

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
DECEMBER 11, 2023
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 Bobby Wagner
Councilmember Johnny King
Councilmember Jim Bagby
Councilmember Torey Geile

Councilmember Kevin Schmidt
Councilmember Terésa Hebert
Councilmember Dewey Destin
Councilmember Matthew Sweetser

Destin City Staff

City Manager Lance Johnson
Grants/Program Manager Jeffrey Cozadd
City Engineer Ryan Scott
Comm. Dev. Director Louis Zunguze
Public Information Director Tamara Young
Finance Director Krystal Strickland
Public Works Director Michael Burgess
City Attorney Kimberly Kopp

City Clerk Rey Bailey
IT Director Andy Peters
Building Official Noell Bell
HR Manager Jaime Dittmer
Principal Planner Steve O'Connor
Code Compliance Director Troy Williams
Parks/Recreation Director Lisa Firth

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bobby Wagner called the meeting to order at 6:00 PM, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to approve the agenda passed 6-0 (Council members Schmidt, King, Hebert, Destin, Geile, and Sweetser voted "yes"; Councilmember Bagby was not present during the voting).

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

A. Recognition of City Manager Lance Johnson's 20 Year Anniversary with the City of Destin

The mayor read the Proclamation honoring City Manager Lance Johnson for 20 years of faithful service to the City of Destin, and then presented it to Mr. Johnson.

B. 2023 Destin Christmas Parade Winners

The mayor presented an award plaque to each of the following 2023 Destin Christmas Parade winners.

- Noel Award (Best Band): Purple Monkeys
- Santa's Helper Award (Best Children's Entry): Destin Dolphin Cheerleaders
- Santa's Helper Award (Best Children's Services Entry): Rise Dance Center
- Chamber Award (Best Commercial Entry): Militia Fitness
- Civic Club Award (Best Civic Entry): "Krew of Bowlegs"
- Crowd Pleaser Award (Most Popular Entry): Destin High School Fishing Class

C. Parks and Recreation Committee Report

Ms. Sandy Trammell, Parks and Recreation Committee Chair presented the Parks and Recreation Committee Annual Report. She also expressed a desire for the council to remove and replace a member of the committee who has never attended meetings.

Following a brief discussion, Councilmember Geile moved to terminate Mr. Isaac Birch's membership to the Parks and Recreation Committee and appoint a replacement at the next council meeting, seconded by Councilmember Destin. Motion passed 6-0 (Council members Schmidt, King, Hebert, Destin, Geile, and Sweetser voted "yes"; Councilmember Bagby was not present during the voting).

D. Lamar Presentation

Item was pulled from the agenda.

E. Cooperative Agreement in support of a Northwest Florida Regional Aquatic Center – Presentation

Representatives Julie Mooney and Kathy Heapy asked for council's approval of the Cooperative Agreement in support of a Northwest Florida Regional Aquatic Center in Niceville.

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to direct the City Manager to write a letter of support for the Northwest Florida Regional Aquatic Center passed 6-0 (Council members Schmidt, King, Hebert, Destin, Geile, and Sweetser voted "yes"; Councilmember Bagby was not present during the voting).

2. PUBLIC COMMENTS

3. CONSENT AGENDA

A. Milling, Resurfacing, Partial Reconstruction, and Re-striping of Matthew Blvd (and a short section of John Ave)

B. Milling, Resurfacing, and Re-striping of Main Street (US98 to Airport Road)

C. Milling, Resurfacing, and Re-striping of Legion Drive (Main Street to Beach Drive)

D. Amendment to Gulf Shore Drive Extension Construction Agreement for Completion of Construction by February 29, 2024.

E. Approval of minutes of September 25, 2023, Joint City Council and Local Planning Agency Workshop

F. Approval of minutes of October 2, 2023, Regular City Council Meeting

G. Reimbursement to Mayor Bobby Wagner for expenses incurred while attending the Florida League of Mayors Conference and Florida League of Cities Legislative Conference from November 28 to December 2, 2023, in Orlando, Florida

H. Resodding fields 2 and 3 at Morgan Sports Center

Councilmember Hebert moved for the approval of Consent Agenda items 3A through 3H, as printed above, seconded by Councilmember Schmidt. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

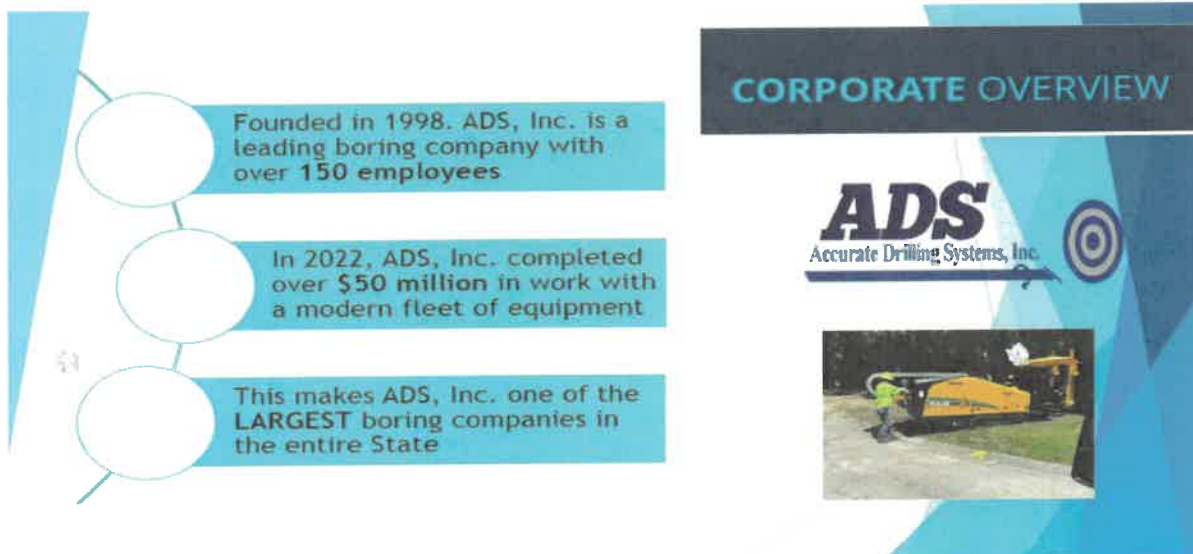
4. CITY MANAGER REPORTS

A. Utility Undergrounding Phase 1 Contractor Presentations and Selection

The city received three proposals for RFP 23-10-ENG: Phase 1 Utility Underground Conversion Project. City staff explained that bids ranged from \$8 million to \$13 million, with all contractors accepted by FPL to do the work.

