

**REGULAR MEETING
DESTIN CITY COUNCIL
MAY 20, 2019
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Integrity*****

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. APPROVAL OF MINUTES

- A. Approval of minutes of April 1, 2019 Regular City Council Meeting
- B. Approval of minutes of March 18, 2019 Regular City Council Meeting

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS (No public comments)

- A. Presentation - "Connecting Communities Through the Trails" - Ms. Britney Moore, Regional Coordinator, Office of Greenways and Trails
- B. FDOT Resurfacing, Restoration and Rehabilitation (3R) Project Update - Mr. Brad Brenner, Project Engineer, Volkert Engineering, Inc.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA (All agenda items other than those under Number 5)

(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)

4. CITY MANAGER REPORTS

- A. Short-Term Rental Task Force - discussion
- B. Quarterly Financial and Investment Report
- C. Announcements

5. PUBLIC HEARINGS

- A. Innerlight Engineering Corporation, on behalf of Legacy Properties of Northwest Florida, LLC is requesting approval of a Major Deviation to an Existing Development Order and Major Subdivision identified as "Tuscan Village." The proposed development consists of 86 townhome units. The proposed project is generally located west of Mattie M. Kelly Boulevard, addressed as 500 Mattie M. Kelly Boulevard. The total site area is 7.81 acres, more or less.

6. ***CONSENT AGENDA** (No public comments)
- A. Annual Adjustment to Professional Rates for 3TP Ventures, Inc
 - B. Request for Council Approval to Purchase FY 19 Additional Vehicle
 - C. Agreement with Wet N Wild Water Sports, LLC and TW Calhoun, LLC, pursuant to section 4(b) of Ordinance # 19-08-CN.
 - D. Modification of TDD Operation and Maintenance Agreement
7. **COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY** (No public comments)
- A. Councilmember Braden
 - 1. Outdoor seating in the harbor district
 - 2. Crosstown Connector
 - B. Councilmember Ramswell
 - C. Councilmember Menchel
 - D. Councilmember Overdier
 - E. Councilmember Marler
 - F. Councilmember Destin
 - 1. City of Destin Election
 - G. Councilmember Morgan
 - 1. Occupancy signs for short term rentals on decorative fences in Crystal Beach - discussion
 - H. Mayor Gary Jarvis
 - I. Land Use Attorney
 - 1. Update on TRC Status, as of May 15, 2019.
(Section 2.26.04(E), Land Development Code; Pursuant to Ordinance No. 18-06-LC).
 - 2. Update regarding Beach Safety Corridor Ordinance
 - J. City Attorney
8. **ADJOURN**

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.

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

***** 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.

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.

Note: Persons who wish to provide public comments on agenda items are requested to fill out a blue speaker card and submit it to the City Clerk at the start of the meeting.

Persons who wish to provide public comments on any other matters not on the agenda are requested to fill out a yellow speaker card and submit it to the City Clerk at the start of the meeting.

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

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 1, 2019
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 Steven Menchel

Councilmember Cyron Marler

Councilmember Parker Destin

Councilmember Chatham Morgan

Councilmember Skip Overdier

Councilmember Rodney Braden

Destin City Staff

City Manager Lance Johnson

Public Service Director Michael Burgess

Code Compliance Manager Joey Forgione

Public Information Manager Catherine Card

Community Development Director Louis Zunguze

City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

Deputy City Manager Webb Warren

Finance Director Bragg Farmer

Parks & Rec. Director Lisa Firth

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 Steve Farris of First Baptist Church gave the invocation, which was then followed by the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Destin requested that discussion related to City election be added to the agenda as agenda item #7F (2).

Motion by Councilmember Braden, seconded by Councilmember Overdier, to add City election for discussion as agenda item #7F (2) passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

1. APPROVAL OF MINUTES

A. Approval of minutes of February 26, 2019 City Council Workshop

Councilmember Marler moved to approve minutes of February 26, 2019 City Council Workshop; seconded by Councilmember Destin. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

B. Approval of minutes of February 4, 2019 Regular City Council Meeting

Councilmember Marler moved to approve minutes of February 4, 2019 Regular City Council Meeting; seconded by Councilmember Menchel. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Proclamation Water Conservation Month

The Mayor read the proclamation designating April 2019 as *Water Conservation Month*, and then presented it to Mr. Lockwood Wernet, General Manager of the Destin Water Users.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Ms. Carrie Harbarger, a Destin resident, spoke of the crosstown connector. She stated that she lives on Spring Lane Avenue and diverting the traffic through her neighborhood would ruin the quality of life of its residents. She continued she has spoken to about 70 people about this subject. Most of them are not even aware it is going on and some are shocked to know it is still happening. They thought this plan was cancelled 20 years ago. She asked the Council to reconsider purchasing any more property until they have a chance to re-present this plan to the people.

