring Operational Revenue	\$ 16,324,405	\$ 16,845,879	\$ 18,771,087	\$ 19,427,627	\$ 20,063,711	\$ 20,727,339
Operating Expenditures						
01a SALARIES	4,490,157	4,738,300	5,667,700	5,853,104	6,085,047	6,326,666
01b BENEFITS	1,814,578	1,951,872	1,762,633	1,932,787	2,034,106	2,073,984
02 CONTRACTUAL	4,505,368	4,363,879	4,741,724	4,508,917	4,512,227	4,642,833
03 OP EXPENSE	2,534,369	2,795,600	2,808,483	2,816,178	2,885,015	2,956,016
Subtotal Operational Expenditures	13,344,472	13,849,650	14,980,541	15,110,987	15,516,396	15,999,499
Subtotal Net Operations	\$ 2,979,933	\$ 2,996,228	\$ 3,790,546	\$ 4,316,640	\$ 4,547,315	\$ 4,727,840
PERSONNEL % of City Revenues	38%	38%	41%	41%	41%	41%
PERSONNEL % of Operational Expenditures	34%	34%	38%	39%	39%	40%

"For many local governments, workforce costs represent more than two-thirds of their operating budget."

<https://www.gfoa.org/materials/role-of-the-finance-officer-in-collective-bargaining>

Strategy for Financial Sustainability

	Actuals		Projected		
	FY2020	FY2021	FY2022	Potential Increase	Notes
CURRENT AD VALOREM TAXES	8,435,039	9,136,353	9,824,917		Each adjustment of 1/10th of a mill = \$700k
LOCAL BUSINESS TAX RECEIPT	131,279	189,085	144,191	50,000	Proposing to simplify fee schedule and to improve enforcement
SOLID WASTE FRANCHISE	38,740	43,300	40,413	200,000	Currently 1%. All other franchise fees are 6%. Bring to 6%.
LIVERY VESSEL PERMIT FEE	39,612	46,450	40,000	2,800	Note 1 below. Calc at 7%.
RENTAL REGISTRATION FEE	609,468	542,175	514,382	36,007	Note 1 below. Calc at 7%.
ZONING REVIEW FEES	146,786	175,659	166,212	11,635	Note 1 below. Calc at 7%.
R-O-W PERMIT FEES	51,732	47,477	39,358	2,755	Note 1 below. Calc at 7%.
BEACH VENDOR PERMIT	5,587	8,850	4,050	284	Note 1 below. Calc at 7%.
MARINE APPLICATION FEES	294	100	1,433	100	Note 1 below. Calc at 7%.
CEMETERY LOT/SEA MEMORIAL	23,443	50,965	27,322	1,913	Note 1 below. Calc at 7%.
PARK SERVICE FEES	5,919	6,142	8,157	571	Note 1 below. Calc at 7%.
JOE'S BAYOU ANNUAL PASS	11,945	14,191	8,302	581	Note 1 below. Calc at 7%.
JOE'S BAYOU REC FEES-HONOR BOX	110,515	90,155	71,267	4,989	Note 1 below. Calc at 7%.
HENDERSON BEACH PARK PASS	12,840	18,624	14,377	1,006	Note 1 below. Calc at 7%.
COMMUNITY CENTER	59,823	84,187	74,517	5,216	Note 1 below. Calc at 7%.
MORGANS SPORTS COMPLEX	119,453	123,636	84,440	5,911	Note 1 below. Calc at 7%.
OTHER CITY REVENUES (ADJUSTMENTS NOT RECOMMENDED)	1,911,081	1,918,609	2,760,349	-	No increase recommended or already at max (i.e. parking fees, electric franchise fees, concessions, etc)
TOTAL 01 CITY REVENUES	11,713,556	12,495,960	13,823,686	323,767	

CITY REVENUES = Revenues that the City can control/adjust i.e. Ad Valorem, Charges for Services, Permits & Licenses

Strategic Plan – Adopted Strategies for Financial Sustainability

Strategic plan:

Council Objectives (March 7, 2022)

- Annexation of unincorporated enclaves 1.6(I)

Management Objectives and Projects FY23 (ratified July 19, 2021)

- Establish Park Foundation to facilitate investments in acquisition and operations of parks (2.8)
- Impact Fee Study (4.4) should reduce General Fund dollars going towards capital projects
- Building Permit Fee Study (4.5) to ensure Building Department expenditures are covered
- Update BTR Fee Schedule and Processes (4.6)

****Staff also recommends the Fee Schedule be updated on a regular basis and fees tied to a pricing Index to ensure service fees are keeping up with inflationary and cost of business trends.***

Strategic Planning - Council Objectives

FY23 – Critical Priorities

**adopted by City Council on 3/7/22*



1.1 Offer Livable wages to attract and maintain high caliber, qualified staff (I.*)



Strategic Goal - I. Financially sound city providing service excellence



**3/9/2022 – STAFF LUNCH AND LEARN ON PERSONALITY PROFILES –
EXISTING TESTS AND TOOLS FOR RECRUITING AND RETENTION OF
EMPLOYEES**

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: City Manager Report

AGENDA OUTLINE NUMBER: 4.B.

TO: City Council

THRU: Michael Burgess, Public Services Director
Jeffrey Cozadd, Grants Manager
Krystal Strickland, Finance Director
Kyle Bauman, City Attorney
Lance Johnson, City Manager

FROM: Webb Warren, Deputy City Manager

DATE: 3/11/21

SUBJECT: Solid Waste Franchise Contract - Request for Direction

I. BACKGROUND: The City of Destin is in the final year of a five-year solid waste services franchise agreement with Waste Management, Inc, of Florida (WM). This franchise agreement will expire on September 30, 2022.

The current standard residential rate (effective Oct 1, 2021) for Destin residents is:

Monthly \$22.78

Quarterly \$68.35

Annual \$273.40

The current Destin contract also provides for a discounted senior service at \$18.63 monthly/\$223.50 annually.

The current agreement provides residential services as follows:

- Twice a week solid waste service (96 gallon)
- Once a week recycling service (96 gallon)
- Once a week bulk pickup
- Once a week yard waste pickup

Destin and surrounding area current contract comparisons:

LOCATION	CONTRACTOR	SERVICE/GARBAGE	SERVICE/RECYCLING	SERVICE/YARD WASTE	SERVICE/BULK	COST/MONTH/RESIDENT
Destin, FL	Waste Management	2x/wk garbage	1x/wk recycling	1x/wk yard waste	Provided	\$22.78
Okaloosa County	Waste Management	2x/wk garbage	1x/wk recycling	1x/wk yard waste	Provided	\$25.90
Santa Rosa County	Waste Pro	1x/wk garbage	subscription only	1 item/month	Provided	\$25.75 (\$9.89 Recycling) \$35.64
Escambia County	ECUA	1x/wk garbage	1x/wk recycling	1x/wk yard waste	None	\$24.54
Fort Walton Beach	FWB	1x/wk garbage	1x/wk recycling	1 item/month (\$30 each add. item)	Provided	\$22.63
Panama City Beach	Waste Pro	1x/wk garbage	1x/wk recycling	1 item/month	Provided	\$37.00

Unincorporated areas of Okaloosa County have a similar service contract like Destin's with Waste Management. However, they have a different pricing schedule than Destin. Okaloosa County's contract with Waste Management is set to expire on March 31, 2022.

The Okaloosa Board of County Commissioners voted on March 15 to renew their contract (effective April 1, 2022) with Waste Management (ATT6). This was done under the direction of the County Commissioners for staff to negotiate a new contract with Waste Management. The unincorporated Okaloosa County residential rate increased under the new contract from \$25.90 to \$29.82 per month (15% increase), plus a \$.76 remediation fee.

Staff have received a low number of complaints on solid waste services since 2017 regarding our solid waste services. Since 1/01/2021, the City has received 11 complaints and 37 compliments on Destin's solid waste services.

II. DISCUSSION: The City has had a franchise agreement with Waste Management for over 15 years. In 2017, the City released a solid waste services RFP and had 3 respondents. The structure of scoring and the **results of the 2017 bid committee tabulation** were as follows:

Project: RFP 17-15-PS Residential & Commercial Solid Waste Services

Criteria evaluated by 4 bid committee members	Emerald Coast Disposal	Waste Management	Waste Pro
QUALIFICATIONS, EXPERIENCE & PERFORMANCE (20 Pts.) x4 = Max. 80 Pts	52	77	72
OPERATIONS & PROJECT APPROACH (30 Pts.) x4 = Max. 120 Pts.	95	113	106
Public Education & Outreach (10 Pts.) x4 = Max. 40 Pts.	28	36	33
Cost (20 pts Residential + 20 pts Commercial) x4 = Max. 160 Pts.)	152	136	80
Total Score (100 Pts) x4 = Max. Total 400 Pts.	327	362	291

The City's procurement policy outlines that the staff issues an RFP (request for proposal) for services such as Solid Waste Services.

An RFP for solid waste services can start well in advance of the contract expiration date to allow for ample time for staff to bid out and award a contract. This then ensures an awarded franchisee has ample time to plan for an upcoming five-year franchise agreement and the resources and services required to fulfill that contract.

The City Council has the discretion and authority to waive the RFP process if they feel it is in the best interest of the city. Waste Management has expressed the desire to negotiate a renewal of the solid waste contract with Destin (ATT5).

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

B. Effect on Budget (EOB): Currently, the franchise has a 1% franchise fee generating approximately \$40,000 annually for the city.

C. Level of Service (LOS): To be determined

III. CONCLUSION: Staff is preparing to move forward with the RFP process in advance of the solid waste franchise agreement expiring on Sept 30, 2022.

Okaloosa County directly renegotiated a similarly structured contract with Waste Management which resulted in a 15% increase in services.

Staff is seeking direction on whether to proceed with an RFP or if Council wants staff to negotiate with Waste Management and bring back an item for Council's consideration.

IV. RECOMMENDED MOTION: I move to direct the City Manager to issue a Request For Proposal (RFP) for Solid Waste Services.

ALTERNATE MOTION: I move to waive the standard procurement procedure and direct the City Manager to negotiate a renewal of the solid waste contract with Waste Management and bring information back to City Council by the first Council meeting in May.

Attachments:

1. ATT1 - City Council Minutes 03-20-2017
2. ATT 2 - 2017 Solid Waste Ordinance, Agenda Item and RFP
3. ATT3 - July 17, 2017 CC Minutes
4. ATT4 - August 7, 2017 CC Minutes
5. ATT5 - Letter from Waste Management on Future Franchise Expiration
6. ATT6 - OCBC Solid Waste Agenda Item 3-15-22

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
MARCH 20, 2017
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Scott Fischer

Councilmember Chatham Morgan

Councilmember Parker Destin

Councilmember Cyron Marler

Councilmember Tuffy Dixon

Councilmember Jim Foreman

Councilmember Rodney Braden

Destin City Staff

City Manager Carisse Lejeune

Public Information Manager Doug Rainer

Park & Recreation Director Lance Johnson

Development Manager Steve Schmidt

Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

Finance Director Bragg Farmer

IT Manager Webb Warren

HR Manager Karen Jankowski

City Attorney Jeffrey Burns

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Scott Fischer called the meeting to order at 6:00 PM. The Mayor called for a moment of silence; which was then followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

1. Approval of minutes of the December 19, 2016 regular city council meeting

Motion by Councilmember Morgan, seconded by Councilmember Marler, to approve minutes of December 19, 2016 meeting passed 6-0 (Council members Morgan, Destin, Foreman, Dixon, Marler and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

PUBLIC HEARINGS

2. *** Darrel Barnhill, on behalf of Henderson Beach Villas LLC, is requesting approval of a Major Subdivision identified as "Henderson Beach Villas." The proposed development consists of a ten (10) lots, townhome subdivision and common area. The proposed project is generally located south of Scenic Highway 98 East, addressed as 2716 Scenic Highway 98 East. Property can also be identified by Okaloosa County Property Appraiser's parcel I.D. number 00-2S-22-0580-000C-0090. The total site area is 0.86 acres, more or less.

The City Attorney read the above notice for the record. He then announced that the applicant has agreed to waive the reading of the entire notice to the public. He asked Council if they would waive the reading of the entire application into the record. There were no objections from the Council.

At this time, the City Clerk sworn in the following individuals for testimonies:

- Darrell Barnhill, Applicant and Project Manager, ECM Engineering
- John Elamad, Project Engineer, ECM Engineering
- Karen Haynes – Community Development Director, City of Destin

The City's Land Use Attorney provided the following statement for the record:

The proposed development does not meet certain existing provisions of the current Land Development Code, however, the proposal did meet all requirements of the Land Development Code as such Code existed at the time the initial application for the project was submitted on March 2, 2016. This is due to the subsequent passage of Ordinance 16-18-LC, which was passed in furtherance of Comprehensive Plan Objective 1-1.2 Residential Quality, and Comprehensive Plan Policies 1-1.2.1, Protect Residential Areas, 3-1.5.4, Minimize Potential Blighting Influences, and 3-1.5.9, Ensure Compatibility of New Development. On December 5, 2016, the City Council passed Ordinance 16-18-LC, which changed some of the requirements for the Crystal Beach Resort zoning district including the following: (1) it increased the required minimum amount of open space for single-family homes from 25% to 30%, (2) it reduced the maximum building height from 35 feet to 30 feet, (3) it increased the parking requirement for short term single-family and multi-family to approximately one parking space per bedroom, and (4) it allowed for an exemption from the short term parking requirements for single family homes intended for long term residential use only (6 months or more) if a deed restriction was recorded in the official records of Okaloosa County. The Community Development Department has included all information required by the Land Development Code for the review of Major Subdivisions. The proposed request is consistent with Florida Statutes, the City's Comprehensive Plan, and was consistent with the Land Development Code on March 2, 2016, the date on which the initial application for a Minor Tier 1 Development Proposal, #16-14-SP, was submitted.

Mr. Darrell Barnhill, the applicant, provided the following statement for the record:

They are proposing a very simple project; one building divided into 10 townhomes. The storm drain design has met all the requirements of the City's Land Development Code and Comprehensive Plan. They are proposing a single inlet in the middle of the parking lot with conveyance to a single retention pond that exceeds all City and the State's requirements for pollution control. They have had to meet on a number of occasions with the fire department and emergency services. It was their design proposal to have the U-shape approach to allow ambulances and other emergency vehicles to ingress and egress without impediment. The design that is before the Council tonight represents the input from the fire department and emergency services for public safety. They expect to generate approximately 5.81 new trips onto Old Hwy 98 on a daily basis. The traffic is distributed to Old Hwy 98 and onto Hwy 98 until they get down to zero trips. This has been approved by City staff in terms of traffic calculations.

Councilmember Foreman asked if the applicant is grandfathered in since the application came in before the amendments to the Land Development Code in terms of height and greenspace restrictions.

Mr. Barnhill replied they are grandfathered in according to City staff.

Mr. John Elamad, Project Engineer for ECM Engineering, was next to speak. He stated that this project consists of 10 units, each one 3 stories high. All the designs met the Florida Building Code and City of Destin requirements. He then showed the Council the drawings of the building describing the layout and the design of the structure.

Councilmember Morgan asked how many total bedrooms there are within the 10 units.

Mr. Elamad replied there are 5 bedrooms per unit.

Councilmember Foreman inquired as to the approximate square footage of each unit; to which Mr. Elamad replied 3,000 to 3,500 per unit.

Councilmember Braden asked why there are only 25 parking spaces for a total of 50 bedrooms.

Mr. Elamad noted it meets the code requirement at the time of the application.

The Mayor asked how close the structure was to the dune line.

Mr. Elamad replied the building is located north of the dune line, and that they are required to obtain a DEP permit; which is the next step.

The City Attorney asked if a homeowner's association has been incorporated for this property; and whether it is a Chapter 718 or Chapter 720.

According to Mr. Barnhill, their attorney will wait after the outcome of this meeting before filing for any homeowners' association.

The City Attorney asked if there was a lender for this project; to which Mr. Elamad replied that there is not.

The City Attorney noted that the City's Land Use Attorney contacted Mr. Barnhill today and informed him they have found some discrepancies on the plat. He asked if the plat that was submitted with the application was the final copy.

According to Mr. Barnhill, it was the final copy; however, when he discussed this issue with the Land Use Attorney, she stated that Council can choose to approve this project subject to final legal review.

The Land Use Attorney noted she informed Mr. Barnhill of the discrepancies on the plat today, and she asked if he would like to postpone the hearing until corrections were made. Mr. Barnhill opted to continue with this hearing tonight and leave it up to Council if they can approve the project contingent upon correction of these discrepancies.

At this time, the City Clerk sworn in Mr. Norman McClain, one of the owners of the project, for testimony.

Mr. McClain noted they put in the application for this project in March 2016. They have made several changes to it as requested by staff; and now almost a year later they are being informed that more changes have to be made to the application.

Mr. Elamad pointed out that even if Council decides to approve this project tonight, they would still need to submit the application to the DEP to obtain a permit to cross the erosion control line, which could take another 90 days. He continued they are requesting a letter from the City's Planning and Zoning Department stating they have complied with the engineering and design requirements so that DEP could act upon the application immediately. He added that the discrepancies the Land Use Attorney has noted would also be corrected.

At this time, the City Attorney asked if any member of the public wish to comment on this project. Having none, he turned the matter over to Council for deliberation.

Councilmember Foreman moved to approve the proposed subdivision as presented by staff with the conditions listed in Exhibit 3 of the staff report and contingent on the Land Use Attorney's review of the plat; seconded by Councilmember Marler.

The City Attorney cautioned against the Council setting precedence by approving a project not in total compliant with Florida Statutes. He re-emphasized that fact there are several discrepancies on the application – such as; missing witnesses and it does not explain Mr. Mclean's role with the company. He added this would not actually be a valid dedication for this plat.

Councilmember Morgan offered a substitute motion to delay voting for approval or denial of the project until all statutory requirements are met; and to continue this item to the April 3, 2017 Council meeting. Councilmember Dixon provided a second to the motion.

The City Manager asked if staff should go ahead and prepare the letter to DEP as requested by the applicant that they have met all the statutory requirements.

The Land Use Attorney recommends waiting to issue the letter until all the statutory requirements are met.

Councilmember Foreman stated that though he agrees with the City Attorney about getting things right the first time, the City has all the tools in place to expedite this matter and the applicant should not have waited a year to get a project approved.

The City Manager explained there have been a turnover of personnel and she cannot speak on the delay that happened in the past, especially before she arrived at the City. However, she did see several renditions of the plans and that they were wrong. She also stated they are trying to establish a culture where staff can work with the developers to bring the project to the City in a very timely manner. She continued they need the developers to work with the City, to study the code, and bring forward site plans that meet the code. This should eliminate the delay of having staff review the application time and time again because elements do not match the code. She added they are ready to issue a development order for this particular project once it is approved by the Council.

The Mayor called for a vote on the motion, which passes 4-2 (Council members Morgan, Destin, Dixon and Braden voted "yes"; Council members Marler and Foreman voted "no"; Councilmember Ramswell was absent from the meeting).

3. Second reading of Ordinance 17-07-CC, Livery Vessel regulation

The City Attorney read Ordinance 17-07-CC by title, and then presented it to the Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN RELATING TO LIVERY VESSELS; PROVIDING FOR ADDITIONAL FINDINGS OF FACT; PROVIDING FOR THE AMENDMENT OF SECTION 13-140 PURPOSE; PROVIDING FOR THE AMENDMENT OF SECTION 13-141 DEFINITIONS; PROVIDING FOR THE AMENDMENT OF SECTION 13-142 PERMIT REQUIRED; PROVIDING FOR THE AMENDMENT OF CODE OF ORDINANCES SECTION 13-143 FORMAL APPLICATION REQUIRED PROVIDING FOR THE AMENDMENT OF SECTION 13-144. APPLICATION FOR PERMIT; PROVIDING FOR THE AMENDMENT OF SECTION 13-146 PERMIT FEES; PROVIDING FOR THE AMENDMENT OF SECTION 13-153 ENFORCEMENT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

The City Manager noted that the City Council voted to adopt Ordinance 17-02-CC, Regulation of Livery Vessels, on second reading on February 21, 2017. Staff was directed by Council on February 6, 2017 to revise the outside timeframe for permitting the first year from March 15th to June 15th and bring back a revision to the ordinance pertaining to enforcement provision. This proposed ordinance revises the enforcement section by including a paragraph on Criminal Penalties. Other minor changes to the original ordinance clarify definitions permit application requirements and fees.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the Council for their discussion and consideration.

Councilmember Morgan moved to approve Ordinance 17-07-CC on second reading, seconded by Councilmember Dixon.

Councilmember Braden inquired into amending the requirement for permanent restrooms to be provided within 200 feet of the livery vessel docking location and to only require that a restroom is on the owner's property.

Councilmember Morgan suggests they pass this ordinance now to add an enforcement provision and then go back later on and addresses this other issue.

The Mayor called for a vote on the motion, which passes 5-1 (Councilmembers Morgan, Destin, Foreman, Dixon and Braden voted "yes"; Councilmember Marler voted "no"; Councilmember Ramswell was absent from the meeting).

PUBLIC OPPORTUNITY TO SPEAK ON COUNCIL PROPOSITIONS (Agenda items #4, #5, #6 thru #9, #10, #12A, #21)

CONSENT AGENDA*

4. Reimbursement to Mayor Scott Fischer for expenses incurred during his travel to Tallahassee, Florida to testify in opposition to Senate Bill 596, Wireless Communications Infrastructure and Community Redevelopment Area bills
5. Amendment to the City Manager Employment Agreement

Motion by Councilmember Morgan, seconded by Councilmember Dixon, to approve Consent Agenda items #4 and #5, as printed above, passed 6-0. (Council members Morgan, Destin, Foreman, Dixon, Marler and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

RESOLUTIONS

6. Resolution 17-11 – Emerald Coast Fitness Foundation Donation

The City Attorney read proposed Resolution 17-11 by title.

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR AUTHORITY TO PROVIDE FUNDING TO THE EMERALD COAST FITNESS FOUNDATION FOR THE REPAIR AND RENOVATIONS OF THE FORMER DESTIN YMCA POOL FACILITY; PROVIDING FOR AN EFFECTIVE DATE.

The City Manager noted that a change was made to the resolution that removed the language requiring the Emerald Coast Fitness Foundation to get commitments for the total funding required to open the facility and adding language that places a City Council member on the Emerald Coast Fitness Foundation Advisory Board. She also noted she was contacted by a member of the Foundation and informed her that the City made referenced to the Destin Middle School for the International Water Day when in fact it should be the Destin Elementary School.

The City Attorney advises they could make a change by hand in the resolution and the Council can go ahead and pass it if they so desire.

At this time the Mayor acknowledged the people who submitted a Request to Speak Card for this particular item.

Ms. Sue Goetz, a Destin resident, stated she has been associated with the YMCA for at least 24 years as a volunteer instructor. She continued that since the City invested heavily for the construction of the YMCA in Destin, she views this particular contribution as an opportunity to save what the citizens of Destin has already invested in this facility. She further stated that the YMCA conducted a Navy diving school; several groups participated in the swim meets; and there were swimming lessons conducted for children. She added that they need to do whatever is necessary to secure this facility.

Ms. Nonely Soto, swimming coach for the Destin Middle School, stated this facility touches the community in so many levels. The Destin Middle School as well as the entire County would love to be able to hold their swim meets in this facility. She also fees the entire community would benefit from it in the long run.

Councilmember Braden asked if the Destin Middle School pays a fee to use the YMCA.

Ms. Soto stated the Destin Middle School pays the pool fees for usage for practice and competition while the parents pay the fees for individual students.

Ms. Danielle Torley, a Destin resident, stated she is a parent to 3 very small children. They do not have a swimming pool and so their options for swimming lessons for children are extremely limited. She urged the City to support the swimming facility.

Ms. Pam Braseth of the Emerald Coast Fitness Foundation announced their executive board voted to allow a member of the Destin City Council to have a seat on the advisory board if they decide to provide funding for the pool facility.

Councilmember Destin moved to approve Resolution 17-11 and have the associated funding of \$57,000 be made from the unappropriated fund balance and make the appropriate budget amendment; and to allow a written correction to the resolution changing Destin Middle School to Destin Elementary School. Councilmember Morgan provided a second to the motion.

Councilmember Marler noted the City previously invested \$1.6 million to the YMCA swimming pool; adding he cannot support spending another \$57,000 of taxpayers' money to reopen this pool.

The Mayor called for a vote on the motion, which passes 5-1 (Council members Morgan, Destin, Foreman, Dixon and Braden voted "yes"; Councilmember Marler voted "no"; Councilmember Ramswell was absent from the meeting).

7. Resolution 17-15 – Engineering Services for Main Street/Indian Trail Drainage Improvements Design

The City Attorney read proposed Resolution 17-15 by title.

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA, AUTHORIZING THE EXECUTION OF A LETTER CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN THE CITY OF DESTIN AND JENKINS ENGINEERING, INC. FOR ENGINEERING DESIGN FOR THE MAIN STREET/INDIAN TRAIL DRAINAGE IMPROVEMENTS PROJECT

The City Engineer explained that in the past 17 years staff has identified the areas located at Main Street and Planet Drive, Mars Street and Indian Trail as areas prone to flooding. The Mars Street and Planet Drive drainage basins are closed basins (no positive outfall) and the existing storm sewer system located at the Main Street and Indian Trail intersection is inadequately sized for large rain events. The objective of the engineering design is to create a positive storm water outfall for the areas identified at Planet Drive and Mars Street and to increase the efficiency of the storm sewer system at the intersection of Main Street and Indian Trail while providing a high level of water quality. The outfall at the Century Park condominiums on Indian Trail will also be improved. He added that the Main Street/Indian Trail Drainage Improvements design was identified and budgeted in Fiscal Year 2017.

Motion by Councilmember Morgan, seconded by Councilmember Dixon, to authorize the City Manager to execute a contract with Jenkins Engineering, Inc. in the amount of \$24,000 for engineering services for the Main Street/Indian Trail Drainage Improvements Project passed 6-0 (Council members Morgan, Destin, Foreman, Dixon, Marler and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

8. Resolution 17-16 – Schedule of Fees for FY 2017

The City Attorney read proposed Resolution 17-16 by title.

A RESOLUTION OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR
AUTHORITY; AMENDING THE SCHEDULE OF FEES FOR FISCAL YEAR 2017;
PROVIDING FOR REPEALER AND PROVIDING FOR AN EFFECTIVE DATE.

The City Manager explained that the City Council voted on March 6, 2017 to allow commercial boats to use Joe's Bayou for the daily usage fee of \$20.00. This resolution makes that change in the Schedule of Fees. She continued that they still have available the annual permit for any commercial entity that wishes to purchase it; but any commercial entity that wishes to pull in and out on the same day will be able to pay the \$20.00 usage fee.

Councilmember Dixon asked if the annual fees start and end on a certain date.

The City Manager replied that the annual permit is good throughout the year (January to December).

Councilmember Dixon feels the annual fee of \$1,000 for commercial boat is a bit too high; adding they may need to consider lowering it to a reasonable amount in the future.

Motion by Councilmember Destin, seconded by Councilmember Morgan, to adopt Resolution 17-16 and the associated Schedule of Fees for Fiscal Year 2017 passed 6-0 (Council members Morgan, Destin, Foreman, Dixon, Marler and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

9. Resolution 17-17 – Poured in Place (PIP) Playground Safety Surfacing Contract

The City Attorney read proposed Resolution 17-17 by title.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA,
APPROVING THE SELECTION OF BLISS PRODUCTS AND SERVICES, INC.
FOR THE REPLACEMENT OF PLAYGROUND SAFETY SURFACING AT BUCK
DESTIN PARK AND THE MORGAN SPORTS CENTER CHILDREN'S PARK IN
THE AMOUNT NOT TO EXCEED \$62,900.50 BASED ON BIDS RECEIVED
THROUGH THE COMPETITIVE BIDDING PROCESS AS REQUIRED;
PROVIDING FOR AN EFFECTIVE DATE; AND AUTHORIZING THE CITY
MANAGER TO EXECUTE THE CONTRACT FOR AND ON BEHALF OF THE
CITY OF DESTIN.

The Parks and Recreation Director explained that the pour-in-place (PIP) rubberized playground safety surfacing at both Morgan Sports Center and Buck Destin Park is at the end of its useful life and needs to be replaced. It is a critical playground safety component that is designed to absorb energy associated with falls and reduce injuries.

Councilmember Morgan moved to adopt Resolution 17-17, accepting the bid of \$62,900.50 submitted by Bliss Products and Services, Inc. to remove and replace the PIP playground safety surfacing at Morgan Sports Center and Buck Design Park, and authorize the City Manager to execute the contract on behalf of the City. Councilmember Dixon provided a second to the motion, which passes 6-0 (Council members Morgan, Destin, Foreman, Dixon, Marler and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

COMMITTEE REPORTS

SCHEDULED PRESENTATIONS FROM THE PUBLIC **

10. Destin Forward Class Project to help beautify the playground area at the Buck Destin Park – Ms. Jessica Johnsey

Ms. Jessica Johnsey, representing the Destin Forward Class of 2017, informed the Council the class has selected renovating the Buck Destin Park playground as their class project for the year; and asked for the Council's approval of the project. She also stated that they have raised over \$6,000 for this project.

There were no objections from the Council. Several members of the Council complimented the Destin Forward class for their efforts.

PROJECT REPORTS AND COMMENTS FROM MAYOR AND COUNCIL

11. Councilmember Morgan
12. Councilmember Destin
 - a. Appointment of Council representative to the Emerald Coast Fitness Foundation Advisory Board

Councilmember Destin moved to appoint Councilmember Ramswell as Council representative to the Emerald Coast Fitness Foundation Advisory Board; seconded by Councilmember Foreman. Motion passed 6-0 (Council members Morgan, Destin, Foreman, Dixon, Marler and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

Councilmember Destin asked the Land Use Attorney to work with staff and bring back some ideas for further regulating short term rentals by establishing parking requirements based on square footage of the structure rather than the number of bedrooms.

13. Councilmember Marler
14. Councilmember Foreman
15. Councilmember Dixon

Councilmember Dixon asked staff to investigate a complaint from a citizen about a median on Regatta Bay Blvd that is non-compliance with landscaping. He also stated the median is full of trash, fallen tree limbs and palm branches.

The City Manager noted that staff has researched this issue and determined that Legendary, Inc owns this particular subdivision. They have requested that a representative from this firm contacts the City to discuss this matter. If they do not respond in a timely manner, the City would then issue them a citation for noncompliance with the landscaping regulation.

16. Councilmember Ramswell
17. Councilmember Braden

Councilmember Braden announced he recently met with County Commissioner Kelly Windes, and that Mr. Windes informed him he has been doing everything possible for the City of Destin as the City's representative to the County. However, he only represents one vote and can only do so much for the City. Councilmember Braden suggests the City tries their best to work with the County, and that both sides should stop trying to discredit each other.

Councilmember Marler noted that he also had a conversation with Commissioner Windes and agrees with Councilmember Braden's comment that they need to focus on solving important issues instead of "mudslinging."

18. Mayor Fischer

The Mayor provided an update regarding his recent trip to Tallahassee. He stated that he met with their State Senator, Representative Mel Ponder and their legislator. They were all very receptive to the City's proposals. He also stated there were thousands of bills that have been filed before the legislature; and a great number of these bills seemed to attempt to remove the power of the Cities to administer their duties. There is an attitude in the House and Senate to really restrict the Cities' authorities. He continued that he testified before a committee against the bill on cellular telephone antenna. This particular bill was written completely in favor of the telephone companies. It would allow cell phone companies that offer the 5G service to attach their antennas and transmitters to any poles located in any rights-of-way. Cities would only be allowed to charge these companies \$15.00 a year. They would not be allowed to dictate the location or the number of these devices to be installed. This particular committee voted 7-1 to recommend the passing of this bill. The Mayor also mentioned a bill that will remove the City's ability to regulate short term rentals and another bill that will stop the issuance of business tax receipts and allow taxation on specific business licenses by the State.

The City Manager added there is a concerted effort in this legislative session to erode as much home rule authority and create as many unfunded mandates as possible. There is also an effort to eliminate the cities' ability to create economic development opportunities by getting rid of Enterprise Florida and community redevelopment areas.

STAFF REPORTS AND RECOMMENDATIONS

19. City Attorney comments
20. City Land Use Attorney comments
21. Solid waste contract procurement discussion

The City Manager explained that the City of Destin is currently in a one-year extension of a five-year franchise agreement with Waste Management, Inc. of Florida. This extension will expire on September 30, 2017. On May 2, 2016, Council approved an RFP for solid waste services and the City released the RFP to the public. On the May 3, 2016 Strategic Visioning Session, Council outlined a 2017 Organizational Goal and Performance Objective for staff; which was to implement green sustainable concepts supporting the environment and quality of life issues. On June 20, 2016, the Council authorized for the RFP bids to be rejected and to authorize the City Manager to negotiate the one year contract extension with Waste Management. This decision was made to afford staff the opportunity to include some of the green initiatives into a solid waste contract, and also because there were some complications with the procurement process with this particular bid.

The City Manager also noted that with the extension, all previous terms of the contract remained the same except for the following modifications:

- Quarterly diversion reports of solid waste and recycling tons collected in the City to be provided to the City and will assist in designing future solid waste contracts to achieve organizational objectives
- Waste Management assumed all responsibility for all residential and commercial billing; thereby removing the City's Code Enforcement personnel from the bill collection process

She further stated that Okaloosa County recently approved residential solid waste services with Waste Management. The final contract service levels are virtually identical to City staff's proposed changes. She asked whether the Council wants staff to use the County's recent procurement and pricing information to negotiate a multi-year contract with Waste Management and bring it back for Council's approval, or for City staff to design and release an RFP for residential and commercial solid waste and recycling services and bring back qualified responses for Council consideration.

Councilmember Morgan stated he is happy with the services provided by Waste Management and suggests using the County's recent procurement process.

Councilmember Morgan moved to direct the City Manager to use Okaloosa County's recent procurement and pricing information for residential solid waste services as well as recent local and comparable commercial pricing to negotiate a multi-year contract with the City's current solid waste provider, Waste Management, and bring back to Council for consideration; seconded by Councilmember Destin.

Councilmember Dixon stated that although he feels Waste Management has done a great job for the City, he would prefer they go out for an RFP because not only that competition is great for the City, there is also a possibility they could end up with a lower price. He also stated it is imperative for the City to take this contract, and all the other contract of this magnitude out for competitive bidding.

Councilmember Destin asked a representative from Waste Management if they know which other companies submitted a bid to the County.

Mr. Ronnie Bell of Waste Management replied that Waste Pro and Inland Services of Florida also submitted a proposal.

Councilmember Braden agrees with Councilmember Dixon that they owe it to the taxpayers to put out an RFP and attempt to negotiate a new contract.

Councilmember Marler feels Waste Management has done an excellent job for the City and he feels they should renegotiate a contract with them; adding that if they put out an RFP, they may get a slightly lower rate but the company may not be responsive enough for the City.

Councilmember Foreman stated he has not heard of any complaints from residents against Waste Management. He continued that they are already getting great service, and if they could negotiate a good contract with Waste Management, they should not have to make a change.

Councilmember Dixon clarified that his intent was not necessarily to make a change, but to try to get the best deal for the citizens.

Councilmember Morgan withdrew his motion on the floor.

Councilmember Dixon then offered a motion to direct staff to design and release an RFP for residential and commercial solid waste and recycling services and bring back qualified responses for Council consideration; seconded by Councilmember Braden. Motion passed 4-2; (Council members Morgan, Destin, Dixon and Braden voted "yes"; Council

members Marler and Foreman voted "no"; Councilmember Ramswell was absent from the meeting).

22. City Manager comments

The Council will hold a workshop on Thursday, April 6th, beginning at 5:30 PM to discuss feasibility of projects appropriate for Triumph funding with West Florida Regional Planning Council.

COMMENTS FROM THE AUDIENCE

Having no further business at this time, the meeting was adjourned at 7:50 PM.

ADOPTED THIS 17TH DAY OF APRIL 2017

By:

A handwritten signature in dark ink, appearing to read "Scott Fischer", is written over a horizontal line.

Scott Fischer, Mayor

ATTEST:

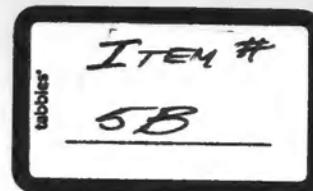
A handwritten signature in dark ink, appearing to read "Rey Bailey", is written over a horizontal line.

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM



COUNCIL MEETING DATE: July 17, 2017
TYPE OF AGENDA ITEM: First Reading of Ordinance

TO: Mayor and City Council
THRU: Carisse LeJeune, City Manager *CL*
THRU: Jeff Burns, City Attorney *Has Revueff*
THRU: Public Services Director, David Campbell *Doc*
FROM: IT Director, Webb Warren *Webb*
DATE: June 30, 2017

SUBJECT: Ordinance 17-18-CN: Request for Approval of Contract Award for RFP 17-15-PS-Residential & Commercial Solid Waste Services – 1st reading

I. BACKGROUND: The City of Destin is currently in a one-year extension of a five-year franchise agreement with Waste Management Inc, of Florida (WM). This extension will expire on September 30, 2017.

On March 20, 2017, Council directed staff to design and release an RFP for residential and commercial solid waste and recycling services and bring back qualified responses for Council consideration. RFP-17-15-PS was released on May 5, 2017 and proposals were due June 1 at 2:00PM.

On June 1, all 3 responses received within the identified RFP timeline were opened and provided to the bid committee, with the exception of the Finance Director, who had recused himself from this RFP process. Florida State Statute 119.071 is also considered within this RFP process, agenda item and supporting documentation.

As provided in section 5.1 RFP 17-15-PS, the bid committee members ranked the 3 firms according to the RFP criteria, which is as follows:

RFP 17-15-PS SECTION 5 – EVALUATION OF RESPONSES

5.1 SELECTION PROCESS

- A. The Bid Committee consisting of City staff will review each written submission for compliance with the requirements of the RFP, including verifying that each response includes all documents required. In addition, the Committee will ascertain whether the provider is qualified to render the required services according to State regulations and the requirements of this RFP.
- B. The Bid Committee members will individually score and rank all responses based on the requirements of the RFP and determine the firms deemed to be the most highly

qualified to perform the required service.

- C. The Bid Committee will conduct a public meeting chaired by the City Manager's designee to discuss the individual scores, summarize the scores in a ranking matrix to be forwarded to the City Council. Upon request, Respondents may be required to provide a presentation at a City Council meeting.
- D. After a ranking of firms has been approved by the City Council, the City Manager or designee will begin negotiations with the top ranked firm developed from information from this RFP. The City reserves the right to include additional provisions if the inclusion is in the best interest of the City, as determined solely by the City. If an agreement cannot be reached with the top ranked firm, then negotiations will begin with next highest ranked firm from the council approved list until successful negotiations occur, or the firms on the council approved list is exhausted. Assuming the successful negotiation of an agreement, the final contract will be submitted to the City Council for their consideration and approval.

5.2 EVALUATION METHODOLOGY

The City has approved a set of evaluation criteria. The evaluation criteria are designed to evaluate proposals by considering all aspects that will impact the quality and level of service. Criteria were formulated to consider qualifications, cost, operations, project approach and public education and outreach. Respondents should note that each of these four categories will be evaluated by the Bid Committee. Failure to provide adequate information listed on any criterion may result in rejection of the proposal as non-responsive. A sequential ranking of all firms will be developed. The final Bid Committee ranking will be presented to the City Council.

The criteria and weighting to be used in the evaluation process are listed below. Following each criteria are examples of questions the Bid Committee will consider and respondents shall provide, as a minimum, the information listed under each criterion.

Qualifications, Experience & Performance	20%
Operations and Project Approach	30%
Public Education & Outreach	10%
Cost (Residential 20% / Commercial 20%)	40%
Total	100%

The 4 bid committee members ranked all responses and the totaled results are as follows:

Project: RFP 17-15-PS Residential & Commercial Solid Waste Services

Criteria evaluated by 4 bid committee members	Emerald Coast Disposal	Waste Management	Waste Pro
QUALIFICATIONS, EXPERIENCE & PERFORMANCE (20 Pts.) x4 = Max. 80 Pts	52	77	72
OPERATIONS & PROJECT APPROACH (30 Pts.) x4 = Max. 120 Pts.	95	113	106
Public Education & Outreach (10 Pts.) x4 = Max. 40 Pts.	28	36	33
Cost (20 pts Residential + 20 pts Commercial) x4 = Max. 160 Pts.)	152	136	80
Total Score (100 Pts) x4 = Max. Total 400 Pts.	327	362	291

II. DISCUSSION:**A. Link to Strategic Goals /Objectives:**

- a. 2017 Organizational Goal 4B: Enhance and Preserve Heritage and Environment
Performance Objective 4B2: Implement "green" sustainable concepts supporting environment and quality of life issues.
- b. Service Excellence

B. Effect on Budget (EOB): None**C. Level of Service (LOS):**

- a. Proposed contract will increase Destin's solid waste service levels, will reduce staff time needed to administer the contract, reduce the average cost of service and result in a cleaner city.

III. CONCLUSION: On June 19th, 2017, City Council voted 7-0 to approve the bid committee rankings for RFP 17-15-PS – Residential & Commercial solid Waste Services and authorize the City Manager to negotiate a 5-year exclusive franchise contract with Waste Management, Inc. of Florida; and bring back an ordinance to Council.

In accordance with Council direction and the criteria established within RFP 17-15-PS, section 5.1, the City Manager successfully negotiated a 5-year franchise contract with the highest ranked firm, Waste Management Inc, of Florida (WM). Ordinance 17-18-CS is provided to Council for first reading.

A list of Destin's current contracted residential services and what proposed in the recommended franchise agreement is summarized in this table:

Residential Services	
(Current)	(Proposed Contract Effective Oct 1, 2017)
Regular (\$21.10 monthly/\$253.26 annually) Senior (\$16.98 monthly/\$203.78 annually)	Regular (\$19.98 monthly/\$239.76 annually) Senior (\$16.33 monthly/\$195.96 annually)
96 gallon cart for garbage service (twice per week pickup)*64 Gallon for Senior Program	Same

<i>Residential Services (continued from previous page)</i>	
(Current)	(Proposed Contract Effective Oct 1, 2017)
18 Gallon Bin for recycling. Once per week pickup	96 Gallon Cart/64 Gallon for Senior Program
Yard waste (2 cubic yds, once per week, must be bundled)	Same service, but yard waste can also be stacked
Call-in service for bulk pickup (6 yds)	Weekly service for bulk pickup (6 yds)
	Pickup of illegal dumping in right-of-way

IV. **RECOMMENDED MOTION:** “I move that Council approve proposed Ordinance 17-18-CN on first reading.”

Attachments:

- A. Ordinance 17-18-CN**
- B. Bid committee minutes (Draft)**
- C. RFP 17-15-PS Residential & Commercial Solid Waste Services**
- D. RFP_17-15-PS_Proposals**

Link to Proposals: <https://spaces.hightail.com/receive/PW1tdOt6vY>

ORDINANCE 17-18-CN

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR THE EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT, INC. OF FLORIDA, A PRIVATE CORPORATION, FOR THE COLLECTION AND DISPOSAL OF ALL RESIDENTIAL AND COMMERCIAL TRASH, GARBAGE, AND OTHER REFUSE WITHIN THE CITY LIMITS; PROVIDING FOR THE COLLECTION OF RESIDENTIAL RECYCLABLE MATERIALS WITHIN THE CITY LIMITS; PROVIDING FOR DEFINITIONS; GRANT OF FRANCHISE; LIMITS OF FRANCHISE; TERM; FRANCHISE CONSIDERATION; ASSIGNMENT; BANKRUPTCY OR INSOLVENCY; DEFAULT; RATE CHANGES; RIGHTS OF FIRST REFUSAL; RESTORATION; COMPLIANCE WITH LAWS; LIABILITY INSURANCE, HOLD HARMLESS, WORKERS COMPENSATION; PERFORMANCE BOND; RIGHT TO REQUIRE PERFORMANCE; DISPUTE RESOLUTION; OPERATIONS DURING DISPUTE; STANDARD OF PERFORMANCE; CURBSIDE RECYCLABLE MATERIALS COLLECTION AND DISPOSAL; RECYCLING PROGRAM; COLLECTION SERVICES AND OPERATIONS; OFFICE AND COLLECTION HOURS; COLLECTION EQUIPMENT; DISPOSAL ROUTES AND SCHEDULES; GRANTEE PERSONNEL; SPILLAGE AND LITTER; STORMS AND OTHER EMERGENCIES; NONDISCRIMINATION PROVISION; RATES AND CHARGES; RATE CHANGES; DELINQUENT ACCOUNTS; ACCOUNTING, RIGHT TO AUDIT; COMPLAINTS; CHARGES FOR FAILURE OF PERFORMANCE; VENUE; SOVEREIGN IMMUNITY; CONFLICTING ORDINANCES AND RESOLUTIONS; SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Destin finds it in the public interest to ensure that all areas within its limits are adequately provided with high quality collection and disposal services; and

WHEREAS, the City of Destin finds it in the public interest to retain regulatory authority over refuse collection and disposal, to the extent allowed by law, because of the overriding public health, safety and welfare considerations associated with the provisions of this service; and

WHEREAS, the City of Destin finds it in the public interest to retain control over the use of public rights-of-way by refuse collectors to ensure against interference with the public convenience, to promote aesthetic considerations, and to protect the public investments in right-of- way property; and

WHEREAS, the City of Destin finds it in the public interest to attract high quality refuse collectors and that this can be accomplished by protecting capital investments of refuse collectors; and

WHEREAS, the City of Destin finds it in the public interest to ensure that high quality refuse collection and disposal service is maintained through a responsive complaint handling procedure; and WHEREAS, the City of Destin finds that the granting of an exclusive franchise is the best means of assuring that the above described interests of the City of Destin are promoted; and

WHEREAS, this Ordinance is adopted pursuant to the authority of Section 166.021 and Chapter 403, Part IV, Florida Statutes; and

WHEREAS, this Ordinance has superseded Ordinance 11-25-CN, Ordinance 16-16-CN, and Ordinance 11-04-CN pursuant to the authority of Section 166.021 and Chapter 403, Part IV, Florida Statutes.

SECTION 1. DEFINITIONS.

"Bulky Waste" shall mean large items of solid waste such as, mattresses, and other oversize wastes whose large size precludes or complicates their handling by normal solid waste collection, processing, or disposal methods.

"Cart" shall mean a roll out cart receptacle with two wheels and a properly designed axle and fittings, and a top lid that is to remain closed except when loading refuse, with a body consisting of approximately ninety (90) to ninety-six (96) gallons in capacity, constructed of heavy duty plastic and having the strength to store normal household garbage and refuse and equipped with proper attachments for hydraulic loading into the Contractor's collection vehicle by the hydraulic lifts affixed to such vehicle body.

"Commercial container" shall mean any portable, nonabsorbent, enclosed container with a close fitting cover, or doors, approved by the Grantor, which is used to store large volumes of refuse. A commercial container must be capable of being serviced by mechanical equipment.

"Commercial establishment " shall mean any public or private place, building or enterprise devoted in whole or in part to business purposes, whether for profit or not-for-profit; except where such place, building or enterprise constitutes a single-family residence or multiple dwelling of four (4) units or less. A multiple dwelling of five (5) units or more shall be considered a commercial establishment unless there is no homeowners' association for such structure or if there is insufficient room for a commercial container. Duplexes, triplexes and condominiums/ townhouses with four units or less where the individual units are privately owned and used for commercial purpose are not commercial establishments within this definition unless commercial containers are used.

"Commercial rubbish and trash" shall mean combustibles such as paper, wood and yard trimmings, and noncombustibles such as metal, plastic, glass, stone and dirt.

"Commercial solid waste" shall mean garbage, rubbish and trash, resulting from the normal activities of establishments utilizing containers of one (1) cubic yard capacity or more.

"CPI" as used herein shall be the revised Consumer Price Index for all Urban Consumers South Urban for all items, not seasonally adjusted, published by the Bureau of Labor Statistics, U.S. Department of Labor, 1984-82 = 100. In the event the U.S. Department of Labor Statistics ceases to publish the CPI, the parties hereby agree to substitute another equally authoritative measure of change in the purchasing power of the U.S. dollar as may be then available.

"Curb Service" shall mean a single collection point within five (5) feet of the edge of the road.

"Construction Debris" shall mean waste building materials resulting from construction, remodeling, repair or demolition operations.

"Disaster debris" shall mean any rubbish or remnants, both combustible and noncombustible, resulting from storms or any emergency condition, requiring special handling and/ or equipment for bulk removal of both natural and man-made material. *"Duplex Residence"* shall mean and include an attached two family structure designed or intended for occupancy by two (2) families.

"Garbage" shall mean every accumulation of waste (animal, vegetable and/ or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, used tin cans and other food containers); and all putrescible or easily decomposable animal or vegetable waste matter which is likely to attract flies or rodents.

"Garbage Cart" shall mean the plastic receptacle furnished by the Grantee with capacities of 96 gallons. Smaller carts of 64 gallons will be made available to special needs customers (elderly or handicapped) upon request with the Grantor's approval.

"Grantee" shall mean Waste Management Inc. of Florida, who is granted this exclusive franchise and hereby undertakes to perform each and every obligation assigned herein and hereby agreed to.

"Grantor" shall mean the City of Destin, Florida.

"Gross Quarterly Dollar Customer Billings" shall mean the total quarterly invoice amount billed to Destin residents for collection and disposal of all residential trash, garbage, and other refuse within the city limits, including landfill tipping and/ or transfer station fees.

"Gross Revenue " shall mean and include any and all fees received by Grantee which were generated within the service area pursuant to this franchise with the exception of those fees associated with storms and other emergencies as defined in Section 27.

"Handicapped Service" shall be household garbage and recycling service at the rear or side of a residence for handicapped persons approved by Grantor for special service.

"Hazardous Waste" shall mean waste, in any amount, which is defined, characterized or designated as hazardous by the United States Environmental Protection Agency or appropriate state agency by or pursuant to federal or state law, or waste, in any amount, which is regulated under federal or state law. For purposes of this franchise, the term Hazardous Waste shall also include motor oil, gasoline, paint and paint cans, and any items containing chlorofluorocarbons.

"Horticultural Trash" shall mean shrubbery cuttings or clippings, palm fronds, small tree branches (not to exceed six (6') feet in length and four (4) in diameter), bushes or shrubs, or other organic matter generated as refuse in the care of lawns, gardens, hedges, bushes and trees. Large branches, trees or bulky or non-combustible materials not susceptible to normal loading and collection in "load packer" type sanitation equipment used for regular collections from domestic households, and stumps and tree trunks in excess of four (4) inches in diameter are not included in this definition.

"Multifamily Residences " shall mean multiple dwelling units of five (5) units or more.

"Occupant " or *"Resident"* includes individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations permitted under Florida law.

"Plastic liner" shall mean a plastic bag no larger than a thirty-five (35) gallon garbage can of sufficient strength to hold contents securely tied at top and not to exceed fifty (50) pounds when full.

"Recyclable Materials" shall mean newspaper, glass containers, aluminum and steel cans, plastics and such other materials identified by the Grantor during the term of this franchise.

"Recycling Containers" shall mean the receptacles purchased and distributed on behalf of the Grantor by the Grantee for the intended use as a receptacle of Recyclable Materials.

"Recycling Service Area" refers to the corporate limits of the City of Destin, Florida as hereafter amended through annexation.

"Roll-off Container" shall mean any container (open top or enclosed for compacting) used for the collection and storage of construction, demolition debris, or garbage rubbish that can be picked up and transported on a specially equipped truck to the disposal site.

"Rubbish" non-recyclable solid wastes or refuse, excluding garbage consisting of both combustible and noncombustible trash.

"Senior Program" – City residents, where there are no more than two persons residing in the dwelling and at least one of those two is age 65 or over by October 1st of the current year who, upon application to the Grantee, are determined Grantee, using guidelines established by the City to be eligible for this Senior Program, will receive discounted rates and reduced level of service.

"Single Family Residence" shall mean and include a detached single family structure designed for occupancy by one person or by one family. Each mobile home, trailer, townhouse or condominium (if located in a building with four (4) or less connected units) shall be deemed a "residence" and each such townhouse/ condominium unit shall be deemed a single family structure unless the townhouse/ condominium building uses commercial containers. Each unit of a residential duplex or triplex shall be deemed a "residence" unless the duplex or triplex uses commercial containers.