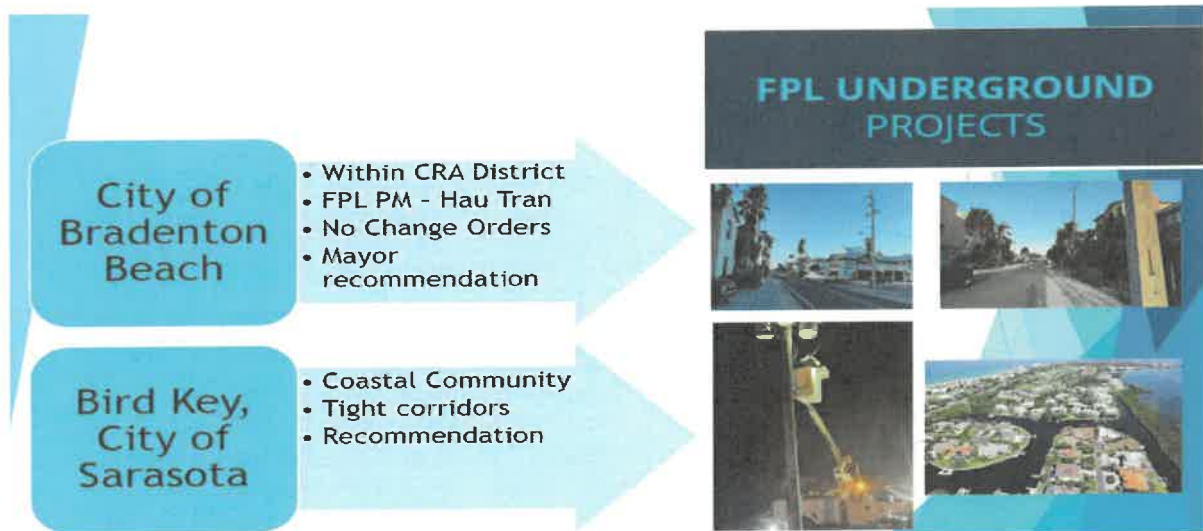
Utility Consultants of Florida – Mark Porter, Stephanie Hixson, and Robert Blunt – provided a brief overview of their evaluation of the proposals.

Accurate Drilling Systems Inc. gave the following presentation:



Three FPL Projects

1. City of Gulf Breeze
2. City of Bradenton Beach
3. Bird Key, City of Sarasota



PARTNERSHIPS

- Florida Power and Light
- Mediacom
- Unite Fiber
- Century Link
- Cox

THE ADS DIFFERENCE

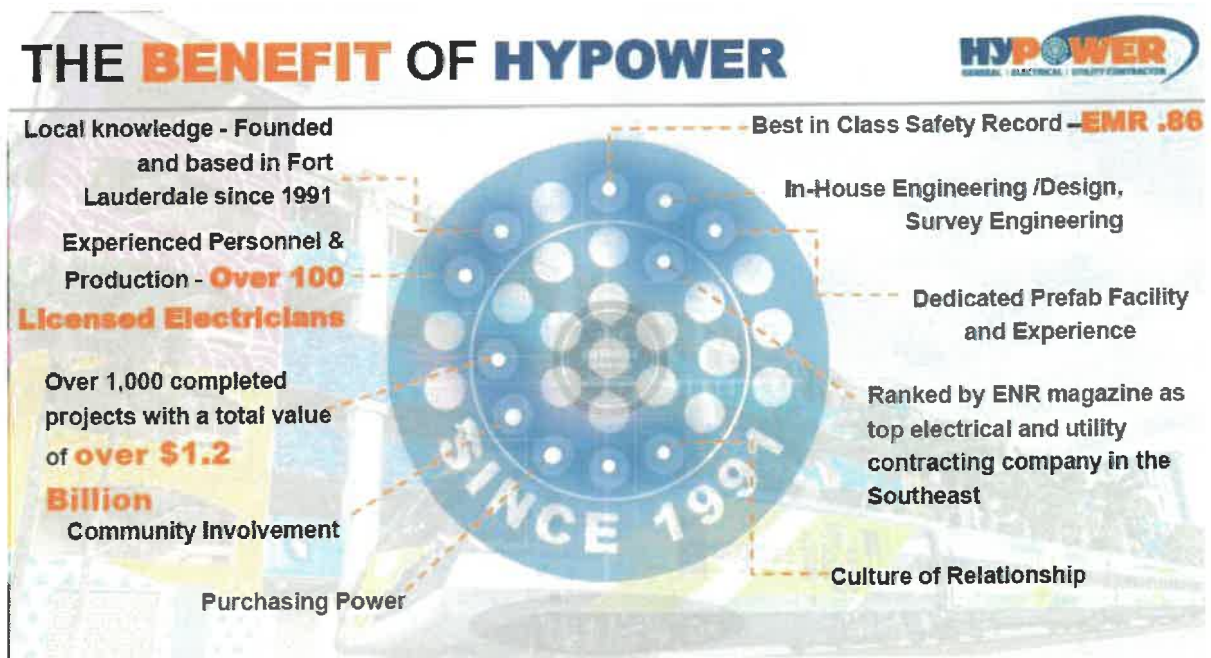
- Existing Utilities
- No Unnecessary Outages
- Beyond Expectations

WHY ADS IS THE BEST FIT

- Experience and Expertise
- Established Relationships
- One-Stop Shop
- Currently Mobilized
- Gulf Power to FPL

.....

Hypower LLC gave the following presentation:



POWER INFRASTRUCTURE SERVICES



Construction Services

- Temporary Power
- Trench Excavation
- Conduit/Cable Plowing
- Directional Drilling
- Jack and Bores
- Handhole/Pullbox Placement
- Manhole Placement
- Cable Placement – Pull or Pneumatic Method
- Ductbank Relocation Services
- Ladder Rack Installation
- Auxiliary Frame Installation
- Core Drilling
- Fire Stop Construction
- Medium Voltage Wire Placement
- Full Overhead to Underground Power Conversion
- Switch, Transformer and Junction Box Installations
- Switch Gear
- Duct Bank Infrastructure Installation
- 4kV to 500 kV