Ms. Marcie Bell, a Destin resident, stated that the City code requires residents to have service with Waste Management, Inc. She stated that Waste Management does not provide good service as they went right past her garbage can that was aligned with several other trash cans. She also had 3 piles of yard waste. The Waste Management truck drove by the first two and only picked up the last pile. She called the company 3 days in a row complaining about yard waste and trash pick-up to no avail. She also stated that another resident of Holiday Isle called about a refrigerator pick-up 4 times, but the company never picked it up. The resident ended up putting the refrigerator on a truck and driving it to a Waste Management location at Fort Walton Beach. She added that another person with yard waste called for a pick-up 5 times without any success. She asked the Council to publish an addendum to the ordinance providing residents the opportunity to contract with other companies.

The City Manager will discuss this issue with a Waste Management, Inc. representative.

4. CITY MANAGER REPORTS

A. Strategic Visioning Session Date

The City Manager asked if the Mayor and Council are amenable to having the Strategic Visioning Session either on Thursday, May 2nd or Friday, May 3rd to discuss major projects and staffing requests from department directors along with any other major undertakings for the next fiscal year.

After a brief discussion, the Council agreed to tentatively schedule the Strategic Visioning Session on Wednesday, May 1st, beginning at 8:00 AM.

B. Town Hall Meeting Schedule

The City Manager announced that the City of Destin will host a Town Hall meeting on Thursday, April 18, 2019, from 9 to 10 a.m. at the Destin Library's Calhoun Room. At this meeting, the public will have an opportunity to engage with Councilmember Menchel and City staff in an open forum setting. Topics covered during this meeting will include current City projects and accomplishments. He continued that the meeting will be advertised to comply with the Sunshine Law in case there is more than one member of the Council present.

C. Draft Memorandum of Understanding (MOU) Okaloosa County, James Lee Park

The City Manager explained that Okaloosa County has identified a need for parking improvements at James Lee Park. Since a portion of the parking area is located within the City's right-of-way, the County has requested a Memorandum of Understanding before they proceed with the project. He recommends that the City Council approves the requested MOU and authorizes the City Land Use Attorney to finalize the document with the County Attorney.

Councilmember Marler noted that the purpose of doing this was not to provide additional parking for the restaurant, but to give the public more parking for the beach.

Councilmember Menchel pointed out that the actual crosswalks currently go from the north to the south side of Scenic Hwy 98. When they try to crossover into James Lee Park parking lot, there is no crosswalk to allow people on wheelchairs to go all the way through; but the new plan will allow them to go all the way through.

Motion by Councilmember Overdier, seconded by Councilmember Destin, to approve the MOU as requested, contingent on authorizing the City Land Use Attorney to finalize negotiations with the County Attorney, passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

D. Announcements

The City Manager stated they are aware of the problem and the negative press regarding the City beaches and beach accesses. Staff has been working with the Council since the November 2018 time frame in trying to obtain properties to help alleviate this problem. The Community Development Department has been working on revising the ordinance for the past 2 to 3 months to strengthen the current rules and make them easier to understand for the City's Code Enforcement Officers. Staff will bring back the ordinance that was first presented in July, but was tabled, that could establish a safety corridor on the water's edge; if it is the desire of the Council.

After a brief discussion, the Council agreed to allow staff to bring the ordinance back for their consideration.

5. PUBLIC HEARINGS

A. First reading of Ordinance 19-05-LC – Amending Article 7 of the Land Development Code to create a Harbor District overlay

The City Attorney read proposed Ordinance 19-05-LC by title; and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO PRESERVING THE HISTORIC DESTIN HARBOR AREA WITHIN THE CITY OF DESTIN; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE, “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS” TO CREATE A HARBOR DISTRICT OVERLAY; PROVIDING FOR PURPOSE AND INTENT; ESTABLISHING PRINCIPLE, CONDITIONAL, AND ACCESSORY USES IN THE HARBOR DISTRICT OVERLAY; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; ESTABLISHING A PROCESS FOR DESIGNATION OF STRUCTURES AND SITES SIGNIFICANT TO THE HISTORY OF THE DESTIN HARBOR; ESTABLISHING CRITERIA FOR DESIGNATION OF STRUCTURES AND SITES SIGNIFICANT TO THE HISTORY OF THE DESTIN HARBOR; ESTABLISHING A CERTIFICATE OF APPROPRIATENESS; AUTHORIZING CODE WAIVERS; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Claude Perry, a Destin resident and business owner, stated that he is not familiar with the origin of this proposed ordinance and would like some clarifications because he finds the language very confusing.