"Solid Waste" shall mean sludge unregulated under the federal Clean Water Act or Clean Air Act, sludge from a waste treatment works, water supply treatment plant, or air pollution control facility, or garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. Recovered materials as defined in s. 403.703(7), Florida Statutes, are not solid waste.

"Special material" shall mean bulky materials or other special wastes that are not stored in standard storage containers and cannot be picked up by a normally used collection vehicle. Wastes such as major appliances, furniture, building materials, tree limbs, noncontainerized trash piles and any unusually large amount of refuse not suitable for containerization will be picked up as a special service of the Grantee and billed separately to the customer on the basis of labor, truck costs and dumping charges. All fees received by the Grantee for the collection of special material on a special service basis are subject to the City's franchise fee.

SECTION 2. GRANT OF FRANCHISE.

Grantee is hereby granted an exclusive mandatory residential and commercial franchise, including every right and privilege appertaining thereto, to operate and maintain a residential recycling and residential and commercial trash, garbage and refuse collection and removal service in, upon, over and across the present and future streets, alleys, bridges, easements and other public places within the limits of this franchise for the purpose of collecting and disposing of all residential recyclables, residential and commercial trash, garbage and other refuse generated by the citizens, residents and inhabitants of the City of Destin, Florida. Grantee is also hereby granted title to all such residential recyclables, residential and commercial trash, garbage and refuse generated within said boundaries, to the

extent that the Grantor can establish its legal right to make such grant of title.

SECTION 3. LIMITS OF FRANCHISE.

This franchise covers the corporate limits of the City of Destin, Florida. Grantee agrees that the limits of the franchise are subject to expansion or reduction by annexation and contraction of municipal boundaries and that Grantee has no vested right in a specific area.

SECTION 4. TERM.

A. The franchise shall be granted from the date of this franchise for a period of five (5) years beginning on October 1, 2017 unless sooner terminated by reason of breach of the terms hereof by the Grantee which result in the failure of the Grantee to provide effective and efficient service.

B. This franchise may be automatically renewed under the same terms, conditions and limitations as contained herein, unless Grantor or Grantee shall give notice to the other of an intent to cancel or renegotiate, which notice shall be in writing, delivered by United States Mail, return- receipt requested and posted no sooner than twelve (12) months, and no later than nine (9) months before the initial termination date of this franchise. Said notice may also be delivered by hand within the above time frame, and if so delivered, a receipt thereof signed by an authorized agent of the Grantor or of the Grantee as applicable, shall be evidence of delivery.

SECTION 5. FRANCHISE CONSIDERATION.

Grantee shall pay to the Grantor a franchise fee equal to the sum of one (1%) percent of the gross quarterly dollar commercial establishment customer billings. Payment to the Grantor shall be made four (4) times per year, in March, June, September and December, within ten (10) days of each quarter and without demand by Grantor. A late fee of 20% of the total quarterly payment shall be assessed by the Grantor on all late payments. It is further understood and agreed that the franchise fee paid pursuant to this franchise shall not be added on as a separate item on the occupant's or resident's garbage collection bills, but rather shall be considered as an operational expense. Residential customers billed by the Grantor will pay a one percent (1%) franchise fee as part of their billing.

The franchise fee may be changed by the City with approval of the City Council once a contract year (Oct. 1 – Sept. 30), upon adoption of an ordinance and after two readings. Any changes to the franchise fee will become effective on October 1 following adoption and passage of the ordinance. The Grantor shall provide notice of the change to the Grantee at least ninety (90) days prior to the next billing period.

SECTION 6. ASSIGNMENT.

A. The franchise rights herein granted to the Grantee shall not be assigned by Grantee except with the express approval of the Grantor, which shall be reflected by a resolution of Grantor. In the event of such an assignment, Grantee shall cause its assigns to execute an Agreement of Acceptance, subject to the approval of the Grantor, evidencing that such assignee accepts the assignment subject to any and all terms, conditions and limitations imposed hereby and which acceptance shall include an affirmative statement evidencing such Assignee's intent to fulfill the obligations imposed by Grantor in contemplation hereof. Notwithstanding the Grantor's approval of such an assignment and assignee's acceptance, Grantee shall guarantee the performance of its assignee and such assignment shall always be with full recourse to Grantee.

B. A transfer of more than fifty-one percent (51%) of the issued outstanding stock of Grantee shall constitute an assignment for the purpose of this section. Likewise, any transfer of the voting rights attendant to fifty-one percent (51%) or more of the issued or outstanding stock of Grantee shall constitute an assignment for the purposes hereof.

SECTION 7. BANKRUPTCY OR INSOLVENCY.

If the Grantee files a petition for the appointment of a receiver or a petition of voluntary or involuntary bankruptcy, this franchise is automatically terminated as of the date of the filing of such petitions.

SECTION 8. DEFAULT.

A. Failure on the part of the Grantee to comply in any material respect with any of the provisions of this ordinance shall be grounds for a forfeiture of this franchise, but no such forfeiture shall take effect until Grantor has served upon the Grantee written notice of default setting forth the nature and extent thereof. Following receipt of the notice of default, Grantee shall have 24 hours to collect any garbage or trash that was not collected at the regularly scheduled pick up time and shall have fourteen (14) days to correct, or to notify the City of the means, subject to City approval, by which the Grantee intends to correct, other identified defaults. If Grantee disagrees with the reasonableness or propriety of Grantor's notice of default, Grantee may protest such default by filing with the City Clerk a written protest within 2 hours of receipt of Grantor's notice regarding a missed trash/ garbage pickup and within five (5) days of receipt of Grantor's notice for other identified defaults.

B. If the Grantor and Grantee cannot agree as to the reasonableness or propriety of the Grantor's notice of default, then the issue shall be resolved by a court of appropriate jurisdiction located in Okaloosa County, Florida.

SECTION 9. RIGHTS OF FIRST REFUSAL.

In the event Grantee shall at any time during the term of this Ordinance desire to sell the disposal service then existing and shall have received a bona fide offer from any other person, firm, corporation or from any other municipal corporation or county, authority or political subdivision of the State of Florida satisfactory to Grantee to purchase the same, the Grantee shall within ten (10) days after receipt of such bona fide offer advise the Grantor in writing of the purchase price and other terms and conditions of such offer, and the Grantor for a term of thirty (30) days after giving of such notice shall have the option to purchase the disposal service from Grantee upon the terms and conditions as set forth in said offer. In the event the Grantor shall fail or refuse to exercise the right and option granted to it by this section within the time limit set forth above, Grantee shall have the right to sell the disposal service to the prospective purchaser thereof, subject to the terms of Section 6 of this franchise.

SECTION 10. RESTORATION.

The Grantee agrees to repair all property, public or private, altered or damaged by it, its agents or employees in the performance of its duties herein in as good or better condition as it was before being damaged or altered. The Grantor and Grantee shall meet at least quarterly to review damage to public streets and rights-of-way to assess costs and scheduling of repairs.

SECTION 11. COMPLIANCE WITH LAWS.

Grantee shall conduct operations under this franchise in compliance with all applicable laws. Grantee specifically agrees to be solely responsible for the enforcement, administration and compliance

with all applicable provisions of Chapter 403, Part IV, Florida Statutes, and future amendments thereto. Furthermore, Grantee shall be responsible for the necessary promotion and educational activities required to familiarize the general public with the recycling mandates.

SECTION 12. LIABILITY INSURANCE; HOLD HARMLESS; WORKERS COMPENSATION.

Grantee shall carry public liability insurance to the extent of Five Million (\$5,000,000) Dollars for the death of or injury to more than one person or property damage insurance to the extent of Five Hundred Thousand (\$500,000) Dollars, upon each of the trucks or other vehicles used in carrying out the work called for in this franchise, such insurance expressly to cover both the Grantor and the Grantee. A certificate showing that the Grantee has in force and effect the aforesaid insurance shall be filed with the Grantor within ten (10) days from the execution of the franchise, and yearly thereafter at least thirty (30) days prior to the date of the expiration of said policies or insurance for each year of said franchise. The aforesaid insurance shall be of such form and written by such companies as are approved by the Grantor and also shall contain an advance of the cancellation of the insurance. Said policies of insurance shall name Grantor as additional insured.

The Grantee will defend, indemnify, save harmless, and exempt the City, its officers, agents, servants, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorney's fees resulting from or based on (i) violation of applicable laws, ordinances, rules or regulations by the Grantee, its agents or employees; (ii) injury to persons or damage to property arising out of the Grantee's or its agents' and/or employees' intentional, willful or negligent acts or omissions in the performance of this Franchise Agreement.

Grantee shall carry Workers Compensation insurance on all its employees and show proof of insurance and payment of premiums thereon to the Grantor, as requested. All such Workers Compensation policies shall provide for notice by the insurer to the Grantor at least sixty (60) days prior to any termination, revocation or modification thereof.

SECTION 13. PERFORMANCE BOND.

Grantee shall furnish to the Grantor a performance bond, in a form approved by the Grantor, for the faithful performance of this franchise and all of the obligations arising hereunder in the amount of Five Hundred Thousand (\$500,000.00) Dollars. Said bond shall be executed by a surety company approved by Grantor and licensed to do business in Florida.

SECTION 14. RIGHT TO REQUIRE PERFORMANCE.

The failure of the Grantor at any time to require performance by the Grantee of any provision of this franchise shall not affect the right of the Grantor to enforce same; nor shall waiver by the Grantor of any breach of any provision in this franchise be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of any provision itself. The Grantor, in accord with the provisions of Section 8, shall have the right to terminate this franchise if Grantee fails to timely correct violations of this agreement as provided in Section 8.

SECTION 15. DISPUTE RESOLUTION.

If any controversy shall arise between the parties either party may pursue all available legal remedies in the appropriate Okaloosa County, Florida court.

SECTION 16. OPERATIONS DURING DISPUTE.

A. In the event that a dispute arises between the Grantor and the Grantee, or any other interested party in any way relating to the terms and conditions, performance or compensation required under this franchise, the Grantee shall continue to render service in full compliance with all terms and conditions of this franchise regardless of the nature of the dispute.

B. Grantee expressly recognizes the paramount right and duty of Grantor to provide adequate waste collection and disposal service as necessary governmental functions, and further agrees, in consideration for the execution of this franchise, that in the event of a dispute, said Grantee will neither stop service nor seek injunctive relief in any court, but will either negotiate for an adjustment in the matter in dispute or present the matter to a court of competent jurisdiction located in Okaloosa County, Florida in an appropriate suit instituted by Grantee.

C. If the term of this franchise is not renewed, Grantee shall continue to provide service for ninety (90) days following expiration or until a substitute Grantee is in place, whichever comes first.

SECTION 17. STANDARD OF PERFORMANCE.

A. If the Grantee fails to collect the materials herein specified for a period in excess of three (3) consecutive scheduled working days or fails to operate the system in a satisfactory manner for a similar period, the Grantor may proceed as follows (provided such failure is not due to war, insurrection, riot, act of God, or other causes beyond the reasonable control of Grantee):

1. At its option, after written notice to the Grantee, take over and operate any or all of the Grantee's equipment used in the performance of this franchise until such time as the Grantee is again able to carry out its operation satisfactorily, as determined solely by the Grantor. Any and all operating expenses incurred by the Grantor in so doing may be charged to the Grantee.

2. Enter into contract(s) or agreement(s) with another qualified firm(s) to provide solid waste collection and disposal until such time as the Grantee is again able to satisfactorily fulfill its responsibilities under this franchise as determined solely by the Grantor.

B. During such period, the liability of the Grantor to the Grantee for loss or damage to the equipment used shall be that of a bailee for hire, ordinary wear and tear being specifically exempt from such liability. The liability of the Grantee to third parties shall continue and all claims or demands arising out of the operation of the collection service shall be directed solely to the Grantee and Grantor shall be treated as an agent of the Grantee for purposes of determining liability.

SECTION 18. CURBSIDE RECYCLABLE MATERIALS COLLECTION AND DISPOSAL.

A. Grantee shall be required to provide recycling to all residential customers. Grantee shall not be required to provide multifamily residences or commercial customers with recycling.

B. Grantee shall collect all residential recycling materials in the corporate limits of the City, transport and provide for recovery of said residential recyclable materials at a designated recovery facility. The Grantee shall perform such services as are required to provide a complete residential recyclable materials program.

C. Collection of recyclable materials shall be at curbside or other such locations as will

provide ready accessibility to the Grantee's collection crew and vehicle. In the event an appropriate location cannot be agreed upon, the Grantor shall designate the location. Handicapped residents shall be accommodated at no additional fee.

D. The Grantee shall pick up all recyclable materials which have been properly prepared for collection and placed in recycling carts and placed at the curbside from all single family residences. The Grantee shall distribute one (1) 96-gallon cart to hold recyclable materials to be collected to each single family residence within the service area. The cart shall be replaced by the Grantee as required. The Grantee shall maintain an adequate supply of carts at all times. Grantee shall retain ownership of the carts. Residents may retain 18 gallon bins previously distributed, place them by or in the recycling cart for removal. Information and instructions about the recycling program will be provided with the recycling cart.

E. All refuse and recyclable materials hauled by the Grantee shall be so contained, tied or enclosed that leaking, spilling or blowing are prevented.

F. The Grantee shall make collections with as little noise and disturbance to the residents as possible and in conformance with the City's Noise Ordinance. Grantee shall handle recycling carts with reasonable care and return them to the approximate curbside location from which they were collected. Any recyclable materials spilled by the Grantee shall be picked up immediately. Recycling carts shall be thoroughly emptied and left at the point of collection. Grantee shall develop a procedure for handling placement of incorrect material in the recycling carts by residents, preferably a notice reminding the resident of acceptable materials.

G. Grantee shall collect recyclable materials within the service area one (1) time per week. The day of collection shall be the same day as one of the regular collection days for solid waste preferably the first collection of the week. However, pickups normally scheduled on a holiday shall be rescheduled for the next regularly scheduled pickup day.

H. Grantee will provide at no additional cost to Grantor an eight (8) yard recycling container at the Public Services Facility for use by residents and visitors.

I. Grantee will provide at no additional cost an eight (8) yard recycling container at the Norriego Point parking lot for use by residents and visitors.

Grantee will provide at no additional cost to Grantor up to three (3) additional eight (8) yard recycling containers for use by residents and visitors at Grantor's requested location.

SECTION 19. RECYCLING PROGRAM.

A. The Grantee shall be responsible for maintaining the information and records adequate to determine participation rates and weekly setout rates by volume of solid waste diverted from landfill by percent, weight of items recycled, neighborhoods above or below average participation. . The Grantee shall furnish quarterly diversion report to the City. Reports shall be on forms and in a format required by the Grantor.

B. Grantee agrees to meet on a semiannual basis with the Grantor's Environmental/ Tree Committee to discuss ways to increase recycling throughout the City, at a time mutually agreed to by both parties to this agreement.

SECTION 20. COLLECTION SERVICES AND OPERATIONS.

A. Residential

1. Frequency of collection: Grantee shall, on a regularly scheduled day, pick up from the curbside adjacent to each residence all garbage, rubbish, and residential wastes (household garbage) two (2) times a week from Carts provided by Grantee; collection of horticultural trash and bulky waste shall be one (1) time per week on days agreed upon by the Grantee and Grantor. Instructions regarding regular solid waste collection, Bulky Waste collection and Horticultural Waste collection shall be provided by Grantee on the 96 gallon Cart provided to residents. However, pickups normally scheduled to be made on a holiday shall be rescheduled for the next regularly scheduled pickup day. Grantee agrees to collect additional Rubbish outside of the Cart only on the next service day after Christmas generated by Holiday festivities. Such additional Rubbish shall be bagged, bundled or contained, to avoid scattering and each bag, bundle or container shall weigh less than fifty pounds. Grantee, at his sole expense, shall notify residences served of the holiday observed and regular pickup schedules at least five (5) days in advance by publication or other means approved by Grantor.

(a) Holidays: The following holidays may be observed by Grantee for purposes of this franchise: New Year's Day, Thanksgiving Day and Christmas Day.

(b) Schedule: Regularly scheduled pick up days for household garbage shall be Tuesday and Friday; Tuesday will be the day for recycling and Wednesday and/or Friday will be the day for horticultural trash collection. However, all schedules and routes are subject to being rescheduled as mutually agreed to by the Grantor and Grantee. The Grantor, at the request

of the Grantee or on its own, may extend, suspend or modify these schedules in the event of a natural disaster, health hazard or any other state of emergency requiring such action.

2. Quantity: Grantee shall be required to pick up all garbage and rubbish generated at residential premises, provided same is placed in the garbage cart. Grantee shall also be required to furnish an additional cart when requested and paid for by residents at an additional fee of \$11.58 per month billed annually at \$138.96 and adjusted annually to reflect the change in the WST CPI from the prior twelve month period ending in June.

3. Collections. All collections shall normally be made in residential areas no earlier than 6:00 a.m. and no later than 6:00 p.m., with no service on Sunday and select holidays, except in declared emergencies. Grantee shall make collections with a minimum of noise and disturbance and in conformance with the City's Noise Ordinance. Garbage carts shall be handled carefully by the Grantee and shall be thoroughly emptied and left where they were found at the curbside. All work shall be done in a safe and sanitary manner. All waste spilled by Grantee shall be picked up and removed by Grantee. Missed pickups and minor issues shall be resolved within 24 hours. All other problems must be resolved or a cure initiated within seven (7) days.

4. Bulky Waste Collection: Grantee shall collect bulky waste placed at the curbside for collection once a week on a day agreed upon by Grantee and Grantor. Bulky Waste shall include up to six (6) cubic yards of material. Grantee shall provide additional Bulky Waste

collection to residential customers at a rate agreed to between Grantee and resident. The resident shall be responsible for payment for these additional services.

5. Special services: Services such as back door collection, below ground collection, removal of any refuse other than garbage or rubbish as defined herein or additional pickups shall be provided on a separate fee basis upon terms agreed to by the Grantee and the customer. Grantee shall provide the requested special services within two (2) business days after reaching agreement with customer as to the rate for such services. Requests for pickups of special materials as defined herein shall be considered as requests for special pickup services. Charges for special services shall not be unreasonable or excessive. Household garbage services shall be provided at the rear or side residence for handicapped persons approved by the Grantor at no extra charge. Smaller sixty-four (64) gallon carts will be made available to special needs customers (handicapped or elderly) upon request by Grantor.

6. Exempt customers: Residents or occupants who, upon application to the Grantor pursuant to Section 12-86, Destin City Code, are determined by the City Manager to be unable to pay the collection and disposal fee due to hardship or inability shall be exempt from the payment of collection fees. Any customer desiring to be considered for exempt status needs to apply by April 15th of each year.

7. Public Right of Way Collection: Grantee shall collect at no additional charge to Grantor, illegally dumped materials such as Horticultural trash, furniture and Bulky Waste disposed of in the City right of ways; provided such collections do not require the use of a special truck not normally used in Grantee's collection of waste pursuant to this Agreement.

8. Senior Program: City residents, where there are no more than two persons residing in the dwelling and at least one of those two is age 65 or over by October 1st of the current year who, upon application to the Grantee, and using guidelines established by the City to be eligible for a senior program, will receive discounted rates as determined in Section 29 (A). 1. The City of Destin may enforce other restrictions/ criteria to be eligible for this discount. The level of service for the senior program for collection of garbage will be once a week and picked up on the first day of weekly collection service for the route which services their address. All other services (recycling and horticultural waste) will be the same as other residential customers.

9. Waste Receptacles:

- (a) Garbage: Garbage shall be placed for collection separately from rubbish and shall be placed in the garbage carts furnished by the Grantee with capacities of 96 gallons. Smaller carts of 64 gallons will be made available to special needs customers (elderly or handicapped) upon request with the Grantor's approval.
- (b) Horticultural trash: Horticultural trash must be canned, bagged and/ or stacked and shall not weigh more than fifty (50) pounds per container or stack, and shall not be in excess of six (6) feet in length or four (4) inches in diameter. Total volume per each horticultural debris service day pickup shall not exceed two (2) cubic yards (approximately the amount which can be placed in the bed of a standard pickup truck). Grantee will not remove stumps or tree trunks in excess of four (4) inches, in diameter.

10. Hazardous materials: Grantee shall not be required to collect hazardous materials.

11. Location of residential waste for collection: Persons in occupancy of each residential establishment shall place their garbage carts at the curb no sooner than 12:00 p.m. the day before a scheduled pick-up and shall remove the garbage carts by midnight of the day of the pick-up, unless: the occupant or resident has been approved for back door or side door pickup or the occupant or resident has negotiated a special service collection at another location.

10. Customer restrictions: Grantee shall not be required to collect residential waste when such waste is not generated on the residence served. Grantee shall have the right to terminate service to any customer violating this section only after prior notification to the customer and approval by the Grantor.

B. Commercial

1. Frequency of collection: Grantee shall, on a regularly scheduled day, pick up all garbage, rubbish, and wastes. However, pickups normally scheduled to be made on a holiday shall be rescheduled for the day before or the day after the holiday or with the approval by the commercial establishment any other day within a five-day window of the holiday.

(a) Holidays: The following holidays may be observed by Grantee for purposes of this franchise: New Year's Day, Thanksgiving Day and Christmas Day.

(b) Schedule: Commercial collection shall be on days agreed to by the Grantee and commercial establishment. The Grantor, or its designee, is authorized to extend, suspend or modify these schedules in the event of a natural disaster, health hazard or any other state of emergency requiring such action.

2. Quantity: Grantee shall be required to pick up all garbage and rubbish generated by a commercial establishment, provided same is placed in a waste receptacle. The City Manager or his/her designee may require the commercial establishment to increase their level of service to accommodate the waste generated at the commercial establishment. Collections: All collections shall normally be made at commercial establishments no earlier than 6:00 a.m. and no later than 6:00 p.m. Grantee shall make collections with a minimum of noise and disturbance and in conformance with the City's Noise Ordinance. Waste receptacles shall be handled carefully by the Grantee and shall be thoroughly emptied and left where they were found. All work shall be done in a safe and sanitary manner. All waste spilled by Grantee shall be picked up and removed by Grantee.

3. Special services: For items requiring roll-off service or any special handling, removal of any refuse other than garbage or rubbish as defined herein or additional pickups, all charges are to be negotiated between the Grantee and the customer. Requests for pickups of special materials as defined herein shall be considered as requests for special pickup services. Charges for special services shall not be unreasonable or excessive and shall be subject to the City's franchise fee.

4. Waste receptacles:

(a) Garbage and rubbish: Garbage and rubbish shall be placed for collection within a commercial container.

(b) Hazardous and biohazardous materials: Grantee shall not be required to collect hazardous or biohazardous materials.

- (c) Location of commercial waste for collection: All commercial establishments receiving service pursuant to this franchise shall keep waste receptacles, disposal containers and other such items at location(s) approved by the City.

5. Customer restrictions: Grantee shall not be required to collect commercial waste receptacles containing garbage or refuse when such waste is not generated in the commercial establishment served. Grantee shall have the right to terminate service to any customer violating this section only after prior notification to the customer and approval by the Grantor.

6. Removal of improper receptacles: Any container used for the collection and storage of commercial waste which fails to meet the standards prescribed by the Grantor shall be clearly marked, specifying the manner in which the container fails to meet the requirements. Such marked, nonconforming containers shall be removed from service by the Grantee.

SECTION 21. OFFICE AND COLLECTION HOURS.

A. The Grantee's office shall remain open Monday through Friday from 8:00 a.m. to 5:00 p.m. to handle complaints from residential customers; and for that purpose, there shall be maintained an adequate number of telephones and a responsible person in charge during the hours specified above. Commercial customers shall be provided a local or toll free number which shall be available from 7:00 a.m. to 5:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. to 4:00 p.m. These requirements do not apply on the legal holidays identified in Section 20.

B. Collections shall normally be made at commercial establishments no earlier than 6:00 a.m. and no later than 6:00 p.m. If the Grantee has an equipment breakdown, it shall be relieved from completing collection by 6:00 p.m. but not later than 10:00 p.m. for the route being served by such equipment experiencing operating difficulties, provided that such route shall be fully collected that day by the Grantee with substitute equipment.

C. An exception to the normal pickup times is granted to commercial establishments located south of Harbor Blvd, to include McGuire's Irish Pub, due to high traffic volume and limited parking. The pickup times at these locations are 4:30 a.m. to 7:00 p.m. At the request of the Grantee or the City Manager or his designee, Section 21. C. may be modified due to the proximity of residential units, new commercial establishments and other concerns. The approval of such requests will not be unreasonably delayed or withheld.

SECTION 22. COLLECTION EQUIPMENT.

The Grantee shall have on hand at all times sufficient equipment in good working order and of the minimum weight necessary to permit Grantee to perform its duties hereunder fully, adequately and efficiently. Equipment shall be purchased from nationally known and recognized manufacturers of garbage collection and disposal equipment. Garbage collection equipment shall be kept clean, sanitary, neat in appearance, and in good repair at all times and shall be equipped with back-up warning lights and alarm. The Grantee shall at all times have available reserve equipment which can be put into service and operation within two (2) hours of any breakdown. Such reserve equipment shall substantially correspond in size and capability to the equipment normally used by the Grantee to perform its duties hereunder.

SECTION 23. DISPOSAL.

All garbage and solid waste shall be hauled to sites or facilities selected by Grantee and legally empowered to accept it for treatment or disposal.

SECTION 24. ROUTES AND SCHEDULES.

The Grantee shall periodically provide the Grantor with schedules of residential collection routes and keep such information current at all times. In the event of changes in routes or schedules that will alter the day of pickup, Grantee shall notify each customer affected by either direct mail or door hangers which the Grantor shall approve for such purpose. Grantee shall also notify customers by placing an advertisement prominently displayed in a local newspaper on at least two (2) occasions, the latter being at least one (1) week prior to the change. All such changes in routes or schedules will also be immediately communicated to Grantor at the time determined by the Grantee.

SECTION 25. GRANTEE PERSONNEL.

Grantee shall assign a qualified person to be in charge of operations under this franchise and shall give the name and qualifications of said person to the Grantor. Grantor requires that Grantee's collection employees wear clean uniforms bearing Grantee's company name. Each person employed to operate a vehicle shall at all times carry a valid CDL driver's license for the type of vehicle being driven. Grantor may request the dismissal of any employee of Grantee who violates any provisions of this subsection or who is found to have been wanton, negligent or discourteous in the performance of his or her duties. Grantee shall provide operating and safety training for all personnel. Wages of all employees of Grantee shall be equal to or exceed the minimum hourly wages for such employees established by local, state or federal law.

SECTION 26. SPILLAGE AND LITTER.

The Grantee shall not litter premises in the process of making collections, but shall not be required to collect any waste material that has not been placed in supplied or approved containers or in a manner herein provided. During hauling, all solid waste or liquids shall be contained, tied or enclosed so that leaking, spilling or blowing are prevented. In the event of spillage by the Grantee, the Grantee shall promptly clean up the litter.

SECTION 27. STORMS AND OTHER EMERGENCIES.

In the case of a storm or disruption caused by other severe emergencies (e.g., war, insurrection, riot, or act of God) not caused by the Grantee, Grantor may allow Grantee a reasonable variance from regular schedules. As soon as practicable after such storm or other emergency, Grantee shall inform the Grantor of the estimated time required before regular schedules and routes can be resumed and, upon request of Grantor, Grantee shall provide notice to residential premises and commercial establishments in the service area.

The Grantee shall not be responsible for nor have an obligation to collect, transport or dispose of debris or other waste material from a hurricane, severe storm or other natural or man-made disaster unless the Grantor enters into a written agreement with Grantee specifying the terms and compensation for such services.

Further, the parties shall track on a quarterly basis the volume of waste Grantee collects under normal, non-disaster event influenced conditions. Should waste volume collected by the Grantee in a quarter be greater by fifteen percent (15%) than such volume collected by Grantee in the same quarter of the previous year, and the increase in volume is attributable to a recent disaster event, Grantee shall be

entitled to additional compensation for the collection of waste in excess of normal volumes for the same period. Such compensation shall be calculated at the average rate charged to the City of Destin by its storm debris collection contractors.

SECTION 28. NONDISCRIMINATION PROVISION.

The Grantee agrees that it has adopted and will maintain and enforce a policy of nondiscrimination on the basis of race, color, religion, sex, age, handicap, disability or national origin. Said nondiscrimination policy shall apply to employment practices of the Grantee and the provision of services. The Grantee agrees that on written request it will permit reasonable access by Grantor to its records of employment, employment advertisements, application forms, and other pertinent data and records for purposes of investigation to ascertain compliance with the nondiscrimination provisions of this franchise, provided, however, that Grantee shall not be required to produce for inspection any records covering any period of time more than two (2) years prior to the date of the franchise.

SECTION 29. RATES AND CHARGES.

A Rates:

1. The initial rates for recycling and the automated collection of garbage, Horticultural Trash, and Bulky Waste under this franchise, the initial residential rate shall be according to Exhibit "A" which is attached hereto and incorporated herein [\$239.76 annually (\$19.98 per month). Additional carts if requested will be \$138.96 annually (\$11.58 per month). For City residents who elect and are approved to take advantage of the Senior Program as defined in Section 20, the initial rate will be \$195.96 annually (\$16.33 per month).] All such rates shall be adjusted in accordance to Section 30.

2. For garbage, yard waste for the initial term of this franchise, the monthly rate for commercial establishments shall be as stated on Exhibit A..

B. Grantee shall be solely responsible for the billing and collection of receivables from residential cart customers on an annual or quarterly basis. The following steps will be followed with respect to accounts in arrears:

- 30 plus days – customers will receive notice of overdue account and a call from Grantee's collection department. The property owner will receive the same notifications from Grantee.
- 45 days – customer's service will be suspended pending payment in full. Customer and property owner will receive a call from Grantee's collection department. A reactivation fee of \$25 per residential unit will be assessed. All calls will be documented in Grantee's database.
- 92 days – the Cart will be retrieved by Grantee and the account will be cancelled for non-payment. Grantor will be provided with a list of these customers weekly. A reactivation fee of \$25 will be assessed.

C. Grantee shall be solely responsible for the billing and collection of receivables from commercial customers on a monthly basis, respectively. Customers may include either the property owner or tenant/ occupant of each commercial establishment generating solid waste.

D. For items requiring roll-off service or any other special handling not otherwise

delineated in this franchise, the charges are to be negotiated between the Grantee and the customer. If agreement cannot be reached, the matter shall be submitted to the Grantor for final determination.

E. Grantee shall keep records of the volume of solid waste collected and charges therefore and the Grantor shall have the right to review any records which in any way pertain to solid waste payments.

F. The Grantee is to provide solid waste removal and recycling services to all of the City's facilities, including parks and the sports complex at no charge. The Grantee will provide six (6) commercial containers each of a size to be specified by the City at no cost to the City for City sponsored events such as City-wide cleanups.

G. Grantee shall provide at no additional cost to Grantor, one twenty (20) yard roll-off container at the Public Works Facility for disposal of street sweeping debris considered special waste.

I. Should Grantor annex any property currently serviced by Grantee under Okaloosa County Solid Waste contract, Grantee agrees to honor the rate structure provided in the Okaloosa County agreement for those properties through the end of the current term of that agreement.

J. Either party may request a joint house count annually.

SECTION 30. RATE CHANGES.

A. CPI and Fuel Adjustments

The initial rates contained herein shall be in place for the first twelve (12) months of this agreement. On October 1st of each subsequent anniversary date, the rates will be adjusted according to the changes in the Consumer Price Index (CPI) for the previous twelve (12) months ending on the preceding June. For purposes of this agreement, CPI shall mean the Consumer Price Index for Water, Sewer and Trash CPI, Not Seasonally Adjusted, All Areas (WST CPI) as published by the U.S. Department of Labor.

1. The hauling rates shall be increased in an amount sufficient to offset any new law (effective after the date hereof) fee, surcharge, duty, tax, or other charges of any nature imposed by the federal government, any agency thereof, the State of Florida, any agency thereof, or by any local governmental body or agency which is payable solely by reason of the nature of the operations conducted by Grantee and any other sales or services taxes of general application to the Grantee operations.

2. In addition to the foregoing, Grantee may petition the Grantor for rate increases to cover unforeseen and unusual increases in the costs of operating under this Agreement. Grantee will be responsible for documenting the impact of such costs and any resulting increase in the rates and the Grantor shall reasonably and timely consider the request in good faith. The Grantor shall not unreasonably deny relief.

B. Change in Law:

The Grantee may petition the Grantor to adjust Grantee's rates based upon unusual and unanticipated increases in the cost of doing business, including but not limited to a change in law or regulation ("Change in Law"). Any such request shall be supported by full documentation establishing the increase in operating costs and the reasons therefor. The Grantor shall be entitled to audit the Grantee's financial and operational records directly related to the Grantee's request in order to verify the increase in

costs and the reasons therefor.

"Change in Law" means (i) the adoption, promulgation, or modification after the date of this Agreement of any law, regulation, order, statute, ordinance, or rule that was not adopted, promulgated, or modified on or before the date of this Agreement, or (ii) the imposition of any material conditions in connection with the issuance, renewal, or modification of any permit, license, or approval after the date of this Agreement, which in the case of either (i) or (ii) establishes requirements affecting the Grantee's operation under this Agreement more burdensome than the requirements that are applicable to Grantee and in effect as of the date of this Agreement. A change in any federal, state, county, or other tax law or workers' compensation law shall not be a Change of Law. However, in the event that a federal, state or local entity imposes a fee, tipping fee adjustment, charge or tax after the date of this Agreement that applies to Grantee's operations per se, such fee, charge or tax shall be treated as a Change in Law.

The Grantee's request must be made within one hundred twenty (120) days of the occurrence of such unusual change or cost, and shall contain reasonable proof and justification to support the need for the rate adjustment. The Grantor may request from the Grantee, and the Grantee shall provide, such further information within its possession as may be reasonably necessary in making its determination. The Grantor shall approve or deny the request, in whole or in part, within sixty (60) days of receipt of the request and all other additional information required by the Grantor. The Grantor shall make a reasonable determination based upon the documentation provided in reaching its decision and shall not unreasonably deny relief hereunder.

SECTION 31. DELINQUENT ACCOUNTS.

A. Commercial: When an account is delinquent by thirty (30) days Grantee shall provide the commercial establishment with the following written notices by United States Mail: 30 days, friendly reminder of delinquency; 40 days, notice of potential service interruption; 50 days, notice of service interruption; 60 days, final demand for payment; 65 days audit/final notification before cancellation; and 90 days cancellation and delivery to third party collection agency. At the time that the Grantee actually stops service, notification of that fact will be given to the Grantor.

B. Grantee shall make all reasonable efforts to work with commercial establishment customers regarding payment of their accounts prior to interrupting or canceling service, i.e., negotiate payment plans, resolve billing disputes, etc.

SECTION 32. ACCOUNTING; RIGHT TO AUDIT.

A. Grantee shall keep an accurate set of books and records reflecting gross revenues derived within the service area pursuant to this franchise. Said books and records shall reflect, in addition to information normally reflected pursuant to standard accounting procedures, and the requirements of Chapter 403, Florida Statutes, the name and service address of each residential and commercial establishment customer, dates of commencement and termination of service, the service charge and any change thereto, the billings, billing dates and receipt of revenues. Certified copies of the above shall be furnished to the Grantor upon request.

B. Two (2) times per year the Grantor may audit the books and records of the Grantee in order to determine whether the franchise fees paid pursuant to Section 5 are those required thereby. Grantor's failure to exercise its right to audit at any time shall not constitute a waiver of such right, and notwithstanding such omission, the Grantor shall have such continuing right to audit until one year after the termination of this franchise. In the event that Grantor elects to exercise its right to audit, Grantor shall provide to Grantee written notice of such election at least forty-eight (48) hours in advance of the time of the audit. Grantor shall have the right to select the auditors to make the audit and one (1) audit per year

shall be at the Grantee's expense. In the event a second audit is performed at Grantor's request in any given year, the expense of that second audit shall be borne by the Grantor, except in cases of fraud, deceit or intentional misrepresentation of monies due to the Grantor, in which case the expenses of the audit shall be borne by the Grantee. Grantee shall make available to the auditor, at no charge, such personnel, financial and other records as the Grantor may in its reasonable discretion request in order to complete such audit.

SECTION 33. COMPLAINTS.

All complaints shall be resolved by Grantee within twenty-four (24) hours. Grantee shall, within forty-eight (48) hours, supply Grantor with copies of all complaints on a form approved by the Grantor and indicate the disposition of each. Each month such record shall be available for inspection by Grantor at all times during the business hours specified herein. The complaint record/ form shall indicate the day and hour on which the complaint was received and the day and hour on which the complaint was resolved. When a complaint is received on the day preceding a holiday or on a Sunday, it shall be serviced on the next working day. The Grantee shall establish procedures acceptable to the Grantor to ensure that all customers are notified of the complaint procedure.

SECTION 34. CHARGES FOR FAILURE OF PERFORMANCE.

A. Upon the recommendation of any Council member or City staff member, and reasonable notice to Grantee, administrative charges may be assessed against the Grantee by vote of the City Council if the Council determines that

1. Total residential complaints during any calendar month involve more than one (1%) percent of the total residential customers within the service area;
2. Total residential complaints during the Grantor's fiscal year exceed more than two (2%) percent to the total residential customers with the service area;
3. Total commercial complaints during any calendar month involve more than three (3%) percent of the total commercial customers within the service area;
4. Total commercial complaints during the Grantor's fiscal year exceed more than six (6%) percent to the total commercial customers within the service area; or
5. Where the lack of performance by Grantee is continuous and determined by the Council to constitute a threat to the health, safety or welfare of residents and commercial establishments. "Welfare" as used in this subsection shall include the direct and indirect economic effects of Grantee's failure to perform.

B. Administrative charges shall be assessed only for verified complaints which indicate that the Grantee has failed to meet the minimum standards stated herein and will be in accord with the following schedule:

SCHEDULE OF ADMINISTRATIVE CHARGES

- | | |
|---|----------------------|
| 1. Failure to clean up spilled refuse | \$50.00 per incident |
| 2. Failure to collect solid waste per location or special collection solid waste from any | \$50.00 per incident |

premises at or within service area

- | | | |
|----|--|------------------------------------|
| 3. | Failure to complete each route on the regular scheduled pickup | \$1,000.00 per route not completed |
| 4. | Failure to keep equipment in clean, safe and sanitary manner | \$100.00 per vehicle per day |
| 5. | Failure to have vehicle operator properly Licensed | \$100.00 per day per incident |
| 6. | Failure to maintain office hours as set forth in Section 21 | \$100.00 per incident |
| 7. | Failure to replace or repair any damage caused by Grantee or its personnel | \$25.00 per incident |

C. Within five (5) business days of the date of Council's action imposing such administrative charge, Grantee shall be notified in writing by certified United States Mail, return receipt, of the assessment of administrative charges and the basis for such assessment. Grantee may contest such assessments by filing a written protest stating the reasons for disagreement within five (5) business days of the receipt of the notice of assessment. This protest will be acted upon by the City Council at the Council's next regularly scheduled council meeting.

SECTION 35. VENUE

The parties intend that this Agreement and the relationship of the parties shall be governed by the laws of the State of Florida. The venue for any action arising out of this Agreement shall be exclusively in Okaloosa County, Florida and nowhere else.

SECTION 36. SOVEREIGN IMMUNITY

Nothing contained herein is intended to nor shall be construed to waive the City of Destin's rights and immunities under the Florida Constitution, common law or Florida Statutes 768.28, as amended from time to time.

SECTION 37. CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances or parts of ordinances and all resolutions in conflict herewith be and the same are hereby repealed.

SECTION 38. FORCE MAJEURE.

A. If the Grantor or Grantee is unable to perform, or is delayed in its performance of any of its obligations under this Agreement by reason of any event of force of majeure, such inability or delay shall be excused at any time during which compliance therewith is prevented by such event and during such period thereafter as may be reasonably necessary for the Grantor or Grantee to correct the adverse effect of such event of force majeure.

B. An event of "force majeure" shall mean the following events or circumstances to the extent that they delay the Grantor or Grantee from performing any of its obligations (other than payment obligation) under this Agreement:

1. Strikes and work stoppages unless caused by a negligent act or omission of Grantee or its agents or assignments.
2. Acts of God, tornado, hurricanes, floods, sinkholes, fires, and explosions (except those caused by negligence of Grantee, its agents, and assignments), landslides, earthquakes, epidemics, quarantine, pestilence, and extremely abnormal and excessively inclement weather.
3. Acts of public enemy, acts of war, terrorism, effects of nuclear radiation, blockades, insurrection, riots, civil disturbances, or national or international calamities; and
4. Suspension, termination or interruption of utilities necessary to the operation of the duties under this Agreement;
5. Economic hardship of the Grantee shall not be considered an event of force majeure.

SECTION 39. JURY TRIAL WAIVER.

GRANTEE 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.

SECTION 40. PUBLIC RECORDS.

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

- i. Upon request from the City's custodian of public records, provide the City with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this FS Chapter 119 or as otherwise provided by law.
- ii. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if GRANTEE does not transfer the records to the public agency.
- iii. Upon completion of the contract, transfer, at no cost, to the City all public records in possession of GRANTEE or keep and maintain public records required by the City to perform the service. All records stored electronically must be provided to the City, upon request from the City's custodian of public records, in a format that is compatible with the information technology systems of the City.

SECTION 41. SAVINGS CLAUSE.

If any section, part of a section, paragraph, clause phrase or word of this agreement is declared invalid, the remaining provisions of this franchise shall not be affected.

SECTION 42. EFFECTIVE DATE.

This ordinance shall take effect immediately upon its adoption by the City Council of the City of Destin, Florida, and the signature of the Mayor, and upon filing of Grantee's written acceptance with the City Clerk

ADOPTED THIS ____ DAY OF _____, 2017

By: _____
Mayor

ATTEST:

City Clerk

The form and legal sufficiency of the foregoing
has been reviewed and approved by the City Attorney.

, City Attorney

APPROVAL AND ACCEPTANCE

WASTE MANAGEMENT INC. OF FLORIDA does hereby approve and accept the foregoing solid waste collection and disposal franchise and, as franchisee, agrees to perform, assume and comply with all of the terms, conditions, covenants and obligations of said franchise and authorizes the undersigned officer to execute this Approval and Acceptance.

Dated this _____ day of _____, 2017

WASTE MANAGEMENT INC. OF FLORIDA

By: _____

Name: _____

Title: _____

EXHIBIT A
RATE SHEET

COMMERCIAL							
Commercial rates should not include additional service requirements such as casters, opening gates, compactors, etc. Commercial Establishments that only require one (1) 96-gallon cart shall receive service (2) two times per week at curbside, and shall be billed at the same rate as a two (2) yard container serviced one (1) time per week. Commercial establishments shall be billed for the rate of service required and will not receive recycling services.							
Multi-Family Residential	Multi-Family units serviced by Front Load Dumpsters shall be billed to one entity based on the Commercial Rates for the service required and will not receive recycling service. Multi-Family units that are serviced by carts will be billed at the annual Residential Rate and shall receive recycling and horticultural waste pickup.						
2 yard container	Rate per Month Frequency/Times per week						
	1	2	3	4	5	6	7
	\$80.75	\$154.64	\$228.54	\$302.44	\$376.34	\$450.22	\$526.76
	\$100.15	\$191.56	\$282.96	\$374.37	\$465.77	\$557.18	\$651.90
	\$121.58	\$230.50	\$339.42	\$448.34	\$557.26	\$666.18	\$779.43
	\$140.38	\$266.80	\$393.23	\$519.67	\$646.10	\$772.54	\$903.87

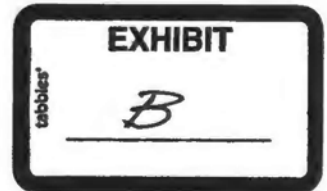
RESIDENTIAL		
Residential Service with Recycling and Carts	\$239.76 \$19.98	Annual Monthly
Senior Citizen Residential Service	\$195.96 \$16.33	Annual Monthly
Second Cart Residential Service	\$138.96 \$11.68	Annual Monthly

RESIDENTIAL including Franchise Fee			
	Regular	Senior	2 nd Cart
Rate Monthly	\$19.78	\$16.17	\$11.46
Franchise Fee	\$0.20	\$0.16	\$0.12
Total Rate	\$19.98	\$16.33	\$11.68
Quarter	\$59.94	\$48.99	\$34.74
Annual	\$239.76	\$195.96	\$138.96

VIP COMPACTOR \$							
Rate Per Month							
	1	2	3	4	5	6	7
2 yard container	\$126.42	\$238.27	\$350.15	\$462.05	\$553.72	\$744.58	\$911.57
4 yard container	\$163.59	\$308.27	\$452.88	\$597.55	\$742.23	\$962.90	\$1,178.89
6 yard container	\$203.39	\$380.85	\$558.34	\$735.76	\$953.59	\$1,184.16	\$1,449.26
8 yard container	\$238.40	\$448.66	\$658.89	\$869.12	\$1,126.45	\$1,400.14	\$1,714.13

PROVIDE METHODOLOGY FOR CALCULATING CPI / RATE INCREASE
Beginning 10/1/18, the contractor shall be entitled to receive an annual adjustment to the collection rates based upon the Consumer Price Index for water, sewer, and trash, CPI (CPI-WST) Not Seasonally Adjusted, All Areas, as measured by the preceding twelve month period ended each preceding June. The CPI-WST adjustment shall continue to be applied on October 1 of each contract year.

**MINUTES
BID COMMITTEE MEETING
TUESDAY, JUNE 13, 2017**



1. CALL TO ORDER:

Mr. Schmidt called the meeting to order on Tuesday, June 13, 2017 at 9:35 a.m., Destin City Hall Boardroom.

2. ROLL CALL:

Members Present:

Steve Schmidt, CRA/Development Manger
David Campbell, Public Svcs. Director
Bragg Farmer, Finance Director
(Not present for RFP 17-15-PS)

Lance Johnson, Recreation Director
Webb Warren, Director
Kim Montgomery, Deputy City Clerk

3. NEW BUSINESS:

• RFP 17-15-PS, Commercial & Residential Solid Waste Services

Mr. Schmidt explained the city received a total of three bids from Emerald Coast Disposal, Waste Management, and Waste Pro.

Mr. Campbell spoke of the methodology for the scoring systems and how each category's percentages are based on Qualification, Experience, & Performance with a maximum of 20-points, Operations & Project Approach with a maximum of 30-points, Public Education & Outreach with a maximum of 10 points and Cost has a maximum of 40-points.

The following committee members scoring are:

Mr. Campbell:

Qualification, Experience, & Performance - 20 pts. max

Emerald Coast Disposal	15
Waste Management	20
Waste Pro	18

Operations & Project Approach - 30 pts. max

Emerald Coast Disposal	25
Waste Management	30
Waste Pro	30

Public Education & Outreach - 10 pts. max

Emerald Coast Disposal	10
Waste Management	10
Waste Pro	10

Cost - 40 pts. max

Emerald Coast Disposal	40
Waste Management	35
Waste Pro	30

Totals:

Emerald Coast Disposal	90
Waste Management	95
Waste Pro	88

Mr. Schmidt:

Qualification, Experience, & Performance - 20 pts. max

Emerald Coast Disposal	13
Waste Management	20
Waste Pro	19

Operations & Project Approach - 30 pts. max

Emerald Coast Disposal	25
Waste Management	29
Waste Pro	25

Public Education & Outreach - 10 pts. max

Emerald Coast Disposal	7
Waste Management	9
Waste Pro	10

Cost - 40 pts. max

Emerald Coast Disposal	40
Waste Management	37
Waste Pro	12

Totals:

Emerald Coast Disposal	84
Waste Management	95
Waste Pro	66

Mr. Johnson:

Qualification, Experience, & Performance - 20 pts. max

Emerald Coast Disposal	17
Waste Management	19
Waste Pro	18

Operations & Project Approach - 30 pts. max

Emerald Coast Disposal	27
Waste Management	29
Waste Pro	28

Public Education & Outreach - 10 pts. max

Emerald Coast Disposal	6
Waste Management	10
Waste Pro	7

Cost - 40 pts. max

Emerald Coast Disposal	37
Waste Management	36
Waste Pro	28

Totals:

Emerald Coast Disposal	87
Waste Management	94
Waste Pro	81

Mr. Warren:

Qualification, Experience, & Performance - 20 pts. max

Emerald Coast Disposal 7
Waste Management 18
Waste Pro 17

Operations & Project Approach - 30 pts. max

Emerald Coast Disposal 18
Waste Management 25
Waste Pro 23

Public Education & Outreach - 10 pts. max

Emerald Coast Disposal 5
Waste Management 7
Waste Pro 6

Cost - 40 pts. max

Emerald Coast Disposal 35
Waste Management 28
Waste Pro 10

Totals:

Emerald Coast Disposal 65
Waste Management 78
Waste Pro 56

 City of Destin SCORE TABULATION SHEET			
Project: RFP 17-15-PS Residential & Commercial Solid Waste Services			
ITEM DESCRIPTION	Emerald Coast Disposal	Waste Management	Waste Pro
Company History			
Company Principles			
Experience			
Staff			
Resumes			
Financial Background			
References			
Insurance			
Billing Experience			
QUALIFICATIONS, EXPERIENCE & PERFORMANCE (Max. 20 Pts.)	52	77	72
Cover Letter			
Transition Plan			
Project Methodology			
Collection Schedule			
Equipment			
Collections			
Support Facilities			
Solid Waste			
Recyclables			
Green Waste			
Customer Service			
OPERATIONS & PROJECT APPROACH (Max. 30 Pts.)	95	113	106
Public Education			
Community Involvement			
Public Education & Outreach (Max. 10 Pts.)	28	36	33
Residential (Max 20 Pts)			
Commercial (Max 20 Pts)			
Cost (Max. Total 40 Pts.)	152	136	89
Total Score (Max 100 Pts)	327	362	291
	Emerald Coast Disposal	Waste Management	Waste Pro

Motion by Mr. Campbell to forward the rank matrix to City Council at their next City Council meeting. Mr. Johnson provided the second and the motion passes unanimously.

***The Finance Director entered the meeting for the second item on the agenda**

RFB 17-17-PS, Juanita Avenue, Spring Lane, Snapper Drive, Maltezo Street Drainage Project

According to Mr. Campbell three bids were received from H & T Contractors, Gulf Coast Utility Contractors, RBM Contracting Services, LLC for the project and all three were deemed responsive with the lowest bidder being RBM Contracting Services LLC with a bid of \$788,797.00. He further explained that RBM has performed work for the City in the past and are competent contractors adding that Dewberry Preble Rish has supplied the City with a letter recommending RBM Contracting for the award of bid.

The Finance Director asked if there is funding available for this project. Mr. Campbell explained that the City has the grant funds in the amount of \$1.5M from the Gulf Environmental Fund Grant and there are ample funds available.

On a motion by Mr. Campbell, seconded by Mr. Johnson to recommend City Council award the bid for RFB 17-17-PS, Juanita Avenue, Spring Lane, Snapper Drive, Maltezo Street Drainage Project to RBM for \$788,797.00 to include a \$75k contingency for the project.

ADJOURNMENT:

There being no further discussion at this time; the meeting adjourned at 9:50 a.m.
Adopted and approved this _____ day of _____ 2017.

Bragg Farmer, Finance Director

Kim Montgomery, Deputy City Clerk

REQUEST FOR PROPOSAL**RFP 17-15-PS****RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES****RFP DUE DATE: June 1, 2017 2:00 P.M. CST****REY BAILEY, CITY CLERK
CITY OF DESTIN
4200 INDIAN BAYOU TRAIL
DESTIN, FL 32541**

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

Sealed Requests for Proposal (RFP) will be received in City Clerk's Office, City of Destin, 4200 Indian Bayou Trail, Destin, FL 32541 on or by: **June 1, 2017, No Later Than 2:00 P.M. (CST).**

RFP's will be opened in: **CITY HALL BOARD ROOM
4200 Indian Bayou Trail, Destin, FL 32541**

One (1) original, so designated, nine (9) copies (total of ten (10) submissions) and one digital copy of the response shall be submitted in a sealed package clearly marked on the outside: "(RFP 17-15-PS Residential & Commercial Solid Waste Services)" and addressed to: Rey Bailey, City Clerk, City of Destin, 4200 Indian Bayou Trail, Destin, FL 32541.

All RFP's will be publicly opened and only the names of the Respondents will be disclosed. RFP's received after the assigned date and time will NOT be considered.