www.hypowerinc.com

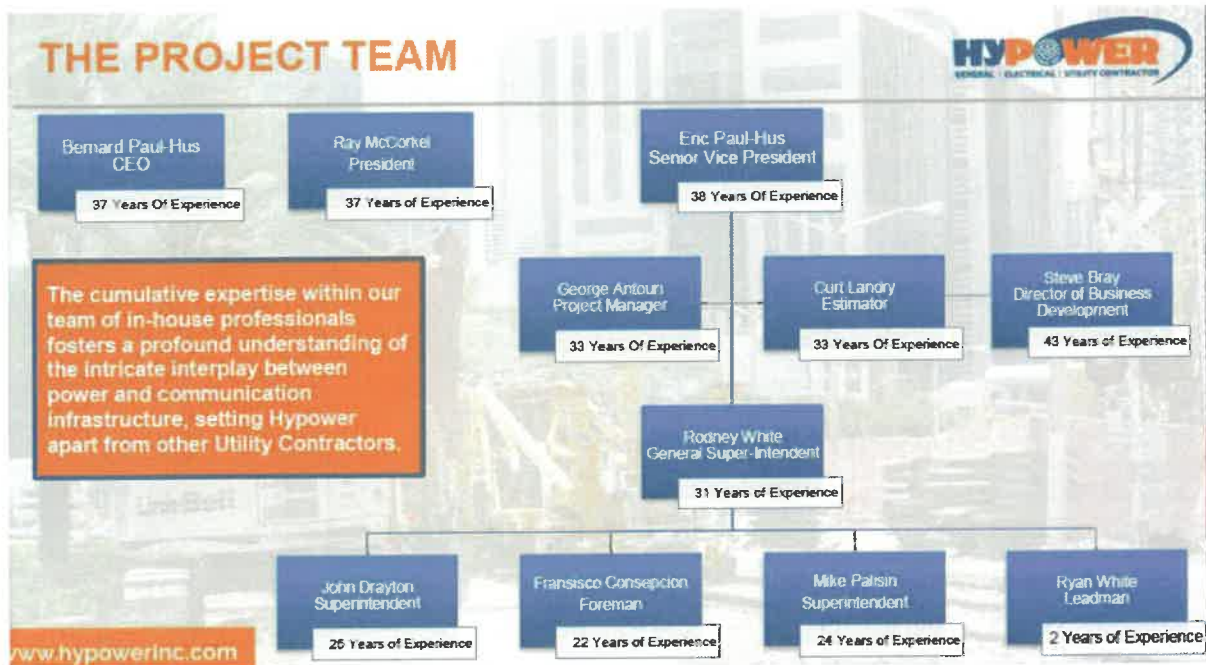
QUALIFICATION, ABILITY AND EXPERIENCE



Hypower's current and recently completed timeliness with FPL projects

- 25 Year track Record with FP&L
- **Over 100 completed FP&L projects**
- Never received liquidated damages
- Proprietary software allows for the input of daily labor hours, equipment usage, and quantities
- Primavera software schedule allowing us to monitor progress on a daily basis
- Hypower works on the permits that have been received while proactively following up with the pending permit's jurisdiction
- With over 700 employees and growing, Hypower can supply the right personnel for the project and maintain schedule as well as quality to ensure a timely project for the City of Destin.

www.hypowerinc.com



POWER INFRASTRUCTURE PROJECTS

HYPower
GENERAL • ELECTRICAL • UTILITY CONTRACTOR

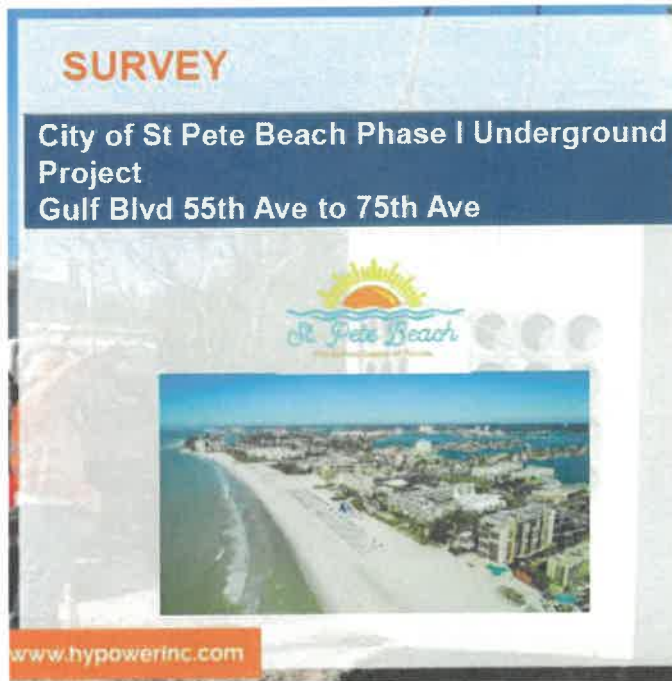
City of St Pete Beach Phase I Underground Project Gulf Blvd 55th Ave to 75th Ave

About:
Hypower installed new conduit pathways to relocate overhead utilities to underground in said pathway along Gulf Boulevard, from 55th Ave to 75th Ave. The scope included duct banks for Duke Energy, Charter Communications, and lighting where were installed using a combination of directional drilling and trenching.

Scope:

- Directional Drilling various sizes and quantities of conduit.
- Trenching – including open cuts – various sizes and quantities of conduit.
- Installing pull boxes
- Installing Switchgear Collars and Capacitor Bank Collars.
- Coordination and Supplying all MOT needs.
- Removal & Replacement of concrete sidewalk and curb & gutter.

www.hypowerinc.com



PERFORMANCE SURVEY QUESTIONNAIRE

CITY OF DCBTH

RFP 23-19-ENG PHASE 1 UTILITY UNDERGROUND CONVERSION

Contractor Information		Client/Reference Information	
Name: Curt Landry	No. 1000000000	Name: City of St. Pete Beach	
Company: Hypower, LLC		Address: 121 10th St	
Phone: 813-490-3137		Email: mcarant@stpetebeach.org	
Email: c.landry@hypowerinc.com			

Performance Survey of Project Name: 1. Phase 1 Underground Project Gulf Blvd 55th to 75th

Client Name: City of St. Pete Beach

Survey Date: 02/05/2024

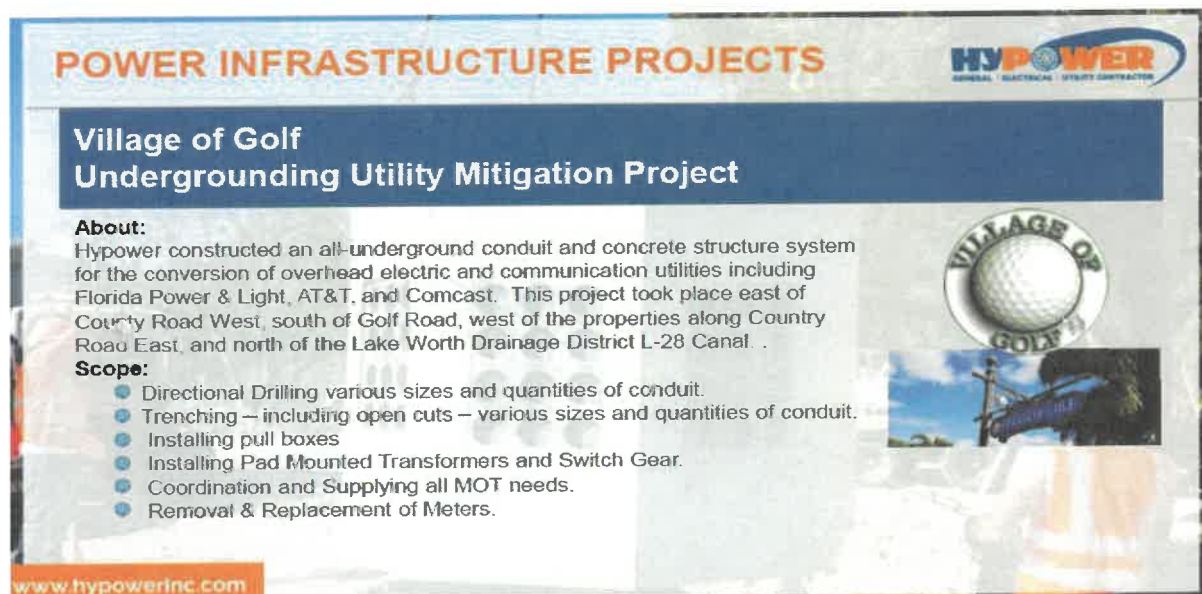
Client:

Rate each of the criteria on a scale of 1 to 10, with 1 representing that you were very unsatisfied and would never hire the company again and 10 representing that you were very satisfied and would hire the company again. Please rate each of the criteria to the best of your knowledge. If you do not have sufficient knowledge of your performance in a particular area, leave it blank. Once completed, return survey to the Contractor.