The Land Use Attorney explained that the proposed ordinance came about because staff has been reviewing the City’s Comprehensive Plan and Land Development Code for inconsistencies. There are elements and policies in the Comprehensive Plan that have not been addressed; and that this and other ordinances they are currently working on, and that will be coming to the Council soon, will address these inconsistencies.

The Community Development Director Louis Zunguze explained that the specific language in the Comprehensive Plan that requires the City to enhance the restoration of historical structures in the harbor area as part of the celebration of the district as a fishing village has not been addressed at all in all the ordinances. This is part of trying to bring that consistency between the Comprehensive Plan and the Land Development Code. He continued this is an additional development rights that are being given to the citizens of Destin. They are not taking anything away from the underlying zoning districts and the rights people currently have; but what they are looking for is the celebration of the district from a historical standpoint architecturally and an environment where the uses are consistent with the harbor aspects of the area.

Mr. Perry argues this is clearly an architectural review for the harbor district which he considers very serious development that came out of nowhere. He suggests they delay approval of

this ordinance until after they have more public discussions and learn a lot more about the purpose of this ordinance.

According to the Land Use Attorney, the proposed ordinance is not an architectural review for the harbor district. It is an application process that is voluntary; and it does not apply unless someone makes an application to the City. She added it is another option for property owners and it does not take anything away from them.

Having no further comments from the public, the Mayor closed the public hearing portion and turned the matter over to the City Council for discussion and consideration.

Councilmember Braden noted that the ultimate goal of this ordinance is to get the Land Development Code in compliance with the Comprehensive Plan. He would also like to revisit the issue related to parking requirements for outdoor seating in the Harbor District at a later date.

Motion by Councilmember Overdier, seconded by Councilmember Menchel, to approve Ordinance 19-05-LC on first reading, and direct staff to advertise it for second reading passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

B. First reading of Ordinance 19-06-LC – Establishing the Calhoun Center Mixed Use Village (CMUV) zoning district

The City Attorney read proposed Ordinance 19-06-LC by title; and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA ESTABLISHING THE CALHOUN CENTER MIXED USE VILLAGE ZONING DISTRICT; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; AMENDING TABLE 7-3: “SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS”; PROVIDING FOR; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN 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 portion and turned the matter over to the City Council for discussion and consideration.

Councilmember Menchel moved to approve Ordinance 19-06-LC on first reading and direct staff to advertise it for second reading; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

C. First reading of Ordinance 19-07-LC – Amending the Town Center Mixed Use (TCMU) zoning district

The City Attorney read proposed Ordinance 19-07-LC by title; and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING THE TOWN CENTER MIXED USE ZONING DISTRICT; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES”; AMENDING TABLE 7-3: “SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS”; PROVIDING FOR; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN 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 portion and turned the matter over to the City Council for discussion and consideration.

Councilmember Menchel moved to approve Ordinance 19-07-LC on first reading, and direct staff to advertise it for second reading. Councilmember Braden provided a second to the motion, which passes 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

D. First reading of Ordinance 19-08-CN – Livery Vessel Moratorium

The City Attorney read proposed Ordinance 19-08-CN by title; and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PURPOSE; PROVIDING FOR DEFINITIONS; PROVIDING FOR A TEMPORARY MORATORIUM ON LIVERY VESSEL PERMITS; DIRECTING STAFF TO DEVELOP RECOMMENDATIONS FOR REGULATION OF LIVERY VESSELS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXPIRATION OF MORATORIUM; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mr. Claude Perry stated they have had tenants that brought their own pontoon boats, but they are contemplating on purchasing their own pontoon boats and Jet Skis by next year. He asked for some language to be added to the ordinance that would preserve the rights of property owners to purchase their own pontoon boats.

Councilmember Morgan noted they would not be making any decisions in that regard until after the completion of the harbor capacity study.

Mr. Ed Rogers, a Destin resident and pontoon boat operator, expressed his support of the moratorium. He believes there are way too many boats operating in the harbor, and a lot of boat operators with substandard equipment that do not carry insurance or have workers compensation insurance for their employees; and that it is going to hurt other businesses that follow all the rules in the long run. He further stated this moratorium would not have been necessary if City regulations that are currently in place are being enforced.

Mr. Mike Buckingham, a Destin resident and Chairman of the Harbor CRA Advisory Committee, noted that the committee has been working on this issue for over two years and fully support a moratorium. He also stated that many of the pontoon business owners that are following the rules and operating a legitimate business have also expressed support of the moratorium. He urged the Council to adopt the proposed ordinance and either adding a specific expiration date for the moratorium or adding a language that it will be in effect until the harbor capacity study is completed.