ATTENTION ALL INTERESTED RESPONDENTS:

Prospective respondents should contact the City Clerk's Office to obtain either an electronic or paper version of the bid documents by calling 850-837-4242 or e-mail: clerk@cityofdestin.com

SCOPE OF SERVICES:

The City of Destin is issuing a Request for Proposal from interested parties to provide exclusive contract services for the collection of residential and commercial solid waste to include: garbage, rubbish, recyclable materials, bulk waste and yard waste (horticultural) from City of Destin residences as well as garbage and rubbish from commercial establishments, and deliver said materials to a site or sites permitted by the State of Florida for disposal.

The City of Destin intends to award a contract and an Exclusive Franchise for the collection and disposal of said solid waste within the corporate limits of the City of Destin. The City intends to enter into a five (5) year Exclusive Franchise beginning on October 1, 2017 through September 30, 2022 for residential and commercial establishment solid waste removal services, with the option to renegotiate an additional five (5) year term, nine (9) months prior to the end of the term of this Exclusive Franchise.

NO CONTACT CLAUSE

All prospective Respondents are hereby instructed NOT to contact any member of the City of Destin, City Council, City Manager, or City of Destin staff member other than the authorized City contact person identified in this Solicitation, or the City's designated procurement staff member, regarding this solicitation package, or the Respondent's submittal package, City's Intent to Award, or City's Intent to Reject (if applicable) at any time prior to the FORMAL AWARD for this project. Any such contact may be cause for rejection of your submittal.

Any questions relative to any item or portion(s) of this solicitation should be directed to City Clerk's Office at 850-837-4242. Office Hours: MONDAY-FRIDAY, 8:00 A.M. TO 5:00 P.M. or email at clerk@cityofdestin.com

CITY OF DESTIN

CARISSE LEJEUNE
CITY MANAGER

TABLE OF CONTENTS

Section 1 – Introduction	1
Section 2 – Instruction to Respondents and Schedule of Events	2
Section 3 – Scope of Services and Project Information	4
Section 4 – Response Submission Requirements	10
Section 5 – Evaluation of Responses	14
Section 6 – General Conditions	17
Section 7 - Special Conditions	21
Appendix 'A'	22
Respondent Acknowledgement	23
Respondent Qualification Statement	24
Collection Service Reference Forms 1--3	29
Rate Sheet	32
Addenda Acknowledgement	33
Confirmation of Drug-Free Workplace	34

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

SECTION 1 –INTRODUCTION

1.1 INTRODUCTION

The City of Destin is issuing a Request for Proposal (RFP) to secure proposals from contractors interested in providing, via an exclusive franchise, the collection and disposal of solid waste, to include: residential garbage, rubbish, single stream recyclable materials, bulk waste and yard waste from City of Destin residences as well as garbage and rubbish for commercial establishments, and deliver said materials to a site or sites permitted by the State of Florida for disposal.

It is the Respondent's responsibility to read and understand the requirements of this request for proposal. Respondents 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 in this proposal.

Before submitting a proposal, each Respondent will, at Respondent'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 furnishing of the project and that the Respondent deems necessary to determine its proposal.

Respondents 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, inconsistency, 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. Respondents are cautioned against relying up on any interpretation or correction given by any other method.

The submission of a proposal shall not be deemed an agreement between the Respondent and the City. The proposal is a contractual offer by the Respondent to perform services in accordance with the proposal. The City shall not be obligated to respond to any proposal submitted nor be bound in any manner by the submission of a proposal.

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

**SECTION 2 –INSTRUCTION TO RESPONDENTS AND
SCHEDULE OF EVENTS**

2.1 INSTRUCTION TO RESPONDENTS

- A. The City of Destin will accept RFP responses until **June 1, 2017 at 2:00 P.M. (CST)** at City Clerk's Office located at City Hall, 4200 Indian Trail Bayou Destin FL. 32541, to provide the City with Qualified Respondents for **RFP 17-15-PS RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES.**
- B. Any responses received after the above stated time and date will NOT be considered. It shall be the sole responsibility of the Respondent 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 Respondent'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.
- C. All RFP's will be publicly opened and recorded for acknowledgement of receipt in the City Hall Boardroom on **June 1, 2017 no later than 2:00 P.M. (CST).** All Respondents or their representatives are invited to be present. The City Hall Boardroom is located in City Hall, 4200 Indian Bayou Trail Destin, FL 32541.
- D. 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 five (5) days prior to the submittal deadline.
- E. 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.
- F. **One (1) original, so designated, nine (9) copies (total of ten (10) submissions), and one digital copy** of the RFP responses shall be submitted in a sealed package clearly marked on the outside **"RFP 17-15-PS RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES"** and addressed: City of Destin, City Clerk's Office, 4200 Indian Bayou Trail, Destin, FL 32541.
- G. Complete and submit **Respondent Acknowledgement,** form herein as an attachment. Clearly indicate the **legal name, address and telephone number** of the Respondent. Responses shall be **signed** above the **typed or printed name and title** of the signer. The signer shall have the authority to bind the Respondent to the submitted RFP. Respondents must note their Federal I.D. number on their RFP submittal.

- H. 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.
- I. All expenses for making RFP responses to the City are to be borne by the Respondent.
- J. Responses shall be evaluated by the Bid Committee based on all information submitted, a list of ranked qualifiers will be generated according to evaluation criteria listed within this document. A ranked list of qualifiers will be submitted to the City Council for approval. Respondents may be required to provide a presentation at a City Council meeting.
- K. The Bid Committee shall consist of City of Destin staff members.
- L. Each Respondent, by submission of an RFP response, acknowledges that in the event of any legal action challenging the award of a RFP; damages, if any, shall be limited to the actual cost of the preparation of the RFP.

2.2 SCHEDULE OF EVENTS

The schedule as listed below is the City's intended course of action for this project. The City will follow the schedule to the extent possible; however, the City reserves the right to change both the sequence and timing if deemed necessary.

May 5, 2017	RFP Release
May 19, 2017	Deadline for Addenda
June 1, 2017	Public Bid Opening
June 13, 2017	Evaluation of Bids by Bid Committee
June 19, 2017	City Council Consideration of Bids

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

SECTION 3 – SCOPE OF SERVICES AND PROJECT INFORMATION

3.1 SCOPE OF SERVICES TO BE PERFORMED

The Franchisee shall collect garbage, yard waste (horticulture), rubbish, recyclables and certain materials from residential and commercial customers within the corporate limits of the City of Destin, which may from time to time be expanded or contracted by action of the State of Florida, or the Destin City Council.

The following is a description of the services to be provided.

A. General Conditions:

1. The Franchisee is wholly responsible for billing and collection from all residential customers on a quarterly basis. Customers may include either the property owner or tenant of each residence generating solid waste. The Franchisee will stop residential service after an account is ninety (90) days delinquent. Monthly reports of solid waste service disconnections will be provided to the City. Other service and collection reports may be requested by the City.
2. The Franchisee is responsible for paying to the City a Franchise fee of (1%) one percent of gross revenues, payable to the City in quarterly payments. The franchise fee rate can be changed with approval by City Council once per contract year (Oct 1 - Sept 30). The Franchisor must provide notice of the change to the Franchisee sixty (60) days before the next billing period.

B. Residential Solid Waste: For this proposal residential units are considered to be single family residences, mobile homes, duplex and triplex units or multiple dwelling of four (4) units or less. There are approximately 5,240 customers that will receive curbside solid waste collection two (2) times per week.

1. Regularly scheduled household garbage collection shall be picked up twice per week on Tuesday and Friday. Garbage carts furnished by the Franchisee with capacities of 96 gallons designed for automated collection. Smaller carts of 64 gallons will be made available to special needs customers (elderly or handicapped) upon request. The Franchisee is responsible for picking up spillage and/or litter resulting from the collection operation. The Franchisee shall maintain sufficient carts for new customers and replacement or lost or damaged carts.
2. Pickups will not be reduced by holidays therefore pickups normally scheduled to be made on a holiday must be rescheduled.
3. Yard waste (horticultural) collection will be collected one (1) time per week. Current yard pickup routes are shown in a map in section 3.2.C. Yard waste may be containerized, bundled or stacked/piled with no dimension over 6 feet in length or 4 inches in diameter each. Items not easily containerized or bundled are to be collected unbundled.

4. Once per week collection of bulk waste. Bulk waste collection shall include up to six (6) cubic yards, excluding individual items of furniture and white goods, per week at no charge. If excess (greater than six (6) cubic yards) or non-compliant bulk waste is placed curbside, Franchisee shall make additional bulk waste collection available to the customer at a rate to be proposed by Franchisee. Franchisee shall invoice customer directly for additional bulk waste collection.
5. All collections shall normally be made in residential areas no earlier than 6:00 a.m. and not later than 6:00 p.m., with no service on Sunday except in declared emergencies. Adherence to the City's Noise Ordinance is required.
6. The Franchisee will provide, without charge to the City and within the public right of way, pickups of illegally dumped materials such as yard waste (horticultural), furniture, bulk items, appliances, etc.
7. The Franchisee will provide free residential services to residents who are determined to be unable to pay for the collection and disposal fee. Franchisee will process these requests and make the determination based on the current poverty levels as defined by Federal Regulations. *There are approximately 10 residents, at the time of this RFP, who qualify for the exemption.
8. The Franchisee will provide a 20% senior discount rate on residential service for residents aged 65 or older. Franchisee will process these requests to determine qualifying applicants. Approved applicants will receive curbside solid waste collection one (1) time per week. *There are approximately 450 residents, at the time of this RFP, who qualify and use this exemption.
9. The Franchisee will provide basic service schedule, bulk pickup and yard waste instructions, as well as customer service contact information on the garbage cart.
10. Franchisee must cure missed pickups and minor items within twenty-four (24) hours; all other problems must be resolved within seven (7) days.
11. For items requiring roll-off service or any special handling, all charges are to be negotiated between the Franchisee and customer. All fees collected from said special services are subject to the City's Franchisee Fee.
12. Any and all disputes that cannot be settled between the City and Franchisee will be resolved by court action, the venue of which is Okaloosa County, Florida.

C. Residential Recycling:

1. The Franchisee shall provide all services necessary to provide a complete single-stream residential recyclable materials program. Collection of recyclables shall be at curbside and on the same day as solid waste collection. The Franchisee shall collect all residential recyclable materials to include paper, glass containers, steel cans, aluminum, plastics and such other additional materials as may be added upon written agreement between the City and Franchisee during the term of the franchise. The City wishes the Franchisee keep all recycle revenue with the premise that such an arrangement will provide the City with the lowest overall price structure.
2. The Franchisee shall distribute to each residence one (1) 96 gallon cart to hold recyclable materials without cost to the customer. Smaller carts of 64 gallons will

be made available to special needs customers (elderly or handicapped) upon request. The collection of recyclables shall be conducted using the single cart for a commingled system. The Franchisee shall maintain sufficient containers for new customers and replacement of lost or damaged containers.

3. Residential recycling shall be picked up on Tuesday of each week. All collections shall normally be made in residential areas no earlier than 6:00 a.m. and not later than 6:00 p.m., with no service on Sunday except in declared emergencies. Adherence to the City's Noise Ordinance is required.
4. The Franchisee will provide recycling information and instructions on the recycling cart.
5. The Franchisee shall be responsible for providing the City quarterly waste diversion rate reports.

D. Commercial Establishments: For the purpose of this RFP a commercial establishment means any public or private place, building, or enterprise devoted in whole or part to business purposes, whether profit or not-for-profit, and also includes all multi-family residence containing five (5) or more units. There are approximately 480 commercial customers that will receive commercial container services. The sizes of the commercial containers range from two (2) cubic yards to eight (8) cubic yards, with several entities having more than one commercial container at their site. Collection for VIP Compactors is required (currently one (1) customer). Several entities also require casters (wheels) and secure access to containers. (See figure 3.2.E for current service levels)

1. The Franchisee shall pick up from commercial establishments all garbage and wastes on a regularly scheduled day. Pickups shall not be reduced by holidays, but pickups normally scheduled to be made on a holiday may be rescheduled upon approval by the commercial establishment.
2. Collections shall normally be made in commercial establishments no earlier than 6:00 a.m. and not later than 6:00 p.m., with no service on Sunday, except in declared emergencies. Adherence to the City's Noise Ordinance is required.
3. An exception to the normal pickup times is granted to commercial establishments located south of Harbor Blvd, to include McGuire's Irish Pub, due to high traffic volume and limited parking. The pickup times at these locations shall be between the hours of 4:30 a.m. to 7:00 p.m. At the request of the City or its designee, the schedule may be modified due to the proximity of residential units new commercial establishment and other concerns. The approval of such requests will not be unreasonably delayed or withheld.
4. For all items requiring roll-off service or any special handling, all charges are to be negotiated between the Franchisee and customer and are exclusive of the franchise agreement.
5. The Franchisee is to provide solid waste removal and recycling services to all of the City's facilities, including parks and the sports complex at no cost. The Franchisee will provide commercial containers of not less than six (6) cubic yards at no cost to the City for city sponsored events.
6. The Franchisee will provide, at no cost, an eight (8) yard recycle container to the Public Services Facility for use by residents and visitors.

7. The Franchisee will provide, at no cost, an eight (8) yard recycle container at the Norriego Point parking lot for use by residents and visitors.
8. The Franchisee will provide, at no cost, a twenty (20) yard roll off container to the Public Services Facility for the disposal of street sweeping debris considered special waste.
9. The Franchisee will provide, at no cost, up to three (3) additional eight (8) yard recycling containers for use by residents and visitors at the Franchisor's request and designated location.
10. The Franchisee is wholly responsible for billing and collecting from all commercial customers. Customers may include either the property owner or tenant of each commercial establishment generating solid waste.
11. The Franchisee is responsible to remedy missed pickups and minor items within twenty-four (24) hours; all other problems must be resolved within seven (7) days.
12. Any and all disputes that cannot be settled between the City and Franchisee will be resolved by court action, the venue of which is Okaloosa County, Florida.

E. Required Contact Information:

1. For residential customers, the Franchisee shall maintain a local calling area phone line, or toll-free number, to receive customer inquiries and complaints on weekdays from 8:00 a.m. to 4:00 p.m. For commercial establishment customers, the Franchisee shall maintain a local calling area phone line, or toll-free number, to receive customer inquiries and complaints Monday through Friday from 7:00 a.m. to 5:00 p.m., and on Saturday from 8:00 a.m. to 4:00 p.m.

The Franchisee shall appoint a single point of contact for City employees to correspond to solve service issues. Person should be knowledgeable of the contract, familiar with the City layout and have the authority to resolve service related issues. The Franchisee will not refer a caller back to the City for resolution.

F. Work and Service excluded from the Scope of Work:

The following services are excluded from the Scope of Work and are not required to be performed by the Franchisee.

1. The collection and disposal of biohazardous waste.
2. The collection and/or disposal of industrial or manufacturing waste and scraps, construction trash and rubbish on permitted job sites, ashes, dirt or sand.
3. Should the Franchisee choose to perform such additional work set forth in paragraphs 1 through 2 above, the City has no restrictions that prohibit the Franchisee from negotiating with persons or firms requiring said work or service. The Franchisee is solely responsible for the collection of payments for any and all services performed as well as the assumption of all liabilities that may arise from the Franchisee's performance or neglect.

3.2 SUPPLEMENTAL PROJECT AND SERVICE LEVEL INFORMATION

A. All Respondents are encouraged to read City Ordinances sec 12-1 through 12-89, 11-04-CB, 11-18-CN, 11-25-CN, 15-15-CC, 16-16-CN and amendments thereto for a comprehensive perspective of the scope of service existing in the City Exclusive Franchise for the collection and disposal of residential and commercial solid waste.

B. Containers

All solid waste and recyclable carts/containers are provided and owned by the current solid waste provider.

C. Current residential route information

All residential garbage is picked up on Tuesdays and Fridays.
Yard waste is picked up once per week (see image)



D. Monthly Tonnage 2015-2016

2015	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2015 Total
MSW	409.7	361.7	517.6	472.9	528.9	620.7	577.3	479.9	509.3	501.9	444.6	505.7	5,930.1
REC	39.9	35.8	41.8	40.6	40.1	46.7	48.5	38.6	45.6	36.4	34.6	51.2	499.9
YW	92.2	90.7	134.1	179.2	117.4	103.0	118.0	79.1	83.4	89.9	92.9	94.8	1274.6
COM	882.1	835.2	1168.9	1307.4	1394.0	1829.3	2091.5	1541.1	1289.8	1229.5	1011.5	956.7	15536.9
2016	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2016 Total
MSW	456.1	423.2	561.4	565.2	578.9	529.9	629.8	599.3	510.7	428.4	512.6	505.5	6301.0
REC	36.5	37.8	38.9	42.3	51.4	44.0	39.1	54.1	38.6	33.8	51.6	44.6	512.7
YW	54.1	115.1	136.4	145.3	142.4	74.1	91.5	113.5	142.7	114.3	143.8	117.7	1391.0
COM	939.4	989.3	1268.4	1333.7	1338.7	1808.2	2030.7	1815.5	1338.5	1240.9	959.4	1064.8	16127.5

E. May 2016 commercial customer information

Number of Commercial FEL Customers:						
Size	Frequency					
	1	2	3	4	5	6
2 yard	38	24	14	4	0	2
4 yard	55	53	42	7	6	14
6 yard	33	25	10	1	0	1
8 yard	35	48	46	11	6	15

*Note: some commercial customers in harbor district may require seven (7) day per week pickup.

**Approximately twenty-five (25) customers require the contractor to contact the business to unlock the enclosure.

F. Franchise Fees

In 2016, the city received \$35,680 from its 1% solid waste franchise fees.

G. Current Rate Sheet

BASE RATES April 2016							
Commercial Establishment Rates							
These rates do not include additional service requirement such as casters, opening gates, compactors, etc. Commercial Establishments that only require one 96-gallon cart will receive service two times per week at curbside and will be billed at the same rate as a two yard container serviced one time per week. Commercial Establishments Rates for the service required and will not receive recycling services.							
Multi-Family Residential	Multi-Family units that are serviced by Front Load Dumpsters will be billed to one entity based on the Commercial Establishment Rates for the service required and will not receive recycling service. Multi-Family units that are serviced by carts will be billed at the Residential Rate of \$253.26 per year and will receive recycling and horticultural waste pickup.						
2 yard container	All Commercial Rates are per month						
	1	2	3	4	5	6	7
	\$79.01	\$148.92	\$218.85	\$288.79	\$346.07	\$465.36	\$569.73
	\$102.24	\$192.67	\$283.05	\$373.47	\$463.89	\$601.81	\$736.80
	\$127.12	\$238.04	\$348.96	\$459.85	\$595.99	\$740.10	\$905.79
	\$149.00	\$280.41	\$411.80	\$543.20	\$704.03	\$875.08	\$1,071.33

Residential	
Residential Service with Recycling and Carts	\$253.26 Annual \$ 21.10 Monthly
Senior Citizen Residential Rate	\$203.78 Annual \$ 16.98 Monthly
Second Cart Residential Rate	\$147.62 Annual \$ 12.30 Monthly

*Rates including 1% Franchise Fee and \$8.00 Annual Billing Fee			
	Regular	Senior	2 nd Cart
Rate Monthly	\$ 20.40	\$ 16.32	\$ 11.68
Franchise Fee	\$.20	\$.16	\$.12
Billing Fee	\$.50	\$.50	\$.50
Total Rate	\$ 21.10	\$ 16.98	\$ 12.30
Quarter	\$ 63.31	\$ 50.94	\$ 36.90
Annual	\$253.26	\$203.78	\$147.82

VIP Compactors							
	1	2	3	4	5	6	7
2 yard container	\$126.42	\$238.27	\$350.15	\$462.05	\$553.72	\$744.58	\$911.57
4 yard container	\$163.59	\$308.27	\$452.88	\$597.55	\$742.23	\$962.90	\$1,178.89
6 yard container	\$203.39	\$380.85	\$558.34	\$735.76	\$953.59	\$1,184.16	\$1,449.26
8 yard container	\$238.40	\$448.66	\$658.89	\$869.12	\$1,126.45	\$1,400.14	\$1,714.13

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

SECTION 4 – RESPONSE SUBMISSION REQUIREMENTS

4.1 SUBMISSION OF RESPONSES

General Requirements. The purpose of the response is to demonstrate the qualifications, competence, and capacity of the firms seeking to undertake the requirements of this RFP. As such, the substance of the response will carry more weight than their length, form or manner of presentation. The response should demonstrate the qualification of the firm and the particular staff to be assigned to this engagement. It should also specify an approach that will meet or exceed the RFP requirements.

The selected firm shall provide sufficient organization, personnel, and management to carry out the requirements of this RFP in an expeditious and economical manner, consistent with the needs of the City. Additionally the selected firm will be required to demonstrate recent experience with the successful completion of services similar to those specified within this RFP.

Detailed Response. The City requires a uniform format to ensure that all proposals are fairly evaluated. Proposals shall be organized as outlined below and shall include the information specified.

Cover Letter

Provide a cover letter indicating your company's understanding of the requirements, scope of services and specifications of this RFP. The letter must be a brief formal letter (no more than two (2) pages; a single sheet of paper printed double-sided is considered two (2) pages) from the Respondent that provides information regarding the company's familiarity and interest in providing the proposed services. A person who is authorized to commit the Respondent's organization to provide the goods/services included in the response must sign the letter.

Tab 1: Qualifications, Experience & Performance

This section shall be no more than twenty (20) numbered pages not including financial statements, and at a minimum, shall include the following:

Firm's Qualifications

- a) Complete and submit **Respondent Qualification Statement**, form herein as an attachment in Appendix A.
- b) Describe the Firm and provide a statement of the Firm's qualifications for performing solid waste services.
- c) If the Principal Place of Business is different than the location specified in the Respondent's Qualification Statement, then

Respondent shall specify office location where services will be managed.

Qualifications of Project Team (key project members) and availability of specialty resources

Provide an overview of the qualifications of the specific project team to be submitted by the Firm/Individual to perform the requested services including:

- a) An organizational chart that clearly defines the lines of authority and specifically lists the Project Manager and Transition Manager (if applicable). These project team members are hereafter referenced as "key project members". This information shall be contained on a maximum of one (1) page.
- b) Provide a maximum of four (4) resumes for key project members outlining the relevant experience and education for this project. Each resume is limited to one (1) page.

References

Complete Collection Service Reference Forms 1-3, forms herein as attachment in Appendix A.

Tab 2: Operations & Project Approach - Demonstrated skill set, and innovative ideas that will be used to address the Scope of Work

RESPONDENT shall clearly and succinctly describe how it will perform the services requested in this RFP. The City is looking for proposals that are compatible with the scope and services; maintain a high level of customer service while maximizing diversion, efficiency, and cost-effectiveness. This section of the proposal shall be no more than twenty (20) numbered pages and, at a minimum, shall include the following information:

Collection Services

- a) RESPONDENT shall explain how it plans to provide the Residential Collection Service as described herein. At a minimum, RESPONDENT shall describe the primary methods by which Solid Waste, Program Recyclables, Yard Waste, and Bulk Waste will be collected, including level of automation (manual rear load, semi-automated rear or side load, fully-automated side or front load); a list of the types (make, model, and fuel used) and number of vehicles that would be used to provide collection services; number of collection and customer service staff; and how materials would be handled following collection.
- b) RESPONDENT shall explain how it would transition into providing these services and how it would maintain customer service and satisfaction throughout the term of this Agreement. RESPONDENT shall provide a basic transition timeline.

~~Solid Waste Processing/Disposal:~~

- a) RESPONDENT must identify where Solid Waste will be disposed and any transfer stations to be used.

Recyclables Delivery:

- a) RESPONDENT shall describe the methods and means for transporting and delivering Recyclables, including the types of equipment and vehicles used as well as the methodology to retain the integrity of the materials for optimum recovery.

Billing

- a) RESPONDENT shall explain the methods and means for providing quarterly billing service for residential customers and monthly billing service for commercial customers; how delinquent accounts will be handled, how 90 day delinquents will be disconnected and how reactivation of an account will occur.

Customer Service:

- a) RESPONDENT shall describe the methods for dealing with collection problems such as missed pickups, missed setouts, excessive contamination, customer complaints, billing questions and similar issues.

Tab 3: Public Education and Outreach:

- a) RESPONDENT shall describe the methods and means for public education and outreach to customers for service information.
- b) The RESPONDENT shall describe its strategy to reduce environmental footprints, increase sustainability and educate the public.
- c) The RESPONDENT shall demonstrate local commitment and community involvement in other jurisdictions for which it provides similar services.

Tab 4: Pricing

At a minimum, RESPONDENT must complete **Rate Sheet** in its entirety, form attached herein in Appendix A. All unit prices shall be rounded to the nearest cent.

Tab 5: Appendix A - Submittal of General Information, Procurement Forms and other Forms and Documents

Forms can be found in Appendix 'A' and must be completed, signed and notarized, when required, and submitted. In addition, all other request and supporting documentation should be included in this Chapter.

- a) Respondent Acknowledgement
- b) Respondent Qualification Statement
- c) Collection Service Reference Forms 1-3
- d) Rate Sheet
- e) Addenda Acknowledgement
- f) Confirmation of Drug Free Workplace

- g) Certification and Licenses: Respondents must include with their responses, copies of all applicable certificates and licensing or business permits related to the work specified herein.
- h) Liability Insurance: Franchisee shall at all times provide and keep in force, at its sole cost and expense, a comprehensive general public liability insurance policy and property damage insurance policy in a sum of at least five million dollars (\$5,000,000) for each person with a total liability of at least five million dollars (\$5,000,000) for each accident, indemnifying the City and Franchisee as their interests may appear against public liability and property damage claims.

Worker's Compensation and Employer's Liability Insurance: Franchisee shall at all times provide and keep in force, at its sole cost and expense, a worker's applicable compensation insurance policy in a sum of at least one million dollars (\$1,000,000) for each employee, including disease. The Franchisee shall also at all times, provide and keep in force, at its sole cost and expense, an employer's liability policy in a sum of at least one million dollars (\$1,000,000) for each employee, disease, and disease aggregate.

Automobile Liability: Franchisee shall at all times provide and keep in force, at its sole cost and expense, automobile liability insurance, with coverage pertaining to ownership, maintenance, and use of all its owned, non-owned, leased or hired vehicles with limits of not less than two million dollars (\$2,000,000) for bodily injury and property damage liability, with a combined single limit of two million dollars (\$2,000,000) for each accident.

Each Respondent shall submit, with the proposal, proof of insurance in the types and amounts required by the City, including the foregoing and any additional coverage's, as may be defined at the time of award of contract and Exclusive Franchise. The City shall be named as an additional insured party and all binders, policies or certificates of insurance shall provide for at least ten (10) days notice to the City of any cancellation or amendment to any of the binders, policies or certificates of insurance.

- i) Proposal Bond: Proposer must submit a money order, cashier's check, certified check, or bond made payable to the City of Destin in the amount of twenty-five thousand dollars (\$25,000.00).
- j) Submit any supplemental information relative to this RFP.

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

SECTION 5 – EVALUATION OF RESPONSES

5.1 SELECTION PROCESS

- A. The Bid Committee consisting of City staff will review each written submission for compliance with the requirements of the RFP, including verifying that each response includes all documents required. In addition, the Committee will ascertain whether the provider is qualified to render the required services according to State regulations and the requirements of this RFP.
- B. The Bid Committee members will individually score and rank all responses based on the requirements of the RFP and determine the firms deemed to be the most highly qualified to perform the required service.
- C. The Bid Committee will conduct a public meeting chaired by the City Manager's designee to discuss the individual scores, summarize the scores in a ranking matrix to be forwarded to the City Council. Upon request, Respondents may be required to provide a presentation at a City Council meeting.
- D. After a ranking of firms has been approved by the City Council, the City Manager or designee will begin negotiations with the top ranked firm developed from information from this RFP. The City reserves the right to include additional provisions if the inclusion is in the best interest of the City, as determined solely by the City. If an agreement cannot be reached with the top ranked firm, then negotiations will begin with next highest ranked firm from the council approved list until successful negotiations occur, or the firms on the council approved list is exhausted. Assuming the successful negotiation of an agreement, the final contract will be submitted to the City Council for their consideration and approval.

5.2 EVALUATION METHODOLOGY

The City has approved a set of evaluation criteria. The evaluation criteria are designed to evaluate proposals by considering all aspects that will impact the quality and level of service. Criteria were formulated to consider qualifications, cost, operations, project approach and public education and outreach. Respondents should note that each of these four categories will be evaluated by the Bid Committee. Failure to provide adequate information listed on any criterion may result in rejection of the proposal as non-responsive. A sequential ranking of all firms will be developed. The final Bid Committee ranking will be presented to the City Council.

The criteria and weighting to be used in the evaluation process are listed below. Following each criteria are examples of questions the Bid Committee will consider and respondents shall provide, as a minimum, the information listed under each criterion.

Qualifications, Experience & Performance	20%
Operations and Project Approach	30%
Public Education & Outreach	10%
<u>Cost (Residential 20% / Commercial 20%)</u>	<u>40%</u>
Total	100%

A. Qualifications, Experience & Performance (20%)

1. Company Qualifications. Does the company have demonstrated experience providing similar services in a comparably-sized service area? Does the company have experience with similar beach resort communities?
2. Staff Qualifications. Does the background and qualifications of individual key team members provide proven technical, operational, and managerial experience needed to handle the proposed services? Are the company structure and the relation of the project team clearly shown?
3. Financial Background. Do financial qualifications clearly demonstrate financial stability of the Proposer?
4. References. Do the client references demonstrate the company's ability to maintain long-term relationships with counties/municipalities where the county/municipality is satisfied with the service received including quality of service, customer service, reporting and billing capabilities?
5. Insurance. Is insurance coverage and indemnification adequate?
6. Billing Experience. Does the proposal demonstrate the company's experience and capacity to perform the billing function?

B. Operations and Project Approach (30%)

1. Collections. Has the proposed methodology/technology been successfully demonstrated by the Respondent in applications elsewhere? Does overall methodology appear technically viable? Does the collection schedule and account information presented provide a reasonable system for collection including the number of collection days, hours per day, number of routes, accounts per route and crew size? Do proposed containers, equipment, and vehicle specifications provide for sound reliable collection services? Are adequate solid waste collection contingencies provided for? Did the Respondent meet the requirements of the scope of services? How compatible is the Respondent's proposal with the RFP? Are solid waste disposal locations identified?
2. Support Facilities. Data Management, Customer Service and Billing. Are reasonable plans provided for how these services will be provided to the City? Are minimum requirements of the scope of services met?
3. Transition Plan. Is the plan well thought out, provide continuity of service and clearly communicated?

4. Does the Respondent include detailed information that demonstrates the Respondent's understanding of the scope of work and how they intend to meet the goals and objectives of the project?
5. Innovation. Does Respondent have any innovative ideas relating to the scope of work and deliverables?

C. Public Education and Outreach (10%)

1. Public Education. Does the Respondent have demonstrated experience with public education programs? Were copies of materials produced for past programs submitted for review? Was an adequate public education strategy presented to reduce environmental footprints and increase sustainability (i.e. green initiatives/waste reductions)? Does the Firm have strategies to increase the City's waste diversion rate through increased recycling by residential, commercial or multi-family customers?
2. Community involvement. Has the respondent demonstrated local commitment and community involvement in other jurisdictions for which it provides similar services?

D. Cost (40% Total = Residential 20% + Commercial 20%)

1. Completeness and Reasonableness. Did Respondent provide all the requested cost information? Are rates and annual costs reasonable as compared with those in nearby jurisdictions? Are assumptions used in developing costs reasonable?
2. Competitiveness. How competitive is the proposal compared to others received? The City will consider the residential and commercial rates and values independently.
3. Did the Respondent provide the methodology to be used for future increases/decrease (e.g. pricing index with/without caps or bands; frequency) to the rates.

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

SECTION 6 – GENERAL CONDITIONS FOR RESPONDENTS

6.1 GENERAL CONDITIONS

- A. FAMILIARITY WITH LAWS: The Respondent is presumed to have full knowledge of and be in compliance with all Federal, State, and Local laws, ordinances, rules, and regulations that in any manner affect the equipment and the services provided to the City. Ignorance on the part of the Respondent will in no way relieve Respondent of responsibility to adhere to such regulations.
- B. RFP FORMS: The Respondent will submit a RFP in the specified format and on the RFP forms provided. All RFP prices, amounts and descriptive information must be legibly entered. The Respondent must state the price and the time of delivery for which they propose to deliver the equipment or service requested. All RFP forms must be executed and submitted for easy identification. The face of the envelope shall contain the company's name and address, RFP title, number, RFP date and time. RFPs not submitted on RFP forms herein may be rejected. All RFPs are subject to the conditions specified within this solicitation document. RFPs which do not comply with these conditions are subject to rejection.
- C. EXECUTION OF RFP: RFP must contain a manual signature of an authorized representative in the space provided on all affidavits and Response sheets.
- D. RFP DEADLINE: It is the Respondent's responsibility to assure that the RFP is delivered at the proper time and place prior to the RFP deadline. The City of Destin is not responsible for the U.S. Mail or private couriers in regards to mail being delivered by a specified time so that a Response can be considered. RFP's which for any reason are not delivered by the deadline will not be considered. If no award has been made, the City reserves the right to consider RFP's that have been determined by the City to be received late due to mishandling by the City after receipt of the RFP. Offers by telegram or telephone are not acceptable.
- E. RIGHTS OF THE CITY: The City expressly reserves the right to:
1. Waive any defect, irregularity or informality in any RFP or RFP procedure;
 2. Reject or cancel any or all RFP's;
 3. Reissue an Invitation to RFP;
 4. Extend the RFP submission deadline time and date;
 5. Consider and accept an alternate RFP as provided herein when most advantageous to the City.
- F. STANDARDS: Factors to be considered in determining whether the standard of responsibility has been met include whether a prospective Respondent has:

1. Available the appropriate financial, material, equipment, facility, and personnel resources and expertise, or the ability to obtain such, necessary to indicate its capability to meet all contractual requirements;
 2. A satisfactory record of performance;
 3. A satisfactory record of integrity;
 4. Qualified legally to Contract within the State of Florida and the City of Destin;
 5. Supplied all necessary information in connection with the inquiry concerning responsibility.
- G. INTERPRETATIONS: Any questions concerning conditions and specifications should be directed to the authorized personnel identified in the RFP document in writing no later than ten (10) days prior to the RFP deadline. Inquiries must reference the date by which the RFP is to be received.
- H. CONFLICT OF INTEREST: The award hereunder is subject to all conflict of interest provisions of the City of Destin, Okaloosa County, and the State of Florida.
- I. ADDENDA: From time to time, the City may issue an addendum to change the intent or to clarify the meaning of the Contract documents. It is each Respondent's responsibility to check with the City of Destin and immediately secure all addenda before submitting RFPs. Each Respondent shall acknowledge receipt of ALL addenda by notation on the Addenda Acknowledgement form herein and shall adhere to all requirements specified in each addendum prior to submission of the RFP.
- J. ANTITRUST CAUSE OF ACTION: In submitting a RFP to the City of Destin, the Respondent offers and agrees that if the RFP is accepted, the Respondent will convey, sell, assign or transfer to the City of Destin all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and State of Florida for price fixing relating to the particular commodities or services purchased or acquired by the City of Destin. At the City of Destin's discretion, such assignment shall be made and become effective at the time the Finance Department tenders final payment to the Respondent.
- K. LEGAL REQUIREMENTS: Federal, State, County, and City laws, ordinances, rules, and regulations that in any manner affect the items covered herein apply. Lack of knowledge by the Respondent will in no way be a cause for relief from responsibility.
- L. ON PUBLIC ENTITY CRIMES – All Invitations to RFP's as defined by Section 287.012(11), Florida Statutes, requests for proposals as defined by Section 287.012(16), Florida Statutes, and any contract document described by Section 287.058, Florida Statutes, shall contain a statement informing persons of the provisions of paragraph (2)(a) of Section 287.133, Florida Statutes, which reads as follows:
- “A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided

in s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.”.

- M. ADVERTISING: In submitting a RFP, the Respondent agrees not to use the results there from as a part of any commercial advertising.
- N. ASSIGNMENT: Any Purchase Order issued pursuant to this RFP invitation and the funds which may become due hereunder are not assignable except with the prior written approval of the City.
- O. INDEMNIFICATION: The selected Respondent shall hold and save harmless the City of Destin, Florida its officers, agents, volunteers and employees from liability of any kind in the performance of this Contract. Further, the selected Respondent(s) shall indemnify, save harmless and undertake the defense of the City, its City Council Members, agents, servants and employees from and against any and all claims, suits, actions, damages, or causes of action arising during the term of this Contract, for any personal or bodily injury, loss of life, or damage to property arising directly or indirectly from Respondent's operation pursuant to this Contract and from and against all costs, counsel fees, expenses and liabilities incurred in and about any such claims, the investigation thereof, or the defense of any action or proceedings brought thereon, and from and against any orders or judgments which may be entered therein. The City shall notify the Respondents within ten (10) days of receipt by the City of any claim, suit or action against the City arising directly or indirectly from the operations of the Respondents hereunder, for which the City may be entitled to a claim or indemnity against the Respondent, under the provisions of this Contract. Respondent shall have the right to control the defense of any such claim, suit or actions. The Respondent shall also be liable to the City for all costs, expenses, attorneys' fees and damages which may be incurred or sustained by the City by reason of the Respondent's breach of any of the provisions of the contract. Respondent shall not be responsible for negligent acts of the City or its employees.
- P. CONTRACT AGREEMENT: An Agreement outlining the Scope of Services with the intent of accomplishing a timely, cost-effective completion of a given project will be provided. Specific Task Order stipulating the Scope of Work to be provided will be issued after the execution of said Agreement. The Agreement will be based on successful negotiation.
- Q. FUNDING OUT: The resultant Agreement shall remain in full force and effect only as long as the expenditures provided for in the Agreement have been appropriated by the City Council for the City of Destin in the annual budget for each fiscal year of this Agreement, and is subject to termination based on lack of funding.
- R. PUBLIC RECORDS: Sealed documents received by the City in response to an invitation are exempt from public records disclosure until thirty (30) days after the opening of the Response/bid unless the City announces intent to award sooner, in accordance with Florida Statutes 119.07.

However, certain exemptions to the public records law are statutorily provided for in Florida Statutes 119.07. If the Respondent believes any of the information contained within their response is exempt from the Public Records Law, then the Respondent must identify in their Response, the material which is deemed to be exempt and cite the legal authority for the exemption. The City's determination of whether an exemption applies shall be final, and the Respondent agrees to defend, indemnify, and

hold harmless the City and the City's officers, employees, and agents, against any loss or damages by any person or entity as a result of the City's treatment of records as public records.

The City of Destin is a public agency subject to Chapter 119, Florida Statutes. The contractor shall comply with Florida's Public Records Law. Effective July 1, 2013, Section 119.071, Fla. Stat., the contractor shall:

1. Keep and maintain public records that ordinarily and necessarily would be required by the City in order to perform the service;
2. Provide the public with access to such public records on the same terms and conditions that the City would provide the records and at a cost that does not exceed that provided in chapter 119, Fla. Stat., or as otherwise provided by law;
3. Ensure that public records that are exempt or that are confidential and exempt from public record requirements are not disclosed except as authorized by law; and
4. Meet all requirements for retaining public records and transfer to the City, at no cost, 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. All records stored electronically must be provided to the City in a format that is compatible with the information technology of the agency.

Failure of the contractor to comply with the provisions set forth in this General Condition shall constitute a Default and Breach of the Agreement with the City.

**REQUEST FOR PROPOSAL
RFP 17-15-PS
RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES**

SECTION 7 – SPECIAL CONDITIONS

7.1 SPECIAL CONDITIONS

- A. It shall be the responsibility of the successful Respondent to maintain workers' compensation insurance, professional liability, and property damage liability insurance and vehicular liability insurance; during the time any of his personnel are working on City of Destin property. The successful Respondent shall furnish the City with a certificate of insurance after award has been made and prior to the start of any work on City property. Said insured companies must be authorized to do business in the State of Florida.
- B. The City of Destin reserves the right, before awarding a Contract to require a Respondent to submit such evidence of qualifications as it may deem necessary, and may consider any evidence available to it of the financial, technical and other qualifications and abilities of a Respondent, including past performance (experience) with the City in making the award in the best interest of the City.

APPENDIX "A"
THE DOCUMENTS
BEHIND THIS PAGE
MUST ACCOMPANY RESPONSE
IN ORDER FOR SUBMITTAL
TO BE CONSIDERED
COMPLETE AND ACCEPTABLE





RESPONDENT ACKNOWLEDGEMENT

Submit RFP's To: City of Destin
CITY CLERK'S OFFICE
4200 Indian Trail Bayou
Destin, Florida 32541
Telephone: (850) 837-4242

RFP Title: RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES

RFP Number: RFP 17-15-PS

RFP Received By: JUNE 1, 2017, NO LATER THAN 2:00 P.M. (CST)

RFP's will be publicly opened and recorded for acknowledgement of receipt in the City Hall Boardroom, unless specified otherwise, on: JUNE 1, 2017, no later than 2:00 P.M. (CST) and may not be withdrawn within ninety (90) days after such date and time.

Name of Vendor: _____

Federal I.D. Number: _____

A Corporation of the State of: _____

Area Code: _____ Telephone Number: _____

Area Code: _____ FAX Number: _____

Mailing Address: _____

City/State/Zip: _____

Vendor Mailing Date: _____

Authorized Signature

Name Printed



RESPONDENT 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: _____

Partnership

Address: _____

Individual

City, State, Zip: _____

Other

Telephone No.: _____

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 Respondent is:

The address of the principal place of business is:

2. If Respondent 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 Respondent 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 Respondent is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

5. If Respondent 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 Respondent:

12. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the Respondent'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 Respondent:

14. Annual Average Revenue of the Respondent for the last three years as follows:

		Revenue Index Number
a.	Government Related Work	
b.	Non-Governmental Related Work	
	Total Work (a + b):	

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

16. What will be your turnaround time for written responses to City inquiries?

17. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Respondent, 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 Respondent 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 Respondent, its principals or officers or predecessors' organization(s) were defendants.

20. Has the Respondent, 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 Respondent 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 Respondent to be true. The discovery of any omission or misstatement that materially affects the Respondent's qualifications to perform under the contract shall cause the owner to reject the Response, 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: _____



COLLECTION SERVICE – REFERENCE #1

Municipality/County: _____

Contact (Name/Title): _____

Contact Address: _____

Contact Phone: (____) _____ Contact Email: _____

Term of Current Contract: Start Date: _____ End Date: _____

Type of Service Provided: ☐ Residential ☐ Commercial

Services Provided (check all that apply)	Type of Service	Type of Service (U/S) (U =Universal; S =Subscription)	Residential Units Serviced	Commercial Units Serviced	Automated Collection? (check if yes)	Frequency of Collection		
						1x per week	2x per week	Other
☐	Solid Waste				☐			
☐	Recycling				☐			
☐	Yard Waste				☐			
☐	Bulk Waste				n/a			

Other relevant information:

CITY OF DESTIN



COLLECTION SERVICE – REFERENCE #2

Municipality/County: _____

Contact (Name/Title): _____

Contact Address: _____

Contact Phone: (____) _____ Contact Email: _____

Term of Current Contract: Start Date: _____ End Date: _____

Type of Service Provided: ☐ Residential ☐ Commercial

Services Provided (check all that apply)	Type of Service	Type of Service (U/S) (U=Universal; S=Subscription)	Residential Units Serviced	Commercial Units Serviced	Automated Collection? (check if yes)	Frequency of Collection		
						1x per week	2x per week	Other
☐	Solid Waste				☐			
☐	Recycling				☐			
☐	Yard Waste				☐			
☐	Bulk Waste				n/a			

Other relevant information:

CITY OF DESTIN



COLLECTION SERVICE – REFERENCE #3

Municipality/County: _____

Contact (Name/Title): _____

Contact Address: _____

Contact Phone: (____) _____ Contact Email: _____

Term of Current Contract: Start Date: _____ End Date: _____

Type of Service Provided: ☐ Residential ☐ Commercial

Services Provided (check all that apply)	Type of Service	Type of Service (U/S) (U = Universal; S = Subscription)	Residential Units Served	Commercial Units Served	Automated Collection? (check if yes)	Frequency of Collection		
						1x per week	2x per week	Other
☐	Solid Waste				☐			
☐	Recycling				☐			
☐	Yard Waste				☐			
☐	Bulk Waste				n/a			

Other relevant information:

CITY OF DESTIN



RATE SHEET

COMMERCIAL							
Commercial rates should not include additional service requirements such as casters, opening gates, compactors, etc. Commercial Establishments that only require one (1) 96-gallon cart shall receive service (2) two times per week at curbside, and shall be billed at the same rate as a two (2) yard container serviced one (1) time per week. Commercial establishments shall be billed for the rate of service required and will not receive recycling services.							
Multi-Family Residential	Multi-Family units serviced by Front Load Dumpsters shall be billed to one entity based on the Commercial Rates for the service required and will not receive recycling service. Multi-Family units that are serviced by carts will be billed at the annual Residential Rate and shall receive recycling and horticultural waste pickup.						
Rate per Month <i>Frequency/Times per week</i>							
	1	2	3	4	5	6	7
2 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
6 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
8 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

RESIDENTIAL	
Residential Service with Recycling and Carts	\$ _____ Annual \$ _____ Monthly
Senior Citizen Residential Service	\$ _____ Annual \$ _____ Monthly
Second Cart Residential Service	\$ _____ Annual \$ _____ Monthly

RESIDENTIAL including Franchise Fee			
	Regular	Senior	2 nd Cart
Rate Monthly	\$ _____	\$ _____	\$ _____
Franchise. Fee	\$ _____	\$ _____	\$ _____
Total Rate	\$ _____	\$ _____	\$ _____
Quarter	\$ _____	\$ _____	\$ _____
Annual	\$ _____	\$ _____	\$ _____

VIP COMPACTORS							
Rate Per Month							
	1	2	3	4	5	6	7
2 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
4 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
6 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
8 yard container	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

PROVIDE METHODOLOGY FOR CALCULATING CPI / RATE INCREASE

A D D E N D A

**CITY OF DESTIN
FLORIDA**

RFP TITLE: RESIDENTIAL & COMMERCIAL SOLID WASTE SERVICES

RESPONDENT: _____

DATE SUBMITTED: _____

We propose and agree, if this submittal is accepted, to contract with the City of Destin, in the Contract Form, to furnish all material, equipment, machinery, tools, apparatus, means of transportation, construction, coordination, labor and services necessary to complete/provide the work specified by the Contract documents.

Having studied the documents prepared by:

CITY OF DESTIN

We propose to perform the work of this Project according to the Contract documents and the following addenda which we have received:

<u>ADDENDUM NO.</u>	<u>DATE</u>	<u>ADDENDUM No.</u>	<u>DATE</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ **NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID**



CONFIRMATION OF DRUG-FREE WORKPLACE

IDENTICAL TIE SUBMITTALS

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more submittals which are equal with respect to price, quality, and service are received by the City of Destin or by any political subdivision for the procurement of commodities or contractual services, a submittal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie submittals will be followed if none of the tied vendors have 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 submittal a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employee that, as a condition of working on the commodities or contractual services that are under submittal, 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 of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so 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 the statement, I certify that this integrator complies fully with the above requirements.

Vendor's Signature: _____

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
JULY 17, 2017
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Scott Fischer

Councilmember Chatham Morgan

Councilmember Parker Destin

Councilmember Cyron Marler

Councilmember Tuffy Dixon

Councilmember Prebble Ramswell

Councilmember Rodney Braden

Destin City Staff

City Manager Carisse Lejeune

Public Information Manager Doug Rainer

Parks/Recreation Director Lance Johnson

Development Manager Steve Schmidt

Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

City Planner Hank Woollard

Finance Director Bragg Farmer

IT Manager Webb Warren

City Attorney Jeffrey Burns

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Scott Fischer called the meeting to order at 6:00 PM. Reverend David Thompson of Destin United Methodist Church gave the invocation; which was then followed by the 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)*

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to approve the agenda, as amended, by moving agenda item #5 ahead of agenda item #4, passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted “yes”; Councilmember Foreman was absent from the meeting).

1. APPROVAL OF MINUTES

A. Approval of minutes of May 12, 2017 council strategic visioning session (Part 2)

Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve minutes of May 12, 2017 council strategic visioning session (Part 2) passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted “yes”; Councilmember Foreman was absent from the meeting).

B. Approval of minutes of May 11, 2017 council strategic visioning session (Part 1)

Motion by Councilmember Ramswell, seconded by Councilmember Braden, to approve minutes of May 11, 2017 council strategic visioning session (Part 1) passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted “yes”; Councilmember Foreman was absent from the meeting).

C. Approval of minutes of March 6, 2017 regular city council meeting

Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve minutes of March 6, 2017 regular city council meeting passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted “yes”; Councilmember Foreman was absent from the meeting).

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS (NO PUBLIC COMMENTS)

A. Norriego Point Presentation – Florida Department of Environmental Protection (FDEP)

Mr. Pearce Barrett of the Florida Department of Environmental Protection provided the following presentation:

Norriego Point Shoreline Stabilization and Dune Restoration Project

- Norriego Point Project Background
 - ❖ Stabilization forest recommended in 1999 Inlet Management Plan
 - ❖ Stabilization design commenced 2008
 - ❖ Feasibility Study in 2009
 - ❖ Numerous design revisions over the following years
 - Council re-direction, BRP Recommendations, etc.
 - ❖ Project permitted June 2013
 - Rock/Sheet pile and all-rock alternatives
 - ❖ Project modified in 2013/2014 to improve design and increase dredging area
 - Alignment shift, additional Scour protection, etc.

Evolution of Norriego Point through the NRDA Process

- Project submittals for consideration under NRDA ERP – 2011
- Release of Final Programmatic and Phase III Early Restoration Plan and Final Early Restoration Programmatic Environmental Impact Statement (Final Phase III ERP/PEIS) – Octobers 2014
- Selection of consultant (Taylor Engineering) for value engineering, permitting, construction documents – 2015
- Value engineering, construction document's, permitting – 2015-2016

Norriego Point NRDA Requirements

- Protect, stabilize and restore land area lost over time
 - ❖ Erosion control structures to dissipate wave energy and contain dredged fill
 - ❖ Establish two new swimming embayment formed by the erosion control structures
 - ❖ Re-established recreational area
 - Current area – 7.6 ac
 - Restoration – 1,150 LF shoreline, 5.4 ac. Fill
 - Total restored site – 13 ac.
 - ❖ Dune restoration and re-vegetation
 - ❖ Enhance and re-establish recreational activities
 - Increased ADA accessibility

- Passive Recreation – Trails/boardwalks, viewing pavilion, educational environmental signage, improved parking and other park amenities

Value Engineering

- Value engineering design constraints
 - ❖ Existing permit authorizations
 - ❖ Limited budget
 - ❖ Coastal conditions
 - Seasonal and extreme conditions
 - Existing and future conditions
 - ❖ Existing structures
 - ❖ Construction limitations
 - Access, staging, etc.
 - ❖ Scheduling limitations
 - ❖ Potential public concerns
 - Safety, aesthetics, materials, use, access, etc.

Stabilization Components

- Sheet pile wall and rock T-groins – “Sand Tight”
- Reduced rock sizes
- Composite sheet pile (sustainability)
- Increased scour protection
- Existing T-groin restoration/enhancement
- Consistent structure alignment
- Upland sheet pile walls
- Beach and dune restoration

Project Schedule – Stabilization Component

- Value engineering and permitting – completed 2016
- Advertisement for construction bids released by FDEP – January 2017
- Receipt of bids – March 2017
- Award of bid to Luhr Bros., Inc. – May 2017
 - ❖ Bid amount - \$9,725,000.00 (available funding for stabilization component \$10M)
- CEI Services – Tailor engineering, Inc (Mat Trammell, P.E., EOR)
- Project management – FDEP
 - ❖ Division of Water Restoration Assistance, Deepwater Horizon Section

Project Schedule – Stabilization component

- Mobilization and start of construction – second or third week of September 2017
- Substantial completion of construction of stabilization component – on or before May 31, 2018
- Dune vegetation – Fall 2018

DISCUSSIONS:

Councilmember Braden asked why pile system was selected over an all-rock system when it seems the latter is a lot cheaper than the former.

Mr. Barrett noted that the Corps of Engineer did not permit an all-rock system; instead they permitted a sheet pile and rock system.

Councilmember Ramswell asked if the Corps of Engineer permitted the project before the issuance of the request for proposal (RFP); to which Mr. Barrett replied affirmatively.