Criteria	1-10	Notes
Ability to manage cost	10	
Ability to maintain project schedule (completion/delay)	10	
Quality of workmanship	10	
Professionalism and ability to manage	10	
Clear and concise	10	
Ability to communicate with all parties involved in project	10	
Ability to resolve issues quickly	10	
Ability to follow through	10	
Ability to maintain proper documentation	10	
Ability to meet and exceed expectations & deliver	10	
Had proper resources and personnel to get the project done	10	
Overall team cohesion and communication	10	

Printed Name of Reference: *Marcus L. Kucinski*

Signature of Reference: *Marcus L. Kucinski*





PERFORMANCE SURVEY QUESTIONNAIRE



CITY OF DESTIN

RFP 23-16-ENG PHASE 1 UTILITY UNDERGROUND CONVERSION

Contractor Information

From: Clark Sander	To: Christine Berris
Company: Hypower, Inc.	Company: Village of Golf
Phone: 850-895-5117	Phone: 850-895-7334
Email: clanders@hypowerinc.com	Email: ChristineBerris@villageofgolf.org

Client/Project Information

Performance Survey of project name: Village of Golf Undergrounding Utility Mitigation Project
Date of Survey: 05/04/2023
Surveyed by: Clark Sander

Client:

Note each of the criteria on a scale of 1 to 10, with 1 representing that you were very dissatisfied (and would never hire the company again) and 10 representing that you were very satisfied (and would hire the company again). Please fill each of the criteria to the best of your knowledge. If you do not have sufficient knowledge of past performance in a particular area, leave it blank. Please completed return survey to the Contractor.

Criteria	Scale	Score
1. Ability to manage cost	1 - 10	10
2. Ability to maintain project schedule (completion/delay)	1 - 10	10
3. Quality of workmanship	1 - 10	10
4. Professionalism and ability to manage	1 - 10	10
5. Work performance	1 - 10	10
6. Ability to communicate with all staff & customer parties	1 - 10	10
7. Ability to resolve issues promptly	1 - 10	10
8. Ability to follow protocol	1 - 10	10
9. Ability to maintain proper documentation	1 - 10	10
10. Ability to meet work requirements & schedule	1 - 10	10
11. Final project completion and adherence to schedule	1 - 10	10
12. Overall client satisfaction and feedback received	1 - 10	10

Signature of Contractor: *Clark Sander*
Printed name in reference: Clark Sander

Signature of Client: *Christine Berris*
Signature in reference: Christine Berris

POWER INFRASTRUCTURE PROJECTS



Port Everglades High Voltage Crane Rail Electrification and Infrastructure Improvements- 25 KV

This \$437.5 million expansion is considered Port Everglades' Largest Expansion Project in Its History. Its main goal is to add new berths for larger cargo ships and install crane rail infrastructure for new Super Post-Panamax cranes. The Southport Turning Notch Expansion (STNE) project will lengthen the existing deepwater turn-around area for cargo ships from approximately 900 feet to 2,400 feet, allowing up to five new cargo berths. Located within Fort Lauderdale, Hollywood, and Dania Beach, Florida, Port Everglades is in the heart of one of the world's largest consumer regions, with approximately 110 million visitors statewide and 6 million residents within an 80-mile radius.



www.hypowerinc.com

SURVEY

Port Everglades High Voltage Crane Rail Electrification and Infrastructure Improvements- 25 KV



www.hypowerinc.com

PERFORMANCE SURVEY QUESTIONNAIRE



CITY OF DESTIN
RFP 23-10-ENG PHASE 1 UTILITY UNDERGROUND CONVERSION

Contractor Information		Client/Reference Information	
FROM: Curt Leisley	TO: Daniel Frankel		
Company: Hypower, LLC	Company: Morse Construction		
Phone: 554-635-3137	Phone: 305-986-1626		
Email: c1leisley@hypowerinc.com	Email: dfranke2@morsecm.com		

Performance Survey of project name: Port Everglades High Voltage Electrification and Infrastructure Improvements

Cost of Service: \$19,605,606.00 Date Completed: 10/15/2023

Client:

Rate each of the criteria on a scale of 1 to 10, with 1 representing that you were very unsatisfied (and would never hire the company again) and 10 representing that you were very satisfied (and would hire the company again). Please rate each of the criteria to the best of your knowledge. If you do not have sufficient knowledge of past performance in a particular area, leave it blank. Once completed, return survey to the Contractor.

Criteria	Unit	Score
1. Ability to manage cost	1 - 10	9
2. Ability to maintain project schedule (completion/delay)	1 - 10	9
3. Quality of workmanship	1 - 10	9
4. Professionalism and ability to manage	1 - 10	9
5. Close out process	1 - 10	10
6. Ability to communicate with all staff & applicable parties	1 - 10	10
7. Ability to resolve issues promptly	1 - 10	10
8. Ability to follow protocol	1 - 10	9
9. Ability to maintain proper documentation & solutions	1 - 10	9
10. Had proper resources and personnel by which to get the project done	1 - 10	9
12. Overall client satisfaction and comfort level in hiring	1 - 10	10

Daniel Frankel
Printed Name of Reference

Daniel Frankel
Signature of Reference

15

POWER INFRASTRUCTURE PROJECTS



Central Shopping and Residential Plaza Overhead to Underground FPL Utility Conversion

About:
Hypower installed new concrete encased duct banks to relocate overhead Florida Power & Light to underground throughout the shopping plaza. The construction included placement of up to (12) 6" Handholes, Transformer Pads, and Manholes as well as asphalt patches with limerock as required.

Scope:

- Duct Bank Installation — including open cuts — various quantities of 6" conduit.
- Installing handholes and manholes
- Dewatering of jobsite.
- Coordination and Supplying all MOT needs.
- Removal of overhead facilities.



www.hypowerinc.com

SURVEY

Central Shopping and Residential Plaza Overhead to Underground FPL Utility Conversion



www.hypowerinc.com

PERFORMANCE SURVEY QUESTIONNAIRE


 CITY OF DESTIN
 RFP 23-10-ENG PHASE 1 UTILITY UNDERGROUND CONVERSION

Contractor Information		Client/Reference Information	
From: Chris Landry	To: Chris Broderick		
Company: Hypower, LLC	Company: Williams Company Southeast		
Phone: 850-898-3137	Phone: 352-988-4101		
Email: clandry@hypowerinc.com	Email: CBroderick@williamsco.com		

Performance Survey of (project name): **Underground FPL Utility Conversion Project**

Cost of Service: **\$887,626.00** Date Completed: **08/21/2023**

Client:
 Rate each of the criteria on a scale of 1 to 10, with 1 representing that you were very unsatisfied (and would never hire the company again) and 10 representing that you were very satisfied (and would hire the company again). Please rate each of the criteria to the best of your knowledge. If you do not have sufficient knowledge of past performance in a particular area, leave it blank. Once completed, return survey to the Contractor.