The City Attorney noted that the moratorium is effective through November 1, 2019; however, it could be extended if necessary, by an amendment to the ordinance.

Mr. Zunguze stated they have prepared a draft Request for Proposal (RFP) for the study. It will go through the City's Bid Committee and then out to the public.

Mr. Mike Abadie, a Destin resident, stated that he supports a moratorium; however, ordinances that are currently in place that regulate this issue have not been enforced. He continued it would just be a waste of time adopting any regulations they do not have the ability to enforce.

Having no further comments from the public, the Mayor closed the public hearing portion and turned the matter over to the City Council for discussion and consideration.

Councilmember Menchel asked if it would be more advantageous to include a language that the moratorium is in effect until after completion of the harbor capacity study as opposed to having an expiration date for the moratorium.

The Land Use Attorney stated that having a hard date would be easier for enforcement. It would also be simple to amend the ordinance and extend the date, if necessary.

According to Councilmember, the City has contributed to the problem in the past by allowing shared parking between pontoon boat operators and restaurants on the harbor; which have gotten out of control. He would also like for the Council to start receiving reports every meeting on pontoon boat operators that are still not in compliant with current regulations.

Code Compliance Manager Joey Forgione stated they are aware of all businesses that are currently not in compliant; and that they would be bringing back some information on the number of vessels, which businesses do and do not have the right number of parking and which do or do not have the required bathrooms.

Councilmember Menchel stated they have new staff and they are doing a great job; they just need for the citizens to be more patient and give them more time to perform their mission.

Councilmember Overdier moved to approve Ordinance 19-08-CN on first reading, and direct staff to advertise it for second reading; seconded by Councilmember Menchel. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted "yes"; Councilmember Ramswell was absent from the meeting).

6. CONSENT AGENDA

A. Request for Council Approval to Purchase FY19 Budgeted Equipment; 2019 Ford Escape 4x4, 2019 Ford F550 4x4, 2019 30-ton trailer.

Motion by Councilmember Marler, seconded by Councilmember Overdier, to approve Consent Agenda item 6A, as printed above, passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

Councilmember Overdier recommends amending the procurement manual so that budget items which the Council had already approved do not have to go back for further approval by the Council.

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

A. Councilmember Braden

Councilmember Braden asked the City Manager to discuss the trash pickup issue with a Waste Management, Inc. representative. He stated he has been getting complaints about the company not picking up yard debris.

Councilmember Braden inquired about the hiring of a new engineer.

The City Manager noted they have received several applications, which are being reviewed by the hiring team very carefully to make sure they hire the right person for the job. Interviews will be held within the next two weeks.

Councilmember Braden wants to make sure the harbor capacity study will not have any effect on the enforcement of regulations on the harbor.

Mr. Forgione replied affirmatively; stating that the study will not interfere with enforcement.

B. Councilmember Ramswell

C. Councilmember Menchel

Councilmember Menchel expressed his gratitude to the Sheriff's Office for placing the blinking sign on Airport Road that shows the speed of motorists passing by; adding there has been a big improvement in controlling vehicular speed in that area.

Councilmember Menchel announced that he has had the pleasure of meeting with each of the department heads in the City and is very impressed with their attitude.

D. Councilmember Overdier

E. Councilmember Marler

Councilmember Marler reported that the “No Parking on the Sidewalk” signs located on the Corner of Main Street and Kelly Street are not working. He suggests adding more power to force compliance such as a “Tow Away Zone.”

F. Councilmember Destin

1. Discussion of pedestrian traffic at foot of bridge.

Councilmember Destin stated that the Emerald Grande gets the bulk of the blame with regards to the traffic at that intersection; but it is also the pedestrians that are using the crosswalks, especially during special events, that are causing some of the traffic backups. He stated they need to figure out a way to get people safely from the north side to the south side of the harbor. He would like to get an update on the status of the boardwalk extension underneath the Marler Bridge, which they have previously discussed.

The City Manager noted there have been some conceptual drawings done by a firm that is no longer affiliated with the City. He stated they would need authorization from the Council to engage a new firm and to move forward with the conceptual drawings.

Councilmember Destin moved to direct staff to pursue a bid process for an engineering firm to create conceptual drawings and concrete plans for pedestrian improvements and boardwalk extension underneath the Marler Bridge; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

2. City Election

Councilmember Destin stated he has been quite disappointed with the voter turnout at the City’s March election cycle during even numbered years. Most voters do not seem to realize that March is a time to vote. He continued they have ordinances that set the election of Mayor and Council on a March election cycle; however, the City Charter states that election shall be held during the State general election in November. There seemed to have a conflict and so he would like the Land Use Attorney and City Attorney to look into this issue and see what their legal options are in terms of conducting the City election. He added he would rather hold an election in November to encourage increase in voter turnout.