Councilmember Ramswell noted that the RFP provided an option for an alternate bid for an all-rock system; and that at least one bidder submitted an alternate bid for an all-rock system. She asked why that option is even provided when the Corps of Engineer had already permitted the project beforehand.

Mr. Barrett would research the basis for the alternate bid option and come back with the response to the question.

Councilmember Ramswell asked if the selected contractor will be implementing all 3 phases of the project.

Mr. Barrett replied Luhr Bros., Inc. would only be doing the Norriego Point stabilization; adding that separate bid requests will be put out for dune restoration and the recreational component of the project.

Councilmember Braden asked why the Norriego Point design points to the south rather than straightforward as it has been in the past.

Mr. Matt Trammell of Taylor Engineering, Inc. explained they maximized and shifted the Point to get the optimum position for navigation, storm protection to the Destin Harbor, and to maximize the area for recreation.

Mr. Trammell also noted that with regards to the design process, sand tightness is an extremely critical design parameter. If the sand leaks to the jetties, it creates an ongoing navigation maintenance dredging problem. They were given the mission of reducing the maintenance dredging frequencies as much as possible, and that the only way to do this is to create a sand tight structure. The design currently in place is a sand tight structure. It is a superior design that meets the intent of the project as well as the budget.

Councilmember Ramswell inquired about the make –up of the sheet pile wall.

Mr. Trammell explained that the sheet pile wall is a composite wall that locks together. It is an extremely sand-tight bond which will form the barrier to keep sand from moving through the structure. He also stated the only way to make all-rock structure sand tight is basically to cram so much rock forming a solid wall, which they do not want.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS (ALL AGENDA ITEMS OTHER THAN THOSE UNDER NUMBER 6)

Ms. Sandy Trammell, a Destin resident and former city council member, addressed agenda item #4A – *Amendment to the Destin Executive Airport Interlocal Agreement between the City of Destin and Okaloosa County*. She urged the Council not to dissolve the Airport Compatibility Advisory Committee that was created by the interlocal agreement because there are

still some issues that have not been resolved. She also suggests they asked the County to conduct another noise study after the air traffic control tower becomes operational.

Ms. Patti Terjak, a Destin resident and business owner, spoke on agenda item #5A – *First reading of Ordinance 17-12-CC, Prohibition of Commercial Activity in City Parks*. She stated that allowing only one wedding per day at June White Decker Park is so restrictive to people that come to this area to conduct a small and simple wedding ceremony and then hold a small reception at a local restaurant afterwards; adding they would lose a lot of visitors by doing so.

Councilmember Braden asked where all the people that participate in beach weddings at the public beach access at Crystal Beach find a place to park.

Mr. Terjak noted that the wedding ceremonies that she organizes are mostly small and intimate (25-35 people). The majority of the guests stay in Crystal Dunes condos, the Beach Side Inn or the Crystal Beach cottages. These people either walk across the street to the ceremony or rent a golf cart and shuttle everyone over and then back.

4. CITY MANAGER REPORT

A. Resolution 17-31 – Amendment to the Destin Executive Airport Interlocal Agreement between the City of Destin and Okaloosa County

The City Manager noted that there has been a tremendous amount of information, detailed reports and numerous presentations made to the Airport Compatibility Advisory Committee (ACAC) concerning the Noise Study which are captured in years of meeting minutes of the committee; a summary of which were provided in the staff report. She continued that it appears the only items not completed were mitigation of 44 houses which involves voluntary sound insulation program and the outright acquisition of 4 houses that are on the northeast end of the airport. The County applied for grant funding for mitigation and acquisition costs but was denied.

Mr. Tracy Stage, Okaloosa County Airports Director, addressed the issue. He informed the Council the data within the report for the Part 150 Noise Study conducted in 2005 and updated in 2009 is now obsolete because the Destin Executive Airport is now a different airport from the way it was in 2008. He stated that the ACAC committee the City and County established in 2007 has done an outstanding job for almost a decade. It has been instrumental in helping the airport secure funding for the majority of the improvements on the airport such as constructions of the air traffic control tower and the noise wall. He informed Council that on March 29, 2017 meeting, Airport staff briefed the ACAC on its numerous efforts that have resulted in \$14 million in improvements at the Destin Executive Airport to include construction of a noise wall and air traffic control tower with significant improvements to compatibility. The tower is scheduled to start operation on November 1st this year. He also stated that the committee voted unanimously to request the Airport staff to engage with the County and the City to dissolve the committee. Furthermore, the Chair and Vice-Chair of the committee, both of whom are representatives of the City, announced their resignations from the committee noting the committee has accomplished its mission. He has taken this recommendation to the County, and that the County Commissioners has voted unanimously to dissolve the committee.

Councilmember Braden commented that the airport air traffic control tower may increase safety on the airport, but it may also increase air traffic.

Mr. Stage stated the air traffic is driven by the economy.

Mr. Stage also reported that the Part 150 Noise Study recommended mitigation of 44 houses which involves voluntary sound insulation program and the outright acquisition of 4 houses that are on the northeast end of the airport utilizing FAA noise funds. However, any noise funds FAA generates are only provided to large commercial service airports with thousands of operations per day such as Chicago's O'Hare Airport. He added that most of the noise complaints they received over the years were associated with the northwest side of the airport where they now put the noise wall. They have not received any noise complaint since January of this year. He added they have a complaint line that has always been established at the main airport; and that they respond to every complaint that is called in at that number.

The Mayor asked if the County would consider adding a Destin resident member to the newly formed County Aviation Board so that if ACAC is dissolved, a follow up to all the other issues discussed tonight can still be conducted.

Mr. Stage stated he would need to discuss this issue with the County's legal counsel and get back to the Council.

Councilmember Ramswell stated that the Destin Airport is used for different military training, and that some of those aircrafts can be quite loud. At times they go into 11:00 at night during the week. There are also loud helicopters late into the night. They can also expect bigger plains coming in to this airport now that they have an air traffic control tower. She feels that another noise study is warranted because this airport is located in Destin and has significant impact on its residents. She added they need a voice on what goes on in this airport and the ACAC committee should not be dissolved as there is still a lot of work to be done.

According to Mr. Stage, the Okaloosa County Aviation Board's mission is more in an economic development capacity and not to deal with situations like noise complaints. He also stated the Destin Executive Airport is a public use airport; and therefore there will be some noise. He suggests the City of Destin place aviation easement on properties that are located in and around an airport.

Councilmember Destin moved to continue discussion of this issue until after the airport and City staffs have the opportunity to explore the possibility of adding a Destin resident member to the newly formed Okaloosa County Aviation Board; seconded by Councilmember Dixon. Motion passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted "yes"; Councilmember Foreman was absent from the meeting).

B. Metered parking report

The City Manager stated that Council previously requested staff to provide statistics on the Mobile Pay for Parking (MPP) system at the Marler Street Parking Lot; and that a report documenting the number of parking transactions from implementation to the present is being presented to Council for their review and direction.

Development Manager Steve Schmidt providing the following totals based on the statistics provided:

- Total Number of Transactions: 1,995
- Average Amount per Transaction: \$2.50 (4 hours parking)
- Total Net Revenue: \$4,508

The City Manager noted that one of the reasons this Council allowed this Beta test for public parking was to create a revenue stream to be able to improve additional lots for parking. They do not have enough revenues at this time to do a full paved parking; however, they could take the Zerbe Street parking lot, gravel it and put tire bumpers with numbers and signage and turn the lot into a paid parking lot. She also informed the Council that she would be bringing back a draft RFP for a potential private-public partnership for a parking garage for Council consideration.

Councilmember Marler stated that the experimental paid parking is not working because he sees the parking lot empty or nearly empty almost every time he drives by it.

Councilmember Braden stated they need parking garages but they need to raise some money for it somehow.

Councilmember Ramswell noted that based on the statistical data provided by staff, it is very clear that Thursday, which is a firework evening coming from the Emerald Grande, is the highest revenue generating day of the week. She continued that people generally utilize the parking lot more during days when there are special events in the City. She suggests considering paid parking locations either at Restaurant Row, Old Hwy 98 and Crystal Beach.

Councilmember Morgan moved to direct staff to explore paid parking on the lot behind the Destin Community Center (Zerbe Street Parking Lot), Restaurant Row and Crystal Beach area; seconded by Councilmember Dixon.

Councilmember Destin stated he would support this motion, but he would only support future recommendations if accompanied by proposed signage and enforcement mechanisms; adding they need to consider dedicating funds for enforcement during this upcoming budget process.

Motion passed 5-1 (Council members Morgan, Destin, Dixon, Ramswell and Braden voted “yes”; Councilmember Marler voted “no”; Councilmember Foreman was absent from the meeting).

C. Establishment of the FY 2018 tentative millage rate and budget hearing dates

The Finance Director Bragg Farmer noted that the preliminary gross taxable property value represents an increase of \$218,096,105 (4.84%) from the 2016 Final Gross Taxable Property Value. By State Statutes, the City must hold public hearings on the budget and the City’s meetings may not be on the same date as that of Okaloosa County or the Okaloosa County School Board. There is a conflict for this year’s budget hearing with Okaloosa County. The County has scheduled its first budget hearing on the City’s regularly scheduled meeting date of September 5. State Statute requires the City to change its budget hearing dates so they do not coincide with the County. Staff recommends the first budget hearing be held on September 6th; while the second public hearing to be held during the regular City Council meeting on September 18th.

There was a brief discussion regarding revenue sharing. Mr. Farmer explained that State Statute requires all cities to maintain at least a 3-mil rate to receive State shared funding revenue sources. The City of Destin has a 2-mil cap that would put the City below that threshold; however,

the legislature allowed the City to utilize the fire district's 1 mil cap to meet this requirement. If this changes, it would force the City into a referendum to raise the 2-mil cap to at least a State requirement of 3-mil cap.

Councilmember Dixon noted this is included the Destin Fire Control District's charter; and that it is good as long as it stays in the charter. He wants to make sure the City stays self-sufficient if it ever changes.

Councilmember Ramswell moved to set the tentative millage rate for ad valorem taxes at 1.6150 mills, which is more than the rollback rate of 1.5615 mills, and confirm the date and times of the public hearings for the FY2018 Budget on September 6th and 18th, 2017 at 6:00 PM. Councilmember Braden provided a second to the motion, which passes 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted "yes"; Councilmember Foreman was absent from the meeting).

D. Comprehensive Plan Revision – Draft

The City Manager noted that the City engaged the West Florida Regional Planning Council (WFRPC) in November 2016 to conduct workshop and develop recommended changes to the Comprehensive Plan and Land Development Code. She continued that WFRPC conducted the workshop and has prepared preliminary executive summary and red-line versions of the Comprehensive Plan and Land Development Code. These documents still need to be vetted by staff and the Land Use Attorney for legal sufficiency, and submitted for review by the Local Planning Agency (LPA). After the LPA reviews the documents and provides their recommendations, the documents will be presented to the City Council on first reading. If the Council approves first reading of the comprehensive; it will be submitted to the Florida Department of Economic Opportunity for review and approval by the State prior to coming back to the City Council for second reading.

Ms. Caitlin Cerase, Economic Development Planner with West Florida Regional Planning Council (WFRPC) provided the following presentation:

Project Overview

- The purpose of the project was to analyze current Comprehensive Plan and LDC policies as they relate to Total Floor Area Ratio, Multi-Modal Transportation District, Short-Term Rentals, Height, Development Review, and Parking Standards, and provide recommendations to the City based on best practice review and input from the City Council workshop
- Summary and best practice reports were presented at the City Council special workshop in May 2017

Density and Intensity Amendments

- Future Land Use Element – Removed Total Floor Area Ratio and implement units per acre for residential and floor area ratio for non-residential measurements of density and intensity
- Policy 1-1.2.1 – Protect all residential areas
- Policy 1-2.1.7 – Where a district permits both density and intensity, the density and intensity shall not be applied to the same acreage
- Policy 1-2.1.8 – Removal of Intensity Bonus Provisions for SHMU and NHMU

Height Amendment

- Policy 1-2.1.4 and Glossary definition of measuring building height amended to use the top of roofline or parapet as the highest point of measurement instead of a cornice line. Reference to underground basements removed
- Architectural roof embellishments may be 6 feet above maximum building height for residential
- Height for development is proposed to be amended to reflect future land use designation height approved from the 2010 Comprehensive Plan
- Heights are provided in the future land use designation tables in the Future Land Use Element

Multi-Modal Transportation District (MMTD)

- Destin MMTD was originally adopted in 2005
- Purpose is to encourage a mix of land uses, transportation options, and building designs
- All developments within the MMTD are required to develop in a manner that minimizes vehicle trips

How does the MMTD work?

- Applicant completes Concurrency Evaluation Certificate (CEC) worksheet
 - ❖ Trip generation
 - ❖ Analysis + flexible
 - ❖ Points system +
 - ❖ Mitigation points
- CEC worksheet reviewed
 - ❖ Review completed by City's transportation planning consultant
- Mitigation fees collected/Certificate of Occupancy issued
 - ❖ MMTD process complete

MMTD Amendments

- Proposed amendments to Comprehensive Plan Chapter 12: Administration to remove concurrency evaluation certificate and mitigation points since standards are already required in the LDC
- Proposed amendments to LDC Article 6, Article 8, and Article 18, as they relate to CEC form, parking reductions and mitigation fees

Parking Amendments

- Parking requirements in Article 8, Table 8-6 are proposed to be modified to accommodate employees and outdoor seating
- Proposed amendment to remove conversion of parking into bike parking allowance, pursuant to LDC Section 8.06.12.D.1.5

Development Review Amendments

- Create a Master Development Plan (MDP) requirement for Commercial or Mixed-Use development of 8,000 square feet or more OR Multi-Family with 75 units or more (LDC Section 7.15.00)
- The MDP is intended to provide a general description of a large planning area and allow public participation and city review of the project early on. The MDP

allows an applicant to determine consistency with applicable provisions of LDC early on through a re-application

- The application will require a public hearing and the City Council may review only for the applicable provisions set forth in LDC Section 2.19.07

Neighborhood Information Meetings

- Proposed amendment to require neighborhood information meetings (NIM) for all Major Developments, Rezoning, Future Land Use Amendments, and Major Deviations to Major Developments (LDC Section 2.19.06)
- Purpose of NIM is to ensure applicant pursues early and effective citizen participation in conjunction with their application
- Meeting must be held close to the property site and applicant must advertise, provide sign in sheet, and take note to be submitted to city staff

Short Term Rentals

- Current short-term rental regulations are contained in Chapter 13, Code of Ordinances
- Short-term rental registration already regulates off-street parking, noise, nuisances, and alerts adjacent property owners through notification
- Single family homes used as short term rentals must have adequate parking based on the number of bedrooms

Short Term Rentals Amendments

- Proposed amendment create an inspection process for short term rentals registrants as it relates to Building Code and Fire Prevention Code (Code of Ordinances Section 13-107(2))
- The building official may inspect a short term rental if there is reasonable cause to believe there is a violation of the building and fire code
- Provide a maximum occupancy of seasonal residents that may occupy a short term rental of 1 person per 150 square feet. In no case shall the maximum occupancy exceed the limits permitted by the building and fire code

Conclusion

- WFRPC requests approval to move forward with amendments at LPA and 1st reading public hearings after staff and legal review

DISCUSSIONS:

Councilmember Destin stated that even though they reduced the maximum height limitations, the number of units per acre which is the source of the problems in the Destin is still very high. Having more units results in more people bringing cars to their already over-burden infrastructure.

Councilmember Destin asked if the definition of “Dormer” as contained in Comprehensive Plan would prevent the reported abuse by some to be able to get extra heights and habitable space in their development.

According to Ms. Cerame, “Dormer” is really hard to define; however, the intent in adding its definition in the Comprehensive Plan is to somewhat identify it and be on alert that it may be something that is being abused.

With regards to the threshold for development being set to 8,000 sq. ft. and 75 units, Councilmember Destin stated he would prefer an even lower number of units.

Councilmember Dixon stated that he would abstain from voting on this issue as his wife works for a developer who wish develop a piece of property which may directly be impacted by this issue.

Councilmember Ramswell wants to know the reason a maximum occupancy of one person per 150 square feet was recommended; adding that based on this concept, a 3000 square foot house could easily accommodate 20 people. She also stated there was a recommendation to look into a maximum occupancy of two people per bedroom plus two during a previous discussion of this issue.

Ms. Cerase explained they are trying to stay in line with what other jurisdictions are doing; adding they could not find anything on the proposed two people per bedroom plus two. The most commonly used was occupancy requirements based on square footage. She stated they would be willing to research this issue further if they get more information from the Council.

Referencing page 46 of the proposed LDC amendments that reads, *“Preliminary Development Order: The approval of a Master Development Plan in accordance with Sec. 2.19.05. – Final development order and development permits shall be issued following a full development review by the Technical Review Team;”* Councilmember Ramswell asked if a “Technical Review Team” is an actual team consisting of City staff; and how Council figure into this process.

The City Manager explained that a Technical Review Team is an inter-disciplinary team of the City’s professional experts – planners, storm water reviewers, building official – that review the site plan and compare every element of the site plan with the City’s Land Development Code, Comprehensive Plan, building codes and so forth; adding it is a standard procedure for all development order reviews.

The City Attorney recommends that an exact definition of Technical Review Team be included in the document.

Councilmember Destin suggests they continue this item to the next meeting to give the Planning Council the opportunity to incorporate some of the items discussed tonight into the documents.

Ms. Cerase asked if Council wants to see further reduction in residential units per acre in areas such as Commercial General and Calhoun Mixed Use. There were no objections from the Council.

It was also the consensus of the Council to have the Planning Council look into a maximum occupancy rate of two people per bedroom plus two versus a maximum occupancy rate of one person per 150 square feet.

Councilmember Ramswell asked if the Planning Council would also be reviewing the recommended changes to Chapter 1, Future Land Use Element of the Comprehensive Plan.

The City Manager stated that the Planning Council is reviewing the items the Council has tasked them to review; and that there are no directions to review anything else at this point. They would need direction from the Council to review additional chapters. She also stated that the time frame is critical as she has limited staff in the Planning Division at this time; and that in order for staff to review additional chapters, they would have to set aside other projects so that what they are doing would coincide with what the Planning Council is working on.

Councilmember Ramswell noted there are many things on Chapter 1 that remove authority from the Council that have to be addressed. Some members of the Council brought these issues up in past meetings. She continued there were recommended changes in wording such as, “when promoting compact development” or “this shall be administratively rezoned” that have stripped authority from the Council. There are also loopholes such as, “other permitted uses” or “these uses” where things are not spelled out. She also noted that she previously presented a list of these items to the former City Manager but they have not been addressed in Chapter 1.

The City Manager asked if the Council is interested in adding these items to the tasks of the Planning Council. There were no objections from the Council.

Councilmember Ramswell would send via email the list of items she spoke of to Ms. Cerame of the Planning Council.

5. FIRST READING OF ORDINANCES NOT REQUIRING PUBLIC HEARINGS (NO PUBLIC COMMENTS)

A. First reading of Ordinance 17-12-CC, Prohibition of Commercial Activity in City Parks

The City Attorney read proposed Ordinance 17-12-LC by title, and then presented it to Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO CITY PARKS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF CODE OF ORDINANCES CHAPTER 15, PARKS AND RECREATION, ARTICLE II STANDARDS OF BEHAVIOR AND OPERATION ON PUBLIC PARKS, SEC. 15-33, DEFINITIONS AND SEC. 15-39 MERCHANDISING, ADVERTISING AND SIGNS; PROHIBITING COMMERCIAL ACTIVITIES IN CITY PARKS; PROVIDING EXCEPTIONS; PROHIBITING THE OFFERING FOR BARTER, TRADE, SWAP OR DONATION OF ITEMS OR THINGS IN PUBLIC PARKS; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City Manager noted that the proposed ordinance prohibits commercial activities in City Parks, with the following exceptions:

- Any activity or use that is conducted in any City Park in an area designated and clearly marked for such activity or use by the City
- Commercial activity as part of a special event approved, or sponsored, by the City
- Any activity permitted by the City pursuant to license from the City, such as beach vending; nor shall it include concessions permitted by the City as part of sporting events
- Rental services for water related items such as kayak and paddle boards, including related equipment, where such services are conducted pursuant to franchise granted by the City

- Properly licensed and registered commercial watercraft may be launched and or recovered at Joe's Bayou Recreation Area boat launch, and such activity shall not be considered commercial activity, provided:
 - ❖ A daily launch fee has been paid or the launching party has in their possessions a valid annual commercial launch pass
 - ❖ The designated launch ramp is used
 - ❖ Commercial activities are not conducted during the launch and/or recovery of the watercraft and are not conducted on or about the Joe's Bayou Recreation Area

Councilmember Dixon stated he does not want to disrupt small businesses that provide this type of service and suggested adding a little bit more flexibility to the proposed regulation. He also suggested allowing small wedding events in other beach accesses on Crystal Beach.

Councilmember Ramswell asked if the proposed ordinance also applies to Norriego Point.

According to the City Manager, they have implemented an ordinance specific to Norriego Point based upon the grant funds they have been receiving. The grant specifies that no commercial activity can take place on Norriego Point, and that it shall remain a public area. She continued there was a desire to implement the same rule in other City parks based on recent experiences where vendors are using the public parks to load and unload their vessels and conduct other commercial activities.

Councilmember Marler states they are going too far as a government by restricting people from getting married on the beach. A lot of people come to Destin just to get married on the beach because they have a beautiful beach; and that a lot of them clean up after themselves especially if the event involves a wedding planner.

Councilmember Destin asked which other beach accesses within the Crystal Beach area have facilities available such as bathroom and parking outside of the June White Decker Park.

Recreation and Parks Director Lance Johnson noted that the only other beach access on Crystal Beach that has these amenities is The Shores at Crystal Beach.

Councilmember Braden expressed concern the beach is mostly private, and that they run the risk of having these beach weddings on private property.

The City Manager stated they were directed to invite wedding planners and photographers, and not the residents, in the stakeholders' meeting. The only public comment about this issue that she could recall came from Ms. Pati Brown who spoke before the Council during a previous meeting and expressed concern about weddings on her private property.

Councilmember Dixon moved to continue this item to the next meeting, and to amend the ordinance restricting small wedding venues to The Shores at Crystal Beach and June White Decker Park beach accesses, and providing exceptions for photographers from having to pull a permit. Councilmember Ramswell provided a second to the motion.

The City Attorney asked if the Council would want to limit wedding ceremonies on the beach to a certain number per day.

After a brief discussion, the Council reached a general consensus to allow two weddings per day on the beach – one in the morning and one in the evening.

Councilmember Dixon offered an amended motion to continue this item to the next meeting, and to amend the ordinance restricting small wedding venues to The Shores of Crystal Beach and June White Decker Park beach accesses, limiting it to two weddings per day – one in the morning and one in the evening – and providing exceptions for photographers from having to pull a permit. Councilmember Ramswell provided a second to the motion.

Councilmember Braden expressed concern they would not be able to enforce the two wedding ceremonies per day limit.

According to the City Manager, City staff will be permitting the wedding ceremonies; and that if any conflicts occur on the beach, they will be handled by the Sheriff's Office.

Motion passed 4-2 (Council members Morgan, Destin, Foreman and Ramswell voted “yes”; Council members Marler and Braden voted “no”; Councilmember Foreman was absent from the meeting).

B. First reading of Ordinance 17-18-CN, Solid Waste Franchise Agreement

The City Attorney read proposed Ordinance 17-18-CN by title, and then presented it to the Council on first reading.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR THE EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT, INC. OF FLORIDA, A PRIVATE CORPORATION, FOR THE COLLECTION AND DISPOSAL OF ALL RESIDENTIAL AND COMMERCIAL TRASH, GARBAGE, AND OTHER REFUSE WITHIN THE CITY LIMITS; PROVIDING FOR THE COLLECTION OF RESIDENTIAL RECYCLABLE MATERIALS WITHIN THE CITY LIMITS; PROVIDING FOR DEFINITIONS; GRANT OF FRANCHISE; LIMITS OF FRANCHISE; TERM; FRANCHISE CONSIDERATION; ASSIGNMENT; BANKRUPTCY OR INSOLVENCY; DEFAULT; RATE CHANGES; RIGHTS OF FIRST REFUSAL; RESTORATION; COMPLIANCE WITH LAWS; LIABILITY INSURANCE, HOLD HARMLESS, WORKERS COMPENSATION; PERFORMANCE BOND; RIGHT TO REQUIRE PERFORMANCE; DISPUTE RESOLUTION; OPERATIONS DURING DISPUTE; STANDARD OF PERFORMANCE; CURBSIDE RECYCLABLE MATERIALS COLLECTION AND DISPOSAL; RECYCLING PROGRAM; COLLECTION SERVICES AND OPERATIONS; OFFICE AND COLLECTION HOURS; COLLECTION EQUIPMENT; DISPOSAL ROUTES AND SCHEDULES; GRANTEE PERSONNEL; SPILLAGE AND LITTER; STORMS AND OTHER EMERGENCIES; NONDISCRIMINATION PROVISION; RATES AND CHARGES; RATE CHANGES; DELINQUENT ACCOUNTS; ACCOUNTING, RIGHT TO AUDIT; COMPLAINTS; CHARGES FOR FAILURE OF PERFORMANCE; VENUE; SOVEREIGN IMMUNITY; CONFLICTING ORDINANCES AND RESOLUTIONS; SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Manager noted that on June 19, 2017, the City Council unanimously approved the City Bid Committee's rankings for RFP 17-15-PS – *Residential and Commercial Solid Waste Services* and authorized her to negotiate a 5-year exclusive franchise contract with the highest ranking firm Waste Management, Inc. of Florida and bring back an ordinance to Council. She

continued that she had successfully negotiated a 5-year franchise contract with Waste Management, Inc of Florida and that a proposed ordinance is being provided for Council's consideration on first reading.

Councilmember Braden moved to approve proposed Ordinance 17-18-CN on first reading; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted "yes"; Councilmember Foreman was absent from the meeting).

6. PUBLIC HEARINGS

7. *CONSENT AGENDA (NO PUBLIC COMMENTS)

- A. Request use of City streets for Northwest Florida Track Club, Inc. – Destin 5k Rodeo Run on October 8, 2017
- B. West Destin Beach Re-nourishment – Submerged Land Easement

Motion by Councilmember Marler, seconded by Councilmember Dixon, to approve Consent Agenda items #7A and #7B, as printed above, passed 6-0 (Council members Morgan, Destin, Marler, Dixon, Ramswell and Braden voted "yes"; Councilmember Foreman was absent from the meeting).

8. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY (NO PUBLIC COMMENTS)

- A. Councilmember Braden

Councilmember Braden requested an update on construction of Heritage Park.

The City Manager remarked they have been informed by the County that the Treasury is prepared to release the funds. They have approved the County's multi-year plan, which includes the Leonard Destin Heritage Park and Clement Taylor Park renovations. The County has invited the City staff for a meeting on July 26th to discuss the requirements going forward. There may be some additional information which the City has to provide the County. The County would then be responsible for uploading the City's projects into grant solutions, which is a software being used by the Restore Act group. The Treasury would then review the uploaded individual project and approve each one individually and send approval to the County, which would then release the funds to the City.

Councilmember Ramswell asked if they could actually break ground when there is active litigation.

The City Manager noted the City does not have a "stop work" order of any kind.

Councilmember Braden requested a copy of the survey done when the dredging was completed in the harbor.

Councilmember Braden inquired as to the status of signage in the Marler Street Parking Lot.

According to the City Engineer, staff will be contacting the FDOT Office to start the permitting process for the signage.

Councilmember Braden asked why the tier system is still reflected in their development orders and development signage around town.

Development Manager Steve Schmidt stated that while the comprehensive plan was in the process of being changed, the land development code and application forms have not been completely changed.

The City Manager explained that the tier system is no longer in effect and it is just a matter of terminology. Projects are being reviewed under the restrictions and requirements that are in the comprehensive plan and land development code.

B. Councilmember Ramswell

1) Destin High School presentation to Okaloosa County School Board

Councilmember Ramswell noted that the Destin High School Advisory Committee has put together over the past year and a half a Destin High School Project, which she presented to Council for review during their discussion regarding proposed projects for Triumph funding. They will go before the school board to discuss the results of their research as well as the best path forward. She also stated that contrary to the claim they do not have enough students to justify a high school in Destin, there have been sharp steady increases in enrollment in the Destin schools from 1st to 8th grade over the last 5 years. There was a 34 percent increase in the 3rd grade enrollment alone between 2013 and this current school year. Middle school enrollment has already reached capacity with 734 students. More than 50 percent of the high schools in Florida have high schools of less than 500 students. They are already looking at about 700 students from the middle school. She added they feel very confident they can easily fill a school. They have all sorts of data to support their findings, cost analysis of available properties and so forth.

Councilmember Ramswell stated there have been some code changes during the time the former YMCA pool was out of service. There are new codes in place and so there had to be mechanical and electrical changes in order to bring it up to the current code, which led to a significant delay in the reopening of the swimming pool. However, the permit has already been issued and the pool should reopen very soon.

Councilmember Ramswell announced that she recently attended a meeting at the Florida League of Cities. She stated that the goal of these meetings was for each of the 5 advisory committees to establish its priorities and bring them forward during the Legislative Session. The League President wanted everyone to focus on the fact that this past year, a lot of the legislation looked to strip away municipal authorities or home rule; and so everyone's top priority was to restore and secure home rule for cities. She also stated that she belongs to the Municipal Services Committee and that their second top priority which they brought forward was the Sober Homes. They looked at the different legislation surrounding them and making sure they are properly licensed among other things.

Councilmember Ramswell inquired as to the status of the City's Code Enforcement Division.

According to the City Manager, they have made an offer to a Code Enforcement Manager and he should be available for work in 3 weeks. He would need to give proper notice to his current employer and secure housing in the area. They are also reviewing applications and planning to start interviewing Code Enforcement Officer candidates.

Councilmember Ramswell wants to know how many code enforcement officers they plan to hire.

According to the City Manager, they cannot put new positions in place without going through Council for approval. This would be discussed at the budget workshop. They currently have 2 existing code enforcement officers. They are replacing another code enforcement officer and a code compliance manager.

Councilmember Ramswell stated she was under the notion the Council had already authorized the City Manager to hire one or two extra code enforcement officers.

The City Manager stated that she does not remember getting that authority from the Council. There is a process that they go through Human Relations and Finance Department to bring forward new positions, which they usually do at budget time.

- C. Councilmember Dixon
- D. Councilmember Foreman
- E. Councilmember Marler

Councilmember Marler stated that the Livery Vessel Ordinance is not working. He personally observed people docking at other people's docks and that their businesses are not located within the City limits.

1) Kayak and paddle board rentals

Councilmember Marler noted that over the 4th of July weekend, there were several near collisions in the mouth of the harbor between kayak and paddle boards with charter boats and wave runners. There were also people falling off the kayaks and paddle boards because they do not know how to use them. He suggests the City look at possible solutions to this problem.

The City Manager stated there is currently nothing that restricts kayaks and paddle boards from being on the harbor. The only way the City would be able to restrict them in any way is to establish a port and/or district waterway. She also noted that the Council has already approved to have Taylor Engineering look into the possibility of establishing a Port of Destin or creating district waterway that would give the City jurisdictional authority over regulating the harbor and the bayous surrounding the City.

F. Councilmember Destin

Councilmember Destin called for a CRA Board meeting on Monday, August 7th at 5:30 PM.

1) Environmental Impact Analysis for City project

There was a consensus of Council to allow staff to continue looking at the feasibility of requiring Environment Impact Analysis to be completed for City projects and to bring it forward with the tree ordinance.

G. Councilmember Morgan

1) Clear cutting of trees at Destin Elementary School

Councilmember Morgan stated that the Council should have been notified in advance that the City was planning on cutting the trees in front of the Destin Elementary Schools and they have mitigation in place so that they were better prepared to answer questions from people that were asking them about it.

The City Manager noted that City staff is working on protocols to put in place for any and all City projects that could possibly affect trees within the City. The City Council will be notified in advance to afford them the opportunity to give feedback on mitigation.

H. Mayor Fischer

1) Crab Island regulations

The Mayor announced that under the new law, Okaloosa County has jurisdictional authority to regulate Crab Island; and that the Board of County Commissioner (BOCC) Chairman has endorsed the idea of having the City Council make recommendations to the BOCC on how Crab Island should be regulated.

The City Council agreed to hold a workshop and invite other agencies and governmental stakeholders to participate in the discussion regarding this issue. The City Manager will set the date and time for the workshop.

I. Land Use Attorney

1) Request for City Council to approve code enforcement appeal for case numbers: 16-001093, 16-001095 and 16-001096

There was a Council consensus to allow the Land Use Attorney to go forward with the code enforcement appeal for the 3 cases involving alleged violations of the City's Flood Plain Ordinance that were dismissed by the Special Magistrate due to insufficient evidence.

J. City Attorney

9. COMMENTS/CONCERNS FROM THE AUDIENCE/PUBLIC ON ANY MATTERS CONSIDERED AT MEETING, OR ON ANY MATTERS NOT ON THE AGENDA

Having no further business at this time, the meeting was adjourned at 9:50 PM.

ADOPTED THIS 16TH DAY OF OCTOBER 2017

By:

Scott Fischer, Mayor

ATTEST:

Rey Bailey, City Clerk

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
AUGUST 7, 2017
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Scott Fischer
Councilmember Chatham Morgan
Councilmember Parker Destin
Councilmember Cyron Marler

Councilmember Jim Foreman
Councilmember Tuffy Dixon
Councilmember Prebble Ramswell
Councilmember Rodney Braden

Destin City Staff

City Manager Carisse Lejeune
Public Information Manager Doug Rainer
City Engineer David Campbell
Parks/Recreation Director Lance Johnson
Development Manager Steve Schmidt
Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
City Planner Hank Woollard
HR Manager Karen Jankowski
Finance Director Bragg Farmer
IT Manager Webb Warren
City Attorney Jeffrey Burns

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Scott Fischer called the meeting to order at 6:00 PM. He called for a moment of silence; which was then followed by the 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)*

The following items have been added to the agenda:

- Final approval of marine construction (boat slip) for William Wilson, 601 Choctaw Drive
- Authorization for Mayor Scott Fischer to serve as Destin's voting delegate for the upcoming FLC Annual Conference
- Destin Memorial Cemetery

Motion by Councilmember Braden, seconded by Councilmember Marler, to approve the agenda as amended passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

1. APPROVAL OF MINUTES

- A. Approval of minutes of May 3, 2017 special city council workshop
- B. Approval of minutes of April 3, 2017 regular city council meeting

Councilmember Marler moved to approve minutes of May 3, 2017 special city council workshop and April 3, 2017 regular city council meeting; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS (NO PUBLIC COMMENTS)

A. Proclamation – Joseph Farran and Dana Williamson

The Mayor read and then presented a proclamation to Mr. Joseph Farran and Ms. Dana Williamson, employees of the Holiday Beach Resort in Destin, for their life saving efforts.

B. Megan Wood – Summer Internship with Public Services Department

Miss Megan Wood spoke briefly and expressed her gratitude to the City Council for allowing her to participate in summer internship with the City's Public Services Department. She stated that she is currently enrolled at the University of Alabama working towards a Bachelor's Degree in Mechanical Engineering.

C. Presentation by the Destin Area Chamber of Commerce

Mr. Shane Moody, President and CEO of the Destin Area Chamber of Commerce, discussed the following areas of concerns as well as the Chamber's position with regards to the proposed changes to the comprehensive plan:

- Over the years there have been numerous studies done by outside consulting companies on the best way to develop and redevelop Destin. Hundreds of thousands of dollars have been spent searching for ways to improve the City; but many of those studies have never been acted upon
- The most recent study and report was one that most in the community supported. Only a few objected and the City Council did a great job of listening to those concerns and attempted to work them into the comprehensive plan. The Chamber supports this plan and feels it should be given a chance
- The negatives about the comprehensive plan and possible changes center around residential development, mainly short-term rentals. The handful of citizens who have complaints are concerned about overdevelopment and have pushed for limited residential development. However, this handful of citizens has no business interest in the community. The Chamber encourages the City Council to keep the business community at the forefront of their thoughts and plans. If the comprehensive plan limits residential development, then the business community in Destin will collapse from lack of a consumer base
 - ❖ A vibrant business community provides jobs which create a quality of life and quality of place for its residents
 - ❖ A vibrant business community creates a larger tax base through these jobs, as well as sales tax, gas tax and so forth that the government uses to improve the community
 - ❖ These tax dollars keep property taxes and other taxes on residents lower than they would be otherwise, positively affecting the lives of everyone in the community
- The Chamber feels it is a mistake to limit residential buildings to the limits City Council is considering. There are several parcels in town that would be adversely affected by 50-foot height limitations
 - ❖ The Council needs to consider the effects of rebuilding after a hurricane or other natural disaster

- ❖ Larger buildings that are damaged beyond 50 percent will not be allowed to be rebuilt to their pre-damage state; destroying property values and owner investments
 - If property values are reduced, taxes on all citizens will increase just to maintain the current level of service provided by the City and County
- Limiting building height would prohibit proper redevelopment efforts across the City. It makes it more difficult for the property owner or developer to recoup their investment. It also drastically harms the ability to provide workforce or affordable housing
- The Chamber feels it is a mistake to require building heights in the harbor to be measured from the water's edge rather than the crown of the road. Measuring from the water's edge negatively affect a property owner to adequately build or develop on their property
- The Chamber feels the City Council should allow the Calhoun Mixed Use Village along Calhoun Avenue. It would create the perfect transition from Harbor Blvd to the residential area. It would allow and create small developments in a pedestrian friendly environment. It would provide additional parking. It would provide more jobs, more income, more opportunities and more tax dollars for the City to use to improve their overall community
- Another area of concern for the Chamber is transportation. The City has proposed some cutting-edge ideas in redesigning the layout of Hwy 98 in the Harbor District and the Chamber supports those forward thinking concepts that will help along this section of roadway
- The Chamber supports the multimodal transportation district with the understanding that some adjustments need to be made, but they believe it has worked and it is the future of transportation planning
- There have been some comments that the Cross-Town Connector would not work because of issues at Stahlman Avenue and Hwy 98. The Chamber agrees that the Stahlman Avenue and Hwy 98 intersection will need improvement, but is not a reason to abandon the needed connector road
- Destin may be a town of 13,000 permanent residents; but, its population is really 45,000 on any given day because of tourism. The City Council's challenge is to address these issues in a small community with big-city ideas and solutions

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS (ALL AGENDA ITEMS OTHER THAN THOSE UNDER NUMBER 6)

Mr. Claude Perry, a Destin resident and business owner, addresses agenda item #4D – *Comprehensive Plan and Land Development Code Amendments*. He expressed concern over Council's pending decision to establish the height restriction to future developments to 5 stories; stating it is unfair and unreasonable to pass such restrictive use of their property. He urged the Council not to rush into a decision until they are sure it would be fair and equitable to all the property owners as it would impact the future of many people.

Ms. Leigh Moore, representing Howard Group, addressed the same item. She stated that they want to see responsible development in Destin; a development that is sustainable long term and in keeping with the character and heritage of Destin, and in keeping with what its infrastructure can support. She also stated that they support measures that move them toward a lot of the same elements that were in the Vision 2000 Plan from 1996, the Sasaki Plan from 1999 and part of the

Canine and Associates Plan in 2016 to include: lower building heights, reasonable maximum density requirements, undergrounding utilities, adequate parking facilities and sensible traffic management guidelines. She urged the Council to stay on its current course.

Mr. Guy Tadlock, a Destin resident, stated that the Holiday Isle Improvements Association authorized him to be their representative tonight and speak in support of the comprehensive plan amendments. They feel the approach the Council is currently taking would be very positive in maintaining a good business association and would have a great effect in the quality of life of the citizens. He continued that they cannot stay on the same course they are in right now as Destin has become too commercial and has lost a lot of the glitter that enticed a lot of people to retire here. He also stated that they disagree with the claim that restricting height and density will have a negative effect on the community going forward. Instead, they feel they would have a better chance in resolving major issues with which they are currently dealing such as traffic.

Mr. Gary Troup, a Destin resident, stated that he agrees with prior comments that lower height and lower density would be better for Destin going forward as it would enhance the City and create more business.

Miss Katherine O’Leary addressed agenda item #7A – *Destin Youth Council Membership Appointments*. She informed the Council she is a sophomore at Niceville High School and she recently applied as member of Destin Youth Council; however, she was not accepted as she does not live within the city limits of Destin. She stated that she is very interested in serving in the Youth Council and requested that the Youth Council bylaws be amended to allow some students who live in the unincorporated areas of Destin to be a member. She further stated that she considers herself to be a part of Destin and is very interested in serving this community.

4. CITY MANAGER REPORTS

A. Investment authority direction

The City Manager noted that the City Council has the option to remain with their current investment options or modify the investments strategy. Raymond James will present the new investment options and bring the ancillary material to support potential changes.

Mr. Brian Haugen and Mr. Steve Cann, investment managers for the City’s reserve funds, covered the following topics during their presentation to Council:

- History of the reserves assets selection and investments
 - ❖ Florida Statue 218.415
 - ❖ Request for Proposal
 - ❖ Resolution 12-12
 - ❖ Resolution 13-04
- Performance to date
 - ❖ Returns
 - “Taper Tantrum” – the term used to refer to the 2013 surge in U.S. Treasury yields, which resulted from the Federal Reserve’s use of tapering to gradually reduce the amount of money it was feeding into the economy. The taper tantrum ensued when investors panicked in reaction to news of this tapering and drew their money rapidly out of the bond market, which drastically increased bond yields
 - ❖ Benchmarks

- Other investment options
 - ❖ External
 - Florida Prime
 - Florida League of Cities
 - ❖ Internal
 - CD's
 - 3-mos 1.20%
 - 6-mos 1.40%
 - 9-mos 1.45%
 - 1-year 1.50%
 - 2-year 1.70%
 - 3-year 1.90%
 - 4-year 2.05%
 - 5-year 2.30%
 - Mutual Funds
 - Pimco Short Term Fund
 - Federated Short Term Income Fund
 - Columbia US Treasury Fund
 - Manning and Napier Conservative Term Fund
- Final recommendations and options
 - ❖ Future Expenses
 - Storm Funding
 - Emergency Needs
 - Land Acquisition
 - ❖ Prudent Options
 - Final Choices

DISCUSSION:

The Mayor asked if Raymond James had the option or if they were forced by the City to invest the money when the market was in an extended down slope over a period of time.

Mr. Cann reasoned that at the time of the investment there was no indication there was going to be “taper tantrum” in the bond market environment. They simply announced they would consider doing it in the future. He added it was a joint venture on behalf of the City and their firm to invest the money at that time.

Councilmember Ramswell asked how the City could have possibly gained \$249,000 as being reported when they are currently below their initial investment of \$10 million.

According to the City’s Finance Director Bragg Farmer, the City took a distribution last year of \$680,000 to purchase the cement plant.

Councilmember Dixon asked if they could invest about \$3 million in a 5-year Certificate of Deposit (CD) since it offers a higher rate of return.

Mr. Farmer stated it is an option the City Council can take and that it is allowable under the current resolution. He continued the only disadvantage to a 5-year CD is that it is locked up for 5 years and there are typically some penalties incurred for breaking a CD.

The Mayor stated there is so much data involved in this case and the Council may not have been given enough time to study it and make recommendations.

Councilmember Dixon moved to continue this item to a Special Council meeting on September 6th starting at 5:00 PM. Councilmember Marler provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

B. Ancillary benefits and health plan renewal recommendations

Mr. David Barton of Barton, Fenstermaker, Tondello & Associates, LLC, the City’s insurance agent, discussed the issues involved during the ancillary benefits and health plan renewal process.

Councilmember Dixon asked if City Council members are qualified to purchase this health insurance coverage.

Mr. Barton stated that only paid employees working at least 30 hours a week are qualified for the health insurance plan.

Motion by Councilmember Dixon, seconded by Councilmember Morgan, to authorize the City Manager to renew existing ancillary benefits with Guardian and to accept Florida Blue’s proposal of PPO Plan 05904, with its companion Health Savings Account Plan to be effective September 1, 2017 passed 7-0. (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

C. Resolution 17-35 – Pathway under the Marler Bridge design contract with Tetra Tech

The City Engineer David Campbell noted that this project was highly ranked by the TPO because the City’s ultimate goal was to extend the Calhoun pathway under the Marler Bridge to connect to the existing Harbor Boardwalk. But, the current project stops short of the bridge because the City had not yet obtained an easement from the property owner adjacent to the bridge that will facilitate the connection. The FDOT is amenable to the pathway being located wholly within the right-of-way adjacent to the bridge and FDOT has sufficient right-of-way for an 8-foot pathway down to the water’s edge. He further stated the City received funding from the FDEP Net Positive Public Benefit (NPPB) Program to obtain preliminary design for this project. He asked for Council’s authorization of the preliminary design of the boardwalk so they could request the project be included in the Calhoun/Zerbe Street FDOT LAP construction for next year.

Councilmember Foreman moved to authorize the City Manager to execute Tetra Tech Work Order No. 35 in the amount of \$29,854 for preliminary engineering design of a pathway and boardwalk under the Marler Bridge, pay for the engineering services with NPPB funds and make the appropriate budget amendment. Councilmember Ramswell provided a second to the motion.

Councilmember Dixon inquired as to the approximate amount of time it would take to come up with the final design of this project. He stated that he wants to make sure the final design gets done in a timely manner.

Mr. Campbell stated they should be able to get the preliminary engineering design before the end of this year; but, he is not sure how long it would take to complete the final design once they determined what can be done. However, their goal is to get both designs to FDOT by March 2018 so they could qualify for LAP funding for their fiscal year in 2019.

Councilmember Ramswell wants to make sure this project would not require obtaining an easement over a private property.

Mr. Campbell replied it is not a condition that has to be met; adding that the NPPB program essentially looks for a positive public benefit. Whether they go through an easement or use their existing right-of-way is of little consequence as long as it accomplishes the same goal of getting pedestrians under the bridge safely from the north side of the harbor to the boardwalk.

Councilmember Braden asked how much it would cost for the 100 percent design of this project.

Mr. Campbell replied he would be able to make that determination within the next few weeks once they determine the method of engineering involved.

Having no further comments from the Council members, the Mayor called for a vote on the motion, which passes 6-1 (Council members Morgan, Destin, Marler, Foreman, Dixon and Ramswell voted “yes”; Councilmember Braden voted “no”).

D. Comprehensive Plan and Land Development Code Amendments

Ms. Caitlin Cerame of the West Florida Regional Planning Council stated the comprehensive plan amendments being submitted for the Council’s consideration tonight were discussed at the May 3rd and June 12th 2017 workshops specifically related to density, intensity, height, development review, short term rental and the multi-modal transportation district. It was presented to the City Council at their July 17, 2017 meeting; at which time Council requested some revisions be brought back. Ms. Cerame recapped the revisions as follows:

- Proposed Master Development Plan application decreasing trip review from 75 to 40 multi-family units
- Added a definition of a “Technical Review Team”
- Short term rental
 - ❖ Gross floor area – one person per 150 square feet increased one person per 250 per square feet
 - ❖ Bedroom provisions – 2 people per bedroom plus additional 2 people for common areas
 - ❖ Applications that would require Council review
 - Future land use map amendments
 - Rezonings
 - Major development
 - Proposed Master Development Plan Application
 - Provision for administrative rezoning for inconsistencies requiring these to go before the City Council
- Removed the tier system where referenced in the Comp Plan and LDC

Ms. Cerame asked for Council's authorization to forward documents for full review by City staff and the Land Use Attorney, for review and recommendation by the Local Planning Agency, and then back to the City Council on first reading.

Councilmember Destin asked if changes have been made to the South Harbor Mixed-Use District (SHMU) density.

Ms. Cerame replied affirmatively, stating that maximum density (units/acre) was reduced from 19.9 to 16.9.

The City Manager stated that if Council is satisfied with the comprehensive plan and land development code final draft amendments, these documents will be provided to staff for legal sufficiency and review. They would then be converted into an ordinance form and provided to the LPA for their review and recommendation; and then back to the City Council for first reading.

There were no objections from the City Council.

5. FIRST READING OF ORDINANCES NOT REQUIRING PUBLIC HEARINGS (NO PUBLIC COMMENTS)

A. First reading of Ordinance 17-12-CC, prohibition of commercial activity in City Parks

The City Attorney read proposed Ordinance 17-12-CC by title; and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO CITY PARKS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF CODE OF ORDINANCES CHAPTER 15, PARKS AND RECREATION, ARTICLE II STANDARDS OF BEHAVIOR AND OPERATION ON PUBLIC PARKS, SEC. 15-33, DEFINITIONS AND SEC. 15-39 MERCHANDISING, ADVERTISING AND SIGNS; PROHIBITING COMMERCIAL ACTIVITIES IN CITY PARKS; PROVIDING EXCEPTIONS; PROHIBITING THE OFFERING FOR BARTER, TRADE, SWAP OR DONATION OF ITEMS OR THINGS IN PUBLIC PARKS; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The City Manager noted that the Council heard the revised ordinance on July 17, 2017 and after some discussion moved to continue it to this date, with instructions to staff regarding the following changes:

- Restrict small wedding venues to the Shores of Crystal Beach and June White Decker Park beach accesses
- Limit of two weddings permitted per day – one in the morning and one in the evening
- Photographers are exempt from having to obtain a City permit

Councilmember Dixon moved to approve proposed Ordinance 17-12-CC on first reading and direct staff to schedule it for second reading; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

6. PUBLIC HEARINGS

A. Second reading of Ordinance 17-18-CN, Solid Waste Franchise Agreement

The City Attorney read proposed Ordinance 17-18-CN by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA PROVIDING FOR THE EXCLUSIVE FRANCHISE TO WASTE MANAGEMENT, INC. OF FLORIDA, A PRIVATE CORPORATION, FOR THE COLLECTION AND DISPOSAL OF ALL RESIDENTIAL AND COMMERCIAL TRASH, GARBAGE, AND OTHER REFUSE WITHIN THE CITY LIMITS; PROVIDING FOR THE COLLECTION OF RESIDENTIAL RECYCLABLE MATERIALS WITHIN THE CITY LIMITS; PROVIDING FOR DEFINITIONS; GRANT OF FRANCHISE; LIMITS OF FRANCHISE; TERM; FRANCHISE CONSIDERATION; ASSIGNMENT; BANKRUPTCY OR INSOLVENCY; DEFAULT; RATE CHANGES; RIGHTS OF FIRST REFUSAL; RESTORATION; COMPLIANCE WITH LAWS; LIABILITY INSURANCE, HOLD HARMLESS, WORKERS COMPENSATION; PERFORMANCE BOND; RIGHT TO REQUIRE PERFORMANCE; DISPUTE RESOLUTION; OPERATIONS DURING DISPUTE; STANDARD OF PERFORMANCE; CURBSIDE RECYCLABLE MATERIALS COLLECTION AND DISPOSAL; RECYCLING PROGRAM; COLLECTION SERVICES AND OPERATIONS; OFFICE AND COLLECTION HOURS; COLLECTION EQUIPMENT; DISPOSAL ROUTES AND SCHEDULES; GRANTEE PERSONNEL; SPILLAGE AND LITTER; STORMS AND OTHER EMERGENCIES; NONDISCRIMINATION PROVISION; RATES AND CHARGES; RATE CHANGES; DELINQUENT ACCOUNTS; ACCOUNTING, RIGHT TO AUDIT; COMPLAINTS; CHARGES FOR FAILURE OF PERFORMANCE; VENUE; SOVEREIGN IMMUNITY; CONFLICTING ORDINANCES AND RESOLUTIONS; SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Hearing none, the Mayor closed the public hearing and turned the matter over to the City Council for discussion and consideration.

Councilmember Dixon moved to adopt Ordinance 17-18-CN on second reading; seconded by Councilmember Morgan. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”).

7. CONSENT AGENDA (NO PUBLIC COMMENTS)

- A. Destin Youth Council Membership Appointments
- B. Restriping of Indian Bayou Trail
- C. Resolution 17-30 – Interlocal Agreement with Okaloosa County for Purchase and Installation of Two Transit Shelters
- D. Reimbursement to Councilmember Prebble Ramswell for expenses incurred while attending the Florida League Cities 2017 Legislative Policy Committee meetings in Orlando, Florida on July 13-14, 2017
- E. Request for approval for construction of 9-slip marina / Destin Harbor Place / 508 Harbor Blvd / Marine Construction
- F. Request for approval for construction of new vinyl seawall that will connect to the adjacent seawalls on either side / Beach Community Bank/ 518 Norriego Point / Marine Construction
- G. Request approval to install “No Parking” signs on Shirah Street
- H. Request approval to install “No Parking” signs on Crystal Beach Drive

Consent Agenda #7A was pulled for discussion.