Criteria	Unit	Score
1. Ability to manage cost	1 - 10	10
2. Ability to maintain project schedule (contingencies, etc.)	1 - 10	10
3. Quality of workmanship	1 - 10	10
4. Professionalism and ability to manage	1 - 10	10
5. Close out process	1 - 10	10
6. Ability to communicate with all staff & appropriate parties	1 - 10	10
7. Ability to resolve issues promptly	1 - 10	10
8. Ability to follow process	1 - 10	10
9. Ability to maintain proper documentation	1 - 10	10
10. Ability to offer value beyond services & materials	1 - 10	10
11. High project completion and percentage by which to get the project done	1 - 10	10
12. Overall client satisfaction and opinion level in rating	1 - 10	10

(Print Name of Reference) **Chris Broderick** Signature of Reference 

25

POWER INFRASTRUCTURE PROJECTS


 BUILDING | ELECTRICAL | UTILITY CONSTRUCTION

FPL Turkey Point Nuclear Plant Duct Bank and Cable

About:

- Nuclear Power Plant

Scope:

- Installing the new infrastructure and also pulling new feeder cable and upgrading 6 vaults. On the installation of the conduit portion we had a bridge crossing, directional drilling 2-6" crossing the intake canal that keeps the reactors from over heating. The cable portion should be starting in the next couple of weeks. The biggest obstacle we are having is they are doing a refueling of one of the reactors so everyone in the plant is on edge and the refueling should take around 5 weeks.



www.hypowerinc.com

POWER INFRASTRUCTURE PROJECTS



LCEC/Cape Coral 138 KV Transmission Substation Interconnect, FL

LCEC 138 KV UG Transmission Conversion 138 KV Transmission Underground Design-Build project consisted of relocation from overhead to underground facilities through the Future City Center Improvement area of Cape Coral Florida for a distance of approximately 4,500' of concrete encased transmission duct-bank, designed for the EMF and Temperature dissipation required for the 138KV voltage and load required, design and installation of (3) 12' x 28' underground vaults set to depths of 20 feet below grade and engineered to withstand the 60,000 lb pulling tensions of the 4000 KCMIL copper transmission cable. Also incorporated into the project was the foundation and structure construction of the substation entry switch towers and pole riser. Temperature of the system is monitored through the fiber optic path along the cable through an integrated Thermal Sensing and Logging instrument provided within the project in the Substation. Hypower served as Representative in support of LCEC through the arduous Scope/Path Clarification, Budget Consideration, Bid Letting, subsequent Evaluation Process with the City Leaders and then ultimately as Project Manager throughout the Design and Construction Processes. Design tasks included Geothermal Evaluation, Utility mapping and Survey, Duct Bank Design, Manhole Design, Cable Design, Substation Riser Switch and Lighting Arrestor Design, Duct Spacer Design, Concrete Mix Design, Conduit Sweep Design, Pole Riser Equipment Placement Design Support and Large Utility Crossing Mitigation Plans. Detailed calculations were performed to derive the duct bank depths allowed and exact spacing and configuration of the transmission lines addressing temperature dissipation and EMF leading to the development of project specific duct spacers.



www.hypowerinc.com

TESTIMONIALS



"LCEC/Cape Coral 138 KV Transmission Substation Interconnect"

Jerrey J. Slaybaugh Jr., Director, Project Manager, LCEC

"LCEC awarded two consecutive contracts to Hypower, Inc., 2009-T-01 and 2010-T-01, based on their ability and price. Both of the contracts entailed the same scope of work, which included working through some of Southwest Florida's more environmentally sensitive areas. The project passed through the western edge of the Everglades National Park, The Florida Panther National Wildlife Refuge and the U.S. National Park Service along Hwy 29. These two contracts proved to be very difficult due to the environmental concerns. However Hypower was able to conquer all hurdles that nature could throw at them. The project consisted of changing out 59 two-pole structures with concrete two-pole structures on an energized 138kV transmission line with 14kV distribution underbuild. The Department of Environmental Protection and Army Corps of Engineers set very stringent permit regulations, which were followed to the letter. The two contracts were completed without any issues and LCEC would gladly have them back on our system in the future."

www.hypowerinc.com

POWER INFRASTRUCTURE PROJECTS



City of Winter Park – Various Utilities

Relocate 15kv Overhead Distribution Lines to Underground Lines
Installed URD Feeders to provide electrical services to multiple projects in a 2-year period for Winter Park Utilities. Assisted with Winter Park takeover of Electrical service from (now) Duke territory.

Scope:

- Installing new Overhead 15kv
- Directional Boring
- Installation of pipe
- Installation of Feeder wire (overhead/underground)
- Installation of Lateral Feeder
- Installation of switch cabinets
- Installation of Transformers (overhead/underground)
- Termination of cables
- Phasing of Feeders
- Installation of secondary 120/240 services to residents
- Switching, including switch orders

Removal:

- 15kv Overhead lines
- Transformers
- Wire
- Crossarms
- Hardware
- Anchors
- 120/240 services to premises

Managed:

- MOT
- Electricians
- Residential Notification



www.hypowerinc.com

TESTIMONIALS



“Various FP&L Projects”

Eliud “Eli” Perez, Director, Engineering Leader, Florida Power and Light

“I am writing this letter to comment on the outstanding performance of John Zoerhof (Hypower Project Manager) on some recent sensitive projects. ... John’s influence was evident in the team that ultimately performed the construction activities. The bore was placed underneath the waterway to depths of 100’, reamed numerous times to the correct circumference and the product fused and pulled back without incident. While they did encounter some unidentified utilities in the path of the physical duct bank and manhole placement on the upland areas, all were able to be accommodated and no loss of service or damage to any utility occurred. All conductors were installed.

tested and the switching order to put them in service was carried out seamlessly. All in all, projects that might have been very complex were made to seem as nothing out of the ordinary for this group. And that is a relief when you are in the position of engineering the types of large-scale projects I am frequently charged with managing.”

www.hypowerinc.com

POWER INFRASTRUCTURE PROJECTS



Dover Air Force Base, DE

Relocate Overhead Electrical System #3, to bury overhead electrical to underground. The project scope included:

- Removal of existing 15kv overhead primary and placed it underground
- Demolition of the existing 15kv overhead primary
- Provided and installed 21,000 circuit feet of 400 MCM 15kv cable with directional boring
- Provided and installed 5 new 600amp 15kv 4way pad mounted switches
- Provided and installed 14 new 4 way above ground terminal cabinets
- Provided and installed 1 new 75 kva pad mounted transformer
- Provided and installed 5 new 25 kva pad mounted transformers
- Completed 300+ 15kv cable terminations
- Reworked 18 building services from 1000 kva to 200 kva
- Provided and installed 36 new street lights



www.hypowerinc.com

PROJECT OF SPECIAL INTEREST



BRIGHTLINE TRAINS, FL

Design Build Multi-Carrier Fiber Optic Communication Systems and PTC Communications

Hypower designed and installed 197 miles of communications infrastructure to accommodate 6 long distance carriers and the new Positive Train Control fiber for FEC and Brightline's new high-speed Train.

Brightline is a privately funded high speed railroad currently being built between Orlando and Miami within the Florida east coast right-of-way. Hypower served as the prime design build engineer of record and contractor for the lessee long haul fiber optic networks and railroad positive train control communication systems.

Hypower SOW:

- Large Navigable Water Crossing Bores
- Large Plow and Trench Installation.
- Millions of Fiber Optic Butt Splices and Terminations.
- Millions of Fiber Optic OTDR and Power Meter Tests.
- Survey and As-Built Production to within a tenth of an Inch accuracy.
- Positive Train Control Communication Network Installation.



ACTIVE PROJECTS



TYNDALL AIRFORCE BASE

Design and construct the Communications Infrastructure Work for the Construction of Phase 1 and Phase 2 for Tyndall Air Force Base Zone 4



PORTMIAMI SHORE POWER

As the **largest shore power project in the world**, PortMiami Shore Power consists of general construction to provide five cruise terminals (Cruise Terminals A, MSC, B, F, and V) with shore power. The Shore Power System includes containerized shore power substations; switching equipment to be able to share three shore power services between five cruise terminals; service equipment (FPL); cable management systems at each berth, and associated ductbank/conduits and cables to interconnect the aforementioned components of the system.