Councilmember Destin moved to direct the City Attorney and Land Use Attorney to look into the historic setting of the City’s election dates, as well as their legal option in holding the City election in November to coincide with the State General Election; seconded by Councilmember Marler. Motion passed 6-0 (Council members Morgan, Destin, Marler, Overdier, Menchel and Braden voted “yes”; Councilmember Ramswell was absent from the meeting).

G. Councilmember Morgan

H. Mayor Gary Jarvis

I. Land Use Attorney

J. City Attorney

Having no further business at this time, the meeting was adjourned at 7:20 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
MARCH 18, 2019
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 Steven Menchel

Councilmember Cyron Marler

Councilmember Prebble Ramswell

Councilmember Chatham Morgan

Councilmember Skip Overdier

Councilmember Rodney Braden

Destin City Staff

City Manager Lance Johnson

Public Service Director Michael Burgess

Code Compliance Manager Joey Forgione

Community Development Director Louis Zunguze

City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

Deputy City Manager Webb Warren

Finance Director Bragg Farmer

City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM. The Mayor asked everyone to observe a moment of silence, which was then followed by the Pledge of Allegiance.

INAUGURATION OF NEWLY ELECTED DESTIN CITY COUNCIL MEMBER:

The City Attorney Kyle Bauman administered the Oath of Office to newly elected member of the City Council Mr. Steven Menchel.

AGENDA APPROVAL

Motion by Councilmember Overdier, seconded by Councilmember Menchel, to add “Approval of FEMA Funding Agreement” under Consent Agenda passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Destin was absent from the meeting).

Motion by Councilmember Braden, seconded by Councilmember Menchel, to add “East Pass Administrative Action” under City Attorney Comments passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Destin was absent from the meeting).

1. APPROVAL OF MINUTES

A. Approval of minutes of January 22, 2019 Regular City Council Meeting

Councilmember Marler moved to approve minutes of January 22, 2019 Regular City Council Meeting; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Destin was absent from the meeting).

B. Approval of minutes of December 17, 2018 Regular City Council Meeting

Councilmember Overdier moved to approve minutes of December 17, 2018 Regular City Council Meeting; seconded by Councilmember Marler. Motion passed 5-0 (Council members Morgan, Marler, Overdier, Ramswell and Braden voted “yes”; Councilmember Menchel abstained from voting; Councilmember Destin was absent from the meeting).

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Overview of Choctawhatchee Basin Alliance/City of Destin Partnership Ms. Alison McDowell

Ms. Alison McDowell, Director of Choctawhatchee Basin Alliance (CBA), provided the following presentation:

- Choctawhatchee Watershed
 - ❖ Watershed area is over 5,000 square miles
 - ❖ One main river on east side of watershed
 - ❖ Most of the watersheds is in Alabama
 - ❖ Major land use is Agricultural/Forest/Grasslands
 - ❖ Most of the urban use is in Okaloosa and Walton Counties
 - ❖ The Choctawhatchee River is the fourth largest river in Florida in terms of flow and drainage area
 - ❖ The Choctawhatchee system supports a rich array of aquatic, wetland, and upland ecological communities and plant and animal inhabitants
 - ❖ For generations, the bay system has sustained the region’s economy and defined its traditions and culture
- Economic Value of Choctawhatchee Bay – Calculation
 - ❖ 2.9 billion local sales
 - ❖ 36,000 jobs
 - ❖ Tourists spend \$1.6 billion annually
 - ❖ Tourism and water-related activities
 - Fishing
 - Beach-going activities
 - Charter boats
 - Boat registrations
 - ❖ Up to 80% of recreational and commercial fish and invertebrate species spend part of their life cycle in Choctawhatchee Bay
 - ❖ Water has an impact of over half a billion dollars on appraised property values
- Mission Statement