Councilmember Morgan suggests they amend the Youth Council Bylaws to allow membership of up to a maximum of 3 students that reside outside city limits as long as the Youth Council has not reached its maximum number of membership.

The City Attorney noted that the City Council would need to amend the ordinance requiring each member of the City's standing committees to be a resident of the City in order to make specific exceptions for the Youth Council.

Councilmember Morgan moved to appoint all 8 applicants to the Destin Youth Council and direct staff to bring back appropriate documents with Council's suggested language for their approval; seconded by Councilmember Dixon.

Councilmember Dixon suggests the Youth Council Bylaws include a provision that the majority of the quorum present and voting be comprised of Destin residents.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

Councilmember Braden asked who is responsible for enforcing the no parking signs for Shirah Street and Crystal Beach Drive.

The City Manager noted she had discussed this issue with Capt. Nix from the Sheriff's Office as well as the City's new Code Enforcement Manager, and that they are currently working out the process for being able to issue tickets to illegally parked vehicles.

Captain Nix explained that for the Sheriff's deputy to write a uniform traffic citation (UTC), they would need to catch the driver in the vehicle. They cannot leave the UTC on the vehicle. He continued the City's code enforcement officers can also issue tickets, and that they are currently working on this process.

Councilmember Dixon asked if they can tow away illegally parked vehicles.

Captain Nix replied illegally park vehicles can be towed away as long as they have proper signage in that area.

The City Engineer explained that if they put up a tow away sign, they would be required to add the phone number of the towing company as well as the pertinent statute provision.

According to the City Manager, the City has a towing ordinance for Destin towing that applies to private properties. But, the towing they are doing with the City parking lots is based upon a City employee contacting the Sheriff's Office and the Sheriff's Office deputy coming out issuing a computer-aided dispatch (CAD) number and then having the vehicle towed away using their rotational towing company.

The City Manager also noted that the Sheriff's Department and the City's Code Enforcement Manager are trying to create a process whereby a parking ticket written by the City's code enforcement officer can be processed through the County similar to one written by a Sheriff's deputy. She also stated the no parking signs currently posted were based on the applications submitted by residents and approved by the Council. She continued they could add the towing sign to the resident application for a no parking sign. The residents will have the option of applying for a no parking sign or a no parking/tow away sign.

The City Manager also stated that the City attorney would need to opine on whether the Council can unilaterally add a no towing sign to the existing signs.

According to the City Attorney, the Council would have to amend the ordinance to provide the procedure to also include the tow away signs.

Councilmember Ramswell noted that during their discussion of this same issue last year, she inquired as to why they did not have a roving tow truck driver patrolling the City and picking up illegally parked vehicles; adding they now have an out of control situations at Crystal Beach and Holiday Isle that require immediate action on their part.

According to the City Manager, they have been dealing with this issue incrementally based on specific directions given by the Council; adding that Council did not give staff direction to put up no parking signs or tow away signs at the time. She continued that Crystal Beach residents did not want a no parking sign in front of their houses until recently. The City created the application form so they could have Council's approval to put up the signs. They will now add the tow away signs on the application to give residents the option to request a no parking sign or a no parking/tow away sign.

Councilmember Foreman stated that putting up no parking and tow away sign is only part of the problem. They also need to find a place for people to park especially during the tourist season.

Councilmember Marler noted the main purpose of having a towing ordinance is to be able to regulate towing companies especially the roving towing companies. They have had problems with towing services picking up cars and taking them miles outside the city limits costing the owners hundreds of dollars to get their vehicles back.

Motion by Councilmember Morgan, seconded by Councilmember Dixon, to approve Consent Agenda items 7B thru 7H, as printed above, passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

8. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY (NO PUBLIC COMMENTS)

- A. Councilmember Braden
- B. Councilmember Ramswell
- C. Councilmember Dixon

Councilmember Dixon requested an update on what the City has decided to do to establish a "no wake zone" in front of the Joe's Bayou boat launch.

The City Manager would provide an update on this issue at the next council meeting.

- D. Councilmember Foreman
- E. Councilmember Marler

Councilmember Marler asked staff to bring back proposed amendment to the cemetery ordinance allowing tombstone or other monuments on one section of the Destin Memorial Cemetery located on Sibert Avenue.

- F. Councilmember Destin
- G. Councilmember Morgan
- H. Mayor Fischer
- 1) Gulf Power Contract

Mayor Fischer announced they would be hearing from their consultant soon regarding the Gulf Power contract issue. He stated that the City staff has compiled a list of items they would like to see accomplished with the new contract. He asked for Council's authorization for him, the City Manager and other members of staff to meet with Gulf Power and discussed the list just to gauge how receptive they are in negotiating a new contract with the City. They would not be negotiating a new contract but simply asking general questions.

Councilmember Destin moved to authorize the Mayor, City Manager and other City staff members, and the City's consultant Attorney Schef Wright, to meet with Gulf Power to determine how receptive they are in entering into a negotiation for a new contract with the City of Destin. Councilmember Morgan provided a second to the motion. Motion passed 7-0 (Council members Morgan, Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes").

I. Land Use Attorney

The Land Use Attorney stated they have not yet received any settlement proposal in connection with litigation involving B.I. Inc. vs. The City of Destin; and so at this time she requests Council sets a tentative attorney-client session on August 21, 2017 starting at 5:00 PM. She also stated that the session will be cancelled if a settlement proposal is not received prior to that date.

Councilmember Ramswell moved to set a tentative Council Executive Session on August 21, 2017 at 5:00 p.m. for the case involving B.I. Inc. vs. City of Destin; seconded by Councilmember Marler.

Councilmember Destin announced he would abstain from voting on this item due to a conflict of interest.

Motion passed 6-0 (Council members Morgan, Marler, Foreman, Dixon, Ramswell and Braden voted "yes"; Councilmember Destin abstained from voting).

J. City Attorney

9. COMMENTS/CONCERNS FROM THE AUDIENCE/PUBLIC ON ANY MATTERS CONSIDERED AT MEETING, OR ON ANY MATTERS NOT ON THE AGENDA

Having no further business at this time, the meeting was adjourned at 8:50 PM.

ADOPTED THIS 6TH DAY OF NOVEMBER 2017

By:

Scott Fischer, Mayor

ATTEST:

Rey Bailey, City Clerk



WASTE MANAGEMENT

108 Hill Avenue
Ft Walton Bch, FL 32548
(850) 357.1151

October 13, 2021

Mr. Gary Jarvis, Mayor
City of Destin
4200 Indian Bayou Trail
Destin, FL 32541

Dear Mayor Jarvis:

Waste Management appreciates the opportunity to provide solid waste services to the residents and businesses in the City of Destin. WM has provided the waste services to the City of Destin for several years. The current contract is set to expire on September 30, 2022, and per the contract, Waste Management is required to provide the city between twelve to nine months notice of our desire to negotiate a renewal of the contract between WM and the City of Destin. Please consider this letter as notification that Waste Management desires to negotiate a renewal of the solid waste contract with the City of Destin.

We look forward to the opportunity to sit down with you and your staff and to negotiate a new long-term agreement to serve the citizens of the City of Destin. I can be reached at 850-324-8137 or by email at rbell9@wm.com.

Sincerely,

A handwritten signature in blue ink that reads 'Ron E. Bell'.

Ronnie E. Bell
Public Sector Solutions Manager
Waste Management

Cc: Lance Johnson, Webb Warren, Jake Alderfer, Leah Talbot

Waste Management

City of Destin, Florida

2021 CPI

3.45%

ATTACHMENT "A"

BASE RATES October 2021

Commercial Establishment Rates

These Rates do not include additional service requirement such as casters, opening gates, compactors, etc. Commercial Establishments that only require one 96-gallon cart will receive service two times per week at curbside and will be billed at the same rate as a two-yard container serviced one time per week. Commercial establishments shall be billed for the rate of service required and will not receive recycling services.

Multi-Family Residential	All Commercial Rates are per Month DER Price Group						
	1	2	3	4	5	6	7
2 yard container	\$92.09	\$176.24	\$260.63	\$344.91	\$429.19	\$513.44	\$600.73
4 yard container	\$114.21	\$218.46	\$322.70	\$426.94	\$531.18	\$635.42	\$743.44
6 yard container	\$138.65	\$262.87	\$387.08	\$511.30	\$635.51	\$759.73	\$888.88
8 yard container	\$160.09	\$304.27	\$448.45	\$592.65	\$736.83	\$881.04	\$1,030.80

Residential	DER Price Group
Residential Service With Recycling and Carts	\$ 273.40 Annual \$ 22.78 Monthly
Senior Citizen Residential Rates	\$ 223.50 Annual \$ 18.63 Monthly
Second Cart Residential Rates	\$ 158.40 Annual \$ 13.20 Monthly

Rates including 1% Franchise Fee and \$6.00 Annual Billing Fee:

	Monthly		
Rate Monthly	\$ 22.56	\$ 18.44	\$ 13.07
Franch. Fee	\$ 0.23	\$ 0.18	\$ 0.13
Total Rate	\$ 22.78	\$ 18.63	\$ 13.20
Quarter	\$ 68.35	\$ 55.88	\$ 39.60
Annual	\$ 273.40	\$ 223.50	\$ 158.40

Regular
Senior
2nd Can

VIP Compactors: 2021 CPI

	1	2	3	4	5	6	7
2	\$ 144.17	\$ 271.73	\$ 399.32	\$ 526.93	\$ 631.48	\$ 849.14	\$ 1,039.58
4	\$ 186.56	\$ 351.56	\$ 516.48	\$ 681.46	\$ 846.46	\$ 1,098.12	\$ 1,344.44
6	\$ 231.95	\$ 434.33	\$ 636.75	\$ 839.08	\$ 1,087.50	\$ 1,350.45	\$ 1,310.65
8	\$ 271.88	\$ 511.66	\$ 751.42	\$ 991.17	\$ 1,284.63	\$ 1,596.76	\$ 1,954.84

8/24/2021 2:23 PM

Destin CPI 10-01-2021 Rate Sheet Oct 2021

CPI for All Urban Consumers (CPI-U)
Original Data Value

Series Id: CUUR0000SEHG,CUUS0000SEHG
Not Seasonally Adjusted
Series Title: Water and sewer and trash collection services in U.S. city average
Area: Water and sewer and trash collection services
Item: DECEMBER 1997=100
Base Period: 2011 to 2021
Years:

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
2010	175.754	177.194	177.694	178.033	178.521	178.640	179.820	180.762	181.569	181.916	182.254	182.758	
2011	183.984	185.499	186.280	187.473	187.788	188.489	189.750	191.927	191.833	192.370	192.921	193.237	
2012	194.553	195.505	195.981	196.319	196.727	196.989	198.173	198.736	198.804	199.759	200.004	200.203	
2013	201.169	202.149	202.657	203.084	203.124	203.396	205.022	206.171	206.363	207.633	208.562	209.414	
2014	210.243	211.397	211.738	212.153	212.542	212.863	213.873	215.844	216.173	216.380	217.004	217.386	
2015	218.370	219.036	219.649	220.506	221.360	221.396	221.358	222.554	223.111	223.420	224.399	224.745	
2016	226.411	227.277	227.553	228.133	228.396	228.599	229.008	229.772	230.142	230.614	231.522	231.842	
2017	232.977	233.858	234.215	235.141	235.878	236.493	237.186	238.439	238.512	238.936	241.774	242.204	
2018	241.606	242.011	242.611	243.490	243.774	244.322	244.943	245.549	245.903	246.741	247.364	247.567	241.239
2019	248.846	249.751	250.359	250.673	250.921	251.435	252.401	253.974	254.266	254.781	255.650	256.456	248.338
2020	257.722	258.763	259.204	259.581	259.542	260.400	261.706						256.895
		9.012	8.845	8.908	8.621	8.965							8.557

CPI Change

3.45%

3.45%



BOARD OF COUNTY COMMISSIONERS AGENDA REQUEST

DATE: March 15, 2022
TO: Honorable Chairman and Distinguished Members of the Board
FROM: Jason Autrey
SUBJECT: Renewal of Contract C17-2530-PW with Waste Management
DEPARTMENT: Public Works
BCC DISTRICT: All

STATEMENT OF ISSUE: Residential solid waste and recycling is collected, transported and disposed by contract with Waste Management, Inc of Florida (WM). The contract (C17-2530-PW) has the first five-year term set to expire, so WM has submitted renewal proposal for consideration. If approved, the effective date is April 1, 2022 with a term expiration of March 31, 2027 (five-year term). As part of the proposed extension, the according rate resolution for solid waste services is provided.

BACKGROUND: The existing contract was approved by the Board and WM on March 1, 2017. The commencement date was April 1, 2017. The contract is for an initial five-year term with three additional five-year renewal options. Renewal options included time renewal and condition modifications upon mutual agreement and in writing by both parties.

Staff began meeting with WM representatives around March of 2021 to discuss a possible extension of the contract and to negotiate terms related to a renewal. An agreement has been developed for consideration by the Board that would extend the contract for an additional five-year term with some modifications. An overview of the term conditions are as follows:

- * Revised pricing due to a shift in labor/market conditions
- * Changing annual adjustments from an inflation-based index to a utility-based index
- * Inclusion of terms allowing the County to contract WM for recovery work following weather or unanticipated events
- * Additional language allowing for mid-term negotiations for changes in law or extreme events
- * Required notification of intent to renew
- * Clarity on operations impacted by holidays
- * Increased hours of operation (including scalehouse operations) for the Baker Transfer Station
- * Participation in the development/construction of a new south transfer station
- * Service levels are to remain identical (2-1-1 collection, including weekly bulk pick-up)

As stated above, an agreement has been developed that would include WM providing up to \$2 million in design/construction services towards the construction of a new south transfer station. The current facility is over 30 years old and nearing the usable service life. To improve operational efficiency for both commercial and private parties, a new facility is proposed to be constructed on the existing site. The total estimated construction costs for the new transfer facility are estimated at \$5 million, funding from solid waste reserves, potential ARPA funds, and in-kind efforts from Public Works will comprise the difference. If the extension is approved, staff will bring a South Transfer Station Construction Agreement to the BCC in an upcoming

meeting.

A proposed revised rate sheet for solid waste services is attached. The most commonly discussed cost is the amount a residential franchise customer will pay which is currently \$26.66/month; if approved it will increase to \$29.99/month (~12.5% increase). The according rate resolution, which is the mechanism the County uses annually to set all solid waste rates, is attached for approval based on the new contract rates.

If the collection and disposal renewal is approved, the new rates will go into effect on April 1, 2022 and the five-year term will set to expire on March 31, 2022. Approval of the transfer station construction agreement will be presented to the Board in a future meeting, but it is anticipated that a new facility can be in place in approximately 30-months. Should the construction agreement concept be approved, further direction regarding previously identified ARPA funds should be provided.

OPTIONS: Approve/Disapprove acceptance of a five year renewal term with amendments to contract C17-2530-PW (Third Amendment to the Agreement for Residential Solid Waste & Recyclables Collection, Transfer, and Processing/Disposal) with Waste Management Inc. of Florida and approve the Solid Waste Rate Resolution.

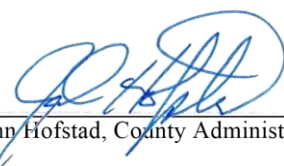
RECOMMENDATIONS: Motion to approve acceptance of a five year renewal term with amendments to contract C17-2530-PW (Third Amendment to the Agreement for Residential Solid Waste & Recyclables Collection, Transfer, and Processing/Disposal) and approval of the Solid Waste Rate Resolution.

RECOMMENDED BY:



Jason A. Ireby, Director, Public Works 3/9/2022

APPROVED BY:



John Hofstad, County Administrator 3/10/2022



WASTE MANAGEMENT

108 Hill Avenue
Ft Walton Bch, FL 32548
(850) 357.1151

March 8, 2022

Mr. Jason Autrey, Director
Okaloosa County Public Works
1759 Ferdon Boulevard
Crestview, FL 32536

Dear Mr. Autrey:

This letter is to update you and your staff with the new proposed rate for Okaloosa County. WM was able to lower the overall rate from \$29.82/month/resident that we proposed in our February 2nd letter to \$29.23/month/resident. The current rate WM receives from Okaloosa County is \$25.90/resident/month under the current contract. When you add the \$0.76 remediation fee to our rate the total rate for the first year for each resident will be \$29.99.

I have attached the updated rate sheet for your use.

WM is prepared to move forward with the proposal and pricing at your direction.

If you have any questions, please feel free to contact me anytime to discuss.

Respectfully,

A handwritten signature in blue ink that reads 'Ronnie E. Bell'.

Ronnie E. Bell
Public Sector Solutions Manager
WM

		FY18	FY19	FY20	FY21	FY22	WM Proposed FY22 Rate Adjustment
Collection (Garbage, Bulk, and Yard Trash)	mo	\$ 13.94	\$ 14.24	\$ 14.41	\$ 14.73	\$ 15.02	\$ 16.46
Recycling	mo	\$ 3.31	\$ 3.38	\$ 3.42	\$ 3.49	\$ 3.56	\$ 4.52
Solid Waste Roll Cart	mo	\$ 8.00	\$ 8.17	\$ 8.26	\$ 8.44	\$ 8.61	\$ 9.58
Excess of 4 yd ³ per week	EA	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 185.00
In addition of 4 yd ³ per week	yd ³	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 12.00
Transfer Station Operations Fee *	ton	\$ 7.65	\$ 7.81	\$ 7.90	\$ 8.07	\$ 8.23	\$ 9.34
Haul & Disposal of Solid Waste	ton	\$ 34.10	\$ 34.83	\$ 35.23	\$ 36.02	\$ 36.74	\$ 43.88
Haul & Delivery of Recyclables -ECUA	ton	\$ 13.43	\$ 13.72	\$ 13.88	\$ 14.19	\$ 14.47	\$ 19.50
Haul & Delivery of Recyclables -IREP	ton				\$ 33.75	\$ 41.82	\$ 48.09
C&D Host Fee	ton	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022**TYPE OF AGENDA ITEM:** Action Item**AGENDA OUTLINE NUMBER:** 4.C.**TO:** City Council**THRU:** Jeffrey Cozadd, Grants Manager
Catherine Card, Public Information Manager
Krystal Strickland, Finance Director
Webb Warren, Deputy City Manager
Lance Johnson, City Manager**FROM:** Lance Johnson, City Manager**DATE:** 2/23/22**SUBJECT:** Destin Citizen Survey 2022

I. BACKGROUND: The City is preparing to conduct a resident survey through Polco/National Research Center(NRC). NRC offers a national survey and comparisons to national benchmarks that include demographic and geographic comparisons. Available options that can be included in the survey are a half-page of custom questions, custom benchmarks, and in-person presentation of results. The City has previously used NRC for citizen surveys in 2016 and 2011.

Reasons for conducting a citizen survey include: to assess community needs; to make long-range, short-term, or strategic plans; to evaluate potential policies or community characteristics and to continue a trendline from periodic surveying.

II. DISCUSSION: The basic cost of the National Citizen Survey is \$17,000. This includes survey results, comparison to prior results and to national averages, and final report documents. City staff recommends the additional options of 1) half-page of custom questions for \$2,800 and 2) an NCS Online Custom Benchmark Comparisons for \$2,000.

An additional option is a virtual presentation that can be made to the Council with a PowerPoint slide show. The presentation would cost an additional \$2,400. Results from this survey can be incorporated into the 2023 Visioning and Strategic Planning Session.

A. Link to Strategic Goals / Objectives: Enhance the quality of life and safety for families

B. Effect on Budget (EOB): There is an available budget balance of \$20,000 for

City Council Professional Services. The basic cost of the survey is \$17,000. The cost of the survey with additional recommended features is \$21,800. If the virtual presentation is also desired, the cost for the survey and all options would be \$24,200.

Additional funds from the Council contingency account can be transferred into City Council Professional Services to cover the unbudgeted portion of the survey costs if Council prefers the additional survey features.

	TOTAL
0151110-531000	
City Council - Professional Services	\$ 40,000
FY22 Adopted Budget	40,000
Budget Amendments/Txfrs (Rollforwards)	(12,625)
Revised Budget	27,375
Previous Expenses/Encumbrances	(7,375)
Available Program Budget	20,000
This Agreement +(-)	\$ (24,200)
FY22 Remaining Program Budget	\$ (4,200)

C. Level of Service (LOS): Level of Service will be increased with the information collected from this survey.

III. CONCLUSION: Staff seeks Council approval of the requested scope of work for the 2022 citizen survey and endorsement of the attached questions so that the citizen survey can be finalized and the survey implemented within the next six weeks. This survey will provide information and benchmarks that will be incorporated into the visioning and strategic planning process.

IV. RECOMMENDED MOTION: I move that City Council approve the use of the National Citizen Survey through Polco/National Research Center for a total cost of \$21,800 and endorse the addition of the half-page of custom questions and custom benchmark comparisons.

Alternate motion: I move that City Council approve the use of the National Citizen Survey through Polco/National Research Center for a total cost of \$24,200 and endorse the addition of the half-page of custom questions, custom benchmark comparisons, and virtual presentation.

Attachments:

1. Polco Quote for Destin, FL (2)
2. Polco ARPA Engagement Package
3. Sample Timeline for Destin FL 2022
4. City of Destin annual strategic planning timeline - citizen survey
5. The NCS Technical Appendices - Destin 2016

Destin, FL

Destin, FL	Jeff Cozadd	Reference: 20220201-145716827
4200 Indian Boulevard	Projects/Grants/Contracts	Quote created: February 1, 2022
Destin, FL 32541	Manager	Quote expires: May 6, 2022
United States	jcozadd@cityofdestin.com	Quote created by: Damema Mann
	1 850 279 4228	damema@n-r-c.com
		+1 (303) 226-6983

Products & Services

Item & Description	Quantity	Unit Price	Total
Polco Performance Plan 2022 All Polco Premium Features are available to you during your subscription term to engage with your target audiences. Respondents answer questions via Polco's civic surveying and engagement platform which includes real time results and the option to have respondents verified against voter lists. As participants respond they become part of your community's digital panel available for follow up questions, surveys, polls, and other engagement. The Performance plan includes 1 benchmark survey per 12-month period. Your online report will include comparisons to our National Benchmarks, and demographic and geographic comparisons (if response is sufficient by subgroup). Our customer success team will guide your benchmark survey process to ensure smooth implementation. A representative sample of residents (or other appropriate stakeholders) will be invited to complete the survey to ensure statistically significant response and results. We will use statistically appropriate methodologies to garner community-wide representativeness with approximately a 6% margin of error (4-6% is typical and meets best practices for performance measurement, about 250-450 responses) per local jurisdiction. The invitations will contain an introduction outlining the importance of the survey and instructions for completing it. To supplement this effort, the client will be asked to participate in outreach efforts with guidance on best practices from Polco. Responses will be statistically weighted	1	\$17,000.00 / year	\$17,000.00 / year for 1 year

to ensure the best representation of your community (or stakeholder group, if applicable).

The NCS - 1/2 Page of Custom Questions	1	\$2,800.00 / year	\$2,800.00 / year
--	---	-------------------	-------------------

As The NCS is a comprehensive survey we suggest not adding custom questions to minimize respondent burden and recommend asking custom questions in a separate survey on Polco. However, we recognize that while you are making this larger effort to get input from your residents you may want to add a few custom items. This is not included in the Polco Performance plan, but can be added.

The NCS - Online Custom Benchmark Comparisons	1	\$2,000.00 / year	\$2,000.00 / year
---	---	-------------------	-------------------

In addition to the national benchmarks (included with The NCS Online reporting), Custom Benchmarks can be purchased to compare your results to custom cohorts such as communities within a state or region, with similar population sizes, university or resort towns, or other specifications. Your program manager will assess the viability of unique cohorts (i.e., if too specific, there may not be enough communities in the database to provide a comparison). Cost is per custom group and will be included as an additional tab in your online report

Remote Presentation of Results	1	\$2,400.00 / year	\$2,400.00 / year
--------------------------------	---	-------------------	-------------------

A senior Polco staff member will make one presentation of survey results to staff, Council, Boards, or other appropriate groups. This will be conducted on Zoom or another appropriate technology (that is feasible for both parties and suits the purpose). For this presentation, we use Microsoft® PowerPoint or Google Slides as a visual aid and a copy of the slideshow is shared with your staff for internal use.

Subtotals

Annual subtotal			\$24,200.00
-----------------	--	--	-------------

Total			\$24,200.00
-------	--	--	-------------

Questions? Contact me



Damema Mann

damema@n-r-c.com

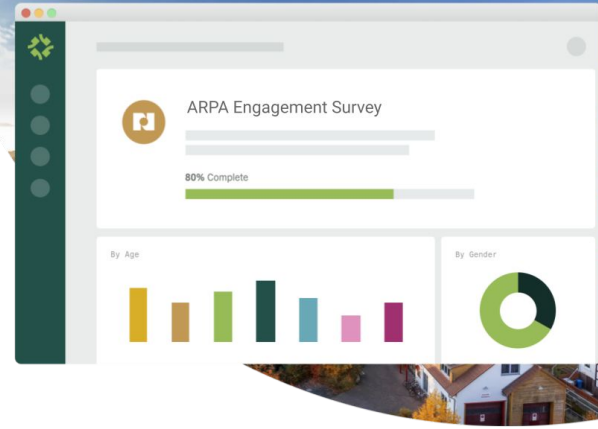
+1 (303) 226-6983

Polco / NRC

8001 Terrace Ave, Ste 201

Middleton, WI 53562

US



THE ARPA ENGAGEMENT PACKAGE

Maximize Local Government Recovery Success

Measure – Recover – Document

The American Rescue Plan Act (ARPA) is here to fund local government community recovery efforts. Now begins a critical time to measure, rebuild, and document progress.

The ARPA Engagement Package by Polco connects leaders with residents, local businesses, and each other. With high-quality standardized surveys, the Polco engagement platform, and online reporting dashboards – this comprehensive package uncovers community needs and helps align funds with economic priorities.

RECOVER AND GET AHEAD OF THE ISSUES



Assess community needs



Guide spending & decision-making



Produce documentation



Engage residents around ARPA funds



Measure effectiveness of programs and initiatives



Align and track progress on strategic goals

The ARPA Engagement Package is available with a Polco Premium or Performance Subscription Plan.

**Subscription for this engagement package is an ARPA-eligible expense.*

SIGN UP OR REQUEST A QUOTE

polco.us/arpa-engagement-package

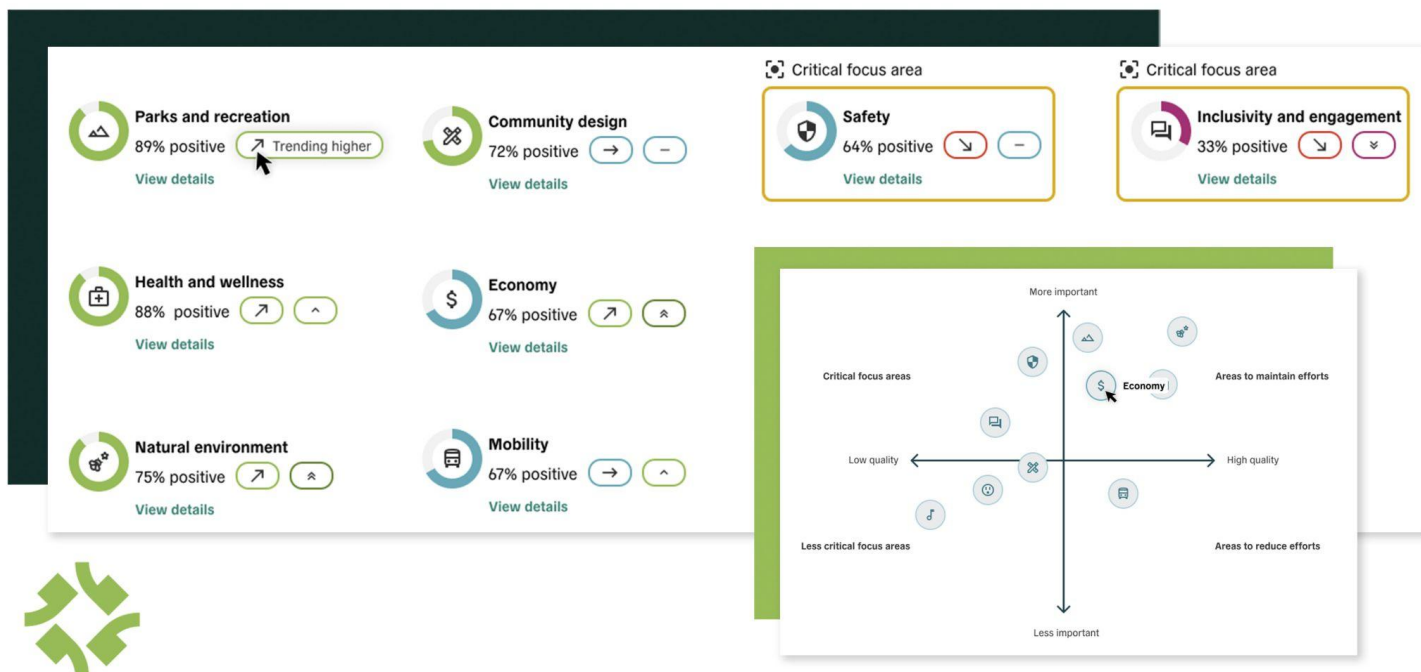
Polco is a proud partner of:

ICMA

NLC NATIONAL
LEAGUE
OF CITIES

THE ARPA ENGAGEMENT PACKAGE INCLUDES

- **ARPA Engagement Survey.** This ready-to-publish benchmarking survey gives you real-time input from your community. You can compare results with other governments across the nation.
- **Building a Panel Following.** Once published, your survey is easy to share online with your community. When residents respond, they also register with Polco, so they will be notified whenever you publish a new survey. Polco's system verifies respondents based on voter records while *always* maintaining individual privacy and cybersecurity.
- **Accurate Representation.** You'll get expert help to promote your survey in multiple ways. Our methods ensure all residents can have a voice and that your results will accurately reflect your whole community.
- **Online Reporting.** As responses come in, you'll see online dashboards fill with key findings, benchmark comparisons, national indices, and demographic reports. Results will also be available in PDF form to fulfill ARPA documentation requirements.
- **Access to an Exclusive Local Government Network.** You'll join a network of other local government leaders engaging their communities around ARPA. Get exclusive access to the Polco Connect forum, where you can share resources, discuss solutions, and benchmark survey results.
- **Through ARPA and Beyond!** The ARPA Engagement Package will carry local governments beyond the span of the American Rescue Plan Act. The program helps ensure continued access to federal funds over the next four years and sets your community up for a more sustainable future.



SIGN UP OR REQUEST A QUOTE
polco.us/arpa-engagement-package



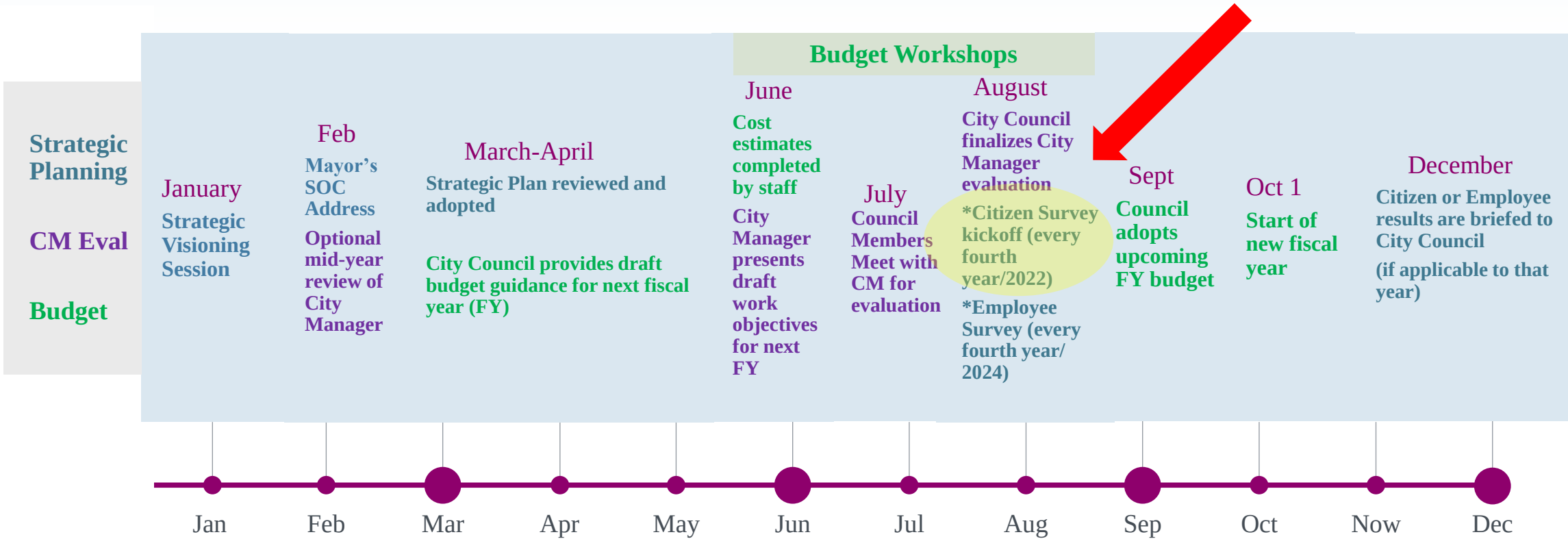
Sample Timeline for The National Community Survey™

Item	Date
Preparing for the Survey	
Program Manager sends The NCS instrument for review	Jul 8
Send Program Manager drafts of optional custom questions to add to the survey	Jul 15
Mailing materials and survey instrument are finalized	Aug 5
Program Manager generates sample of representative households in your community	Aug 5
Polco prints materials, prepare mailings and sets up the survey online	Aug 5 to Aug 19
Conducting the Survey	
Data collection is open for The NCS - track response on Polco!	Aug 19 to Oct 7
Group A postcards sent	Aug 19
Wave 1 survey invitations sent for Group A and Group B	Aug 26
Wave 2 survey invitations sent for Group A and Group B	Sep 2
Open participation survey begins (Program Manager will provide link)	Sep 23
Data collection closes for the random sample survey and open participation survey	Oct 7
Send Program Manager final count of returned postcards	Oct 7
Survey analysis and report writing	Oct 7 to Nov 4
Program Manager provides link to report on Polco	Oct 7
Program Manager provides link to report on Polco	Nov 4
Polco presents results to Destin City Council	Dec (TBD)
After the Survey	
After your community has completed The NCS, stay engaged with your community members by posting additional surveys and polls on Polco!	



Strategic Planning, CM Eval and Budget Cycle

Calendar Year Timeline



THE NCSTM

The National Citizen SurveyTM

Destin, FL

Technical Appendices

2016



NRC
National Research Center Inc

2955 Valmont Road Suite 300
Boulder, Colorado 80301
n-r-c.com • 303-444-7863



Leaders at the Core of Better Communities

777 North Capitol Street NE Suite 500
Washington, DC 20002
icma.org • 800-745-8780

Contents

Appendix A: Complete Survey Responses	1
Appendix B: Benchmark Comparisons	19
Appendix C: Detailed Survey Methods	32
Appendix D: Survey Materials	37



The National Citizen Survey™
© 2001-2016 National Research Center, Inc.

The NCS™ is presented by NRC in collaboration with ICMA.

NRC is a charter member of the AAPOR Transparency Initiative, providing clear disclosure of our sound and ethical survey research practices.

Appendix A: Complete Survey Responses

Responses excluding “don’t know”

The following pages contain a complete set of responses to each question on the survey, excluding the “don’t know” responses. The percent of respondents giving a particular response is shown followed by the number of respondents (denoted with “N=”).

Table 1: Question 1

Please rate each of the following aspects of quality of life in Destin:	Excellent		Good		Fair		Poor		Total	
Destin as a place to live	40%	N=172	47%	N=202	10%	N=44	2%	N=9	100%	N=427
Your neighborhood as a place to live	41%	N=174	43%	N=183	14%	N=58	3%	N=13	100%	N=427
Destin as a place to raise children	37%	N=137	40%	N=148	18%	N=66	5%	N=19	100%	N=370
Destin as a place to work	24%	N=87	34%	N=123	30%	N=109	12%	N=42	100%	N=361
Destin as a place to visit	65%	N=269	29%	N=120	5%	N=20	1%	N=2	100%	N=411
Destin as a place to retire	47%	N=177	31%	N=117	14%	N=52	9%	N=33	100%	N=379
The overall quality of life in Destin	36%	N=152	50%	N=211	14%	N=61	1%	N=2	100%	N=426

Table 2: Question 2

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Total	
Overall feeling of safety in Destin	31%	N=133	53%	N=229	14%	N=62	1%	N=4	100%	N=428
Overall ease of getting to the places you usually have to visit	9%	N=40	27%	N=114	41%	N=176	22%	N=94	100%	N=424
Quality of overall natural environment in Destin	21%	N=92	54%	N=232	19%	N=81	5%	N=23	100%	N=427
Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems)	7%	N=29	32%	N=138	30%	N=129	30%	N=129	100%	N=426
Health and wellness opportunities in Destin	15%	N=64	46%	N=191	29%	N=122	9%	N=39	100%	N=416
Overall opportunities for education and enrichment	11%	N=43	39%	N=148	35%	N=131	15%	N=56	100%	N=378
Overall economic health of Destin	12%	N=46	54%	N=213	30%	N=116	4%	N=16	100%	N=392
Sense of community	15%	N=64	41%	N=174	32%	N=135	12%	N=49	100%	N=422
Overall image or reputation of Destin	34%	N=143	52%	N=222	11%	N=48	3%	N=12	100%	N=425

Table 3: Question 3

Please indicate how likely or unlikely you are to do each of the following:	Very likely		Somewhat likely		Somewhat unlikely		Very unlikely		Total	
Recommend living in Destin to someone who asks	46%	N=196	37%	N=158	7%	N=30	9%	N=38	100%	N=422
Remain in Destin for the next five years	62%	N=255	24%	N=98	5%	N=22	9%	N=39	100%	N=415

Table 4: Question 4

Please rate how safe or unsafe you feel:	Very safe		Somewhat safe		Neither safe nor unsafe		Somewhat unsafe		Very unsafe		Total	
In your neighborhood during the day	69%	N=296	25%	N=107	4%	N=15	1%	N=2	2%	N=7	100%	N=428
In Destin's downtown/commercial area during the day	52%	N=222	40%	N=172	5%	N=23	1%	N=4	1%	N=6	100%	N=427

The National Citizen Survey™

Table 5: Question 5

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Total	
Traffic flow on major streets	1%	N=5	9%	N=39	38%	N=163	51%	N=218	100%	N=426
Ease of public parking	3%	N=14	23%	N=97	40%	N=170	34%	N=143	100%	N=423
Ease of travel by car in Destin	2%	N=9	19%	N=82	47%	N=200	31%	N=132	100%	N=424
Ease of travel by public transportation in Destin	1%	N=3	9%	N=19	26%	N=56	64%	N=138	100%	N=215
Ease of travel by bicycle in Destin	7%	N=25	23%	N=76	39%	N=130	31%	N=105	100%	N=336
Ease of walking in Destin	11%	N=44	42%	N=171	29%	N=117	18%	N=74	100%	N=407
Availability of paths and walking trails	9%	N=32	35%	N=131	28%	N=106	29%	N=107	100%	N=376
Air quality	34%	N=140	50%	N=205	13%	N=53	3%	N=10	100%	N=408
Cleanliness of Destin	20%	N=87	59%	N=251	18%	N=76	3%	N=14	100%	N=427
Overall appearance of Destin	25%	N=107	53%	N=226	19%	N=82	2%	N=9	100%	N=424
Public places where people want to spend time	22%	N=90	50%	N=209	22%	N=94	6%	N=26	100%	N=420
Variety of housing options	12%	N=47	35%	N=140	36%	N=145	18%	N=74	100%	N=407
Availability of affordable quality housing	3%	N=13	21%	N=82	36%	N=142	40%	N=156	100%	N=393
Fitness opportunities (including exercise classes and paths or trails, etc.)	15%	N=62	43%	N=174	33%	N=132	9%	N=34	100%	N=402
Recreational opportunities	25%	N=103	47%	N=197	22%	N=90	6%	N=26	100%	N=417
Availability of affordable quality food	19%	N=83	46%	N=195	29%	N=123	6%	N=25	100%	N=426
Availability of affordable quality health care	13%	N=50	38%	N=150	35%	N=136	15%	N=58	100%	N=394
Availability of preventive health services	12%	N=44	37%	N=133	37%	N=132	14%	N=51	100%	N=360
Availability of affordable quality mental health care	10%	N=24	30%	N=73	30%	N=74	31%	N=75	100%	N=246

Table 6: Question 6

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Total	
Availability of affordable quality child care/preschool	9%	N=17	38%	N=72	37%	N=70	15%	N=28	100%	N=188
K-12 education	29%	N=69	35%	N=84	25%	N=60	10%	N=25	100%	N=238
Adult educational opportunities	6%	N=14	30%	N=74	36%	N=90	28%	N=71	100%	N=249
Opportunities to attend cultural/arts/music activities	19%	N=74	40%	N=160	32%	N=126	9%	N=36	100%	N=397
Opportunities to participate in religious or spiritual events and activities	37%	N=127	46%	N=158	13%	N=46	4%	N=13	100%	N=344
Employment opportunities	8%	N=30	35%	N=131	41%	N=154	16%	N=58	100%	N=372
Shopping opportunities	52%	N=221	41%	N=173	6%	N=23	1%	N=6	100%	N=424
Cost of living in Destin	3%	N=14	28%	N=118	44%	N=186	25%	N=103	100%	N=421
Overall quality of business and service establishments in Destin	15%	N=61	51%	N=213	30%	N=124	4%	N=18	100%	N=416
Vibrant downtown/commercial area	15%	N=65	40%	N=170	30%	N=128	14%	N=58	100%	N=421
Overall quality of new development in Destin	11%	N=46	42%	N=168	32%	N=128	15%	N=60	100%	N=402
Opportunities to participate in social events and activities	23%	N=91	47%	N=185	20%	N=78	10%	N=41	100%	N=395
Opportunities to volunteer	24%	N=84	49%	N=176	23%	N=83	4%	N=13	100%	N=356
Opportunities to participate in community matters	15%	N=56	49%	N=177	29%	N=105	7%	N=24	100%	N=361
Openness and acceptance of the community toward people of diverse backgrounds	12%	N=44	46%	N=173	25%	N=96	17%	N=65	100%	N=378
Neighborliness of residents in Destin	15%	N=63	43%	N=179	33%	N=134	9%	N=36	100%	N=412

The National Citizen Survey™

Table 7: Question 7

Please indicate whether or not you have done each of the following in the last 12 months.	No		Yes		Total	
Made efforts to conserve water	23%	N=98	77%	N=329	100%	N=427
Made efforts to make your home more energy efficient	24%	N=101	76%	N=322	100%	N=423
Observed a code violation or other hazard in Destin	46%	N=190	54%	N=226	100%	N=416
Household member was a victim of a crime in Destin	88%	N=374	12%	N=52	100%	N=426
Reported a crime to the police in Destin	73%	N=312	27%	N=115	100%	N=426
Stocked supplies in preparation for an emergency	47%	N=199	53%	N=228	100%	N=427
Campaigned or advocated for an issue, cause or candidate	70%	N=298	30%	N=126	100%	N=424
Contacted the City of Destin (in-person, phone, email or web) for help or information	60%	N=255	40%	N=172	100%	N=427
Contacted Destin elected officials (in-person, phone, email or web) to express your opinion	81%	N=344	19%	N=83	100%	N=427

Table 8: Question 8

In the last 12 months, about how many times, if at all, have you or other household members done each of the following in Destin?	2 times a week or more		2-4 times a month		Once a month or less		Not at all		Total	
Used Destin recreation centers or their services	10%	N=44	13%	N=54	35%	N=150	42%	N=176	100%	N=423
Visited a neighborhood park or City park	14%	N=61	25%	N=105	41%	N=173	20%	N=85	100%	N=424
Used Destin public libraries or their services	5%	N=21	14%	N=58	31%	N=132	50%	N=213	100%	N=424
Participated in religious or spiritual activities in Destin	18%	N=78	17%	N=73	15%	N=63	49%	N=209	100%	N=424
Attended a City-sponsored event	3%	N=11	12%	N=52	47%	N=202	38%	N=160	100%	N=425
Carpooled with other adults or children instead of driving alone	15%	N=63	14%	N=61	13%	N=53	58%	N=248	100%	N=425
Walked or biked instead of driving	15%	N=64	22%	N=94	27%	N=117	36%	N=152	100%	N=426
Volunteered your time to some group/activity in Destin	7%	N=28	14%	N=58	27%	N=115	52%	N=220	100%	N=422
Participated in a club	5%	N=21	12%	N=50	12%	N=49	72%	N=302	100%	N=422
Talked to or visited with your immediate neighbors	43%	N=181	32%	N=137	18%	N=75	7%	N=31	100%	N=425
Done a favor for a neighbor	24%	N=101	31%	N=133	30%	N=129	14%	N=61	100%	N=425

Table 9: Question 9

Thinking about local public meetings (of local elected officials like City Council or County Commissioners, advisory boards, town halls, HOA, neighborhood watch, etc.), in the last 12 months, about how many times, if at all, have you or other household members attended or watched a local public meeting?	2 times a week or more		2-4 times a month		Once a month or less		Not at all		Total	
Attended a local public meeting	1%	N=3	4%	N=17	22%	N=91	73%	N=308	100%	N=419
Watched (online or on television) a local public meeting	1%	N=5	8%	N=33	24%	N=100	67%	N=285	100%	N=423

Table 10: Question 10

Please rate the quality of each of the following services in Destin:	Excellent		Good		Fair		Poor		Total	
Police/Sheriff services	37%	N=140	44%	N=167	13%	N=49	6%	N=21	100%	N=377
Fire services	51%	N=167	43%	N=140	6%	N=21	0%	N=1	100%	N=329
Ambulance or emergency medical services	46%	N=144	45%	N=142	8%	N=24	1%	N=3	100%	N=312
Crime prevention	25%	N=81	42%	N=138	24%	N=80	9%	N=30	100%	N=329
Fire prevention and education	30%	N=79	43%	N=112	26%	N=67	1%	N=3	100%	N=263
Traffic enforcement	10%	N=38	44%	N=164	23%	N=87	23%	N=86	100%	N=375
Street repair	9%	N=38	36%	N=142	32%	N=128	23%	N=91	100%	N=398

The National Citizen Survey™

Please rate the quality of each of the following services in Destin:	Excellent		Good		Fair		Poor		Total	
Street cleaning	14%	N=53	40%	N=151	32%	N=118	14%	N=52	100%	N=374
Street lighting	14%	N=57	41%	N=165	35%	N=140	10%	N=41	100%	N=403
Sidewalk maintenance	10%	N=39	42%	N=164	30%	N=115	18%	N=71	100%	N=388
Traffic signal timing	6%	N=23	31%	N=127	32%	N=128	31%	N=127	100%	N=405
Bus or transit services	9%	N=16	19%	N=32	24%	N=40	48%	N=79	100%	N=167
Garbage collection	41%	N=164	48%	N=191	9%	N=36	2%	N=7	100%	N=398
Recycling	31%	N=110	35%	N=126	16%	N=58	18%	N=65	100%	N=359
Yard waste pick-up	32%	N=110	40%	N=138	21%	N=71	7%	N=23	100%	N=343
Storm drainage	10%	N=35	41%	N=148	31%	N=113	18%	N=63	100%	N=359
Drinking water	29%	N=117	43%	N=173	19%	N=75	10%	N=39	100%	N=404
Sewer services	26%	N=97	57%	N=212	14%	N=53	2%	N=7	100%	N=369
Power (electric and/or gas) utility	25%	N=103	50%	N=205	23%	N=94	2%	N=7	100%	N=408
City parks	23%	N=88	54%	N=206	16%	N=60	6%	N=24	100%	N=378
Recreation programs or classes	23%	N=56	46%	N=113	20%	N=50	12%	N=29	100%	N=249
Recreation centers or facilities	20%	N=62	45%	N=140	25%	N=78	11%	N=34	100%	N=315
Land use, planning and zoning	5%	N=15	23%	N=71	31%	N=94	41%	N=123	100%	N=303
Code enforcement (weeds, abandoned buildings, etc.)	4%	N=14	23%	N=79	42%	N=143	30%	N=102	100%	N=337
Animal control	14%	N=45	47%	N=150	26%	N=83	13%	N=42	100%	N=320
Economic development	12%	N=40	44%	N=151	31%	N=105	13%	N=45	100%	N=340
Health services	15%	N=51	47%	N=160	27%	N=92	10%	N=35	100%	N=339
Public library services	45%	N=125	44%	N=122	9%	N=25	3%	N=8	100%	N=280
Public information services	20%	N=58	49%	N=137	23%	N=66	8%	N=22	100%	N=283
Cable television	11%	N=37	34%	N=115	30%	N=101	25%	N=84	100%	N=337
Emergency preparedness (services that prepare the community for natural disasters or other emergency situations)	17%	N=53	57%	N=184	23%	N=74	4%	N=11	100%	N=323
Preservation of natural areas such as open space	9%	N=33	28%	N=103	33%	N=119	30%	N=107	100%	N=362
Destin open space	7%	N=26	27%	N=100	32%	N=118	34%	N=127	100%	N=372
City-sponsored special events	12%	N=41	52%	N=173	28%	N=95	8%	N=27	100%	N=335
Overall customer service by Destin employees (receptionists, planners, etc.)	16%	N=50	59%	N=181	18%	N=55	8%	N=23	100%	N=309

Table 11: Question 11

Overall, how would you rate the quality of the services provided by each of the following?	Excellent		Good		Fair		Poor		Total	
The City of Destin	13%	N=49	60%	N=233	19%	N=74	8%	N=31	100%	N=388
The Federal Government	4%	N=14	31%	N=112	35%	N=130	30%	N=110	100%	N=366

Table 12: Question 12

Please rate the following categories of Destin government performance:	Excellent		Good		Fair		Poor		Total	
The value of services for the taxes paid to Destin	5%	N=18	47%	N=173	37%	N=138	11%	N=42	100%	N=371
The overall direction that Destin is taking	4%	N=14	41%	N=155	30%	N=112	26%	N=97	100%	N=378
The job Destin government does at welcoming citizen involvement	7%	N=23	41%	N=127	36%	N=112	15%	N=45	100%	N=307
Overall confidence in Destin government	4%	N=15	44%	N=161	33%	N=120	19%	N=71	100%	N=367
Generally acting in the best interest of the community	6%	N=21	42%	N=156	31%	N=118	21%	N=80	100%	N=376

The National Citizen Survey™

Please rate the following categories of Destin government performance:	Excellent		Good		Fair		Poor		Total	
Being honest	5%	N=16	40%	N=127	36%	N=115	19%	N=59	100%	N=317
Treating all residents fairly	7%	N=23	37%	N=123	35%	N=117	21%	N=70	100%	N=334

Table 13: Question 13

Please rate how important, if at all, you think it is for the Destin community to focus on each of the following in the coming two years:	Essential		Very important		Somewhat important		Not at all important		Total	
Overall feeling of safety in Destin	50%	N=212	39%	N=167	10%	N=44	1%	N=2	100%	N=425
Overall ease of getting to the places you usually have to visit	48%	N=205	40%	N=169	12%	N=50	0%	N=1	100%	N=425
Quality of overall natural environment in Destin	44%	N=182	46%	N=194	10%	N=41	1%	N=2	100%	N=419
Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems)	41%	N=176	40%	N=169	18%	N=78	0%	N=1	100%	N=425
Health and wellness opportunities in Destin	28%	N=119	45%	N=190	25%	N=108	2%	N=8	100%	N=425
Overall opportunities for education and enrichment	29%	N=122	40%	N=172	27%	N=116	4%	N=16	100%	N=426
Overall economic health of Destin	42%	N=177	47%	N=198	10%	N=43	2%	N=7	100%	N=426
Sense of community	31%	N=134	46%	N=196	20%	N=86	2%	N=10	100%	N=425

Table 14: Question 14

The City is evaluating the possibility of charging to park in resort and entertainment areas around Destin to fund the construction of future parking facilities. With this in mind, what do you think is the most appropriate hourly parking rate?	Percent	Number
\$.50 per hour	16%	N=65
\$1.00 per hour	20%	N=84
\$2.00 per hour	6%	N=24
I do not think there should be a charge for parking in resort and entertainment areas	58%	N=242
Total	100%	N=415

Table 15: Question 15

The City has a number of areas on which it could focus its efforts and funding, but it cannot focus on everything at once. In your opinion, which of the following potential enhancements should be the City's TOP priority? (Please select only one answer.)	Percent	Number
Multi-purpose pathways linking residential to commercial areas	17%	N=69
City street reconstructions (resurfacing the roadway and bringing the adjoining right-of-way up to current standards with 8" sidewalks, bike lanes, pedestrian lighting, etc.)	43%	N=175
Enhanced streetscapes (lighting, landscaping) along Harbor Blvd. and Airport Road	5%	N=22
Enhanced and reliable transit services	12%	N=46
City-wide storm water improvements and maintenance	23%	N=91
Total	100%	N=403

Table 16: Question 16

Please indicate how much of a source, if at all, you consider each of the following to be for obtaining information about the City government and its activities, events and services:	Major source		Minor source		Not a source		Total	
City website (www.cityofdestin.com)	54%	N=225	34%	N=139	12%	N=50	100%	N=415
The Destin Log	39%	N=164	42%	N=176	18%	N=77	100%	N=417
The Northwest Florida Daily News	44%	N=183	45%	N=188	11%	N=46	100%	N=417
Word of mouth	42%	N=172	41%	N=171	17%	N=71	100%	N=414
Direct mailings	30%	N=124	43%	N=180	27%	N=114	100%	N=417

The National Citizen Survey™

Please indicate how much of a source, if at all, you consider each of the following to be for obtaining information about the City government and its activities, events and services:	Major source		Minor source		Not a source		Total	
City printed quarterly newsletter in the Destin Log	24%	N=97	39%	N=160	38%	N=155	100%	N=413
E-newsletter subscription (via Constant Contact)	20%	N=82	31%	N=128	48%	N=198	100%	N=408
Electronic news releases via City website	23%	N=94	40%	N=162	37%	N=153	100%	N=410
Okaloosa Today TV Show on Cox Cable	12%	N=48	30%	N=122	58%	N=236	100%	N=406
City Government Facebook Page	23%	N=94	34%	N=141	43%	N=177	100%	N=412
Other social media outlets	20%	N=79	38%	N=151	43%	N=172	100%	N=403
City council meetings – in person	21%	N=87	35%	N=145	43%	N=176	100%	N=408
City council meetings – streamed/online	22%	N=91	34%	N=138	44%	N=177	100%	N=407
City council meetings – Cox Cable (TV)	18%	N=75	32%	N=130	50%	N=205	100%	N=410

Table 17: Question D1

How often, if at all, do you do each of the following, considering all of the times you could?	Never		Rarely		Sometimes		Usually		Always		Total	
Recycle at home	22%	N=93	11%	N=47	9%	N=40	11%	N=48	46%	N=197	100%	N=425
Purchase goods or services from a business located in Destin	0%	N=1	0%	N=2	6%	N=26	52%	N=220	42%	N=177	100%	N=426
Eat at least 5 portions of fruits and vegetables a day	2%	N=9	10%	N=43	32%	N=137	35%	N=147	20%	N=85	100%	N=421
Participate in moderate or vigorous physical activity	1%	N=3	9%	N=36	29%	N=122	38%	N=161	24%	N=101	100%	N=424
Read or watch local news (via television, paper, computer, etc.)	3%	N=12	13%	N=57	18%	N=78	33%	N=140	33%	N=138	100%	N=425
Vote in local elections	9%	N=40	6%	N=28	7%	N=30	16%	N=66	61%	N=260	100%	N=424

Table 18: Question D2

Would you say that in general your health is:	Percent	Number
Excellent	25%	N=106
Very good	48%	N=202
Good	26%	N=108
Fair	1%	N=6
Poor	0%	N=1
Total	100%	N=422

Table 19: Question D3

What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:	Percent	Number
Very positive	5%	N=21
Somewhat positive	17%	N=70
Neutral	55%	N=226
Somewhat negative	17%	N=70
Very negative	6%	N=26
Total	100%	N=413

The National Citizen Survey™

Table 20: Question D4

What is your employment status?	Percent	Number
Working full time for pay	65%	N=276
Working part time for pay	10%	N=40
Unemployed, looking for paid work	2%	N=10
Unemployed, not looking for paid work	1%	N=6
Fully retired	21%	N=91
Total	100%	N=423

Table 21: Question D5

Do you work inside the boundaries of Destin?	Percent	Number
Yes, outside the home	38%	N=158
Yes, from home	7%	N=29
No	55%	N=230
Total	100%	N=416

Table 22: Question D6

How many years have you lived in Destin?	Percent	Number
Less than 2 years	17%	N=72
2 to 5 years	24%	N=103
6 to 10 years	15%	N=64
11 to 20 years	19%	N=79
More than 20 years	25%	N=109
Total	100%	N=427

Table 23: Question D7

Which best describes the building you live in?	Percent	Number
One family house detached from any other houses	63%	N=269
Building with two or more homes (duplex, townhome, apartment or condominium)	37%	N=157
Mobile home	0%	N=0
Other	0%	N=1
Total	100%	N=428

Table 24: Question D8

Is this house, apartment or mobile home...	Percent	Number
Rented	32%	N=136
Owned	68%	N=290
Total	100%	N=426

The National Citizen Survey™

Table 25: Question D9

About how much is your monthly housing cost for the place you live (including rent, mortgage payment, property tax, property insurance and homeowners' association (HOA) fees)?	Percent	Number
Less than \$300 per month	3%	N=11
\$300 to \$599 per month	5%	N=21
\$600 to \$999 per month	14%	N=59
\$1,000 to \$1,499 per month	34%	N=138
\$1,500 to \$2,499 per month	32%	N=132
\$2,500 or more per month	12%	N=50
Total	100%	N=411

Table 26: Question D10

Do any children 17 or under live in your household?	Percent	Number
No	71%	N=300
Yes	29%	N=124
Total	100%	N=424

Table 27: Question D11

Are you or any other members of your household aged 65 or older?	Percent	Number
No	74%	N=313
Yes	26%	N=112
Total	100%	N=425

Table 28: Question D12

How much do you anticipate your household's total income before taxes will be for the current year? (Please include in your total income money from all sources for all persons living in your household.)	Percent	Number
Less than \$25,000	8%	N=31
\$25,000 to \$49,999	21%	N=86
\$50,000 to \$99,999	33%	N=136
\$100,000 to \$149,999	21%	N=87
\$150,000 or more	17%	N=71
Total	100%	N=410

Table 29: Question D13

Are you Spanish, Hispanic or Latino?	Percent	Number
No, not Spanish, Hispanic or Latino	96%	N=400
Yes, I consider myself to be Spanish, Hispanic or Latino	4%	N=19
Total	100%	N=418

The National Citizen Survey™

Table 30: Question D14

What is your race? (Mark one or more races to indicate what race(s) you consider yourself to be.)	Percent	Number
American Indian or Alaskan Native	2%	N=9
Asian, Asian Indian or Pacific Islander	3%	N=11
Black or African American	1%	N=2
White	96%	N=399
Other	3%	N=14

Total may exceed 100% as respondents could select more than one option.