HYPOWER'S FINANCIAL STRENGTH



At Hypower, we are committed to maintaining and growing a strong balance sheet.

Bonding Capacity in 2023:

- Aggregate: **\$300 Million**
- Single Project: **\$100 Million**

Surety: Berkshire Hathaway Specialty Insurance Company
A++ (Superior)

City of Destin Design, Build, Finance Phase 2-7 for Undergrounding Utilities



- Since January 2020, the Destin City Council has publicly stated its interest in undergrounding its overhead power lines.
- The undergrounding of utility lines along U.S. Highway 98 and throughout the city would beautify the city and lead to fewer storm-caused power outages.
- January 2022 Gulf Power transitioned to FPL. FPL operates under a long-term franchise fee agreement with the city to collect tariffs used to pay for services. Service items include a 2-cent price increase to support the undergrounding of power lines, as well as other utility lines attached to power poles, in Destin.
- If the city waits to receive funding allocation on an annual basis, then it will take two to three decades to complete the project, at the dismay of residents who do not want to have their roads continually dug up for such an extended period of time. Extending the time to complete will lead to increased costs due to mobilization/demobilization, inflation, and city costs associated with issuing multiple RFPs.

City of Destin Design, Build, Finance Phase 2-7 for Undergrounding Utilities



- To support this financing, Hypower will work with its partnership fund that has provided a \$500M ROFO (Right of First Offer) with the goal to accelerate public infrastructure projects, specifically those that focus on resiliency, electrification, and the energy transition. The ROFO provider is a global infrastructure fund with more than \$110 billion in assets under management, focused on investing in, and lending to, long term critical infrastructure assets that deliver essential services.
- The Hypower team will be glad to discuss the City of Destin's Finance Department and Advisors the financing options so that the City may choose the most appropriate financial plan to meet its needs. As a longtime Florida firm and vendor, we are committed to providing a solution that works for both parties. Our investors and lenders may provide a "gap financing" mini-permanent project finance loan, later repaid by a long-term bond financing after project completion or they may provide a long-term tax exempt or taxable financing extending the term of the underlying Franchise Fee Agreement or other sources of repayment.

WILCO Electric LLC. gave the following presentation:

- FPL Contractor Since 1997
 - ❖ Underground Distribution
 - ❖ Conduit Duct Bank and Vault
 - ❖ Secondary Service
 - ❖ Manhole
 - ❖ Streetlight
 - ❖ Overhead Power Lines
- Experience Matters
 - ❖ 9 million feet of service cable
 - ❖ 7 million feet of primary cable
 - ❖ 4 million feet of feeder cable
 - ❖ 45,000 new services
 - ❖ 6,300 single phase transformers
 - ❖ 1,500 three phase transformers
 - ❖ 900 switch cabinets



Experience in Major Conversion Projects

- Jupiter Inlet Colony
- Jupiter A1A
- Town of Gulf Stream
- Town of Palm Beach
 - Phases 1-6 South
 - Phase 1 North
- Town of Longboat Key
 - Phases 1-4
 - Fiber Optics
- City of Bradenton Beach
- City of Belleair Beach
- City of Lake Worth Beach
 - 7th Street
 - French Avenue
- Carriage House
- Lake Towers – Town of Palm Beach

Jupiter Inlet Colony

- Wilco's first major overhead to underground conversion

Jupiter A1A

- Commercial retail corridor

Town of Gulf Stream

- Challenging and constricted

Town of Palm Beach – Phase 1-6

- High end residential and commercial
- Condominium and resort corridor
- 8.5 miles of undergrounding

Town of Longboat Key – Phase 4

- 10 miles of coastal community
- Residential and commercial
- FDOT streetlights

Maintenance of Traffic (MOT)

- Sister company
- Safety assurance
- Optimized traffic flow
- Designed MOT plans
- Project continuity
- Professionalism and reputation
- Public relations and community engagement

Why is WILCO the best for Destin?

- Proven track record of dedication to projects
- Unmatched knowledge and experience
- Outstanding character in our employees
- Proprietary systems catered to underground conversions
- Solidified relationship with FPL
- The most coastal community conversions in all of Florida



Following the presentations and after a brief discussion, members of the council filled out the scoresheets that were provided by staff. The mayor then called for a 5-minute recess while staff tabulates the results.

After the break, staff announced the results as follow:

- #1 – Accurate Drilling Systems, Inc.
- #2 – Hypower LLC
- #3 – Wilco Electric, LLC

Councilmember Hebert moved to direct staff to negotiate with Accurate Drilling Systems, Inc (ADS), and to bring back proposed contract for consideration by the city

council; seconded by Councilmember Destin. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

B. Short-Term Rental Impact Committee - Final Report

The City Attorney explained that the sole purpose of the Short-Term Rental Impact Committee is to gather facts relating to the impact of existing short-term rentals in residential areas within the City of Destin and provide a report setting forth such facts and findings to the city council. Pursuant to Council Resolution 23-04, staff recommends forwarding the Short-Term Rental Committee’s Final Report to the Florida legislature’s Regulatory Reform and Economic Development Subcommittee, Representative Patt Maney and the Florida League of Cities prior to the legislative session in January.

Mr. Ken Wampler, member of the Short-Term Rental Impact Committee, noted that the committee met several times and discussed many of the issues the city has been dealing with for several years. With regards to the Pros and Cons section of the report, as a person who works in the tourist industry, he represented the positive views (Pros) of the vacation rental management companies while another member of the committee volunteered to represent the negative side (Cons). He would like to strongly discourage the council from taking any action against the current short-term rental registration process or adding/changing any fees, until they actually have a fully staffed Code Compliance Department that could educate, communicate, and can hold code violators accountable for their actions. He would also like the council to take a reasonable approach to determining the facts from opinions and what issues are directly related to short-term vacation rentals, not just tourism.

Councilmember Bagby opined that the last 8 pages of the report (Appendix) contained some very questionable statistics, and that unless they can substantiate the contents of that section, he recommends excluding it from the report they are sending to the state legislature.

There were considerable discussions relating to the accuracy of the information contained in the Appendix portion of the report.

Councilmember Bagby moved to forward the Short-Term Rental Impact Committee’s 15-page final report, without the appendices, to the Florida Legislature’s Regulatory Reform and Economic Development Subcommittee, Representative Pat Maney, Senator Jay Trumbull, and the Florida League of Cities; seconded by Councilmember King. Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

C. Boardwalk Under the Bridge Project

The City Manager requests that the previously tabled project of Zerbe Street/Calhoun Avenue Phase II Design pedestrian pathway under the Marler Bridge be started back up as a viable project; adding that the newly acquired One Harbor parcel may bring a completely different dynamic to this project and opens many more options for this project’s ability to come to fruition.

Councilmember Bagby inquired as to the status of the PD&E study for the Marler Bridge; adding that he would not want the city to spend a lot of money conducting a study and creating

the engineering drawings only to find out later that it will conflict with future construction of a new bridge.

The City Attorney noted that according to FDOT, unless there was a structural issue with the bridge, there was not going to be any work done to it at least within the next 20 years because they did not have the funding for it.

The mayor pointed out that according to an FDOT district manager at a TPO meeting, they are fast-tracking the bridge project.