- ❖ The CBA is a non-profit organization responsible for sustaining healthy local waterways through monitoring, education, restoration and research
- CBA Program Areas (Monitoring/Education/Restoration/Research)
 - ❖ CBA 2017-2018
 - 3,000 students educated each month
 - 132 water quality sites tested by 34 volunteers; saving local agencies \$100,000-plus
 - 12,000-plus oysters transplanted from 21 different oyster gardeners
 - 4 acres of shorelines and 4,700 linear feet of reef restored
 - CBA and City of Destin: A unique partnership
 - ❖ CBA and the City of Destin have enjoyed a productive partnership since CBA's inception in 1996. Highlights include:
 - Clement Taylor Park storm water restoration
 - Joe's Bayou shoreline restoration
 - NPDES permit contract
 -
 - What is National Pollutant Discharge Elimination System NPDES?
 - ❖ A regulatory phase of the Federal Clean Water Act
 - ❖ An EPA permit administered in Florida through the Florida Department of Environmental Protection
 - ❖ Regulates point source discharges from three potential sources: Municipal Separate Storm Sewer Systems (MS4S), construction activities and industrial activities
 - ❖ As a holder of an MS4, Destin is required by the permit to accomplish several tasks related to storm water abatement
 - ❖ Destin contracts with CBA to achieve compliance with the City's Notice of Intent
 - ❖ Tasks fall within the permit categories of:
 - Public Education and Outreach
 - CBA provides monthly programs for 200 third graders through their Grasses in Classes program at Destin Elementary school
 - CBA presents storm water information to a variety of groups
 - such as Destin Rotary, Destin Forward and the Destin Charter Boat Association
 - Public Participation and Involvements
 - CBA organizes the International Coastal Cleanup along Destin's shorelines one or two times a year
 - CBA coordinates monthly citizen scientist water quality monitoring at 5 stations in Destin waters
 - Pollution Prevention and Good Housekeeping
 - Pollution Prevention and Good Housekeeping
 - ❖ CBA coordinates fishing line and oyster shell programs that help keep our waterways clean

Councilmember Braden asked if the CBA monitors seagrass and where they could find the documentation for a successful seagrass monitoring program.

Ms. McDowell replied they conduct seagrass monitoring every summer in concert with Fish and Wildlife Research Institute; and that she could provide the information relative to a successful seagrass monitoring program.

Councilmember Morgan asked Ms. McDowell to describe the current health of the bay.

According to Ms. McDowell, she would describe the health of the bay as precarious. Overtime, there has been some nutrient enrichment in some spots which could lead to a decline. However, they have been lucky they have not had big factories pumping lead and factory waste into the bay that would require a long recovery period. She added that more and more people want to live in this area, and the more people they get on the water, the more stress they would have on their waterways; and they have to be constantly vigilant about it.

Councilmember Morgan wants to know how big of an issue is the septic tanks for Okaloosa County; and if this is being addressed with the County.

Ms. McDowell stated that she is not as familiar with Okaloosa County as she is with Walton County with regards to the septic tank issue. She continued that Walton County has identified all of their septic tanks and they are trying to identify some of the grant programs that would allow and make some improvements to the septic tank and sewer connections

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Ms. Kathi Polkow, a Destin resident representing the residents of Sandpiper Cove, stated that they have been kept awake at night by the loud music coming from Bric A Brac Club. Many of the residents continue to call the Sheriff's Office to report the noise. They go out on the balconies to watch if they come, but they never respond. She stated they live in a residential area and they should have some kind of noise ordinance, and it needs to be enforced. They are now dealing with a bar shooting so close to their neighborhood, which is quite disconcerting. Stray bullets could have easily penetrated their buildings from across the street. She urged the City and the Sheriff's Office to take some strong action as this is a serious issue for this community.

Sergeant Joseph Fulghum from the Okaloosa Sheriff's Department stated that they response to all calls for service. She asked to meet with the residents after the meeting to determine the dates and times the calls were made to the Sheriff's Office so he could find out what happened and how they were handled. He also stated there is a City of Destin noise ordinance, and that the Sheriff's Office and the City of Destin work together to try to address the noise issues.

According to Code Compliance Manager Joey Forgione, they have not received any calls for service lately regarding noise ordinance violations. He announced that the City of Destin website has information on reporting noise violations, to include after hour contacts.

The City Manager added there is also an area of the website where citizens can voice their concerns about any issues, including code enforcement. They are logged in and forwarded to the City Manager's Office for follow up actions.

According to Councilmember Ramswell, there have been some instances where people were denied admittance to the club for various reasons, who then stayed outside the club. She would like the Sheriff's Office to look into this type of situation to see if it could be considered loitering. She also mentioned a report that the club previously hired an off-duty law enforcement officer to provide security, but this service has been discontinued. She asked if there was a way for the City to require businesses to provide security on site.

According to the City Manager, he is not of the answer to this question; however, he and Mr. Forgione intend to have a frank discussion with the manager of Bric A Brac and express some of the same concerns they received from the residents. They would also insist they take every possible measure to prevent this incident from happening again in the future.

The Mayor announced that he received a call from the Okaloosa County Sheriff immediately after the incident who assured him that not only are they using their own police powers, but they are also looking into State statutes to determine if having a liquor license require certain amount of performances from businesses, to include providing a safe environmental for the facility.