Table 31: Question D15

In which category is your age?	Percent	Number
18 to 24 years	1%	N=6
25 to 34 years	26%	N=109
35 to 44 years	17%	N=73
45 to 54 years	20%	N=84
55 to 64 years	14%	N=58
65 to 74 years	14%	N=60
75 years or older	8%	N=33
Total	100%	N=422

Table 32: Question D16

What is your sex?	Percent	Number
Female	52%	N=218
Male	48%	N=203
Total	100%	N=420

Table 33: Question D17

Do you consider a cell phone or landline your primary telephone number?	Percent	Number
Cell	81%	N=344
Land line	5%	N=22
Both	14%	N=60
Total	100%	N=426

The National Citizen Survey™

Responses including “don’t know”

The following pages contain a complete set of responses to each question on the survey, including the “don’t know” responses. The percent of respondents giving a particular response is shown followed by the number of respondents (denoted with “N=”).

Table 34: Question 1

Please rate each of the following aspects of quality of life in Destin:	Excellent		Good		Fair		Poor		Don't know		Total	
Destin as a place to live	40%	N=172	47%	N=202	10%	N=44	2%	N=9	0%	N=0	100%	N=427
Your neighborhood as a place to live	41%	N=174	43%	N=183	13%	N=58	3%	N=13	0%	N=0	100%	N=428
Destin as a place to raise children	32%	N=137	35%	N=148	16%	N=66	4%	N=19	13%	N=56	100%	N=426
Destin as a place to work	20%	N=87	29%	N=123	26%	N=109	10%	N=42	15%	N=66	100%	N=426
Destin as a place to visit	63%	N=269	28%	N=120	5%	N=20	1%	N=2	4%	N=15	100%	N=426
Destin as a place to retire	42%	N=177	28%	N=117	12%	N=52	8%	N=33	10%	N=43	100%	N=422
The overall quality of life in Destin	36%	N=152	49%	N=211	14%	N=61	1%	N=2	0%	N=0	100%	N=427

Table 35: Question 2

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Don't know		Total	
Overall feeling of safety in Destin	31%	N=133	53%	N=229	14%	N=62	1%	N=4	0%	N=0	100%	N=428
Overall ease of getting to the places you usually have to visit	9%	N=40	27%	N=114	41%	N=176	22%	N=94	0%	N=1	100%	N=425
Quality of overall natural environment in Destin	21%	N=92	54%	N=232	19%	N=81	5%	N=23	0%	N=0	100%	N=427
Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems)	7%	N=29	32%	N=138	30%	N=129	30%	N=129	0%	N=0	100%	N=426
Health and wellness opportunities in Destin	15%	N=64	45%	N=191	29%	N=122	9%	N=39	1%	N=6	100%	N=423
Overall opportunities for education and enrichment	10%	N=43	35%	N=148	31%	N=131	13%	N=56	12%	N=50	100%	N=428
Overall economic health of Destin	11%	N=46	50%	N=213	27%	N=116	4%	N=16	8%	N=33	100%	N=425
Sense of community	15%	N=64	41%	N=174	32%	N=135	11%	N=49	1%	N=3	100%	N=425
Overall image or reputation of Destin	34%	N=143	52%	N=222	11%	N=48	3%	N=12	1%	N=2	100%	N=427

Table 36: Question 3

Please indicate how likely or unlikely you are to do each of the following:	Very likely		Somewhat likely		Somewhat unlikely		Very unlikely		Don't know		Total	
Recommend living in Destin to someone who asks	46%	N=196	37%	N=158	7%	N=30	9%	N=38	1%	N=5	100%	N=427
Remain in Destin for the next five years	60%	N=255	23%	N=98	5%	N=22	9%	N=39	3%	N=12	100%	N=427

Table 37: Question 4

Please rate how safe or unsafe you feel:	Very safe		Somewhat safe		Neither safe nor unsafe		Somewhat unsafe		Very unsafe		Don't know		Total	
In your neighborhood during the day	69%	N=296	25%	N=107	4%	N=15	1%	N=2	2%	N=7	0%	N=0	100%	N=428
In Destin's downtown/commercial area during the day	52%	N=222	40%	N=172	5%	N=23	1%	N=4	1%	N=6	0%	N=0	100%	N=427

Table 38: Question 5

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Don't know		Total	
Traffic flow on major streets	1%	N=5	9%	N=39	38%	N=163	51%	N=218	0%	N=0	100%	N=426
Ease of public parking	3%	N=14	23%	N=97	40%	N=170	34%	N=143	1%	N=3	100%	N=427
Ease of travel by car in Destin	2%	N=9	19%	N=82	47%	N=200	31%	N=132	0%	N=0	100%	N=425
Ease of travel by public transportation in Destin	1%	N=3	4%	N=19	13%	N=56	32%	N=138	49%	N=211	100%	N=426

The National Citizen Survey™

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Don't know		Total	
Ease of travel by bicycle in Destin	6%	N=25	18%	N=76	31%	N=130	25%	N=105	21%	N=89	100%	N=425
Ease of walking in Destin	10%	N=44	40%	N=171	28%	N=117	18%	N=74	4%	N=18	100%	N=425
Availability of paths and walking trails	8%	N=32	31%	N=131	25%	N=106	25%	N=107	11%	N=48	100%	N=424
Air quality	33%	N=140	48%	N=205	12%	N=53	2%	N=10	4%	N=15	100%	N=423
Cleanliness of Destin	20%	N=87	59%	N=251	18%	N=76	3%	N=14	0%	N=0	100%	N=427
Overall appearance of Destin	25%	N=107	53%	N=226	19%	N=82	2%	N=9	0%	N=0	100%	N=424
Public places where people want to spend time	21%	N=90	49%	N=209	22%	N=94	6%	N=26	2%	N=7	100%	N=426
Variety of housing options	11%	N=47	33%	N=140	34%	N=145	17%	N=74	4%	N=19	100%	N=426
Availability of affordable quality housing	3%	N=13	19%	N=82	33%	N=142	36%	N=156	8%	N=34	100%	N=427
Fitness opportunities (including exercise classes and paths or trails, etc.)	15%	N=62	41%	N=174	31%	N=132	8%	N=34	6%	N=25	100%	N=426
Recreational opportunities	24%	N=103	46%	N=197	21%	N=90	6%	N=26	2%	N=9	100%	N=426
Availability of affordable quality food	19%	N=83	46%	N=195	29%	N=123	6%	N=25	0%	N=1	100%	N=427
Availability of affordable quality health care	12%	N=50	35%	N=150	32%	N=136	14%	N=58	8%	N=32	100%	N=427
Availability of preventive health services	10%	N=44	32%	N=133	31%	N=132	12%	N=51	15%	N=62	100%	N=422
Availability of affordable quality mental health care	6%	N=24	17%	N=73	17%	N=74	18%	N=75	42%	N=179	100%	N=425

Table 39: Question 6

Please rate each of the following characteristics as they relate to Destin as a whole:	Excellent		Good		Fair		Poor		Don't know		Total	
Availability of affordable quality child care/preschool	4%	N=17	17%	N=72	17%	N=70	7%	N=28	56%	N=235	100%	N=424
K-12 education	17%	N=69	20%	N=84	14%	N=60	6%	N=25	43%	N=180	100%	N=417
Adult educational opportunities	3%	N=14	18%	N=74	22%	N=90	17%	N=71	41%	N=170	100%	N=419
Opportunities to attend cultural/arts/music activities	18%	N=74	38%	N=160	30%	N=126	9%	N=36	6%	N=25	100%	N=422
Opportunities to participate in religious or spiritual events and activities	30%	N=127	37%	N=158	11%	N=46	3%	N=13	19%	N=83	100%	N=426
Employment opportunities	7%	N=30	31%	N=131	36%	N=154	14%	N=58	12%	N=52	100%	N=424
Shopping opportunities	52%	N=221	41%	N=173	6%	N=23	1%	N=6	0%	N=1	100%	N=425
Cost of living in Destin	3%	N=14	28%	N=118	44%	N=186	24%	N=103	1%	N=4	100%	N=425
Overall quality of business and service establishments in Destin	15%	N=61	51%	N=213	30%	N=124	4%	N=18	1%	N=4	100%	N=420
Vibrant downtown/commercial area	15%	N=65	40%	N=170	30%	N=128	14%	N=58	1%	N=4	100%	N=424
Overall quality of new development in Destin	11%	N=46	40%	N=168	30%	N=128	14%	N=60	4%	N=19	100%	N=421
Opportunities to participate in social events and activities	21%	N=91	44%	N=185	18%	N=78	10%	N=41	7%	N=29	100%	N=425
Opportunities to volunteer	20%	N=84	41%	N=176	20%	N=83	3%	N=13	16%	N=69	100%	N=425
Opportunities to participate in community matters	13%	N=56	42%	N=177	25%	N=105	6%	N=24	14%	N=61	100%	N=423
Openness and acceptance of the community toward people of diverse backgrounds	10%	N=44	41%	N=173	23%	N=96	15%	N=65	11%	N=46	100%	N=424
Neighborliness of residents in Destin	15%	N=63	42%	N=179	32%	N=134	8%	N=36	3%	N=13	100%	N=426

Table 40: Question 7

Please indicate whether or not you have done each of the following in the last 12 months.	No		Yes		Total	
Made efforts to conserve water	23%	N=98	77%	N=329	100%	N=427
Made efforts to make your home more energy efficient	24%	N=101	76%	N=322	100%	N=423
Observed a code violation or other hazard in Destin	46%	N=190	54%	N=226	100%	N=416
Household member was a victim of a crime in Destin	88%	N=374	12%	N=52	100%	N=426
Reported a crime to the police in Destin	73%	N=312	27%	N=115	100%	N=426

The National Citizen Survey™

Please indicate whether or not you have done each of the following in the last 12 months.	No		Yes		Total	
Stocked supplies in preparation for an emergency	47%	N=199	53%	N=228	100%	N=427
Campaigned or advocated for an issue, cause or candidate	70%	N=298	30%	N=126	100%	N=424
Contacted the City of Destin (in-person, phone, email or web) for help or information	60%	N=255	40%	N=172	100%	N=427
Contacted Destin elected officials (in-person, phone, email or web) to express your opinion	81%	N=344	19%	N=83	100%	N=427

Table 41: Question 8

In the last 12 months, about how many times, if at all, have you or other household members done each of the following in Destin?	2 times a week or more		2-4 times a month		Once a month or less		Not at all		Total	
Used Destin recreation centers or their services	10%	N=44	13%	N=54	35%	N=150	42%	N=176	100%	N=423
Visited a neighborhood park or City park	14%	N=61	25%	N=105	41%	N=173	20%	N=85	100%	N=424
Used Destin public libraries or their services	5%	N=21	14%	N=58	31%	N=132	50%	N=213	100%	N=424
Participated in religious or spiritual activities in Destin	18%	N=78	17%	N=73	15%	N=63	49%	N=209	100%	N=424
Attended a City-sponsored event	3%	N=11	12%	N=52	47%	N=202	38%	N=160	100%	N=425
Carpooled with other adults or children instead of driving alone	15%	N=63	14%	N=61	13%	N=53	58%	N=248	100%	N=425
Walked or biked instead of driving	15%	N=64	22%	N=94	27%	N=117	36%	N=152	100%	N=426
Volunteered your time to some group/activity in Destin	7%	N=28	14%	N=58	27%	N=115	52%	N=220	100%	N=422
Participated in a club	5%	N=21	12%	N=50	12%	N=49	72%	N=302	100%	N=422
Talked to or visited with your immediate neighbors	43%	N=181	32%	N=137	18%	N=75	7%	N=31	100%	N=425
Done a favor for a neighbor	24%	N=101	31%	N=133	30%	N=129	14%	N=61	100%	N=425

Table 42: Question 9

Thinking about local public meetings (of local elected officials like City Council or County Commissioners, advisory boards, town halls, HOA, neighborhood watch, etc.), in the last 12 months, about how many times, if at all, have you or other household members attended or watched a local public meeting?	2 times a week or more		2-4 times a month		Once a month or less		Not at all		Total	
Attended a local public meeting	1%	N=3	4%	N=17	22%	N=91	73%	N=308	100%	N=419
Watched (online or on television) a local public meeting	1%	N=5	8%	N=33	24%	N=100	67%	N=285	100%	N=423

Table 43: Question 10

Please rate the quality of each of the following services in Destin:	Excellent		Good		Fair		Poor		Don't know		Total	
Police/Sheriff services	33%	N=140	40%	N=167	12%	N=49	5%	N=21	10%	N=44	100%	N=421
Fire services	40%	N=167	33%	N=140	5%	N=21	0%	N=1	22%	N=92	100%	N=421
Ambulance or emergency medical services	34%	N=144	34%	N=142	6%	N=24	1%	N=3	26%	N=109	100%	N=421
Crime prevention	19%	N=81	33%	N=138	19%	N=80	7%	N=30	22%	N=91	100%	N=420
Fire prevention and education	19%	N=79	27%	N=112	16%	N=67	1%	N=3	38%	N=158	100%	N=421
Traffic enforcement	9%	N=38	40%	N=164	21%	N=87	21%	N=86	9%	N=38	100%	N=413
Street repair	9%	N=38	34%	N=142	31%	N=128	22%	N=91	4%	N=18	100%	N=416
Street cleaning	13%	N=53	36%	N=151	28%	N=118	12%	N=52	10%	N=42	100%	N=416
Street lighting	14%	N=57	40%	N=165	34%	N=140	10%	N=41	3%	N=14	100%	N=417
Sidewalk maintenance	9%	N=39	39%	N=164	28%	N=115	17%	N=71	7%	N=28	100%	N=416
Traffic signal timing	6%	N=23	31%	N=127	31%	N=128	31%	N=127	2%	N=10	100%	N=415
Bus or transit services	4%	N=16	8%	N=32	10%	N=40	19%	N=79	59%	N=245	100%	N=412
Garbage collection	40%	N=164	46%	N=191	9%	N=36	2%	N=7	4%	N=16	100%	N=414

The National Citizen Survey™

Please rate the quality of each of the following services in Destin:	Excellent		Good		Fair		Poor		Don't know		Total	
Recycling	26%	N=110	30%	N=126	14%	N=58	16%	N=65	14%	N=57	100%	N=416
Yard waste pick-up	27%	N=110	33%	N=138	17%	N=71	6%	N=23	17%	N=72	100%	N=415
Storm drainage	8%	N=35	36%	N=148	27%	N=113	15%	N=63	13%	N=55	100%	N=414
Drinking water	28%	N=117	42%	N=173	18%	N=75	9%	N=39	3%	N=10	100%	N=415
Sewer services	23%	N=97	52%	N=212	13%	N=53	2%	N=7	10%	N=42	100%	N=411
Power (electric and/or gas) utility	25%	N=103	50%	N=205	23%	N=94	2%	N=7	0%	N=2	100%	N=410
City parks	21%	N=88	50%	N=206	15%	N=60	6%	N=24	8%	N=35	100%	N=413
Recreation programs or classes	14%	N=56	27%	N=113	12%	N=50	7%	N=29	40%	N=167	100%	N=416
Recreation centers or facilities	15%	N=62	34%	N=140	19%	N=78	8%	N=34	24%	N=98	100%	N=413
Land use, planning and zoning	4%	N=15	17%	N=71	23%	N=94	30%	N=123	27%	N=110	100%	N=414
Code enforcement (weeds, abandoned buildings, etc.)	3%	N=14	19%	N=79	34%	N=143	25%	N=102	18%	N=76	100%	N=413
Animal control	11%	N=45	36%	N=150	20%	N=83	10%	N=42	23%	N=95	100%	N=416
Economic development	10%	N=40	36%	N=151	25%	N=105	11%	N=45	18%	N=73	100%	N=414
Health services	13%	N=51	40%	N=160	23%	N=92	9%	N=35	16%	N=67	100%	N=406
Public library services	30%	N=125	29%	N=122	6%	N=25	2%	N=8	33%	N=138	100%	N=417
Public information services	14%	N=58	33%	N=137	16%	N=66	5%	N=22	32%	N=132	100%	N=414
Cable television	9%	N=37	28%	N=115	25%	N=101	20%	N=84	18%	N=74	100%	N=411
Emergency preparedness (services that prepare the community for natural disasters or other emergency situations)	13%	N=53	44%	N=184	18%	N=74	3%	N=11	22%	N=91	100%	N=414
Preservation of natural areas such as open space	8%	N=33	25%	N=103	29%	N=119	26%	N=107	12%	N=48	100%	N=411
Destin open space	6%	N=26	24%	N=100	29%	N=118	31%	N=127	10%	N=41	100%	N=413
City-sponsored special events	10%	N=41	42%	N=173	23%	N=95	7%	N=27	19%	N=77	100%	N=413
Overall customer service by Destin employees (receptionists, planners, etc.)	12%	N=50	43%	N=181	13%	N=55	6%	N=23	26%	N=107	100%	N=416

Table 44: Question 11

Overall, how would you rate the quality of the services provided by each of the following?	Excellent		Good		Fair		Poor		Don't know		Total	
The City of Destin	12%	N=49	56%	N=233	18%	N=74	8%	N=31	7%	N=28	100%	N=415
The Federal Government	3%	N=14	27%	N=112	31%	N=130	27%	N=110	12%	N=49	100%	N=415

Table 45: Question 12

Please rate the following categories of Destin government performance:	Excellent		Good		Fair		Poor		Don't know		Total	
The value of services for the taxes paid to Destin	4%	N=18	41%	N=173	33%	N=138	10%	N=42	12%	N=50	100%	N=420
The overall direction that Destin is taking	3%	N=14	37%	N=155	27%	N=112	23%	N=97	10%	N=43	100%	N=421
The job Destin government does at welcoming citizen involvement	5%	N=23	30%	N=127	27%	N=112	11%	N=45	27%	N=114	100%	N=421
Overall confidence in Destin government	4%	N=15	38%	N=161	29%	N=120	17%	N=71	13%	N=54	100%	N=420
Generally acting in the best interest of the community	5%	N=21	37%	N=156	28%	N=118	19%	N=80	11%	N=45	100%	N=420
Being honest	4%	N=16	30%	N=127	27%	N=115	14%	N=59	25%	N=105	100%	N=421
Treating all residents fairly	5%	N=23	29%	N=123	28%	N=117	17%	N=70	21%	N=87	100%	N=420

The National Citizen Survey™

Table 46: Question 13

Please rate how important, if at all, you think it is for the Destin community to focus on each of the following in the coming two years:	Essential		Very important		Somewhat important		Not at all important		Total	
Overall feeling of safety in Destin	50%	N=212	39%	N=167	10%	N=44	1%	N=2	100%	N=425
Overall ease of getting to the places you usually have to visit	48%	N=205	40%	N=169	12%	N=50	0%	N=1	100%	N=425
Quality of overall natural environment in Destin	44%	N=182	46%	N=194	10%	N=41	1%	N=2	100%	N=419
Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems)	41%	N=176	40%	N=169	18%	N=78	0%	N=1	100%	N=425
Health and wellness opportunities in Destin	28%	N=119	45%	N=190	25%	N=108	2%	N=8	100%	N=425
Overall opportunities for education and enrichment	29%	N=122	40%	N=172	27%	N=116	4%	N=16	100%	N=426
Overall economic health of Destin	42%	N=177	47%	N=198	10%	N=43	2%	N=7	100%	N=426
Sense of community	31%	N=134	46%	N=196	20%	N=86	2%	N=10	100%	N=425

Table 47: Question 14

The City is evaluating the possibility of charging to park in resort and entertainment areas around Destin to fund the construction of future parking facilities. With this in mind, what do you think is the most appropriate hourly parking rate?	Percent	Number
\$.50 per hour	16%	N=65
\$1.00 per hour	20%	N=84
\$2.00 per hour	6%	N=24
I do not think there should be a charge for parking in resort and entertainment areas	58%	N=242
Total	100%	N=415

Table 48: Question 15

The City has a number of areas on which it could focus its efforts and funding, but it cannot focus on everything at once. In your opinion, which of the following potential enhancements should be the City's TOP priority? (Please select only one answer.)	Percent	Number
Multi-purpose pathways linking residential to commercial areas	17%	N=69
City street reconstructions (resurfacing the roadway and bringing the adjoining right-of-way up to current standards with 8" sidewalks, bike lanes, pedestrian lighting, etc.)	43%	N=175
Enhanced streetscapes (lighting, landscaping) along Harbor Blvd. and Airport Road	5%	N=22
Enhanced and reliable transit services	12%	N=46
City-wide storm water improvements and maintenance	23%	N=91
Total	100%	N=403

Table 49: Question 16

Please indicate how much of a source, if at all, you consider each of the following to be for obtaining information about the City government and its activities, events and services:	Major source		Minor source		Not a source		Total	
City website (www.cityofdestin.com)	54%	N=225	34%	N=139	12%	N=50	100%	N=415
The Destin Log	39%	N=164	42%	N=176	18%	N=77	100%	N=417
The Northwest Florida Daily News	44%	N=183	45%	N=188	11%	N=46	100%	N=417
Word of mouth	42%	N=172	41%	N=171	17%	N=71	100%	N=414
Direct mailings	30%	N=124	43%	N=180	27%	N=114	100%	N=417
City printed quarterly newsletter in the Destin Log	24%	N=97	39%	N=160	38%	N=155	100%	N=413
E-newsletter subscription (via Constant Contact)	20%	N=82	31%	N=128	48%	N=198	100%	N=408
Electronic news releases via City website	23%	N=94	40%	N=162	37%	N=153	100%	N=410
Okaloosa Today TV Show on Cox Cable	12%	N=48	30%	N=122	58%	N=236	100%	N=406

The National Citizen Survey™

Please indicate how much of a source, if at all, you consider each of the following to be for obtaining information about the City government and its activities, events and services:	Major source		Minor source		Not a source		Total	
City Government Facebook Page	23%	N=94	34%	N=141	43%	N=177	100%	N=412
Other social media outlets	20%	N=79	38%	N=151	43%	N=172	100%	N=403
City council meetings – in person	21%	N=87	35%	N=145	43%	N=176	100%	N=408
City council meetings – streamed/online	22%	N=91	34%	N=138	44%	N=177	100%	N=407
City council meetings – Cox Cable (TV)	18%	N=75	32%	N=130	50%	N=205	100%	N=410

Table 50: Question D1

How often, if at all, do you do each of the following, considering all of the times you could?	Never		Rarely		Sometimes		Usually		Always		Total	
Recycle at home	22%	N=93	11%	N=47	9%	N=40	11%	N=48	46%	N=197	100%	N=425
Purchase goods or services from a business located in Destin	0%	N=1	0%	N=2	6%	N=26	52%	N=220	42%	N=177	100%	N=426
Eat at least 5 portions of fruits and vegetables a day	2%	N=9	10%	N=43	32%	N=137	35%	N=147	20%	N=85	100%	N=421
Participate in moderate or vigorous physical activity	1%	N=3	9%	N=36	29%	N=122	38%	N=161	24%	N=101	100%	N=424
Read or watch local news (via television, paper, computer, etc.)	3%	N=12	13%	N=57	18%	N=78	33%	N=140	33%	N=138	100%	N=425
Vote in local elections	9%	N=40	6%	N=28	7%	N=30	16%	N=66	61%	N=260	100%	N=424

Table 51: Question D2

Would you say that in general your health is:	Percent	Number
Excellent	25%	N=106
Very good	48%	N=202
Good	26%	N=108
Fair	1%	N=6
Poor	0%	N=1
Total	100%	N=422

Table 52: Question D3

What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:	Percent	Number
Very positive	5%	N=21
Somewhat positive	17%	N=70
Neutral	55%	N=226
Somewhat negative	17%	N=70
Very negative	6%	N=26
Total	100%	N=413

Table 53: Question D4

What is your employment status?	Percent	Number
Working full time for pay	65%	N=276
Working part time for pay	10%	N=40
Unemployed, looking for paid work	2%	N=10
Unemployed, not looking for paid work	1%	N=6
Fully retired	21%	N=91
Total	100%	N=423

The National Citizen Survey™

Table 54: Question D5

Do you work inside the boundaries of Destin?	Percent	Number
Yes, outside the home	38%	N=158
Yes, from home	7%	N=29
No	55%	N=230
Total	100%	N=416

Table 55: Question D6

How many years have you lived in Destin?	Percent	Number
Less than 2 years	17%	N=72
2 to 5 years	24%	N=103
6 to 10 years	15%	N=64
11 to 20 years	19%	N=79
More than 20 years	25%	N=109
Total	100%	N=427

Table 56: Question D7

Which best describes the building you live in?	Percent	Number
One family house detached from any other houses	63%	N=269
Building with two or more homes (duplex, townhome, apartment or condominium)	37%	N=157
Mobile home	0%	N=0
Other	0%	N=1
Total	100%	N=428

Table 57: Question D8

Is this house, apartment or mobile home...	Percent	Number
Rented	32%	N=136
Owned	68%	N=290
Total	100%	N=426

Table 58: Question D9

About how much is your monthly housing cost for the place you live (including rent, mortgage payment, property tax, property insurance and homeowners' association (HOA) fees)?	Percent	Number
Less than \$300 per month	3%	N=11
\$300 to \$599 per month	5%	N=21
\$600 to \$999 per month	14%	N=59
\$1,000 to \$1,499 per month	34%	N=138
\$1,500 to \$2,499 per month	32%	N=132
\$2,500 or more per month	12%	N=50
Total	100%	N=411

The National Citizen Survey™

Table 59: Question D10

Do any children 17 or under live in your household?	Percent	Number
No	71%	N=300
Yes	29%	N=124
Total	100%	N=424

Table 60: Question D11

Are you or any other members of your household aged 65 or older?	Percent	Number
No	74%	N=313
Yes	26%	N=112
Total	100%	N=425

Table 61: Question D12

How much do you anticipate your household's total income before taxes will be for the current year? (Please include in your total income money from all sources for all persons living in your household.)	Percent	Number
Less than \$25,000	8%	N=31
\$25,000 to \$49,999	21%	N=86
\$50,000 to \$99,999	33%	N=136
\$100,000 to \$149,999	21%	N=87
\$150,000 or more	17%	N=71
Total	100%	N=410

Table 62: Question D13

Are you Spanish, Hispanic or Latino?	Percent	Number
No, not Spanish, Hispanic or Latino	96%	N=400
Yes, I consider myself to be Spanish, Hispanic or Latino	4%	N=19
Total	100%	N=418

Table 63: Question D14

What is your race? (Mark one or more races to indicate what race(s) you consider yourself to be.)	Percent	Number
American Indian or Alaskan Native	2%	N=9
Asian, Asian Indian or Pacific Islander	3%	N=11
Black or African American	1%	N=2
White	96%	N=399
Other	3%	N=14

Total may exceed 100% as respondents could select more than one option.

The National Citizen Survey™

Table 64: Question D15

In which category is your age?	Percent	Number
18 to 24 years	1%	N=6
25 to 34 years	26%	N=109
35 to 44 years	17%	N=73
45 to 54 years	20%	N=84
55 to 64 years	14%	N=58
65 to 74 years	14%	N=60
75 years or older	8%	N=33
Total	100%	N=422

Table 65: Question D16

What is your sex?	Percent	Number
Female	52%	N=218
Male	48%	N=203
Total	100%	N=420

Table 66: Question D17

Do you consider a cell phone or landline your primary telephone number?	Percent	Number
Cell	81%	N=344
Land line	5%	N=22
Both	14%	N=60
Total	100%	N=426

Appendix B: Benchmark Comparisons

Comparison Data

NRC's database of comparative resident opinion is comprised of resident perspectives gathered in surveys from over 500 communities whose residents evaluated the same kinds of topics on The National Citizen Survey™. The comparison evaluations are from the most recent survey completed in each community; most communities conduct surveys every year or in alternating years. NRC adds the latest results quickly upon survey completion, keeping the benchmark data fresh and relevant. The communities in the database represent a wide geographic and population range. The City of Destin chose to have comparisons made to the entire database and a subset of similar jurisdictions from the database (resort communities with populations of 70,000 or less).

Interpreting the Results

Ratings are compared when there are at least five communities in which a similar question was asked. Where comparisons are available, four columns are provided in the table. The first column is Destin's "percent positive." The percent positive is the combination of the top two most positive response options (i.e., "excellent" and "good," "very safe" and "somewhat safe," "essential" and "very important," etc.), or, in the case of resident behaviors/participation, the percent positive represents the proportion of respondents indicating "yes" or participating in an activity at least once a month. The second column is the rank assigned to Destin's rating among communities where a similar question was asked. The third column is the number of communities that asked a similar question. The final column shows the comparison of Destin's rating to the benchmark.

In that final column, Destin's results are noted as being "higher" than the benchmark, "lower" than the benchmark or "similar" to the benchmark, meaning that the average rating given by Destin residents is statistically similar to or different (greater or lesser) than the benchmark. More extreme differences are noted as "much higher" or "much lower."

Benchmark Database Characteristics	
Region	Percent
New England	3%
Middle Atlantic	5%
East North Central	15%
West North Central	13%
South Atlantic	22%
East South Central	3%
West South Central	7%
Mountain	16%
Pacific	16%
Population	Percent
Less than 10,000	10%
10,000 to 24,999	22%
25,000 to 49,999	23%
50,000 to 99,999	22%
100,000 or more	23%

National Benchmark Comparisons

Table 67: Community Characteristics General

	Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
The overall quality of life in Destin	85%	157	421	Similar
Overall image or reputation of Destin	86%	92	318	Higher
Destin as a place to live	88%	184	362	Similar
Your neighborhood as a place to live	84%	126	285	Similar
Destin as a place to raise children	77%	193	349	Similar
Destin as a place to retire	78%	47	328	Higher
Overall appearance of Destin	79%	137	329	Similar

Table 68: Community Characteristics by Facet

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Safety	Overall feeling of safety in Destin	85%	136	274	Similar
	In your neighborhood during the day	94%	162	326	Similar
	In Destin's downtown/commercial area during the day	92%	159	278	Similar
Mobility	Overall ease of getting to the places you usually have to visit	36%	190	194	Much lower
	Availability of paths and walking trails	43%	256	285	Lower
	Ease of walking in Destin	53%	211	266	Lower
	Ease of travel by bicycle in Destin	30%	242	272	Lower
	Ease of travel by public transportation in Destin	10%	162	165	Much lower
	Ease of travel by car in Destin	22%	272	277	Much lower
	Ease of public parking	26%	147	158	Lower
Natural Environment	Traffic flow on major streets	10%	321	325	Much lower
	Quality of overall natural environment in Destin	76%	161	253	Similar
	Cleanliness of Destin	79%	140	253	Similar
Built Environment	Air quality	85%	69	229	Similar
	Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems)	39%	175	184	Lower
	Overall quality of new development in Destin	53%	167	259	Similar
	Availability of affordable quality housing	24%	241	279	Lower
	Variety of housing options	46%	183	253	Similar
	Public places where people want to spend time	71%	76	177	Similar
Economy	Overall economic health of Destin	66%	93	189	Similar
	Vibrant downtown/commercial area	56%	67	172	Similar
	Overall quality of business and service establishments in Destin	66%	107	249	Similar
	Cost of living in Destin	31%	151	186	Similar
	Shopping opportunities	93%	9	270	Much higher
	Employment opportunities	43%	109	288	Similar
	Destin as a place to visit	95%	9	199	Much higher
	Destin as a place to work	58%	176	327	Similar
	Health and wellness opportunities in Destin	61%	136	186	Similar
	Availability of affordable quality mental health care	39%	115	160	Similar
Recreation and Wellness	Availability of preventive health services	49%	173	215	Similar
	Availability of affordable quality health care	51%	169	238	Similar
	Availability of affordable quality food	65%	106	215	Similar
	Recreational opportunities	72%	115	279	Similar
	Fitness opportunities (including exercise classes and paths or trails, etc.)	59%	135	177	Similar

The National Citizen Survey™

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Education and Enrichment	Overall opportunities for education and enrichment	50%	152	186	Lower
	Opportunities to participate in religious or spiritual events and activities	83%	51	184	Similar
	Opportunities to attend cultural/arts/music activities	59%	125	269	Similar
	Adult educational opportunities	35%	155	166	Lower
	K-12 education	64%	144	243	Similar
	Availability of affordable quality child care/preschool	48%	143	232	Similar
Community Engagement	Opportunities to participate in social events and activities	70%	81	237	Similar
	Neighborliness of Destin	59%	104	180	Similar
	Openness and acceptance of the community toward people of diverse backgrounds	57%	196	265	Similar
	Opportunities to participate in community matters	64%	125	251	Similar
	Opportunities to volunteer	73%	102	242	Similar

Table 69: Governance General

	Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Services provided by the City of Destin	73%	284	408	Similar
Overall customer service by Destin employees (police, receptionists, planners, etc.)	75%	240	342	Similar
Value of services for the taxes paid to Destin	51%	226	373	Similar
Overall direction that Destin is taking	45%	258	293	Lower
Job Destin government does at welcoming citizen involvement	49%	181	288	Similar
Overall confidence in Destin government	48%	128	186	Similar
Generally acting in the best interest of the community	47%	137	185	Similar
Being honest	45%	134	178	Similar
Treating all residents fairly	44%	139	183	Similar
Services provided by the Federal Government	34%	198	229	Similar

Table 70: Governance by Facet

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Safety	Police/Sheriff services	82%	183	418	Similar
	Fire services	93%	121	345	Similar
	Ambulance or emergency medical services	91%	135	320	Similar
	Crime prevention	67%	191	326	Similar
	Fire prevention and education	73%	143	260	Similar
	Animal control	61%	198	314	Similar
	Emergency preparedness (services that prepare the community for natural disasters or other emergency situations)	74%	74	258	Similar
Mobility	Traffic enforcement	54%	313	340	Lower
	Street repair	45%	241	384	Similar
	Street cleaning	55%	207	294	Similar
	Street lighting	55%	176	290	Similar
	Sidewalk maintenance	52%	186	299	Similar
	Traffic signal timing	37%	223	236	Lower
	Bus or transit services	28%	186	200	Lower
Natural Environment	Garbage collection	89%	75	327	Similar
	Recycling	66%	280	333	Similar

The National Citizen Survey™

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark	
	Yard waste pick-up	73%	132	248	Similar	
	Drinking water	72%	160	313	Similar	
	Preservation of natural areas such as open space, farmlands and greenbelts	38%	233	237	Lower	
	Destin open space	34%	167	170	Much lower	
Built Environment	Storm drainage	51%	277	328	Similar	
	Sewer services	84%	102	302	Similar	
	Power (electric and/or gas) utility	75%	87	152	Similar	
	Land use, planning and zoning	28%	271	278	Lower	
	Code enforcement (weeds, abandoned buildings, etc.)	27%	300	343	Lower	
	Cable television	45%	136	179	Similar	
	Economy	Economic development	56%	124	262	Similar
	Recreation and Wellness	City parks	78%	223	307	Similar
Recreation programs or classes		68%	202	315	Similar	
Recreation centers or facilities		64%	169	260	Similar	
Health services		62%	131	187	Similar	
Education and Enrichment		City-sponsored special events	64%	133	201	Similar
	Public library services	88%	103	320	Similar	
Community Engagement	Public information services	69%	133	265	Similar	

Table 71: Participation General

	Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Sense of community	56%	196	284	Similar
Recommend living in Destin to someone who asks	84%	170	258	Similar
Remain in Destin for the next five years	85%	114	250	Similar
Contacted Destin (in-person, phone, email or web) for help or information	40%	199	283	Similar

Table 72: Participation by Facet

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Safety	Stocked supplies in preparation for an emergency	53%	14	162	Higher
	Did NOT report a crime to the police	73%	140	181	Similar
	Household member was NOT a victim of a crime	88%	156	251	Similar
Mobility	Carpooled with other adults or children instead of driving alone	42%	94	172	Similar
	Walked or biked instead of driving	64%	57	178	Similar
Natural Environment	Made efforts to conserve water	77%	126	168	Similar
	Made efforts to make your home more energy efficient	76%	86	168	Similar
	Recycle at home	67%	218	236	Lower
Built Environment	Did NOT observe a code violation or other hazard in Destin	46%	125	173	Similar
	NOT experiencing housing costs stress	66%	147	232	Similar
Economy	Purchase goods or services from a business located in Destin	99%	6	175	Similar
	Economy will have positive impact on income	22%	184	234	Similar
	Work inside boundaries of Destin	45%	67	175	Similar

The National Citizen Survey™

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Recreation and Wellness	Used Destin recreation centers or their services	58%	96	218	Similar
	Visited a neighborhood park or City park	80%	182	248	Similar
	Eat at least 5 portions of fruits and vegetables a day	88%	33	169	Similar
	Participate in moderate or vigorous physical activity	91%	24	173	Similar
	In very good to excellent health	73%	27	172	Similar
Education and Enrichment	Used Destin public libraries or their services	50%	199	217	Lower
	Participated in religious or spiritual activities in Destin	51%	71	184	Similar
	Attended City-sponsored event	62%	44	177	Similar
Community Engagement	Campaigned or advocated for an issue, cause or candidate	30%	21	161	Similar
	Contacted Destin elected officials (in-person, phone, email or web) to express your opinion	19%	55	175	Similar
	Volunteered your time to some group/activity in Destin	48%	67	240	Similar
	Participated in a club	28%	94	219	Similar
	Talked to or visited with your immediate neighbors	93%	65	173	Similar
	Done a favor for a neighbor	86%	41	167	Similar
	Attended a local public meeting	27%	49	241	Similar
	Watched (online or on television) a local public meeting	33%	58	206	Similar
	Read or watch local news (via television, paper, computer, etc.)	84%	126	176	Similar
	Vote in local elections	84%	79	234	Similar

Communities included in national comparisons

The communities included in Destin's comparisons are listed on the following pages along with their population according to the 2010 Census.