Councilmember Schmidt moved to direct the City Manager to have staff re-engage with Baskerville-Donovan, Inc. to continue the Zerbe Street/Calhoun Avenue Phase II Design of pedestrian pathway under the Marler Bridge; for Baskerville-Donovan, Inc. to interact with FDOT about the PD&E Study for the Marler Bridge and the steps they plan to take going forward; seconded by Councilmember Hebert.

Councilmember Bagby asked staff to invite a representative from Baskerville-Donovan to attend the next council meeting in January to discuss where they are on this project as well as steps that they plan to take moving forward.

Motion passed 7-0 (Council members Schmidt, King, Hebert, Bagby, Destin, Geile, and Sweetser voted “yes”).

At this time, Councilmember Sweetser asked to be excused for the remainder of the meeting.

D. Executive Search (and Interim City Manager)

The HR Director presented the following options available to assist the city council in making an informed decision on the most effective method for conducting an executive search for the city Manager position.

- A. Internal Recruitment – This option is time-consuming and requires the Human Resource Director to advertise, complete the initial screening, evaluate, in depth screening, reference checks, interviewing and recommendation of candidates to Council. This option is not ideal for recruitment for executive positions. While there are advantages in relation to cost savings, the applicant pool is diminished.
- B. Search Committee: This option requires that the council appoints a search committee that has a general knowledge of the needs of the city, the council’s desires in a candidate and has knowledge of the staff and organization. similar to internal recruitment, the advantage of this option lies in the cost savings. The disadvantage of this option is that a search committee often lacks first-hand knowledge of what characteristics would make a candidate a “good fit” for the organization.
- C. Executive Search Consultant Firms: This option requires the selection of a professional search firm. Professional search firms have resumes on file and offer greater knowledge of the candidate pool. Consultants can professionally assess the needs of the city and those of the City Council and match these to the available applicant pool known by them. As part of the process, consultants will work with Council to create a "candidate

profile" so they can execute a targeted recruitment process. The disadvantage of this option is the cost of retaining a consulting firm. RFP 16-09HR issued in 2016 resulted in bids ranging in price from \$20,000-\$25,000.

- D. Hybrid Approach – Council can elect to move forward with an RFP for an executive search firm and incorporate a search committee into the selection process. The executive search firm will conduct an assessment and provide a desired pool of applicants. The committee can then review the applicants and make a recommendation to the council in conjunction with the professional search firm.

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to select Community Development Director Louis Zunguze as City Manager on an interim basis, effective January 2, 2024, and until such time as a permanent City Manager is selected.

Councilmember Bagby stated that though he believes Mr. Zunguze is fully qualified to take on the position of Interim City Manager, he would be against appointing someone and giving them an unfair advantage over other qualified staff members who may want to apply for the permanent position. In addition, Mr. Zunguze has major projects he is currently overseeing as the city's Community Development Director to include their number one priority which is the LDC rewrite.

Councilmember Bagby offered a substitute motion to appoint HR Director Jamie Dittmer as Interim City Manager until such time as a permanent City Manager is selected based on her affirmatively stating that she will not apply for the permanent City Manager position; seconded by Councilmember King.

Councilmember Destin stated that he cannot agree with prohibiting the appointment of someone who may well be qualified and may do an excellent job as Interim City Manager simply because they feel it will give them an unfair advantage over those who may want to apply for the permanent position.

The substitute motion failed 2-4 (Council members Bagby and King voted "yes"; Council members Schmidt, Hebert, Destin, and Geile voted "no"; Councilmember Sweetser was not present during the voting).

Motion by Councilmember Schmidt, seconded by Councilmember Hebert, to select Community Development Director Louis Zunguze as City Manager on an interim basis, effective January 2, 2024, and until such time as a permanent City Manager is selected passed 5-1 (Council members Schmidt, King, Hebert, Destin, and Geile voted "yes"; Councilmember Bagby voted "no"; Councilmember Sweetser was not present during the voting).

Councilmember Destin recommends that council appoints a citizens search committee to assist in securing the services of a permanent City Manager, and then for staff to conduct a nationwide search for city manager candidates and provide all the applications to the committee for their review and recommendation to the council.

Councilmember Bagby would like to see a draft job description and a proposed salary range for the City Manager before they advertise the position.

Councilmember Bagby moved to direct staff to bring back a draft job description and a proposed salary range for the next City Manager, and for council members to be ready to present their nominee to the Citizens Search Committee at the next council meeting; and then staff to conduct a nationwide search for city manager candidates and provide all the applications for review and recommendation by the Citizens Search Committee once the committee is formed. Councilmember Hebert provided a second to the motion, which passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was not present during the voting).

E. Quarterly Investment Report

The Finance Director provided a summary of the Quarterly Investment Report.

Councilmember Bagby commented that the city is so far from meeting their benchmarks on their investment. He stated that they gave Raymond James, the city’s investment advisor, two benchmarks, which the firm agreed were good benchmarks to use to measure their performance. He added that the firm should at least meet the benchmarks, but they have been lagging for a little over a year.

F. Code Compliance Year-End Report

The city’s Code Compliance Director presented their year-end report to the city council.

Councilmember Schmidt stated that the report is quite impressive, but he would also like to revisit the issue regarding prioritization of things and being proactive sometime early in the new year either as a one-on-one discussion, or with the council as a whole.

G. Tyler Technologies - Discussion with Council

Information Technology Director Andy Peters provided the following information to the city council:

Council Member Schmidt requested this discussion, to be held before the year's end, regarding Tyler Technologies, the City's software provider for 16 years. Initially for accounting and payroll, the city later added their Permitting/Licensing, and planned for Asset Management and Citizen Service Request modules. However, challenges arose.

1. **Problems:** Records show issues with Tyler Technologies' software, including bugs and dependencies on deprecated platforms like Microsoft Silverlight. The company's inability to assist with upgrades led to a recommendation for a cloud-based SaaS model so that Tyler Tech could assist with managing updates and dependencies.
2. **Migration:** In April 2021, the City Council approved a \$429,535 budget for this cloud migration. Over two years, 2.6 terabytes of data were transferred to Tyler's Cloud.
3. **Ongoing Issues:** Despite an additional \$80,000 spent in 2023 for expert help, problems persist, including server failures and payroll calculation errors, as well as general usability. These issues have increased public and staff frustration. Additionally, costs continue to climb as some fixes Tyler Tech has required payment of additional fees over the last few years.

4. Recent Developments: In November 2023, City Department Heads and stakeholders met with Tyler Technologies' senior leadership to discuss the situation. Tyler leadership expressed commitment to resolving the issues, offering free on-site reviews, better technical support, and 6 free Energov Licenses.
5. Alternative Solutions: The City plans to adopt a new Timekeeping system, and potentially a new payroll processing system, to move away from Tyler Technologies. This could alleviate Finance and HR challenges which are a core business process.
6. Accounting System Considerations: Alternatives to Tyler Tech's MUNIS accounting system like Aclerian, BS&A and Intuit Quickbooks Enterprise, are being evaluated for their modern web technologies and superior reporting capabilities. If the City chooses to stay with Tyler's MUNIS, it may become necessary to hire a full-time IT technician dedicated to maintain and trouble-shoot MUNIS and Energov software issues with Tyler Technologies. Such additional staff is not unusual with large "do-it-all" ERP implementations like Tyler Technologies. The position would ensure patches are installed promptly and would assist with user and workflow set-ups, and with report writing.
7. Energov and Compass Applications: Despite Tyler Tech's dominance in the government software space the city is exploring options. Despite being widely used, mature software systems can become overly complex, and some cognitive bias can set in resulting in an ossification of the code base. If Tyler Tech improves user experience, Energov may remain a solution. Otherwise, in-house development for a basic but controllable system is already underway. What Staff Needs: Council Feedback and buy-in: Staff seeks Council's input on transitioning from Tyler Technologies for some processes, due to substantial investments and ongoing issues. Tyler Technologies is open to in-person Council discussions. The current contract limits full termination options.