Councilmember Menchel suggests that moving forward, anytime a call for service is made to the law enforcement office, the caller documents the specific date and time the call was made so that if necessary, they can determine how the call was handled.

Mr. Fernando Petit stated that as the owner of Bric A Brac, he is also very concern about the shooting incident that happened at the club as well as the safety of the residents that live around the facility. He announced they are making some changes to make things better for the community. They have determined that the Hip Hop event is the source of most the problems they have had at the club; and so they have decided to discontinue this event for the betterment of the community.

4. CITY MANAGER REPORTS

A. Public Beach Initiative Update

Deputy City Manager Webb Warren provided a status report on the public beach initiative.

The Need for Public Beach – Feedback from Visitors

- *"The tourists have no idea what is going on or where to set up on the beach."*
- *"We went to the beach on the 4th of July at 8:00 AM with out-of-town guests and were shocked that we could barely find a place by the water to put our 4 chairs. There weren't many people there at that early time, but the beach up by the water was packed with empty chairs and umbrellas from the vendors."*
- *"After 12 great years of enjoying our yearly vacations to the Destin area, sadly we will not be returning to the area. While the Gulf Coast is hard to beat with the beauty and ease of vacationing, you have now blocked the beach for us second class visitors."*

Additional Comments in the Local Newspapers

- *"He was forced to come to the small sliver of beach access before sunrise every morning to reserve a spot for his family before people were packed like sardines in the one small section of public beach."*

- *“Nine of the City’s public beach accesses, dispersed throughout the Crystal Beach and Scenic Hwy 98 areas, have a combined total of less than a half mile of public beach. Some of the smallest beach accesses in the City are Tarpon Street, the Shores at Crystal Beach and Pompano Street, which have roughly 11.5, 40 and 50 feet of public sand, respectively.”*
- *“We love Destin....but, next year we will not come back if there’s a fight for the beach.”*

Public Gulf front Parks (In Linear Feet)

- June White Decker – 80 feet
- James Lee Park (County) – 1500 feet
- Shores at Crystal Beach – 68 feet
- Total: 1648 feet

Note: Does not include Beach Trails or Henderson Beach State Park (requires entry fee)

Project Review

- November 19, 2018 Regular City Council Meeting - motion
 - ❖ To look further into the following properties in the order listed:
 - Capri
 - Tarpon Beach Access
 - Henderson Beach Villas
 - ❖ Authorize the City Manager and attorneys to work with the Mayor in obtaining appraisals on the above properties. Furthermore, instruct the Mayor to contact the owners of the two Crystal Beach properties Councilmember Morgan brought up tonight, and bring information back on these properties for discussion at the next Council meeting, passed 7-0
- December 3, 2018 Regular City Council Meeting
 - ❖ Council passed a motion to conduct an appraisal on a total of 7 properties, which does not include East Pass Preserve (Parcel B)
- December 17, 2018 Regular City Council Meeting
 - ❖ Council passed a motion to add an additional parcel, the Shores of Crystal Beach Expansion #2, to the appraisal list
 - ❖ Council passed a motion to hire Houston Appraisals for all 8 property appraisals
- January 7, 2019 Regular City Council Meeting
 - ❖ Staff requested approval, within the City Manager’s purchasing threshold of \$15,000, to be able to contract with a new appraiser so that the project could move forward in as expedient manner as possible
 - ❖ The time for deliverables estimate from the new appraiser for 8 parcels was 60-90 days (March to April delivery)

8 Identified Properties/Size/Asking Price

- Capri 300’/\$44,000 linear foot – \$13,200,000
- Tarpon Beach 336’/\$50,595 linear foot – \$17,000,000
- Henderson Beach Villas 205’/\$58,537 linear foot – \$12,000,000
- Shores at Crystal Beach East #1 67’/\$50,373 linear foot – \$3,375,000
- Shores at Crystal Beach West (Crystal Port) 50’/\$73,000 lf – \$3,650,000

- West James Lee Park 68’/\$73,529 linear foot – \$5,000,000
- Sunfish Street Parcel 60’/\$49,167 linear foot – \$2,950,000
- Shores at Crystal Beach East #2 67’/\$54,478 linear foot – \$3,650,000

Moving Forward – Proposed Public Beach Initiative Process

- Identify a list of available properties (complete)
- Obtain appraisals for list of 8 properties (90% complete)
- Short list and rank properties
- Identify City’s budget for project
- Seek additional funding to purchase property (TDC/Triumph) and establish overall budget
- Secure contract on top properties
- Pursue grants for demolition, restoration, park design, construction and other possible reimbursements