Airway Heights city, WA 6,114
 Albany city, OR 50,158
 Albemarle County, VA..... 98,970
 Albert Lea city, MN..... 18,016
 Alexandria city, VA139,966
 Algonquin village, IL..... 30,046
 Aliso Viejo city, CA 47,823
 Altoona city, IA 14,541
 American Canyon city, CA..... 19,454
 Ames city, IA 58,965
 Andover CDP, MA..... 8,762
 Ankeny city, IA 45,582
 Ann Arbor city, MI.....113,934
 Annapolis city, MD 38,394
 Apache Junction city, AZ..... 35,840
 Apple Valley town, CA 69,135
 Arapahoe County, CO.....572,003
 Arkansas City city, AR..... 366
 Arlington County, VA.....207,627
 Arvada city, CO.....106,433
 Asheville city, NC 83,393
 Ashland city, OR 20,078
 Ashland town, MA 16,593
 Ashland town, VA..... 7,225
 Aspen city, CO 6,658
 Athens-Clarke County, GA.....115,452

Auburn city, AL 53,380
 Auburn city, WA..... 70,180
 Augusta CCD, GA134,777
 Aurora city, CO325,078
 Austin city, TX790,390
 Avon town, CO..... 6,447
 Avondale city, AZ 76,238
 Bainbridge Island city, WA..... 23,025
 Baltimore city, MD.....620,961
 Bartonville town, TX 1,469
 Battle Creek city, MI..... 52,347
 Bay City city, MI..... 34,932
 Baytown city, TX..... 71,802
 Bedford city, TX..... 46,979
 Bedford town, MA 13,320
 Bellevue city, WA122,363
 Bellingham city, WA 80,885
 Beltrami County, MN 44,442
 Benbrook city, TX..... 21,234
 Bend city, OR..... 76,639
 Bettendorf city, IA..... 33,217
 Billings city, MT.....104,170
 Blaine city, MN..... 57,186
 Bloomfield Hills city, MI 3,869
 Bloomington city, MN 82,893
 Blue Springs city, MO 52,575

The National Citizen Survey™

Boise City city, ID.....	205,671	Coronado city, CA	18,912
Boone County, KY	118,811	Corvallis city, OR.....	54,462
Boulder city, CO.....	97,385	Creve Coeur city, MO	17,833
Bowling Green city, KY	58,067	Cross Roads town, TX	1,563
Bozeman city, MT	37,280	Dacono city, CO.....	4,152
Brentwood city, MO.....	8,055	Dade City city, FL.....	6,437
Brentwood city, TN	37,060	Dakota County, MN.....	398,552
Brighton city, CO.....	33,352	Dallas city, OR	14,583
Brighton city, MI	7,444	Dallas city, TX.....	1,197,816
Bristol city, TN	26,702	Danville city, KY.....	16,218
Broken Arrow city, OK	98,850	Dardenne Prairie city, MO.....	11,494
Brookfield city, WI	37,920	Davenport city, IA.....	99,685
Brookline CDP, MA	58,732	Davidson town, NC.....	10,944
Broomfield city, CO	55,889	Decatur city, GA.....	19,335
Brownsburg town, IN	21,285	Del Mar city, CA.....	4,161
Burien city, WA.....	33,313	Delaware city, OH	34,753
Burleson city, TX.....	36,690	Delray Beach city, FL.....	60,522
Cabarrus County, NC.....	178,011	Denison city, TX.....	22,682
Cambridge city, MA.....	105,162	Denton city, TX.....	113,383
Cannon Beach city, OR.....	1,690	Denver city, CO.....	600,158
Cañon City city, CO	16,400	Derby city, KS.....	22,158
Canton city, SD	3,057	Des Moines city, IA	203,433
Cape Coral city, FL	154,305	Des Peres city, MO	8,373
Cape Girardeau city, MO.....	37,941	Destin city, FL.....	12,305
Carlisle borough, PA	18,682	Dothan city, AL	65,496
Carlsbad city, CA.....	105,328	Douglas County, CO	285,465
Carroll city, IA.....	10,103	Dover city, NH	29,987
Cartersville city, GA.....	19,731	Dublin city, CA	46,036
Cary town, NC	135,234	Dublin city, OH	41,751
Casper city, WY	55,316	Duluth city, MN.....	86,265
Castine town, ME.....	1,366	Duncanville city, TX.....	38,524
Castle Pines North city, CO	10,360	Durham city, NC	228,330
Castle Rock town, CO.....	48,231	Durham County, NC	267,587
Cedar Hill city, TX	45,028	Eagan city, MN.....	64,206
Cedar Rapids city, IA.....	126,326	Eagle town, CO.....	6,508
Celina city, TX.....	6,028	East Baton Rouge Parish, LA.....	440,171
Centennial city, CO.....	100,377	East Grand Forks city, MN.....	8,601
Chambersburg borough, PA	20,268	East Lansing city, MI	48,579
Chandler city, AZ	236,123	Eau Claire city, WI	65,883
Chandler city, TX	2,734	Eden Prairie city, MN	60,797
Chanhassen city, MN.....	22,952	Edgerton city, KS	1,671
Chapel Hill town, NC	57,233	Edgewater city, CO	5,170
Charles County, MD.....	146,551	Edina city, MN	47,941
Charlotte city, NC.....	731,424	Edmond city, OK	81,405
Charlotte County, FL	159,978	Edmonds city, WA.....	39,709
Charlottesville city, VA.....	43,475	El Cerrito city, CA	23,549
Chattanooga city, TN.....	167,674	El Dorado County, CA.....	181,058
Chesterfield County, VA.....	316,236	El Paso city, TX.....	649,121
Chippewa Falls city, WI	13,661	Elk Grove city, CA	153,015
Citrus Heights city, CA.....	83,301	Elk River city, MN.....	22,974
Clackamas County, OR	375,992	Elko New Market city, MN	4,110
Clarendon Hills village, IL	8,427	Elmhurst city, IL.....	44,121
Clayton city, MO	15,939	Encinitas city, CA	59,518
Clearwater city, FL	107,685	Englewood city, CO.....	30,255
Cleveland Heights city, OH.....	46,121	Erie town, CO	18,135
Clinton city, SC	8,490	Escambia County, FL	297,619
Clive city, IA	15,447	Estes Park town, CO.....	5,858
Clovis city, CA.....	95,631	Fairview town, TX	7,248
College Park city, MD	30,413	Farmersville city, TX.....	3,301
College Station city, TX	93,857	Farmington Hills city, MI.....	79,740
Colleyville city, TX	22,807	Fayetteville city, NC.....	200,564
Collinsville city, IL	25,579	Fishers town, IN	76,794
Columbia city, SC.....	129,272	Flower Mound town, TX.....	64,669
Columbia Falls city, MT.....	4,688	Forest Grove city, OR	21,083
Columbus city, WI.....	4,991	Fort Collins city, CO.....	143,986
Commerce City city, CO.....	45,913	Fort Lauderdale city, FL	165,521
Concord city, CA	122,067	Fort Smith city, AR	86,209
Concord town, MA.....	17,668	Fort Worth city, TX.....	741,206
Coon Rapids city, MN	61,476	Fountain Hills town, AZ.....	22,489
Copperas Cove city, TX.....	32,032	Franklin city, TN.....	62,487

The National Citizen Survey™

Fredericksburg city, VA.....	24,286	Jupiter town, FL.....	55,156
Fremont city, CA.....	214,089	Kansas City city, KS.....	145,786
Friendswood city, TX.....	35,805	Kansas City city, MO.....	459,787
Fruita city, CO.....	12,646	Keizer city, OR.....	36,478
Gahanna city, OH.....	33,248	Kenmore city, WA.....	20,460
Gaithersburg city, MD.....	59,933	Kennedale city, TX.....	6,763
Galveston city, TX.....	47,743	Kennett Square borough, PA.....	6,072
Gardner city, KS.....	19,123	Kettering city, OH.....	56,163
Geneva city, NY.....	13,261	Key West city, FL.....	24,649
Georgetown city, TX.....	47,400	King City city, CA.....	12,874
Germantown city, TN.....	38,844	King County, WA.....	1,931,249
Gilbert town, AZ.....	208,453	Kirkland city, WA.....	48,787
Gillette city, WY.....	29,087	Kirkwood city, MO.....	27,540
Glendora city, CA.....	50,073	Knoxville city, IA.....	7,313
Glenview village, IL.....	44,692	La Mesa city, CA.....	57,065
Globe city, AZ.....	7,532	La Plata town, MD.....	8,753
Golden city, CO.....	18,867	La Porte city, TX.....	33,800
Golden Valley city, MN.....	20,371	La Vista city, NE.....	15,758
Goodyear city, AZ.....	65,275	Lafayette city, CO.....	24,453
Grafton village, WI.....	11,459	Laguna Beach city, CA.....	22,723
Grand Blanc city, MI.....	8,276	Laguna Hills city, CA.....	30,344
Grand Island city, NE.....	48,520	Laguna Niguel city, CA.....	62,979
Grants Pass city, OR.....	34,533	Lake Forest city, IL.....	19,375
Grass Valley city, CA.....	12,860	Lake Oswego city, OR.....	36,619
Greenville city, NC.....	84,554	Lake Stevens city, WA.....	28,069
Greenwich town, CT.....	61,171	Lake Worth city, FL.....	34,910
Greenwood Village city, CO.....	13,925	Lake Zurich village, IL.....	19,631
Greer city, SC.....	25,515	Lakeville city, MN.....	55,954
Guilford County, NC.....	488,406	Lakewood city, CO.....	142,980
Gunnison County, CO.....	15,324	Lakewood city, WA.....	58,163
Hailey city, ID.....	7,960	Lane County, OR.....	351,715
Haines Borough, AK.....	2,508	Lansing city, MI.....	114,297
Hallandale Beach city, FL.....	37,113	Laramie city, WY.....	30,816
Hamilton city, OH.....	62,477	Larimer County, CO.....	299,630
Hanover County, VA.....	99,863	Las Vegas city, NV.....	583,756
Harrisburg city, SD.....	4,089	Lawrence city, KS.....	87,643
Harrisonburg city, VA.....	48,914	Lee's Summit city, MO.....	91,364
Harrisonville city, MO.....	10,019	Lehi city, UT.....	47,407
Hayward city, CA.....	144,186	Lenexa city, KS.....	48,190
Henderson city, NV.....	257,729	Lewis County, NY.....	27,087
Herndon town, VA.....	23,292	Lewiston city, ID.....	31,894
High Point city, NC.....	104,371	Lewisville city, TX.....	95,290
Highland Park city, IL.....	29,763	Libertyville village, IL.....	20,315
Highlands Ranch CDP, CO.....	96,713	Lincoln city, NE.....	258,379
Holland city, MI.....	33,051	Lindsborg city, KS.....	3,458
Honolulu County, HI.....	953,207	Little Chute village, WI.....	10,449
Hooksett town, NH.....	13,451	Littleton city, CO.....	41,737
Hopkins city, MN.....	17,591	Livermore city, CA.....	80,968
Hopkinton town, MA.....	14,925	Lombard village, IL.....	43,165
Hoquiam city, WA.....	8,726	Lone Tree city, CO.....	10,218
Horry County, SC.....	269,291	Long Grove village, IL.....	8,043
Hudson city, OH.....	22,262	Longmont city, CO.....	86,270
Hudson town, CO.....	2,356	Longview city, TX.....	80,455
Hudsonville city, MI.....	7,116	Lonsdale city, MN.....	3,674
Huntersville town, NC.....	46,773	Los Altos Hills town, CA.....	7,922
Hurst city, TX.....	37,337	Louisville city, CO.....	18,376
Hutchinson city, MN.....	14,178	Lynchburg city, VA.....	75,568
Hutto city, TX.....	14,698	Lynnwood city, WA.....	35,836
Hyattsville city, MD.....	17,557	Macomb County, MI.....	840,978
Independence city, MO.....	116,830	Manhattan Beach city, CA.....	35,135
Indian Trail town, NC.....	33,518	Manhattan city, KS.....	52,281
Indianola city, IA.....	14,782	Mankato city, MN.....	39,309
Iowa City city, IA.....	67,862	Maple Grove city, MN.....	61,567
Irving city, TX.....	216,290	Maricopa County, AZ.....	3,817,117
Issaquah city, WA.....	30,434	Marshfield city, WI.....	19,118
Jackson County, MI.....	160,248	Martinez city, CA.....	35,824
James City County, VA.....	67,009	Marysville city, WA.....	60,020
Jefferson County, NY.....	116,229	Matthews town, NC.....	27,198
Johnson City city, TN.....	63,152	McAllen city, TX.....	129,877
Johnston city, IA.....	17,278	McDonough city, GA.....	22,084

The National Citizen Survey™

McMinnville city, OR	32,187	Paradise Valley town, AZ	12,820
Menlo Park city, CA	32,026	Park City city, UT	7,558
Mercer Island city, WA	22,699	Parker town, CO	45,297
Meridian charter township, MI	39,688	Parkland city, FL	23,962
Meridian city, ID	75,092	Pasadena city, CA	137,122
Merriam city, KS	11,003	Pasco city, WA	59,781
Mesa County, CO	146,723	Pasco County, FL	464,697
Miami Beach city, FL	87,779	Pearland city, TX	91,252
Miami city, FL	399,457	Peoria city, AZ	154,065
Middleton city, WI	17,442	Peoria city, IL	115,007
Midland city, MI	41,863	Peoria County, IL	186,494
Milford city, DE	9,559	Pflugerville city, TX	46,936
Milton city, GA	32,661	Phoenix city, AZ	1,445,632
Minneapolis city, MN	382,578	Pinehurst village, NC	13,124
Mission Viejo city, CA	93,305	Piqua city, OH	20,522
Modesto city, CA	201,165	Pitkin County, CO	17,148
Monterey city, CA	27,810	Plano city, TX	259,841
Montgomery County, VA	94,392	Platte City city, MO	4,691
Monticello city, UT	1,972	Plymouth city, MN	70,576
Monument town, CO	5,530	Pocatello city, ID	54,255
Mooreville town, NC	32,711	Polk County, IA	430,640
Morristown city, TN	29,137	Pompano Beach city, FL	99,845
Morrisville town, NC	18,576	Port Orange city, FL	56,048
Morro Bay city, CA	10,234	Portland city, OR	583,776
Mountain Village town, CO	1,320	Post Falls city, ID	27,574
Mountlake Terrace city, WA	19,909	Powell city, OH	11,500
Murphy city, TX	17,708	Prince William County, VA	402,002
Naperville city, IL	141,853	Prior Lake city, MN	22,796
Napoleon city, OH	8,749	Pueblo city, CO	106,595
Needham CDP, MA	28,886	Purcellville town, VA	7,727
New Braunfels city, TX	57,740	Queen Creek town, AZ	26,361
New Brighton city, MN	21,456	Radnor township, PA	31,531
New Hanover County, NC	202,667	Ramsey city, MN	23,668
New Orleans city, LA	343,829	Raymond town, ME	4,436
New Smyrna Beach city, FL	22,464	Raymore city, MO	19,206
New Ulm city, MN	13,522	Redmond city, WA	54,144
Newberg city, OR	22,068	Rehoboth Beach city, DE	1,327
Newport city, RI	24,672	Reno city, NV	225,221
Newport News city, VA	180,719	Reston CDP, VA	58,404
Newton city, IA	15,254	Richmond city, CA	103,701
Noblesville city, IN	51,969	Richmond Heights city, MO	8,603
Nogales city, AZ	20,837	Rifle city, CO	9,172
Norcross city, GA	9,116	Rio Rancho city, NM	87,521
Norfolk city, VA	242,803	River Falls city, WI	15,000
North Port city, FL	57,357	Riverside city, CA	303,871
North Richland Hills city, TX	63,343	Riverside city, MO	2,937
Northglenn city, CO	35,789	Roanoke County, VA	92,376
Novato city, CA	51,904	Rochester Hills city, MI	70,995
Novi city, MI	55,224	Rock Hill city, SC	66,154
O'Fallon city, IL	28,281	Rockville city, MD	61,209
O'Fallon city, MO	79,329	Rogers city, MN	8,597
Oak Park village, IL	51,878	Rolla city, MO	19,559
Oakland city, CA	390,724	Roselle village, IL	22,763
Oakley city, CA	35,432	Rosemount city, MN	21,874
Ogdensburg city, NY	11,128	Rosenberg city, TX	30,618
Oklahoma City city, OK	579,999	Roseville city, MN	33,660
Olathe city, KS	125,872	Round Rock city, TX	99,887
Old Town city, ME	7,840	Royal Oak city, MI	57,236
Olmsted County, MN	144,248	Saco city, ME	18,482
Olympia city, WA	46,478	Sahuarita town, AZ	25,259
Orland Park village, IL	56,767	Salida city, CO	5,236
Oshkosh city, WI	66,083	Sammamish city, WA	45,780
Oshtego charter township, MI	21,705	San Anselmo town, CA	12,336
Otsego County, MI	24,164	San Antonio city, TX	1,327,407
Oviedo city, FL	33,342	San Carlos city, CA	28,406
Paducah city, KY	25,024	San Diego city, CA	1,307,402
Palm Beach Gardens city, FL	48,452	San Francisco city, CA	805,235
Palm Coast city, FL	75,180	San Jose city, CA	945,942
Palo Alto city, CA	64,403	San Juan County, NM	130,044
Papillion city, NE	18,894	San Marcos city, CA	83,781

The National Citizen Survey™

San Marcos city, TX.....	44,894	Thornton city, CO.....	118,772
San Rafael city, CA.....	57,713	Thousand Oaks city, CA.....	126,683
Sanford city, FL.....	53,570	Tigard city, OR.....	48,035
Sangamon County, IL.....	197,465	Tracy city, CA.....	82,922
Santa Clarita city, CA.....	176,320	Trinidad CCD, CO.....	12,017
Santa Fe County, NM.....	144,170	Tualatin city, OR.....	26,054
Santa Monica city, CA.....	89,736	Tulsa city, OK.....	391,906
Sarasota County, FL.....	379,448	Twin Falls city, ID.....	44,125
Savage city, MN.....	26,911	Tyler city, TX.....	96,900
Schaumburg village, IL.....	74,227	Umatilla city, OR.....	6,906
Scott County, MN.....	129,928	University Park city, TX.....	23,068
Scottsdale city, AZ.....	217,385	Upper Arlington city, OH.....	33,771
Seaside city, CA.....	33,025	Urbandale city, IA.....	39,463
Sevierville city, TN.....	14,807	Vail town, CO.....	5,305
Shawnee city, KS.....	62,209	Vancouver city, WA.....	161,791
Sheboygan city, WI.....	49,288	Ventura CCD, CA.....	111,889
Sherborn town, MA.....	4,119	Vernon Hills village, IL.....	25,113
Shoreview city, MN.....	25,043	Vestavia Hills city, AL.....	34,033
Shorewood city, MN.....	7,307	Victoria city, MN.....	7,345
Shorewood village, IL.....	15,615	Vienna town, VA.....	15,687
Shorewood village, WI.....	13,162	Virginia Beach city, VA.....	437,994
Sierra Vista city, AZ.....	43,888	Wake Forest town, NC.....	30,117
Sioux Center city, IA.....	7,048	Walnut Creek city, CA.....	64,173
Sioux Falls city, SD.....	153,888	Washington County, MN.....	238,136
Skokie village, IL.....	64,784	Washington town, NH.....	1,123
Snellville city, GA.....	18,242	Washougal city, WA.....	14,095
South Lake Tahoe city, CA.....	21,403	Watauga city, TX.....	23,497
Southborough town, MA.....	9,767	Wauwatosa city, WI.....	46,396
Southlake city, TX.....	26,575	Waverly city, IA.....	9,874
Spokane Valley city, WA.....	89,755	Weddington town, NC.....	9,459
Spring Hill city, KS.....	5,437	Wentzville city, MO.....	29,070
Springboro city, OH.....	17,409	West Carrollton city, OH.....	13,143
Springfield city, MO.....	159,498	West Chester borough, PA.....	18,461
Springville city, UT.....	29,466	West Des Moines city, IA.....	56,609
St. Augustine city, FL.....	12,975	Western Springs village, IL.....	12,975
St. Charles city, IL.....	32,974	Westerville city, OH.....	36,120
St. Cloud city, FL.....	35,183	Westlake town, TX.....	992
St. Cloud city, MN.....	65,842	Westminster city, CO.....	106,114
St. Joseph city, MO.....	76,780	Weston town, MA.....	11,261
St. Louis County, MN.....	200,226	White House city, TN.....	10,255
St. Louis Park city, MN.....	45,250	Wichita city, KS.....	382,368
Stallings town, NC.....	13,831	Williamsburg city, VA.....	14,068
State College borough, PA.....	42,034	Willowbrook village, IL.....	8,540
Steamboat Springs city, CO.....	12,088	Wilmington city, NC.....	106,476
Sterling Heights city, MI.....	129,699	Wilsonville city, OR.....	19,509
Sugar Grove village, IL.....	8,997	Winchester city, VA.....	26,203
Sugar Land city, TX.....	78,817	Windsor town, CO.....	18,644
Suisun City city, CA.....	28,111	Windsor town, CT.....	29,044
Summit city, NJ.....	21,457	Winnetka village, IL.....	12,187
Summit County, UT.....	36,324	Winston-Salem city, NC.....	229,617
Sunnyvale city, CA.....	140,081	Winter Garden city, FL.....	34,568
Surprise city, AZ.....	117,517	Woodbury city, MN.....	61,961
Suwanee city, GA.....	15,355	Woodland city, CA.....	55,468
Tacoma city, WA.....	198,397	Wrentham town, MA.....	10,955
Takoma Park city, MD.....	16,715	Wyandotte County, KS.....	157,505
Tamarac city, FL.....	60,427	Yakima city, WA.....	91,067
Temecula city, CA.....	100,097	York County, VA.....	65,464
Tempe city, AZ.....	161,719	Yorktown town, IN.....	9,405
Texarkana city, TX.....	36,411	Yountville city, CA.....	2,933
The Woodlands CDP, TX.....	93,847		

Resort Communities with Less than 70,000 Residents Benchmark Comparisons

Table 73: Community Characteristics General

	Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
The overall quality of life in Destin	85%	15	31	Similar
Overall image or reputation of Destin	86%	14	27	Similar
Destin as a place to live	88%	19	29	Similar
Your neighborhood as a place to live	84%	15	27	Similar
Destin as a place to raise children	77%	15	28	Similar
Destin as a place to retire	78%	12	28	Similar
Overall appearance of Destin	79%	15	28	Similar

Table 74: Community Characteristics by Facet

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Safety	Overall feeling of safety in Destin	85%	14	19	Similar
	In your neighborhood during the day	94%	17	25	Similar
	In Destin's downtown/commercial area during the day	92%	19	24	Similar
Mobility	Overall ease of getting to the places you usually have to visit	36%	17	17	Much lower
	Availability of paths and walking trails	43%	25	26	Much lower
	Ease of walking in Destin	53%	25	26	Lower
	Ease of travel by bicycle in Destin	30%	25	26	Lower
	Ease of travel by public transportation in Destin	10%	16	16	Much lower
	Ease of travel by car in Destin	22%	23	25	Much lower
	Ease of public parking	26%	9	13	Similar
	Traffic flow on major streets	10%	27	27	Much lower
Natural Environment	Quality of overall natural environment in Destin	76%	19	25	Similar
	Cleanliness of Destin	79%	16	25	Similar
	Air quality	85%	14	24	Similar
Built Environment	Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems)	39%	17	17	Much lower
	Overall quality of new development in Destin	53%	17	27	Similar
	Availability of affordable quality housing	24%	11	25	Similar
	Variety of housing options	46%	10	24	Similar
	Public places where people want to spend time	71%	11	16	Similar
Economy	Overall economic health of Destin	66%	9	17	Similar
	Vibrant downtown/commercial area	56%	11	16	Similar
	Overall quality of business and service establishments in Destin	66%	13	26	Similar
	Cost of living in Destin	31%	8	17	Similar
	Shopping opportunities	93%	1	28	Much higher
	Employment opportunities	43%	6	26	Similar
	Destin as a place to visit	95%	7	17	Similar
	Destin as a place to work	58%	11	29	Similar
	Health and wellness opportunities in Destin	61%	12	17	Similar
	Availability of affordable quality mental health care	39%	8	15	Similar
	Availability of preventive health services	49%	17	23	Similar
Recreation and Wellness	Availability of affordable quality health care	51%	19	26	Similar
	Availability of affordable quality food	65%	8	20	Similar
	Recreational opportunities	72%	15	27	Similar
	Fitness opportunities (including exercise classes and paths or trails, etc.)	59%	11	15	Lower

The National Citizen Survey™

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Education and Enrichment	Overall opportunities for education and enrichment	50%	13	17	Lower
	Opportunities to participate in religious or spiritual events and activities	83%	5	20	Similar
	Opportunities to attend cultural/arts/music activities	59%	18	26	Similar
	Adult educational opportunities	35%	13	15	Lower
	K-12 education	64%	13	24	Similar
	Availability of affordable quality child care/preschool	48%	11	26	Similar
Community Engagement	Opportunities to participate in social events and activities	70%	15	25	Similar
	Neighborliness of Destin	59%	13	17	Similar
	Openness and acceptance of the community toward people of diverse backgrounds	57%	24	25	Similar
	Opportunities to participate in community matters	64%	19	26	Similar
	Opportunities to volunteer	73%	17	25	Similar

Table 75: Governance General

	Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Services provided by the City of Destin	73%	22	29	Similar
Overall customer service by Destin employees (police, receptionists, planners, etc.)	75%	22	29	Similar
Value of services for the taxes paid to Destin	51%	23	30	Similar
Overall direction that Destin is taking	45%	22	28	Similar
Job Destin government does at welcoming citizen involvement	49%	15	27	Similar
Overall confidence in Destin government	48%	10	16	Similar
Generally acting in the best interest of the community	47%	11	16	Similar
Being honest	45%	12	16	Similar
Treating all residents fairly	44%	12	17	Similar
Services provided by the Federal Government	34%	24	25	Similar

Table 76: Governance by Facet

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Safety	Police/Sheriff services	82%	15	31	Similar
	Fire services	93%	13	27	Similar
	Ambulance or emergency medical services	91%	16	26	Similar
	Crime prevention	67%	18	31	Similar
	Fire prevention and education	73%	17	29	Similar
	Animal control	61%	15	23	Similar
	Emergency preparedness (services that prepare the community for natural disasters or other emergency situations)	74%	10	26	Similar
Mobility	Traffic enforcement	54%	24	26	Similar
	Street repair	45%	18	30	Similar
	Street cleaning	55%	20	27	Similar
	Street lighting	55%	14	26	Similar
	Sidewalk maintenance	52%	18	27	Similar
	Traffic signal timing	37%	20	22	Lower
	Bus or transit services	28%	25	25	Much lower
Natural Environment	Garbage collection	89%	9	24	Similar
	Recycling	66%	23	25	Lower
	Yard waste pick-up	73%	12	22	Similar

The National Citizen Survey™

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
	Drinking water	72%	14	28	Similar
	Preservation of natural areas such as open space, farmlands and greenbelts	38%	23	24	Lower
	Destin open space	34%	14	15	Much lower
Built Environment	Storm drainage	51%	26	28	Similar
	Sewer services	84%	11	27	Similar
	Power (electric and/or gas) utility	75%	11	16	Similar
	Land use, planning and zoning	28%	28	29	Lower
	Code enforcement (weeds, abandoned buildings, etc.)	27%	25	29	Lower
	Cable television	45%	15	19	Similar
	Economic development	56%	7	25	Similar
Recreation and Wellness	City parks	78%	22	26	Similar
	Recreation programs or classes	68%	22	28	Similar
	Recreation centers or facilities	64%	20	28	Similar
	Health services	62%	13	19	Similar
Education and Enrichment	City-sponsored special events	64%	13	19	Similar
	Public library services	88%	7	21	Similar
Community Engagement	Public information services	69%	15	29	Similar

Table 77: Participation General

	Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Sense of community	56%	23	28	Similar
Recommend living in Destin to someone who asks	84%	16	25	Similar
Remain in Destin for the next five years	85%	12	25	Similar
Contacted Destin (in-person, phone, email or web) for help or information	40%	24	26	Similar

Table 78: Participation by Facet

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
Safety	Stocked supplies in preparation for an emergency	53%	4	16	Higher
	Did NOT report a crime to the police	73%	14	16	Similar
	Household member was NOT a victim of a crime	88%	19	26	Similar
Mobility	Carpooled with other adults or children instead of driving alone	42%	13	16	Similar
	Walked or biked instead of driving	64%	12	17	Similar
Natural Environment	Made efforts to conserve water	77%	16	16	Lower
	Made efforts to make your home more energy efficient	76%	9	15	Similar
	Recycle at home	67%	25	25	Much lower
Built Environment	Did NOT observe a code violation or other hazard in Destin	46%	14	16	Similar
	NOT experiencing housing costs stress	66%	9	25	Similar
Economy	Purchase goods or services from a business located in Destin	99%	1	16	Similar
	Economy will have positive impact on income	22%	16	25	Similar
	Work inside boundaries of Destin	45%	10	16	Similar
Recreation and Wellness	Used Destin recreation centers or their services	58%	11	24	Similar

The National Citizen Survey™

		Percent positive	Rank	Number of communities in comparison	Comparison to benchmark
	Visited a neighborhood park or City park	80%	22	25	Similar
	Eat at least 5 portions of fruits and vegetables a day	88%	7	16	Similar
	Participate in moderate or vigorous physical activity	91%	8	16	Similar
	In very good to excellent health	73%	7	16	Similar
Education and Enrichment	Used Destin public libraries or their services	50%	20	20	Lower
	Participated in religious or spiritual activities in Destin	51%	7	21	Similar
	Attended City-sponsored event	62%	10	16	Similar
Community Engagement	Campaigned or advocated for an issue, cause or candidate	30%	7	15	Similar
	Contacted Destin elected officials (in-person, phone, email or web) to express your opinion	19%	11	15	Similar
	Volunteered your time to some group/activity in Destin	48%	15	26	Similar
	Participated in a club	28%	18	25	Similar
	Talked to or visited with your immediate neighbors	93%	10	16	Similar
	Done a favor for a neighbor	86%	9	16	Similar
	Attended a local public meeting	27%	15	25	Similar
	Watched (online or on television) a local public meeting	33%	10	23	Similar
	Read or watch local news (via television, paper, computer, etc.)	84%	12	16	Similar
	Vote in local elections	84%	7	25	Similar

Communities included in Resort Communities with Less than 70,000 Residents Comparisons

The communities included in Destin's custom comparisons are listed below along with their population according to the 2010 Census.

Annapolis city, MD 38,394
 Ashland city, OR 20,078
 Aspen city, CO 6,658
 Avon town, CO 6,447
 Bainbridge Island city, WA 23,025
 Cannon Beach city, OR 1,690
 Coronado city, CA 18,912
 Del Mar city, CA 4,161
 Delray Beach city, FL 60,522
 Destin city, FL 12,305
 Estes Park town, CO 5,858
 Fredericksburg city, VA 24,286
 Galveston city, TX 47,743
 Jupiter town, FL 55,156
 Key West city, FL 24,649
 Laguna Beach city, CA 22,723
 Lake Oswego city, OR 36,619
 Lynnwood city, WA 35,836
 Monterey city, CA 27,810

Newport city, RI 24,672
 Oviedo city, FL 33,342
 Paradise Valley town, AZ 12,820
 Park City city, UT 7,558
 Pitkin County, CO 17,148
 Post Falls city, ID 27,574
 Queen Creek town, AZ 26,361
 Rehoboth Beach city, DE 1,327
 Salida city, CO 5,236
 Seaside city, CA 33,025
 Sierra Vista city, AZ 43,888
 South Lake Tahoe city, CA 21,403
 St. Cloud city, FL 35,183
 Steamboat Springs city, CO 12,088
 Vail town, CO 5,305
 Williamsburg city, VA 14,068
 Winter Garden city, FL 34,568
 Yountville city, CA 2,933

Appendix C: Detailed Survey Methods

The National Citizen Survey (The NCS™), conducted by National Research Center, Inc., was developed to provide communities an accurate, affordable and easy way to assess and interpret resident opinion about important local topics. Standardization of common questions and survey methods provide the rigor to assure valid results, and each community has enough flexibility to construct a customized version of The NCS.

Results offer insight into residents' perspectives about the community as a whole, including local amenities, services, public trust, resident participation and other aspects of the community in order to support budgeting, land use and strategic planning and communication with residents. Resident demographic characteristics permit comparison to the Census as well as comparison of results for different subgroups of residents. The City of Destin funded this research. Please contact Lindsey Chabot, Project Manager at the City of Destin at Lchabot@cityofdestin.com if you have any questions about the survey.

Survey Validity

The question of survey validity has two parts: 1) how can a community be confident that the results from those who completed the questionnaire are representative of the results that would have been obtained had the survey been administered to the entire population? and 2) how closely do the perspectives recorded on the survey reflect what residents really believe or do?

To answer the first question, the best survey research practices were used for the resources spent to ensure that the results from the survey respondents reflect the opinions of residents in the entire community. These practices include:

- Using a mail-out/mail-back methodology, which typically gets a higher response rate than phone for the same dollars spent. A higher response rate lessens the worry that those who did not respond are different than those who did respond.
- Selecting households at random within the community to receive the survey to ensure that the households selected to receive the survey are representative of the larger community.
- Over-sampling multi-family housing units to improve response from hard-to-reach, lower income or younger apartment dwellers.
- Selecting the respondent within the household using an unbiased sampling procedure; in this case, the "birthday method." The cover letter included an instruction requesting that the respondent in the household be the adult (18 years old or older) who most recently had a birthday, irrespective of year of birth.
- Contacting potential respondents three times to encourage response from people who may have different opinions or habits than those who would respond with only a single prompt.
- Inviting response in a compelling manner (using appropriate letterhead/logos and a signature of a visible leader) to appeal to recipients' sense of civic responsibility.
- Providing a pre-addressed, postage-paid return envelope.
- Offering the survey in Spanish or other language when requested by a given community.
- Weighting the results to reflect the demographics of the population.

The answer to the second question about how closely the perspectives recorded on the survey reflect what residents really believe or do is more complex. Resident responses to surveys are influenced by a variety of factors. For questions about service quality, residents' expectations for service quality play a role as well as the "objective" quality of the service provided, the way the resident perceives the entire community (that is, the context in which the service is provided), the scale on which the resident is asked to record his or her opinion and, of course, the opinion, itself, that a resident holds about the service. Similarly a resident's report of certain behaviors is colored by what he or she believes is the socially desirable response (e.g., reporting tolerant behaviors toward "oppressed groups," likelihood of voting for a tax increase for services to poor people, use of alternative modes of travel to work besides the single occupancy vehicle), his or her memory of the actual behavior (if it is not a question speculating about future actions, like a vote), his or her confidence that he or she can be honest without suffering any negative consequences (thus the need for anonymity) as well as the actual behavior itself.

How closely survey results come to recording the way a person really feels or behaves often is measured by the coincidence of reported behavior with observed current behavior (e.g., driving habits), reported intentions to behave with observed future behavior (e.g., voting choices) or reported opinions about current community quality

with objective characteristics of the community (e.g., feelings of safety correlated with rates of crime). There is a body of scientific literature that has investigated the relationship between reported behaviors and actual behaviors. Well-conducted surveys, by and large, do capture true respondent behaviors or intentions to act with great accuracy. Predictions of voting outcomes tend to be quite accurate using survey research, as do reported behaviors that are not about highly sensitive issues (e.g., family abuse or other illegal or morally sanctioned activities). For self-reports about highly sensitive issues, statistical adjustments can be made to correct for the respondents' tendency to report what they think the "correct" response should be.

Research on the correlation of resident opinion about service quality and "objective" ratings of service quality vary, with some showing stronger relationships than others. NRC's own research has demonstrated that residents who report the lowest ratings of street repair live in communities with objectively worse street conditions than those who report high ratings of street repair (based on road quality, delay in street repair, number of road repair employees). Similarly, the lowest rated fire services appear to be "objectively" worse than the highest rated fire services (expenditures per capita, response time, "professional" status of firefighters, breadth of services and training provided). Resident opinion commonly reflects objective performance data but is an important measure on its own. NRC principals have written, "If you collect trash three times a day but residents think that your trash haul is lousy, you still have a problem."

Survey Sampling

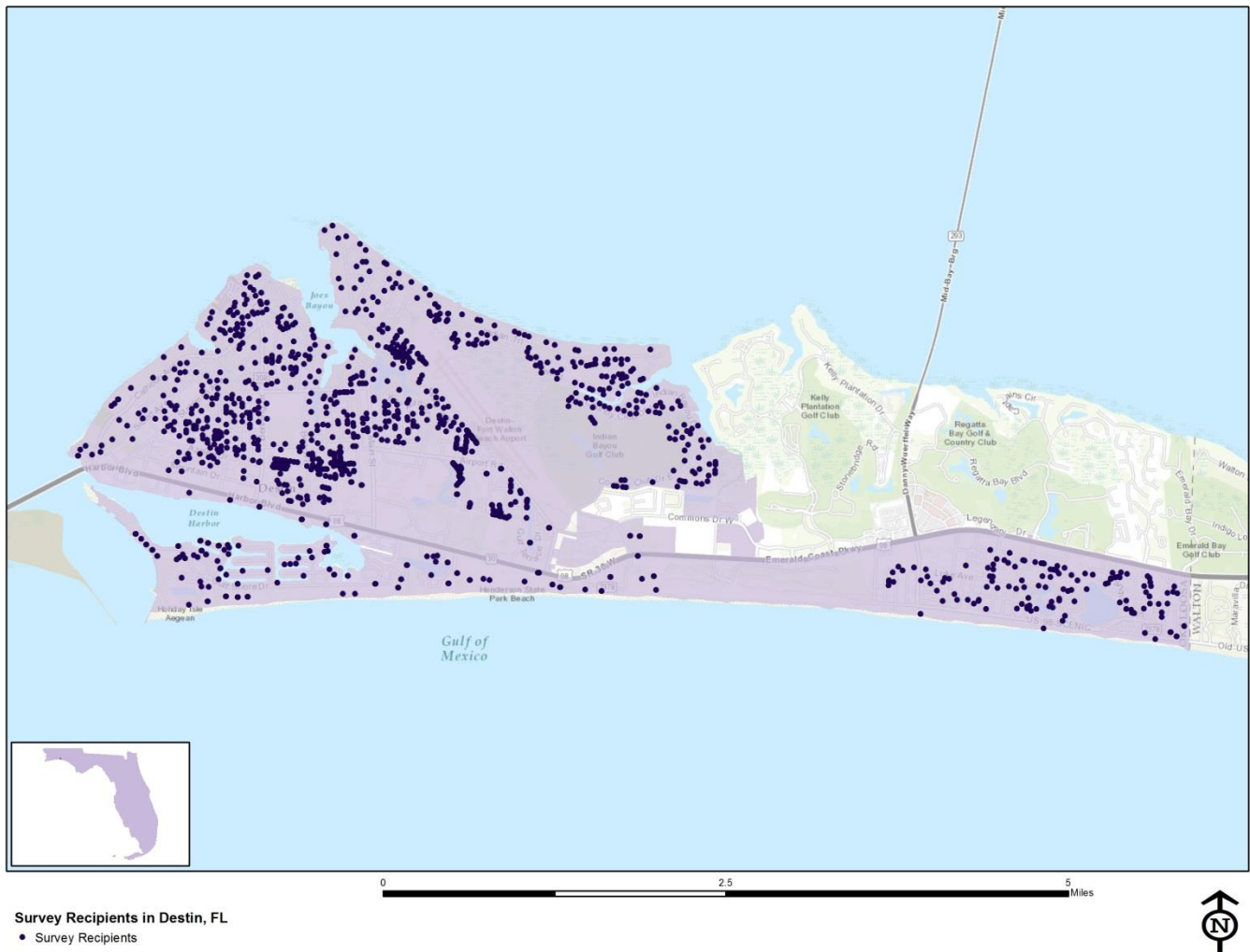
"Sampling" refers to the method by which households were chosen to receive the survey. The City of Destin provided a list of residential addresses from the most recent tax assessor database. This list was filtered to only include residential units (condos, single family homes, multi-family homes, townhomes, etc.); further, the list only included physical addresses of Destin housing units to ensure that both homeowners and renters would be included in the sample. The list was also filtered to exclude non-homesteaded residential structures south of Highway 98 (to avoid including short-term renters in the sample). The exact geographic location of each housing unit was compared to community boundaries using the most current municipal boundary file (updated on a quarterly basis) and addresses located outside of the City of Destin boundaries were removed from consideration.

To choose the 1,500 survey recipients, a systematic sampling method was applied to the list of households previously screened for geographic location. Systematic sampling is a procedure whereby a complete list of all possible households is culled, selecting every *Nth* one, giving each eligible household a known probability of selection, until the appropriate number of households is selected. Multi-family housing units were over sampled as residents of this type of housing typically respond at lower rates to surveys than do those in single-family housing units. Figure 1 displays a map of the households selected to receive the survey. In general, because of the random sampling techniques used, the displayed sampling density will closely mirror the overall housing unit density (which may be different from the population density). While the theory of probability assumes no bias in selection, there may be some minor variations in practice (meaning, an area with only 15% of the housing units might be sampled at an actual rate that is slightly above or below that).

An individual within each household was selected using the birthday method. The birthday method selects a person within the household by asking the "person whose birthday has most recently passed" to complete the questionnaire. The underlying assumption in this method is that day of birth has no relationship to the way people respond to surveys. This instruction was contained in the cover letter accompanying the questionnaire.

In addition to the scientific, random sample, a link to an online "opt-in" survey was publicized and posted to the City of Destin website. This opt-in survey was identical to the scientific survey and open to all city residents.

Figure 1: Location of Survey Recipients



Survey Administration and Response

Selected households received three mailings, one week apart, beginning on October 3, 2016. The first mailing was a prenotification postcard announcing the upcoming survey. The next mailing contained a letter from the Mayor inviting the household to participate, a questionnaire and a postage-paid return envelope. The final mailing contained a reminder letter, another survey and a postage-paid return envelope. The second cover letter asked those who had not completed the survey to do so and those who had already done so to refrain from turning in another survey. Respondents were also provided with a web link that allowed them to take the survey online. Completed surveys were collected over the following seven weeks. The online “opt-in” survey became available to all residents on November 7th, 2016 and remained open for two weeks.

About 7% of the 1,500 surveys mailed were returned because the housing unit was vacant or the postal service was unable to deliver the survey as addressed. Of the remaining 1391 households that received the survey, 429 completed the survey, providing an overall response rate of 31%. Of the 429 completed surveys, 28 were completed online. Additionally, 44 residents completed the online “opt-in” survey.

Confidence Intervals

It is customary to describe the precision of estimates made from surveys by a “level of confidence” and accompanying “confidence interval” (or margin of error). A traditional level of confidence, and the one used here,

The National Citizen Survey™

is 95%. The 95% confidence interval can be any size and quantifies the sampling error or imprecision of the survey results because some residents' opinions are relied on to estimate all residents' opinions.¹

The margin of error for the City of Destin survey is no greater than plus or minus five percentage points around any given percent reported for the entire sample (429 completed surveys).

For subgroups of responses, the margin of error increases because the sample size for the subgroup is smaller. For subgroups of approximately 100 respondents, the margin of error is plus or minus 10 percentage points.

Survey Processing (Data Entry)

Upon receipt, completed surveys were assigned a unique identification number. Additionally, each survey was reviewed and "cleaned" as necessary. For example, a question may have asked a respondent to pick two items out of a list of five, but the respondent checked three; in this case, NRC would use protocols to randomly choose two of the three selected items for inclusion in the dataset.

All surveys then were entered twice into an electronic dataset; any discrepancies were resolved in comparison to the original survey form. Range checks as well as other forms of quality control were also performed.

Survey Data Weighting

The demographic characteristics of the survey sample were compared to those found in the 2010 Census and American Community Survey estimates for adults in the City of Destin. The primary objective of weighting survey data is to make the survey sample reflective of the larger population of the community. The characteristics used for weighting were housing tenure (rent or own), housing unit type (attached or detached), race, ethnicity, sex and age. The results of the weighting scheme are presented in the following table.

Table 79: Destin, FL 2016 Weighting Table

Characteristic	Population Norm	Unweighted Data	Weighted Data
Housing			
Rent home	36%	8%	32%
Own home	64%	92%	68%
Detached unit	63%	68%	63%
Attached unit	37%	32%	37%
Race and Ethnicity			
White	91%	95%	92%
Not white	9%	5%	8%
Not Hispanic	94%	98%	96%
Hispanic	6%	2%	4%
Sex and Age			
Female	49%	51%	52%
Male	51%	49%	48%
18-34 years of age	30%	10%	27%
35-54 years of age	36%	25%	37%
55+ years of age	34%	65%	36%
Females 18-34	14%	6%	14%
Females 35-54	18%	13%	18%
Females 55+	17%	32%	19%
Males 18-34	16%	4%	13%
Males 35-54	19%	12%	19%
Males 55+	16%	33%	17%

¹ A 95% confidence interval indicates that for every 100 random samples of this many residents, 95 of the confidence intervals created will include the "true" population response. This theory is applied in practice to mean that the "true" perspective of the target population lies within the confidence interval created for a single survey. For example, if 75% of residents rate a service as "excellent" or "good," then the 4% margin of error (for the 95% confidence interval) indicates that the range of likely responses for the entire community is between 71% and 79%. This source of uncertainty is called sampling error. In addition to sampling error, other sources of error may affect any survey, including the non-response of residents with opinions different from survey responders. Though standardized on The NCS, on other surveys, differences in question wording, order, translation and data entry, as examples, can lead to somewhat varying results.

Survey Data Analysis and Reporting

The survey dataset was analyzed using the Statistical Package for the Social Sciences (SPSS). For the most part, the percentages presented in the reports represent the “percent positive.” The percent positive is the combination of the top two most positive response options (i.e., “excellent” and “good,” “very safe” and “somewhat safe,” “essential” and “very important,” etc.), or, in the case of resident behaviors/participation, the percent positive represents the proportion of respondents indicating “yes” or participating in an activity at least once a month.

On many of the questions in the survey respondents may answer “don’t know.” The proportion of respondents giving this reply is shown in the full set of responses included in Appendix A. However, these responses have been removed from the analyses presented in the reports. In other words, the tables and graphs display the responses from respondents who had an opinion about a specific item.

Appendix D: Survey Materials

Dear Destin Resident,

It won't take much of your time to make a big difference!

Your household has been randomly selected to participate in a survey about your community. Your survey will arrive in a few days.

Thank you for helping create a better City!

Sincerely,

A handwritten signature in black ink that reads "Scott Fischer". The script is cursive and fluid.

Scott Fischer
Mayor

Dear Destin Resident,

It won't take much of your time to make a big difference!

Your household has been randomly selected to participate in a survey about your community. Your survey will arrive in a few days.

Thank you for helping create a better City!

Sincerely,

A handwritten signature in black ink that reads "Scott Fischer". The script is cursive and fluid.

Scott Fischer
Mayor

Dear Destin Resident,

It won't take much of your time to make a big difference!

Your household has been randomly selected to participate in a survey about your community. Your survey will arrive in a few days.

Thank you for helping create a better City!

Sincerely,

A handwritten signature in black ink that reads "Scott Fischer". The script is cursive and fluid.

Scott Fischer
Mayor

Dear Destin Resident,

It won't take much of your time to make a big difference!

Your household has been randomly selected to participate in a survey about your community. Your survey will arrive in a few days.

Thank you for helping create a better City!

Sincerely,

A handwritten signature in black ink that reads "Scott Fischer". The script is cursive and fluid.

Scott Fischer
Mayor



City of Destin

4200 Indian Bayou Trail
Destin, Florida 32541

Presorted
First Class Mail
US Postage
PAID
Boulder, CO
Permit NO. 94



City of Destin

4200 Indian Bayou Trail
Destin, Florida 32541

Presorted
First Class Mail
US Postage
PAID
Boulder, CO
Permit NO. 94



City of Destin

4200 Indian Bayou Trail
Destin, Florida 32541

Presorted
First Class Mail
US Postage
PAID
Boulder, CO
Permit NO. 94



City of Destin

4200 Indian Bayou Trail
Destin, Florida 32541

Presorted
First Class Mail
US Postage
PAID
Boulder, CO
Permit NO. 94



City of Destin

4200 Indian Bayou Trail
Destin, Florida 32541

Presorted
First Class Mail
US Postage
PAID
Boulder, CO
Permit NO.94



CITY *of* DESTIN

4200 Indian Bayou Trail • Destin, Florida 32541



www.cityofdestin.com

October 2016

Dear City of Destin Resident:

Please help us shape the future of Destin! You have been selected at random to participate in the 2016 Destin Citizen Survey.

Please take a few minutes to fill out the enclosed survey. Your participation in this survey is very important – especially since your household is one of only a small number of households being surveyed. Your feedback will help Destin make decisions that affect our City.

A few things to remember:

- **Your responses are completely anonymous.**
- In order to hear from a diverse group of residents, the adult 18 years or older in your household who most recently had a birthday should complete this survey.
- **You may return the survey by mail in the enclosed postage-paid envelope, or you can complete the survey online at:**

www.n-r-c.com/survey/destin2016.htm

If you have any questions about the survey please call (850) 837-4242.

Thank you for your time and participation!

Sincerely,

Scott Fischer
Mayor



CITY of DESTIN

4200 Indian Bayou Trail • Destin, Florida 32541



www.cityofdestin.com

October 2016

Dear City of Destin Resident:

Here's a second chance if you haven't already responded to the 2016 Destin Citizen Survey! **(If you completed it and sent it back, we thank you for your time and ask you to recycle this survey. Please do not respond twice.)**

Please help us shape the future of Destin! You have been selected at random to participate in the 2016 Destin Citizen Survey.

Please take a few minutes to fill out the enclosed survey. Your participation in this survey is very important – especially since your household is one of only a small number of households being surveyed. Your feedback will help Destin make decisions that affect our City.

A few things to remember:

- **Your responses are completely anonymous.**
- In order to hear from a diverse group of residents, the adult 18 years or older in your household who most recently had a birthday should complete this survey.
- **You may return the survey by mail in the enclosed postage-paid envelope, or you can complete the survey online at:**

www.n-r-c.com/survey/destin2016.htm

If you have any questions about the survey please call (850) 837-4242.

Thank you for your time and participation!

Sincerely,

Scott Fischer
Mayor

The City of Destin 2016 Citizen Survey

Please complete this questionnaire if you are the adult (age 18 or older) in the household who most recently had a birthday. The adult's year of birth does not matter. Please select the response (by circling the number or checking the box) that most closely represents your opinion for each question. Your responses are anonymous and will be reported in group form only.

1. Please rate each of the following aspects of quality of life in Destin:

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
Destin as a place to live.....	1	2	3	4	5
Your neighborhood as a place to live.....	1	2	3	4	5
Destin as a place to raise children	1	2	3	4	5
Destin as a place to work	1	2	3	4	5
Destin as a place to visit.....	1	2	3	4	5
Destin as a place to retire.....	1	2	3	4	5
The overall quality of life in Destin	1	2	3	4	5

2. Please rate each of the following characteristics as they relate to Destin as a whole:

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
Overall feeling of safety in Destin	1	2	3	4	5
Overall ease of getting to the places you usually have to visit	1	2	3	4	5
Quality of overall natural environment in Destin	1	2	3	4	5
Overall "built environment" of Destin (including overall design, buildings, parks and transportation systems).....	1	2	3	4	5
Health and wellness opportunities in Destin.....	1	2	3	4	5
Overall opportunities for education and enrichment.....	1	2	3	4	5
Overall economic health of Destin.....	1	2	3	4	5
Sense of community	1	2	3	4	5
Overall image or reputation of Destin.....	1	2	3	4	5

3. Please indicate how likely or unlikely you are to do each of the following:

	<i>Very likely</i>	<i>Somewhat likely</i>	<i>Somewhat unlikely</i>	<i>Very unlikely</i>	<i>Don't know</i>
Recommend living in Destin to someone who asks	1	2	3	4	5
Remain in Destin for the next five years	1	2	3	4	5

4. Please rate how safe or unsafe you feel:

	<i>Very safe</i>	<i>Somewhat safe</i>	<i>Neither safe nor unsafe</i>	<i>Somewhat unsafe</i>	<i>Very unsafe</i>	<i>Don't know</i>
In your neighborhood during the day	1	2	3	4	5	6
In Destin's downtown/commercial area during the day.....	1	2	3	4	5	6

5. Please rate each of the following characteristics as they relate to Destin as a whole:

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
Traffic flow on major streets	1	2	3	4	5
Ease of public parking	1	2	3	4	5
Ease of travel by car in Destin.....	1	2	3	4	5
Ease of travel by public transportation in Destin.....	1	2	3	4	5
Ease of travel by bicycle in Destin.....	1	2	3	4	5
Ease of walking in Destin.....	1	2	3	4	5
Availability of paths and walking trails.....	1	2	3	4	5
Air quality	1	2	3	4	5
Cleanliness of Destin	1	2	3	4	5
Overall appearance of Destin	1	2	3	4	5
Public places where people want to spend time	1	2	3	4	5
Variety of housing options	1	2	3	4	5
Availability of affordable quality housing.....	1	2	3	4	5
Fitness opportunities (including exercise classes and paths or trails, etc.).....	1	2	3	4	5
Recreational opportunities.....	1	2	3	4	5
Availability of affordable quality food	1	2	3	4	5
Availability of affordable quality health care	1	2	3	4	5
Availability of preventive health services.....	1	2	3	4	5
Availability of affordable quality mental health care	1	2	3	4	5

6. Please rate each of the following characteristics as they relate to Destin as a whole:

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
Availability of affordable quality child care/preschool	1	2	3	4	5
K-12 education.....	1	2	3	4	5
Adult educational opportunities.....	1	2	3	4	5
Opportunities to attend cultural/arts/music activities.....	1	2	3	4	5
Opportunities to participate in religious or spiritual events and activities	1	2	3	4	5
Employment opportunities	1	2	3	4	5
Shopping opportunities.....	1	2	3	4	5
Cost of living in Destin	1	2	3	4	5
Overall quality of business and service establishments in Destin.....	1	2	3	4	5
Vibrant downtown/commercial area.....	1	2	3	4	5
Overall quality of new development in Destin.....	1	2	3	4	5
Opportunities to participate in social events and activities.....	1	2	3	4	5
Opportunities to volunteer.....	1	2	3	4	5
Opportunities to participate in community matters.....	1	2	3	4	5
Openness and acceptance of the community toward people of diverse backgrounds.....	1	2	3	4	5
Neighborliness of residents in Destin.....	1	2	3	4	5

7. Please indicate whether or not you have done each of the following in the last 12 months.

	<i>No</i>	<i>Yes</i>
Made efforts to conserve water	1	2
Made efforts to make your home more energy efficient.....	1	2
Observed a code violation or other hazard in Destin (weeds, abandoned buildings, etc.).....	1	2
Household member was a victim of a crime in Destin.....	1	2
Reported a crime to the police in Destin.....	1	2
Stocked supplies in preparation for an emergency	1	2
Campaigned or advocated for an issue, cause or candidate.....	1	2
Contacted the City of Destin (in-person, phone, email or web) for help or information	1	2
Contacted Destin elected officials (in-person, phone, email or web) to express your opinion.....	1	2

8. In the last 12 months, about how many times, if at all, have you or other household members done each of the following in Destin?

	<i>2 times a week or more</i>	<i>2-4 times a month</i>	<i>Once a month or less</i>	<i>Not at all</i>
Used Destin recreation centers or their services	1	2	3	4
Visited a neighborhood park or City park.....	1	2	3	4
Used Destin public libraries or their services.....	1	2	3	4
Participated in religious or spiritual activities in Destin	1	2	3	4
Attended a City-sponsored event	1	2	3	4
Carpooled with other adults or children instead of driving alone	1	2	3	4
Walked or biked instead of driving.....	1	2	3	4
Volunteered your time to some group/activity in Destin.....	1	2	3	4
Participated in a club.....	1	2	3	4
Talked to or visited with your immediate neighbors.....	1	2	3	4
Done a favor for a neighbor.....	1	2	3	4

9. Thinking about local public meetings (of local elected officials like City Council or County Commissioners, advisory boards, town halls, HOA, neighborhood watch, etc.), in the last 12 months, about how many times, if at all, have you or other household members attended or watched a local public meeting?

	<i>2 times a week or more</i>	<i>2-4 times a month</i>	<i>Once a month or less</i>	<i>Not at all</i>
<u>Attended</u> a local public meeting	1	2	3	4
<u>Watched</u> (online or on television) a local public meeting.....	1	2	3	4

The City of Destin 2016 Citizen Survey

10. Please rate the quality of each of the following services in Destin:

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
Police/Sheriff services.....	1	2	3	4	5
Fire services.....	1	2	3	4	5
Ambulance or emergency medical services	1	2	3	4	5
Crime prevention	1	2	3	4	5
Fire prevention and education	1	2	3	4	5
Traffic enforcement.....	1	2	3	4	5
Street repair	1	2	3	4	5
Street cleaning.....	1	2	3	4	5
Street lighting.....	1	2	3	4	5
Sidewalk maintenance	1	2	3	4	5
Traffic signal timing	1	2	3	4	5
Bus or transit services	1	2	3	4	5
Garbage collection.....	1	2	3	4	5
Recycling.....	1	2	3	4	5
Yard waste pick-up.....	1	2	3	4	5
Storm drainage.....	1	2	3	4	5
Drinking water	1	2	3	4	5
Sewer services.....	1	2	3	4	5
Power (electric and/or gas) utility	1	2	3	4	5
City parks.....	1	2	3	4	5
Recreation programs or classes.....	1	2	3	4	5
Recreation centers or facilities	1	2	3	4	5
Land use, planning and zoning	1	2	3	4	5
Code enforcement (weeds, abandoned buildings, etc.).....	1	2	3	4	5
Animal control	1	2	3	4	5
Economic development	1	2	3	4	5
Health services	1	2	3	4	5
Public library services	1	2	3	4	5
Public information services	1	2	3	4	5
Cable television	1	2	3	4	5
Emergency preparedness (services that prepare the community for natural disasters or other emergency situations).....	1	2	3	4	5
Preservation of natural areas such as open space.....	1	2	3	4	5
Destin open space.....	1	2	3	4	5
City-sponsored special events.....	1	2	3	4	5
Overall customer service by Destin employees (receptionists, planners, etc.)	1	2	3	4	5

11. Overall, how would you rate the quality of the services provided by each of the following?

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
The City of Destin.....	1	2	3	4	5
The Federal Government	1	2	3	4	5

12. Please rate the following categories of Destin government performance:

	<i>Excellent</i>	<i>Good</i>	<i>Fair</i>	<i>Poor</i>	<i>Don't know</i>
The value of services for the taxes paid to Destin	1	2	3	4	5
The overall direction that Destin is taking.....	1	2	3	4	5
The job Destin government does at welcoming citizen involvement.....	1	2	3	4	5
Overall confidence in Destin government.....	1	2	3	4	5
Generally acting in the best interest of the community.....	1	2	3	4	5
Being honest.....	1	2	3	4	5
Treating all residents fairly	1	2	3	4	5

13. Please rate how important, if at all, you think it is for the Destin community to focus on each of the following in the coming two years:

	<i>Essential</i>	<i>Very important</i>	<i>Somewhat important</i>	<i>Not at all important</i>
Overall feeling of safety in Destin	1	2	3	4
Overall ease of getting to the places you usually have to visit	1	2	3	4
Quality of overall natural environment in Destin.....	1	2	3	4
Overall “built environment” of Destin (including overall design, buildings, parks and transportation systems)	1	2	3	4
Health and wellness opportunities in Destin.....	1	2	3	4
Overall opportunities for education and enrichment.....	1	2	3	4
Overall economic health of Destin.....	1	2	3	4
Sense of community	1	2	3	4

14. The City is evaluating the possibility of charging to park in resort and entertainment areas around Destin to fund the construction of future parking facilities. With this in mind, what do you think is the most appropriate hourly parking rate?

- ☐ \$.50 per hour
- ☐ \$1.00 per hour
- ☐ \$2.00 per hour
- ☐ I do not think there should be a charge for parking in resort and entertainment areas

15. The City has a number of areas on which it could focus its efforts and funding, but it cannot focus on everything at once. In your opinion, which of the following potential enhancements should be the City’s TOP priority? (Please select only one answer.)