Proposed Action:

- Option A: Continue with Tyler Tech Modules and increase investment to correct issues. Estimated additional investment: \$160,000 annually.
 - ❖ Pros: No need to perform complex migrations, invent new records retention setups, or train existing employees on new systems
 - ❖ Cons: Uncertainty about whether Tyler Tech modules can meet quality standards based on history
- Option B: Partially continue with Tyler Tech Modules and move to other providers for critical processes (Payroll, Timekeeping, Accounting). Estimated additional investment: \$220,000, (largely to establish the new Accounting System) with the potential for overall annual cost reduction after that.
 - ❖ Pros: Decentralizing software providers may isolate issues, reducing their systemic nature.
 - ❖ Cons: If new software providers fail, the City might not be better off than staying with Tyler Tech.
- Option C: This option includes a potential move completely away from Tyler Tech Modules should Tyler fail in their commitment to resolving issues, offering free on-site reviews, better technical support, and 6 free EnerGov Licenses, and instead using a mix of new vendors and in-house development

- ❖ Estimated additional investment: \$160,000 for Payroll, Timekeeping, and Accounting systems, with the potential for significant overall annual cost reduction after initial migration to new software.
 - Pros: The City will own and control the codebase of its internally developed systems, meaning there is no bug or issue it can't fix itself.
 - Cons: Significant IT staff time required.
- Option D: Other?
 - ❖ Explore alternative solutions or innovative approaches not yet considered.

Councilmember Schmidt moved to direct staff to proceed towards Option C, pending the outcome of the interactions with Tyler during the coming months; seconded by Councilmember King,

Councilmember Bagby stated that he prefers Option B. What he would like to see is prioritization from staff of the modules that the city would like to part from Tyler Technologies. He is not in favor of in-house development as they have a small staff and could lose a key member of staff at any time who knows the codes and the only one who can access the data. He would also like to have the new permanent City Manager to have some input on this matter.

Motion passed 4-2 (Council members Schmidt, King, Hebert, and Geile voted “yes”; Council members Bagby and Destin voted “no”; Councilmember Sweetser was not present during the voting).

H. Resolution 23-29 - Publishing the dates of the regular city council meetings in the calendar year 2024.

Councilmember Bagby moved to adopt Resolution 23-29, as amended; seconded by Councilmember Destin and passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was not present during the voting).

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 23-18-CN - Relating to a Natural Gas Utility Franchise of the Okaloosa Gas District; extending Ordinance 13-02-CN for an additional five years pursuant to the same terms and conditions set forth in Ordinance 13-02-CN.

The City Attorney read Ordinance 23-18-CC by title, and then presented it to the city council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO A NATURAL GAS UTILITY FRANCHISE OF THE OKALOOSA GAS DISTRICT; EXTENDING ORDINANCE 13-02-CN FOR AN ADDITIONAL FIVE YEARS PURSUANT TO THE SAME TERMS AND CONDITIONS SET FORTH IN ORDINANCE 13-02-CN; PROVIDING FOR REPEALING; SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE.

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 city council for discussion and consideration.

Motion by Councilmember Bagby, seconded by Councilmember Schmidt, to adopt Ordinance 23-18-CN on second reading passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted “yes”; Councilmember Sweetser was not present during the voting).

- B. A public hearing regarding a proposed non-residential marine construction project at 127 Calhoun Avenue (Parcel ID: 00-2S-22-0630-0000-1320). The application includes the construction of a new dock approximately 388’ in length. The new dock consists of six (6) boat lifts and eighteen (18) mooring piles, an emergency loading and unloading zone, and an emergency staging area. The total square footage of the proposed improvements is ± 4,314 SF.

Principal Planner Steve O’Connor presented the project stating that the Destin Fire Control District has applied for construction of a new dock approximately 388’ in length. The new dock consists of 6 boat lifts and 18 mooring piles, an emergency loading and unloading zone, and an emergency staging area. The total square footage of the proposed improvements is approximately 4,314 square feet at the address of 127 Calhoun Avenue. The dock is in compliant with every applicable regulation of the Marina Siting with the exception of dock length; however, the applicant has gone through the variance process and was granted a variance by the city’s Board of Adjustment to construct a dock approximately 388’ in length. This decision was made upon the applicant providing evidence of special conditions such as existing seagrass and shallow depths, and that dredging may negatively impact the environment. Staff recommend approval of the project.

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

Mr. John Stephens, a Destin resident and livery vessel operator, expressed his support of the project stating that it will provide docking facility in Destin for most if not all the emergency vessels which will enhance citizens’ and tourists’ safety in the water.

Having no other comments from the public, the mayor closed the public hearing and turned the matter over to the city council for discussion and consideration.

Councilmember Geile inquired as to the distribution of the 6 boat lifts.

According to Destin Fire Control District Chief Kevin Sasser, the intent was to have two spaces for the Fire District boats, two spaces for law enforcement boats, one for the Florida Fish and Wildlife, and one for the National Oceanic and Atmospheric Administration (NOAA) unit that operates in the area. They will call it an Emergency Marine Response Dock that will house multiple emergency response agencies.

Councilmember Schmidt asked what would happen if there were a change of use for this property in the future.

According to the City Attorney, the new user will have to apply for a change of use and will have to go through a new review process.

Councilmember Schmidt moved for approval of the marine construction project proposed at 127 Calhoun Avenue, for the construction of a new dock approximately 388' in length. The new dock consists of 6 boat lifts and 18 mooring piles, an emergency loading and unloading zone, and an emergency staging area, with the conditions of: (1) All applicable federal or state approval shall be submitted with the Marine Construction Permit application, and (2) All regulations of the city's Marina Siting LDC Section 11.05.00 shall be adhered to and followed at all times. Motion was seconded by Councilmember King and passed 6-0 (Council members Schmidt, King, Hebert, Bagby, Destin, and Geile voted "yes"; Councilmember Sweetser was not present during the voting).

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

- A. Councilmember Sweetser
- B. Councilmember Geile
- C. Councilmember Destin
- D. Councilmember Bagby
- E. Councilmember Hebert
- F. Councilmember King
- G. Councilmember Schmidt
- H. Mayor Wagner
- I. City Attorney

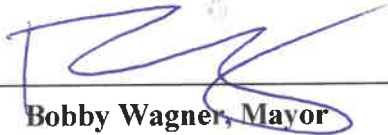
7. PUBLIC COMMENTS

8. ADJOURNMENT:

Having no further business at this time, the meeting was adjourned at 10:55 PM.

ADOPTED THIS 5TH DAY OF FEBRUARY 2024

By:


Bobby Wagner, Mayor

ATTEST:


Rey Bailey, City Clerk