- ☐ Multi-purpose pathways linking residential to commercial areas
- ☐ City street reconstructions (resurfacing the roadway and bringing the adjoining right-of-way up to current standards with 8” sidewalks, bike lanes, pedestrian lighting, etc.)
- ☐ Enhanced streetscapes (lighting, landscaping) along Harbor Blvd. and Airport Road
- ☐ Enhanced and reliable transit services
- ☐ City-wide storm water improvements and maintenance

16. Please indicate how much of a source, if at all, you consider each of the following to be for obtaining information about the City government and its activities, events and services:

	<i>Major source</i>	<i>Minor source</i>	<i>Not a source</i>
City website (www.cityofdestin.com)	1	2	3
The Destin Log	1	2	3
The Northwest Florida Daily News	1	2	3
Word of mouth.....	1	2	3
Direct mailings	1	2	3
City printed quarterly newsletter in the Destin Log.....	1	2	3
E-newsletter subscription (via Constant Contact)	1	2	3
Electronic news releases via City website	1	2	3
Okaloosa Today TV Show on Cox Cable	1	2	3
City Government Facebook Page	1	2	3
Other social media outlets	1	2	3
City Council meetings – in person	1	2	3
City Council meetings – streamed/online.....	1	2	3
City Council meetings – Cox Cable (TV).....	1	2	3

The City of Destin 2016 Citizen Survey

Our last questions are about you and your household. Again, all of your responses to this survey are completely anonymous and will be reported in group form only.

D1. How often, if at all, do you do each of the following, considering all of the times you could?

	<i>Never</i>	<i>Rarely</i>	<i>Sometimes</i>	<i>Usually</i>	<i>Always</i>
Recycle at home.....	1	2	3	4	5
Purchase goods or services from a business located in Destin.....	1	2	3	4	5
Eat at least 5 portions of fruits and vegetables a day	1	2	3	4	5
Participate in moderate or vigorous physical activity	1	2	3	4	5
Read or watch local news (via television, paper, computer, etc.)	1	2	3	4	5
Vote in local elections	1	2	3	4	5

D2. Would you say that in general your health is:

- ☐ Excellent ☐ Very good ☐ Good ☐ Fair ☐ Poor

D3. What impact, if any, do you think the economy will have on your family income in the next 6 months? Do you think the impact will be:

- ☐ Very positive ☐ Somewhat positive ☐ Neutral ☐ Somewhat negative ☐ Very negative

D4. What is your employment status?

- ☐ Working full time for pay
☐ Working part time for pay
☐ Unemployed, looking for paid work
☐ Unemployed, not looking for paid work
☐ Fully retired

D5. Do you work inside the boundaries of Destin?

- ☐ Yes, outside the home
☐ Yes, from home
☐ No

D6. How many years have you lived in Destin?

- ☐ Less than 2 years ☐ 11-20 years
☐ 2-5 years ☐ More than 20 years
☐ 6-10 years

D7. Which best describes the building you live in?

- ☐ One family house detached from any other houses
☐ Building with two or more homes (duplex, townhome, apartment or condominium)
☐ Mobile home
☐ Other

D8. Is this house, apartment or mobile home...

- ☐ Rented
☐ Owned

D9. About how much is your monthly housing cost for the place you live (including rent, mortgage payment, property tax, property insurance and homeowners' association (HOA) fees)?

- ☐ Less than \$300 per month
☐ \$300 to \$599 per month
☐ \$600 to \$999 per month
☐ \$1,000 to \$1,499 per month
☐ \$1,500 to \$2,499 per month
☐ \$2,500 or more per month

D10. Do any children 17 or under live in your household?

- ☐ No ☐ Yes

D11. Are you or any other members of your household aged 65 or older?

- ☐ No ☐ Yes

D12. How much do you anticipate your household's total income before taxes will be for the current year? (Please include in your total income money from all sources for all persons living in your household.)

- ☐ Less than \$25,000
☐ \$25,000 to \$49,999
☐ \$50,000 to \$99,999
☐ \$100,000 to \$149,999
☐ \$150,000 or more

Please respond to both questions D13 and D14:

D13. Are you Spanish, Hispanic or Latino?

- ☐ No, not Spanish, Hispanic or Latino
☐ Yes, I consider myself to be Spanish, Hispanic or Latino

D14. What is your race? (Mark one or more races to indicate what race you consider yourself to be.)

- ☐ American Indian or Alaskan Native
☐ Asian, Asian Indian or Pacific Islander
☐ Black or African American
☐ White
☐ Other

D15. In which category is your age?

- ☐ 18-24 years ☐ 55-64 years
☐ 25-34 years ☐ 65-74 years
☐ 35-44 years ☐ 75 years or older
☐ 45-54 years

D16. What is your sex?

- ☐ Female ☐ Male

D17. Do you consider a cell phone or land line your primary telephone number?

- ☐ Cell ☐ Land line ☐ Both

Thank you for completing this survey. Please return the completed survey in the postage-paid envelope to: National Research Center, Inc., PO Box 549, Belle Mead, NJ 08502

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022
TYPE OF AGENDA ITEM: Announcement
AGENDA OUTLINE NUMBER: 4.D.

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 – COMMUNITY DEVELOPMENT



AGENDA ITEM

MEETING DATE: March 21, 2022
BOARD/COMMITTEE: City Council
TYPE OF AGENDA ITEM: Ordinance
OUTLINE NUMBER: 5.A.

TO: City Council

THRU: Lance Johnson, City Manager

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

DATE: March 11, 2022

SUBJECT: Second reading of Ordinance 21-15-PC - Creating a new chapter of the City of Destin's Comprehensive Plan, "Property Rights Element" pursuant to state law.

I. BACKGROUND: Section 163.3167(2), Florida Statutes, requires that each local government maintain a comprehensive plan in compliance with the Community Planning Act. Pursuant to Section 163.317, Florida Statutes, the comprehensive plan, through required and optional elements, provides principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements. Currently, the City of Destin's Comprehensive Plan consists of the following elements: Future Land Use, Transportation, Housing; Public Facilities, Conservation, Coastal Management, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, Economic Development, and Public School Facilities.

This year, the Florida Legislature changed the provisions of Chapter 163, Florida Statutes effective on July 1, 2021, to ensure that private property rights are considered in local decision making. Now, under state law, local governments are required to adopt a new Property Rights Element into the Comprehensive Plan.

II. DISCUSSION: Consistent with state law, the new Property Rights Element would contain the following language:

Policy 1A-1.1.1: Private Property Rights in Decision-Making. *The City Council shall consider the following rights in local decision-making:*

1. The right of a property owner to physically possess and control his or her

interests in the property, including easements, leases, or mineral rights.

2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

*3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property, **subject to state law and local ordinances.****

*4. The right of a property owner to dispose of her property through sale or gift.
(**Bold underlined** language added per council directive)*

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: At a public hearing held at the regularly scheduled City Council meeting on January 18, 2022, the City Council approved Proposed Ordinance 21-15-PC - Property Rights Element for compliance with state law on first reading. Subsequently, the Department of Economic Opportunity indicated that it has no comments relating to the proposed amendment. Therefore, staff recommends approval on second reading.

IV. RECOMMENDED MOTION: I move that the City Council approve proposed Ordinance 21-15-PC - Property Rights Element on second reading.

Attachments:

1. Property Rights Element Ordinance
(2)
2. CTY. DESTIN 22-01ESR (P)

ORDINANCE NO. 21-15-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, CREATING A NEW CHAPTER OF THE CITY OF DESTIN'S COMPREHENSIVE PLAN, "PROPERTY RIGHTS ELEMENT" PURSUANT TO STATE LAW; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TITLE AND JURISDICTION; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, Section 163.3167(2), Florida Statutes, requires that each local government maintain a comprehensive plan in compliance with the Community Planning Act; and

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the City of Destin, Florida, proposes to amend the City's Comprehensive Plan to adopt a Property Rights Element as set forth herein; and

WHEREAS, pursuant to Section 163.3177, Florida Statutes, the comprehensive plan, through required and optional elements, shall provide principles, guidelines, standards, and strategies for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area that reflects community commitments to implement the plan and its elements; and

WHEREAS, the comprehensive plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations;

WHEREAS, the City of Destin's Comprehensive Plan was adopted, pursuant to Section 163.3177, consisting of the following elements: Future Land Use, Transportation, Housing; Public Facilities, Conservation, Coastal Management, Recreation and Open Space, Intergovernmental Coordination, Capital Improvements, Economic Development, and Public School Facilities; and,

WHEREAS, the Florida Legislature changed statutory provisions of Chapter 163, Florida Statutes effective on July 1, 2021 to ensure that private property rights are considered in local decision making and required the adoption of a Property Rights Element into the Comprehensive Plan; and

WHEREAS, the City Council desires to update the Comprehensive Plan consistent with such statutory changes by adopting a “Property Rights Element”; and

WHEREAS, the City Council recognizes and respects judicially acknowledged and constitutionally protected private property rights; and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; 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:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol *** represents sections of the Comprehensive Plan that have been skipped and remain unchanged.

SECTION 3: TITLE.

These comprehensive plan amendments are referred to as “Chapter 1A – Property Rights Element - of the City of Destin's Comprehensive Plan – Goals, Objectives and Policies: 2020”.

SECTION 4: JURISDICTION.

The lands subject to this Ordinance shall include all areas within the corporate limits of the City of Destin, Florida.

SECTION 5: ADOPTION OF THE PROPERTY RIGHTS ELEMENT:

PROPERTY RIGHTS ELEMENT

OBJECTIVE 1A-1.1 ENSURE LOCAL GOVERNMENTS CONSIDER PRIVATE PROPERTY RIGHTS IN LOCAL DECISION-MAKING.

Policy 1A-1.1.1: Private Property Rights in Decision-Making. The City Council shall consider the following rights in local decision-making:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property, subject to state law and local ordinances.

4. The right of a property owner to dispose of her property through sale or gift.

SECTION 6: TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY.

The City Manager or his designee is hereby designated to sign a letter transmitting the adopted comprehensive plan amendment to the State Planning Agency, in accordance with the Community Planning Act.

SECTION 7: INCORPORATION INTO COMPREHENSIVE PLAN.

Upon the effective date of the comprehensive plan amendment adopted by this Ordinance, said amendment shall be incorporated into the City of Destin Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

All prior inconsistent ordinances and resolutions adopted by the City of Destin City Council, or parts of ordinances or resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

SECTION 8: SEVERABILITY.

If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9: EFFECTIVE DATE.

The comprehensive plan amendment shall not become effective until 31 days after the State Planning agency notifies the City that the plan amendment package transmitted by the City is complete, except however, if the plan amendment is timely challenged, this Ordinance shall not become effective until the date a final order is issued by the State Land Planning Agency, or the date that the Administration Commission enters a final order determining the adopted plan amendment is in compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commenced before it has become effective. After and from the effective date of this amendment, the comprehensive plan amendment set forth herein shall amend the City of Destin's Comprehensive Plan and shall become a part of that plan and the

amendment shall have the legal status of the City of Destin's Comprehensive Plan, as amended.

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 Land Use
Attorney for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Romano Kopp, City Land Use Attorney

First Reading: January 18, 2022

Second Reading: _____

March 2, 2022

The Honorable Gary Jarvis
Mayor, City of Destin
4200 Indian Trail
Destin, Florida 32541

Dear Mayor Jarvis:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Destin (Amendment No. 22-01ESR) received on January 12, 2022. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Dan Evans, Planning Analyst, by telephone at (850) 717-8484 or by email at dan.evans@deo.myflorida.com.

Sincerely,



Barbara Powell, Regional Planning Administrator
Bureau of Community Planning and Growth

BP/de

Enclosure(s): Procedures for Adoption

cc: Steve O'Conner, Principal Planner, Destin Community Development Department
Austin Mount, Executive Director, Emerald Coast Regional Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://floridajobs.secure.force.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022**TYPE OF AGENDA ITEM:** Ordinance**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:** March 11, 2022**SUBJECT:** Second reading of Ordinance 21-24-PC - Amending the Future Land Use Map to include a change in the Future Land Use designation of parcels from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC).

I. BACKGROUND: During the November 19, 2018, City Council meeting, the Council approved a motion directing Staff to research waterfront and beachfront properties to acquire. The effort aims to increase the public's access to the beaches of Destin. The two subject properties, 2942 & 2970 Scenic Highway 98, were listed early in the process as properties for acquisition due to their location in the vicinity of the existing Crystal Shores Park at the end of Hutchinson Street and Scenic Highway 98. The City of Destin and Okaloosa County partnered to purchase the subject properties, and in October and November 2020, the purchase was finalized.

II. DISCUSSION: Currently, 2942 Scenic Highway 98 – Parcel ID: 00-2S-22-0590-0000-00CA, is a .23 acre parcel that formerly had five (5) condominium units and has a Future Land Use Map (FLUM) designation of **Crystal Beach Resort (CBR)**.

Currently, 2970 Scenic Highway 98 – Parcel ID: 00-2S-22-0584-0000-0030, is a .44 acre parcel that previously had a single-family dwelling and has a Future Land Use Map (FLUM) designation of **Crystal Beach Neighborhood (CBN)**.

Both lots are now owned jointly by the City of Destin and Okaloosa County. The purpose of the purchase is to develop Crystal Shores Park into a larger park to increase public beach access in an area where it is limited. Redesignating the properties to **Recreation** will align the properties with the City's FLUM and allow for the properties to subsequently be rezoned to **Recreation**.

The final step in the alignment of the Future Land Use Map and the Zoning Map will be to adopt and codify both maps into the City's Comprehensive Plan and Land Development Code, respectively.

Figure 1: 2942 & 2970 Scenic Highway 98 - Current Zoning



- A. Link to Strategic Goals / Objectives:** Objective 1.3 Public Beachfront acquisition initiative & Goal #4 Enhanced quality of life and safety for families.
- B. Effect on Budget (EOB):** No anticipated Effect on Budget
- C. Level of Service (LOS):** Increased access to public beaches.

III. CONCLUSION: The proposed FLUM amendments and subsequent rezoning will bring the properties into alignment and are consistent with other City park properties.

At a public hearing held at the regularly scheduled City Council meeting on January 18, 2022, the City Council approved the proposed Ordinance 21-24-PC (and its accompanying rezoning Ordinance 21-25-LC). Subsequently, the Department of Economic Opportunity indicated that it has no comments relating to the proposed amendment. Therefore, staff recommends approval on second reading.

IV. RECOMMENDED MOTION: I move that the City Council approve proposed Ordinances 21-24-PC on second reading and direct Staff to transmit the Ordinance to the Department of Economic Opportunity.

Attachments:

1. 21_24_PC FLUM Amendment (1)
2. CTY. DESTIN 22-01ESR (P)

ORDINANCE NO. 21-24-PC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM CRYSTAL BEACH RESORT (CBR) AND CRYSTAL BEACH NEIGHBORHOOD (CBN) TO RECREATION (REC); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Parcel ID Numbers: 00-2S-22-0590-0000-00CA AND 00-2S-22-0584-0000-0030)

SECTION 1. AUTHORITY. The authority for enactment of this Ordinance is Article 1, Section 1.01(b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the Recreation (REC) land use provides for publicly and privately owned property and facilities, with the intent to promote natural resource enhancement and to promote open spaces around buildings; and

WHEREAS, the City of Destin is the owner of the property and desires to use the property for a city park; and

WHEREAS, the applicant desires to change the future land use designation from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC) for future land use category in the City's Comprehensive Plan on a parcel of land set forth in Exhibit A, lying within the corporate limits of the City; and

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on December 2, 2021, and its recommendations reported to the City Council; and

WHEREAS, after due public notice, a public hearing has been conducted by the City Council; and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

SECTION 3. ADOPTION OF THE AMENDMENT TO THE FUTURE LAND USE MAP:

The City of Destin's Future Land Use Map is hereby amended by changing the future land use category from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC) for the specific area of land that is described and depicted on Exhibit A, attached hereto and fully incorporated herein by this reference.

SECTION 4. TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:

The City Manager or his designee is hereby designated to sign a letter transmitting the adopted comprehensive plan amendment to the State Planning agency, in accordance with the Community Planning Act.

SECTION 5. INCORPORATION INTO COMPREHENSIVE PLAN. Upon the effective date of the comprehensive plan amendment adopted by this Ordinance, said amendment shall be incorporated into the City of Destin's Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 6. CONFLICTING PROVISIONS. All prior inconsistent ordinances and resolutions adopted by the City Council, or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed by this ordinance to the extent of such conflict.

SECTION 7. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 8. EFFECTIVE DATE. The comprehensive plan amendment shall not become effective until 31 days after the State Planning Agency notifies the City that the plan amendment package transmitted by the City is complete, except however, if the plan amendment is timely challenged, this Ordinance shall not become effective until the date a final order is issued by the State Land Planning Agency, or the date the Administration Commission enters a final order determining that the adopted plan amendment is in compliance. No development orders, development permits, or land use dependent on this amendment may be issued or commenced before it becomes effective. After and from the effective date of this amendment, the comprehensive plan amendment set forth herein shall amend the City of Destin's Comprehensive Plan and shall become a part of that plan and the amendment shall have the legal status of the City of Destin's Comprehensive Plan, as amended.

(Signature Page Follows)

ADOPTED THIS ____ DAY OF _____ 2022.

BY: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Romano Kopp, City Land Use Attorney

First Reading: _____

Second Reading: _____

EXHIBIT A

Parcel ID Numbers: 00-2S-22-0590-0000-00CA

00-2S-22-0584-0000-0030

Crystal Port Common Area, according to the Plat thereof as recorded in Plat Book 7, Page(s) 76, of the Public Records of Okaloosa County, Florida.

And

Lot 3, THE SHORES OF CRYSTAL BEACH, a Planned Unit Development, a Resubdivision of a Portion of Block B, Crystal Beach Subdivision, according to the Plat thereof as recorded in Plat Book 13, Page 82 of the Public Records of Okaloosa County, Florida.



March 2, 2022

The Honorable Gary Jarvis
Mayor, City of Destin
4200 Indian Trail
Destin, Florida 32541

Dear Mayor Jarvis:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the City of Destin (Amendment No. 22-01ESR) received on January 12, 2022. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

The Honorable Gary Jarvis

March 2, 2022

Page 2 of 2

If you have any questions concerning this review, please contact Dan Evans, Planning Analyst, by telephone at (850) 717-8484 or by email at dan.evans@deo.myflorida.com.

Sincerely,



Barbara Powell, Regional Planning Administrator
Bureau of Community Planning and Growth

BP/de

Enclosure(s): Procedures for Adoption

cc: Steve O'Conner, Principal Planner, Destin Community Development Department
Austin Mount, Executive Director, Emerald Coast Regional Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (<https://floridajobs.secure.force.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022**TYPE OF AGENDA ITEM:** Ordinance**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:** March 11, 2022**SUBJECT:** Second reading of Ordinance 21-25-LC - Amending the official Zoning Map as referenced in the Land Development Code, Section 7.12.01(A)2 Zoning Maps to include a change in the zoning designations of parcels from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC).

I. BACKGROUND: During the November 19, 2018, City Council meeting, the Council approved a motion directing Staff to research waterfront and beachfront properties to acquire. The effort aims to increase the public's access to the beaches of Destin. The two subject properties, 2942 & 2970 Scenic Highway 98, were listed early in the process as properties for acquisition due to their location in the vicinity of the existing Crystal Shores Park at the end of Hutchinson Street and Scenic Highway 98. The City of Destin and Okaloosa County partnered to purchase the subject properties, and in October and November 2020, the purchase was finalized.

II. DISCUSSION: Currently, 2942 Scenic Highway 98 – Parcel ID: 00-2S-22-0590-0000-00CA, is a .23 acre parcel that formerly had five (5) condominium units and upon approval of Ordinance 21-24-PC (also being considered on second reading by the City Council this evening), will have a Future Land Use Map (FLUM) designation of Recreation (REC).

Currently, 2970 Scenic Highway 98 – Parcel ID: 00-2S-22-0584-0000-0030, is a .44 acre parcel that previously had a single-family dwelling and upon approval of Ordinance 21-24-PC (also being considered on second reading by the City Council this evening), will have a Future Land Use Map (FLUM) designation of Recreation (REC).

Both lots are now owned jointly by the City of Destin and Okaloosa County. The purpose of the purchase is to develop Crystal Shores Park into a larger park to increase public beach access in an area where it is limited.

Figure 1: 2942 & 2970 Scenic Highway 98 - Current Zoning



- A. **Link to Strategic Goals / Objectives:** Objective 1.3 Public Beachfront acquisition initiative & Goal #4 Enhanced quality of life and safety for families.
- B. **Effect on Budget (EOB):** No anticipated Effect on Budget
- C. **Level of Service (LOS):** Increased access to public beaches.

III. CONCLUSION: The proposed rezoning is contingent upon approval of Ordinance 21-24-PC (also being considered on second reading by the City Council this evening). If both ordinances are approved, the subject properties will have a Future Land Use Map (FLUM) designation of Recreation (REC) and will be zoned Recreation. The FLUM amendment and rezoning will bring the properties into alignment and are consistent with other City park properties.

At a public hearing held at the regularly scheduled City Council meeting on January 18, 2022, the City Council approved proposed rezoning Ordinance 21-25-LC (and the accompanying comp plan amendment via Ordinance 21-24-PC) at first reading.

IV. RECOMMENDED MOTION: I move that the City Council approve proposed Ordinance 21-25-LC on second reading.

Attachments:

1. 21_25_LC Zoning Map Amendment_REC (1)

ORDINANCE NO. 21-25-LC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM CRYSTAL BEACH RESORT (CBR) AND CRYSTAL BEACH NEIGHBORHOOD (CBN) TO RECREATION (REC); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Parcel ID Numbers: 00-2S-22-0590-0000-00CA AND 00-2S-22-0584-0000-0030)

SECTION 1. AUTHORITY. The authority for enactment of this Ordinance is Article 1, Section 1.01(b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the Recreation (REC) zoning provides for publicly and privately owned property and facilities, with the intent to promote natural resource enhancement and to promote open spaces around buildings; and

WHEREAS, the City of Destin is the owner of the property and desires to use the property for a city park; and

WHEREAS, the City Council desires to administratively rezone the parcels depicted in Exhibit A, from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC); and

WHEREAS, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens;

WHEREAS, after due public notice, a public hearing was conducted by the Local Planning Agency on December 2, 2021, and its recommendations reported to the City Council; and

WHEREAS, after due public notice, a public hearing has been conducted by the City Council.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA, AS FOLLOWS:

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Destin, Florida, as referenced in the Land Development Code, section 7.12.01(A)2, Zoning Maps, is hereby amended to include a change of zoning map designation from **from Crystal Beach Resort (CBR) and Crystal Beach Neighborhood (CBN) to Recreation (REC)**, for the parcels with Okaloosa County Parcel ID numbers 00-2S-22-0590-0000-00CA AND 00-2S-22-0584-0000-0030 which are generally depicted and described in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS ____ DAY OF _____ 2022.

BY: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney for the City of Destin, only .

Rey Bailey, City Clerk

Kimberly Romano Kopp, City Land Use Attorney

EXHIBIT A

**Parcel ID Numbers: 00-2S-22-0590-0000-00CA
 00-2S-22-0584-0000-0030**

Crystal Port Common Area, according to the Plat thereof as recorded in Plat Book 7, Page(s) 76, of the Public Records of Okaloosa County, Florida.

And

Lot 3, THE SHORES OF CRYSTAL BEACH, a Planned Unit Development, a Resubdivision of a Portion of Block B, Crystal Beach Subdivision, according to the Plat thereof as recorded in Plat Book 13, Page 82 of the Public Records of Okaloosa County, Florida.



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Public Hearing

AGENDA OUTLINE NUMBER: 5.D.

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Kimberly Kopp, Land Use Attorney
Webb Warren, Deputy City Manager
Joey Forgione, Code Compliance Director

DATE: March 3, 2022

SUBJECT: First reading of Ordinance 22-05-CC - Amending the Code of Ordinances to establish a Flag Warning System at City of Destin beaches.

I. BACKGROUND: The City Council of the City of Destin has recognized that the safety, health, and welfare of the citizens of and visitors to the City of Destin would be best protected by establishment of a beach flag warning system consistent with the system currently in place for unincorporated Okaloosa County.

If the City Council adopts proposed Ordinance 22-05-CC, a flag warning system consistent with Section 16-43, Okaloosa County Code of Ordinances would be adopted to facilitate safe, efficient, and consistent public safety measures at City beaches for the benefit of residents and visitors alike.

The City Land Use Attorney, City Staff, the Destin Fire Control District, and the Okaloosa County Sheriff's Office have worked jointly on the preparation of this proposed Ordinance.

II. DISCUSSION: The proposed ordinance provides as follows:

Section 15-70. Flag warning system at City Beaches.

A flag warning system is hereby adopted by the City Council.

(1) All beaches within the City, and access points to beaches leading to the Gulf of Mexico within the City, shall display a sign informing the public of the beach flag warning system, and hours lifeguards are on duty and notification that when lifeguards are not on duty swimmers shall swim at their own risk. The sign shall not be less than 24 inches wide and 30 inches long.

(2) Beach vendors and contractors and other governmental entities are encouraged to

post the beach flag warning system sign in a prominent place at their place of business. The sign shall be in color and not less than 24 inches wide and 30 inches long.

(3) Beach lifeguards at beaches shall post the appropriate flags depicting current conditions at each designated beach from the second Saturday in March through the second weekend in October. Warning flags will be raised when lifeguards are on duty and actively guarding and will be lowered when lifeguards leave the beach daily.

Section 15-71. Enforcement of Beach Flag Warning System.

(1) The City Manager, City Manager's designee, or the Okaloosa County Sheriff shall have the authority to declare that a state of emergency exists and order the posting of double red flags prohibiting entry into the water. This shall apply to all City beaches and beach access ways.

(2) Following a declaration of a state of emergency for any portion of any water body in the City and the posting of double red flags prohibiting entry into the water, failure to comply with directions of lifeguards or law enforcement officers shall be a violation of Section 843.02, Florida Statutes, or other applicable statute. Those persons surfing as defined herein with a surfboard attached to the surfer by a leash are exempt from this article.

(3) No person, firm, corporation or other legal entity except a lifeguard or other person actually engaged in a rescue attempt shall swim or bathe in violation of an order given pursuant to this section.

(4) Sections 15-70 and 15-71 may be enforced pursuant to any method authorized in law or equity, including but not limited to enforcement pursuant to Section 1-9, City Code of Ordinances.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: Staff recommends approval of Ordinance 22-05-CC.

IV. RECOMMENDED MOTION: I move to approve Ordinance 22-05-CC on first reading and direct the City Clerk to advertise for second reading.

Attachments:

1. Beach Flags Ordinance

ORDINANCE NO. 22-05-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO THE CODE OF ORDINANCES TO ESTABLISH A FLAG WARNING SYSTEM AT CITY BEACHES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the tranquility, and orderly and safe use of City beaches is of prime importance to the city, its citizens and visitors; and

WHEREAS, the City Council of the City of Destin finds that the safety, health, and welfare of the citizens of and visitors to the City of Destin would be best protected by establishment of a beach flag warning system consistent with the system currently in place for unincorporated Okaloosa County; and

WHEREAS, the City Council hereby adopts a flag warning system consistent with Section 16-43, Okaloosa County Code of Ordinances to facilitate safe, efficient, and consistent public safety measures at City beaches for the benefit of residents and visitors alike; and

WHEREAS, the City Council has determined that this ordinance is in the best interests of the City and its citizens; and

WHEREAS, two public hearings have 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:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol * represents sections of the Code of Ordinances that have been skipped and remain unchanged.**

SECTION 3. AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES TO ESTABLISH ARTICLE IV, BEACH FLAG WARNING SYSTEM.

Chapter 15 of the Code of Ordinances is hereby amended as follows:

CHAPTER 15 - PARKS AND RECREATION.

ARTICLE IV. - FLAG WARNING SYSTEM.

Section 15-70. Flag warning system at City Beaches.

A flag warning system is hereby adopted by the City Council.

(1) All beaches within the City, and access points to beaches leading to the Gulf of Mexico within the City, shall display a sign informing the public of the beach flag warning system, and hours lifeguards are on duty and notification that when lifeguards are not on duty swimmers shall swim at their own risk. The sign shall not be less than 24 inches wide and 30 inches long.

(2) Beach vendors and contractors and other governmental entities are encouraged to post the beach flag warning system sign in a prominent place at their place of business. The sign shall be in color and not less than 24 inches wide and 30 inches long.

(3) Beach lifeguards at beaches shall post the appropriate flags depicting current conditions at each designated beach from the second Saturday in March through the second weekend in October. Warning flags will be raised when lifeguards are on duty and actively guarding and will be lowered when lifeguards leave the beach daily.

Section 15-71. Enforcement of Beach Flag Warning System.

(1) The City Manager, City Manager's designee, or the Okaloosa County Sheriff shall have the authority to declare that a state of emergency exists and order the posting of double red flags prohibiting entry into the water. This shall apply to all City beaches and beach access ways.

(2) Following a declaration of a state of emergency for any portion of any water body in the City and the posting of double red flags prohibiting entry into the water, failure to comply with directions of lifeguards or law enforcement officers shall be a violation of Section 843.02, Florida Statutes, or other applicable statute. Those persons surfing as defined herein with a surfboard attached to the surfer by a leash are exempt from this article.

(3) No person, firm, corporation or other legal entity except a lifeguard or other person actually engaged in a rescue attempt shall swim or bathe in violation of an order given pursuant to this section.

(4) Sections 15-70 and 15-71 may be enforced pursuant to any method authorized in law or equity, including but not limited to enforcement pursuant to Section 1-9, City Code of Ordinances.

SECTION 4. INCORPORATION INTO CITY CODE OF ORDINANCES. This ordinance shall be incorporated into the City of Destin's Code of Ordinances and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED this ____ day of _____, 2022.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing
has been reviewed and approved by the City Land
Use Attorney, for the City of Destin, only.

Kimberly Romano Kopp, City Land Use Attorney

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Ordinance

AGENDA OUTLINE NUMBER: 5.E.

TO: City Council

THRU: Kyle Bauman, City Attorney
Lisa Firth, Parks & Rec Director
Lance Johnson, City Manager

FROM: Webb Warren, Deputy City Manager

DATE: 2/1/22

SUBJECT: Second reading of Ordinance 22-03-CN - Lease of certain real property owned by the City of Destin. Providing for City Council approval of a contract for the lease of the property of Dalton Threadgill Park.

I. BACKGROUND: The City has a longstanding partnership with the Destin Little League, Inc. leasing Dalton Threadgill Park to the Little League for the Little League to organize and run youth baseball and softball programs at the park. Previously, the City appears to have entered into these lease agreement with the Little League through resolution approving a lease. In an abundance of caution, and pursuant to City Charter section 3.12(b)(6), these leases should be entered into through ordinance.

II. DISCUSSION: In an abundance of caution, pursuant to Charter provision 3.12(b)(6), City staff and the City Attorney are recommending that the proposed lease be adopted through ordinance. This Charter provision requires any conveyance or lease of City land be accomplished through ordinance.

Through this Lease, the City permits the Little League to use the park for its youth baseball and softball activities from the months of January through July, through the year ending 2026 at Dalton Threadgill Park. The Lease permits the parties to mutually extend these terms for another five-year term through the year 2031. The Lease also permits the City to terminate the Lease if it provides notice to the League more than 60 days prior to the Little Leagues season beginning January 1 of each calendar year. In this event, the City would be obligated to make reasonable efforts to provide the Little League other accomodations.

Besides these changes, the Lease is substantially identical to the immediately preceding lease entered into between the City and Little League.

- A. Link to Strategic Goals / Objectives:
- B. Effect on Budget (EOB):
- C. Level of Service (LOS):

III. CONCLUSION: Approval of this Ordinance will continue the City's longstanding relationship with the Little League and permits the Little League to use the park for its youth baseball and softball activities from the months of January through July, through the year ending 2026 at Dalton Threadgill Park.

IV. RECOMMENDED MOTION: I move to approve Ordinance 22-03-CN on second reading.

Attachments:

1. Ordinance 22-03-CN - Dalton Threadgill Lease Ordinance
2. Exhibit A - Little League Lease 2022-2026 final(1)

ORDINANCE 22-03-CN

AN ORDINANCE OF THE CITY OF DESTIN OF OKALOOSA COUNTY, FLORIDA RELATING TO THE LEASE OF CERTAIN REAL PROPERTY OWNED BY THE CITY; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CITY COUNCIL APPROVAL OF A CONTRACT FOR LEASE OF THE PROPERTY OF DALTON THREADGILL PARK; AND PROVIDING FOR AN EFFECTIVE DATE

SECTION 1. AUTHORITY. The authority for this Ordinance is section 166.021, Florida Statutes, and section 3.12(b)(6), City of Destin City Charter.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council of the City of Destin, Florida finds that it is beneficial to the City of Destin and its citizens that the subject property be leased to the Destin Little League, Inc.; and

WHEREAS, section 3.12(b)(6), of the City of Destin City Charter requires that the City of Destin authorize by administrative action the lease of City property.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA:

SECTION 3. LEASE OF REAL PROPERTY APPROVAL. The lease between the City of Destin and the Destin Little League, Inc. a copy of which is attached hereto as Exhibit “A,” and made a part hereof by this reference, for the lease of real property owned by the City, commonly known as Dalton Threadgill Park and more particularly described below is approved and lease of the land by administrative action is authorized. The lease contains the imposition of conditions by the City authorized to be imposed by the City Council. The Mayor and City Clerk are authorized to execute and deliver such documents as are necessary to lease the property. The street address, parcel identification numbers ,and legal description of the property, is as follows:

Street Address: 711 Hickory Street
Destin, Florida 32541

Parcel ID Numbers: 00-2S-22-0310-000D-041A
00-2S-22-0310-000D-1820

Legal Description:

Parcel 1:

Lot 375, Block D, according to the Second Revision Plat of Calhoun's Subdivision, Plat Book 2, Page 43-A, Public Records of Okaloosa County, Florida.

Parcel 2:

A portion of Block "D" Calhouns Subdivision of Addition to Destin, Okaloosa County, Florida according to Second Revision Plat recorded in Plat Book 2 at Page 43-A described as follows: Beginning on Stahlman Avenue at Easternmost Corner of lot 375, Thence 204.25' Northwesterly with boundary of Lot 375 to Southern most corner of lot 384; Thence 300' Northeasterly with boundary of Lots 384, 385, and 386 to Easternmost corner of Lot 386; Thence 204.25' more or less Southeasterly to Stahlman Avenue; Thence 300' Southwesterly to Point of Beginning.

Parcel 3:

Lots 182, 183, and 184, Block D of Calhoun's Subdivision of Addition to Town of Destin, Okaloosa County, Florida a Plat of which is on record in the office of the Circuit Court of said County. Each of said Lots faces the East side of Sibert Avenue 100 feet and extends Southeastwardly 300 feet.

Parcel 4:

That portion of the abandoned right of way, formerly known as Sibert Avenue, as described in Okaloosa County Resolution 6F Page 75 and recorded in Official Records Book 1146 at Page 1160 of the Public Records of Okaloosa County, Florida lying Southeasterly of the center line of said Sibert Avenue.

Parcel 5:

That portion of the abandoned right of way, formerly known as Sibert Avenue, as described in City of Destin Ordinance No. 093 recorded in Official Records Book 1440, at Pag3 849-851, of the Public Records of Okaloosa county, Florida, adjacent to said Lot 182 lying Southeasterly of the center line of said Sibert Avenue, having approximate dimensions of 50 feet by 34.99 feet.

Section 4. Effective Date. This ordinance shall take effect immediately upon approval by the Council and signature by the Mayor.

ADOPTED THIS __ DAY OF __, 2021

By: _____
Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

The form and legal sufficiency of the foregoing
Has been reviewed and approved by the City
Attorney for the City of Destin, only:

Kyle S. Bauman, Esq., City Attorney

LEASE OF DALTON THREADGILL PARK

STATE OF FLORIDA
COUNTY OF OKALOOSA

This lease made effective this first day of January, 2022, by and between the CITY OF DESTIN, herein called CITY, and DESTIN LITTLE LEAGUE, INC., herein called LEAGUE.

1. PREMISES – CITY leases to LEAGUE, and LEAGUE hires from CITY, the premises known as Dalton Threadgill Park, Hickory Street, Destin, Florida, consisting of three (3) ball fields, bleachers, concession stands, restrooms, fences and light poles located on the property further described on Attachment “A” to this lease herein referred to as “premises”. LEAGUE shall have exclusive use of the premises during their official season from January 1 through July 31 annually. This does not prohibit the CITY’S use of the premises if mutually agreed upon by both parties in writing. CITY shall have exclusive use of the premises, excluding the concessions building, during the LEAGUES off-season from August 1 through December 31 annually. During this timeframe the City may elect to schedule appropriate activities on the premises. This does not prohibit the LEAGUE’S use of the premises if mutually agreed upon by both parties in writing. The City Manager shall have the discretion to permit the LEAGUE’S use of the premises during the inactive season. Said permission shall always be in writing.
2. TERM – The term of this lease is five (5) years, beginning January 1, 2022, and ending July 31, 2026. The City shall have the right to terminate this lease if it provides notice to the LEAGUE at least sixty (60) days prior to the start of the LEAGUE’S season beginning on January 1 of each calendar year. In the event of termination, the CITY agrees to make reasonable efforts to accommodate the LEAGUE at a different venue.
3. RENT – The total rent under this lease is ten and no/100 dollars (\$10.00). Receipt of which is acknowledged by CITY. The LEAGUE’S activities are such that they provide a tangible public benefit to the community which is in alignment with the CITY’S cost recovery program. In the event this lease is terminated prior to its full term, the LEAGUE will be refunded a pro-rata share of the rent paid.
4. USE OF PREMISES, GENERALLY – The premises are leased to the LEAGUE from January 1 through July 31 annually to be used as a ballpark and recreation area for officially sanctioned LEAGUE activities only. LEAGUE agrees to restrict use to such purposes and not to use or permit the use of the premises for any other purpose or by

Commented [k1]: Does someone have the legal description of this property? It'd be good to attach along with overhead.

any other entity or organization without first obtaining the consent in writing of the CITY. LEAGUE further agrees to make no unlawful, immoral or offensive use of the premises, nor to commit any waste, nor allow any nuisance to exist on the premises. LEAGUE shall comply with applicable state and local laws governing the use and occupancy of the lease premises.

5. UTILITIES – CITY shall pay all utilities, including garbage collection, furnished to the premises for the term of this lease, including any installation or hookup charges.
6. BUILDING and GROUNDS MAINTENANCE – It is expressly agreed that the appurtenances, buildings and all fixtures existing as of the date of this lease are and shall remain the sole and exclusive property of the LEAGUE. LEAGUE shall have primary responsibility for inspection, repair and maintenance of the buildings on the premises. CITY shall have secondary responsibility to inspect, repair or maintain the buildings, or any part thereof. Consequently, partial or complete destruction of the existing buildings shall have no effect upon this lease. LEAGUE agrees to groom (drag/rake) infields, line/chalk fields for league sanctioned activities and police the premises for garbage/litter/debris must clean and sanitize restrooms and concession areas throughout the LEAGUE's active season and during any LEAGUE sponsored activities taking place during the LEAGUE'S inactive season. CITY agrees to provide year-round regular repair and maintenance of the grounds inclusive of mowing, pesticide treatment, fertilization, irrigation, fences and lighting on the premises. CITY agrees to keep the premises free from garbage/litter/debris during the LEAGUE'S inactive season.
7. USE OF MORGAN SPORTS CENTER ENCOURAGED – CITY encourages the expanded use of Flounder and Grouper fields at the Morgan Sports Center by LEAGUE during the LEAGUE'S active season, in exchange for which user and concession fees will be waived. Nothing herein shall be permitted or construed in such a manner as to breach or conflict with Center concession franchises or permits in existence from time to time. League shall appoint a scheduling liaison to be the sole point of contact with the CITY with regards to reserving Flounder and/or Grouper fields. The scheduling liaison will notify the CITY of the dates and times the LEAGUE would like to reserve the fields for practices and/or games. The liaison will solely be responsible for scheduling and communicating with LEAGUE coaches as to their practice and/or game times. Individuals other than the liaison or the LEAGUE President who contact the CITY to reserve fields for LEAGUE activities will be referred to the liaison. As demands for these fields by other organizations continues to increase, the LEAGUE liaison or President will meet with CITY staff each September to estimate their needs for the upcoming LEAGUE season in January, the CITY will place a temporary hold on these fields based on these estimates. After registration is completed in January/February of each year the LEAGUE liaison will meet with the CITY staff to

refine the tentative field reservations to meet the actual needs of the LEAGUE for their season.

8. **APPROVAL FOR ALTERATIONS REQUIRED** - No alterations or additions of any character shall be made on or to the lease premises by LEAGUE without obtaining the prior written consent of CITY. If alterations or additions are made, they shall be made at the sole expense of LEAGUE. LEAGUE expressly holds CITY, its employees and agents, harmless for any damage or claim arising as a result of such alterations or additions.
9. **DUTY TO KEEP PREMISES FREE OF LIENS AND MORTGAGES** - LEAGUE shall keep all of the lease premises and every part thereof and all buildings and other improvements at any time located thereon free and clear of any and all mortgages, mechanics', materialman's, and other liens for or arising out of or in connection with work or labor done, services performed, or materials or appliances used or furnished for or in connection with any operations of LEAGUE, any alteration, improvement, or repairs or additions which LEAGUE may make or permit or cause to be made, or any work or construction, by, for, or permitted by LEAGUE on or about the premises, or any obligations of any kind incurred by LEAGUE. LEAGUE shall at all times promptly and fully pay and discharge any and all claims on which any such lien may or could be based. LEAGUE shall provide written notice no less than 30 days in advance of the commencement of any construction, alteration, addition, improvement, or repair so CITY may post appropriate notice of CITY'S non-responsibility. LEAGUE expressly agrees to indemnify CITY for any and all loss incurred by the CITY due to LEAGUE'S failure to comply with this section.
10. **IMPROVEMENTS AS PROPERTY OF CITY** – The CITY may make improvements, at the expense of the CITY, in order to bring the facilities into compliance with the American's With Disabilities Act as a part of the City Capital Improvements Plan. Such improvements shall be the property of the CITY. LEAGUE will cooperate with CITY in the planning and accomplishment of such reconstruction and improvements.
11. **PARTIAL DESTRUCTION OF PREMISES** - If at any time during the term of this Lease the lease premises is damaged by fire, act of nature, or other cause beyond the control of LEAGUE and not due to the negligence or wrongful act of the LEAGUE, its employees or agents, and to the extent that continued use of the lease premises is unfeasible, LEAGUE may, on written notice to CITY delivered within thirty (30) days after the damage has occurred, terminate this Lease without any liability of LEAGUE to CITY. CITY shall have no duty to restore the lease premises to operative condition.
12. **SIGNS; IDENTIFICATION** - LEAGUE shall not erect any sign on or at the lease premises or at the exterior of the premise property without obtaining the advance written approval of CITY. At no time are political signs allowed to be displayed on the premises. CITY agrees that it will not unreasonably withhold its approval.

13. LICENSES AND PERMITS - LEAGUE shall obtain and pay for all permits or licenses that may be required for use and operation of the lease premises.
14. INSURANCE - LEAGUE shall maintain coverage for a general liability policy in an amount of not less than \$1 million naming the CITY as an additional insured and certificate holder. LEAGUE'S general liability policy shall be at the sole expense of LEAGUE. Any loss or adjustment or changes in the above coverage requirements shall require the written consent of both CITY and LEAGUE. All of the policies of insurance referred to in this section shall be written in form satisfactory to CITY and by insurance companies satisfactory to CITY. LEAGUE shall pay all the applicable premiums therefore and deliver such policies or certificates thereof, to CITY. CITY shall be entitled, but shall have no obligation, to affect such insurance and pay the premiums therefore, which premiums shall be repayable to CITY by LEAGUE. Each insurer mentioned in this section shall agree, by endorsement on the policy or policies issued by it, or by independent instrument furnished to CITY, that will give to CITY 30 days' written notice before the policy or policies in question shall be altered or canceled. CITY agrees that it will not unreasonably withhold its approval as to the form or to the insurance companies selected by LEAGUE.
15. RIGHT OF ENTRY - At a reasonable time and under reasonable circumstances, the CITY shall have the right to enter and make an inspection of the lease premises during the LEAGUE'S active season. At a reasonable time and under reasonable circumstances, the LEAGUE shall have the right to enter and make inspection of the lease premises during the LEAGUE'S inactive season. LEAGUE shall provide City with keys required to access all facilities on the premises.
16. OPTION TO RENEW – This Lease shall be renewable for successive five (5) YEAR TERM upon mutual consent of the parties, provided LEAGUE performs all of the covenants required of it and tenders to CITY, not later than thirty (30) days before the expiration of any rental period, the rental payment for the next period. CITY agrees to notify LEAGUE of impending expiration of this lease not later than sixty (60) day prior to the expiration of any rental period.
17. INDEMNIFICATION - LEAGUE shall indemnify, defend, save, and hold CITY, its agents and employees, harmless of and from any losses, fines, penalties, costs, damages, claims, demands, suits, and liabilities of any nature, including attorney's fees (including regulatory and appellate fees), arising out of, because of, or due to any accidents arising in any manner on account of the exercise or attempted exercise of LEAGUE'S rights hereunder whether the same regards person or property of any nature whatsoever, regardless of the apportionment of negligence, unless due to the sole negligence of the CITY.
18. SOVEREIGN IMMUNITY - Nothing contained herein is intended to nor shall be construed to waive the CITY'S rights and immunities under the Florida Constitution, common law or Florida Statutes 768.28, as amended from time to time.

Commented [k2]: I'm not sure what went into negotiating this, but seems to me this makes more sense if we make it upon mutual agreement of the parties.

19. PROHIBITION OF ASSIGNMENT OR SUBLEASE - LEAGUE may not assign any right, privilege, or license conferred by this Lease; nor may LEAGUE sublet or encumber any part of the lease premises without first obtaining the written consent of CITY. LEAGUE shall not assign or transfer this Lease, or any interest herein, without prior written consent of CITY, and consent to an assignment shall not be deemed to be consent to any subsequent assignment. Any such assignment without such consent shall be void.
20. CONSTRUCTION - The Parties have participated jointly in the negotiation and drafting of this Lease. In the event an ambiguity or question of intent or interpretation arises, this Lease shall be construed as if drafted jointly by the Parties and no presumption or burden of proof shall arise favoring or disfavoring any Party by virtue of the authorship of any of the provisions of this Lease.
21. ENTIRE AGREEMENT - This Lease represents the entire and integrated Agreement between the CITY and LEAGUE and supersedes all prior negotiations, representations or agreements, either written or oral. This Lease may be amended only by written instrument signed by both CITY and LEAGUE.
22. SEVERABILITY - If any section, subsection, term or provision of this Lease or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of this Lease or the application of same to parties or circumstances other than those to which it was held invalid or unenforceable, shall not be affected thereby and each remaining section, subsection, term or provision of this Lease shall be valid or enforceable to the fullest extent permitted by law.
23. SUCCESSOR AND ASSIGNS – The provisions of this Lease shall be binding on the parties, their successors and assigns.
24. ATTORNEY’S FEES – If a party of this lease should prevail in any legal action brought to enforce it or for its breach, the parties agree that such prevailing party may recover as part of the judgment reasonable attorney’s fees.
25. VENUE - The parties intend that this Lease and the relationship of the parties shall be governed by the laws of the State of Florida. The venue for any action arising out of this Lease shall be exclusively in Okaloosa County, Florida and nowhere else.
26. HEADINGS - The headings of sections are for convenient reference only and shall not be deemed to limit, construe, affect, modify or alter the meaning of such sections or subsections.

IN WITNESS WHEREOF, these parties have executed this Lease the day and year first above written.

Signed in the presence of as
Witnesses to CITY

CITY OF DESTIN

Printed Name: _____

By Lance Johnson
Its: City Manager

Printed Name: _____

STATE OF FLORIDA
COUNTY OF OKALOOSA

The Foregoing instrument was acknowledged, sworn to, and subscribed before me, the undersigned, by either
__ physical presence or __ online notarization this ____ day of _____, 2022, by Lance Johnson,
City Manager of the City of Destin, on behalf of the CITY. She is personally known to me or has produced
_____ as identification.

Notary Public
My Commission Expires: _____

ATTACHMENT A:

Dalton Threadgill Park



Street Address: 711 Hickory Street
Destin, Florida 32541

Parcel ID Numbers: 00-2S-22-0310-000D-041A
00-2S-22-0310-000D-1820

Legal Description:

Parcel 1:

Lot 375, Block D, according to the Second Revision Plat of Calhoun's Subdivision, Plat Book 2, Page 43-A, Public Records of Okaloosa County, Florida.

Parcel 2:

A portion of Block "D" Calhouns Subdivision of Addition to Destin, Okaloosa County, Florida according to Second Revision Plat recorded in Plat Book 2 at Page 43-A described as follows: Beginning on Stahlman Avenue at Easternmost Corner of lot 375, Thence 204.25' Northwesterly with boundary of Lot 375 to Southern most corner of lot 384; Thence 300' Northeasterly with boundary of Lots 384, 385, and 386 to Easternmost corner of Lot 386; Thence 204.25' more or less Southeasterly to Stahlman Avenue; Thence 300' Southwesterly to Point of Beginning.

Parcel 3:

Lots 182, 183, and 184, Block D of Calhoun's Subdivision of Addition to Town of Destin, Okaloosa County, Florida a Plat of which is on record in the office of the Circuit Court of said County. Each of said Lots faces the East side of Sibert Avenue 100 feet and extends Southeastwardly 300 feet.

Parcel 4:

That portion of the abandoned right of way, formerly known as Sibert Avenue, as described in Okaloosa County Resolution 6F Page 75 and recorded in Official Records Book 1146 at Page 1160 of the Public Records of Okaloosa County, Florida lying Southeasterly of the center line of said Sibert Avenue.

Parcel 5:

That portion of the abandoned right of way, formerly known as Sibert Avenue, as described in City of Destin Ordinance No. 093 recorded in Official Records Book 1440, at Page 849-851, of the Public Records of Okaloosa county, Florida, adjacent to said Lot 182 lying Southeasterly of the center line of said Sibert Avenue, having approximate dimensions of 50 feet by 34.99 feet.

Signed in the presence of as
Witnesses to LEAGUE

DESTIN LITTLE LEAGUE, INC.

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

STATE OF FLORIDA
COUNTY OF OKALOOSA

The Foregoing instrument was acknowledged, sworn to, and subscribed before me, the undersigned, by either
___ physical presence or ___ online notarization this ____ day of _____, 2022, by
_____, as _____ of DESTIN LITTLE LEAGUE, INC., on behalf of the
LEAGUE. He/She is personally known to me or has produced _____ as
identification.

Notary Public

My Commission Expires: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: March 21, 2022

TYPE OF AGENDA ITEM: Action Item

AGENDA OUTLINE NUMBER: 6.J.

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: 1. Request to schedule an executive session pursuant to section 286.011(8), Florida Statutes, in the case of *Destin Fishing Fleet, Inc. v. City of Destin, Florida*, Case Number 2019-CA-000425, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County, Florida.”

I. BACKGROUND:

II. DISCUSSION: The City Attorney, City Land Use Attorney, and Litigation Counsel desire advice concerning litigation in the case known as *Destin Fishing Fleet, Inc. v. City of Destin, Florida*, Okaloosa County, Florida Circuit Court, Case No 2019-CA-000425.

Pursuant to section 286.011(8)(b), Florida Statutes, the subject matter settlement negotiations or strategy session relating to litigation expenditures. The entire session will be recorded by a certified court reporter. The attorneys desire for the executive session to begin immediately prior to the April 4, 2021, regularly scheduled Council meeting. People attending include City Councilmembers Rodney Braden, Bobby Wagner, Jim Bagby, Dewey Destin, Teresa Hebert, Johnny King, Kevin Schimdt, Mayor Gary Jarvis, City Manager Lance Johnson, City Attorney Kyle Bauman, City Land Use Attorney Kimberly Romano Kopp, Litigation Counsel William Warner, Eric Krebs, and Steven Bauman.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION: I move to schedule an executive session in the case of *Destin Fishing Fleet, Inc. v. City of Destin, Florida* beginning at ____p.m. on April 4, 2021.

Attachments:

None