Appraisals and Florida State Statutes

- FS 166.045: *“In any case in which a municipality, pursuant to the provisions of this section seeks to acquire by purchase any real property for a municipal purpose...Such appraisals, offers, and counteroffers are not available for public disclosure or inspection and are exempt from the provisos of s. 119.07(1) until an option contract is executed or, if no option contract is executed, until 30 days before a contract or agreement for purchase is considered for approval by the governing body of that municipality.”*

Ranking Formula for the 8 Properties (Intended as a general guide for Council discussion purposes):

- Maximum score of 8 for each of the 5 ranking criteria
- Five ranking criteria
 - ❖ Linear beach footage of target parcel(s)
 - ❖ Asking price (in terms of per linear foot)
 - ❖ Asking price/appraisal Price Ratio (How close these numbers?)
 - ❖ Proximity (adjacent) to existing beach parks or trails (This allows the City to maximize existing facilities and linear beach footage)
 - ❖ Location in Crystal Beach. The further west on Crystal Beach, the higher the ranking

Ranking Criteria Explained – 1-8 points, 8 being highest

- Linear Feet – The more linear feet a parcel has, the higher the ranking
- Asking Price per Linear Ft – (if asking price is 1,000,000 and the property has 100 linear feet of beach – the APPLF = \$10,000 per linear foot)
- Asking Price/Appraisal ratio. If asking price is \$1,000,000 and Appraisal is \$800,000, then the Appraisal is 80% of Asking Price. These percentages were ranked by highest value
- Proximity to City Park or Beach Trail – Parcels adjacent to existing City parks/trails were ranked higher due to potentially lower infrastructure costs and the ability to expand existing public property

Location Criteria Scoring

- Further west from James Lee Park, the higher the location score for the parcel

Staff's Proposed Rankings

- Shore at Crystal Beach Expansion 1 and 2 plus Shore of Crystal Beach Park
- Shore at Crystal Beach Expensing #2 is more feasible if Shore at Crystal Beach Expansion #1 is secured
- Capri has multiple owners
- Tarpon Beach has 4 parcels and an adjacent beach trail

Next, Finance Director Bragg Farmer discussed potential budgetary opportunities for the City and this initiative. He stated there are not a lot of impact fees available because of the cost of the properties being considered for acquisition; and that funding from the City would have to come from Unassigned Fund Balance. He noted that during general discussions with the Deputy City Manager and City Manager, they determined that \$2 million is the maximum amount the City should put in to any property they acquire; and that the money could potentially be used for demolition and reconstruction of the property since all the properties have buildings and structures that may have to be demolished and cleaned up. Restrooms may have to be provided, which could cost a significant amount of money. He added that the majority of the funding would have to come from grant programs, the TDC and/or a possible third party source.

The Mayor commented that it is important for the City to commit some funding towards this initiative when they are filing for grants.

Mr. Farmer agreed stating that most of the State grants require the City to commit to a certain percentage of the funding when applying for the grant.

Mr. Warren provided the following list of possible external funding sources:

- Okaloosa County TDC
- Triumph Gulf Coast
- RESTORE Act
- Florida Forever (Land Acquisition Program)
- Florida Communities Trust (FCT)
- Greenways and Trails Acquisition Program
- Florida Recreation Development Assistance Program (FRDAP)

Mr. Warren stated they are looking for a general consensus of the Council tonight so staff could prioritize their efforts moving forward with the property list as described. He continued that the recommended formula is not designed to exclude any of the available properties, but to simply help identify properties that are more compatible with the City's beach initiative. Staff recommends they allocate no more than \$2 million from the Unassigned Fund Balance to be used as a matching fund to external funding sources as listed above.

The Mayor announced he would also give an abbreviated version of this presentation to the TDC this week.

Councilmember Ramswell stated that she prefers the two Shores at Crystal Beach options (East #1 and East #2) primarily because they adjoin an existing public park; adding that these two properties combined with the Shores at Crystal Beach West (Crystal Port) and the existing park would provide the City a tremendous amount of beach front for public use. She would also like to

pursue the Capri property if they were able to get a significant amount of grant or convince the TDC to provide a significant amount of funding.

Councilmember Overdier moved to authorize City staff to allocate \$2 million from the unassigned fund balance to the project and to hire an acquisition manager at a cost not to exceed \$15,000. Councilmember Menchel provided a second to the motion.

Councilmember Morgan announced he would abstain from voting on this item as he has a family member that owns one of the properties being considered for acquisition.

The Mayor called for a vote on the motion, which passes 5-0 (Council members Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Morgan abstained from voting; Councilmember Destin was absent from the meeting).

B. Crab Island Committee

The City Manager noted that the Okaloosa County Board of County Commissioners adopted a Floating Structures Ordinance regulating floating structures and the waterborne sale and distribution of alcoholic beverages. At the time of adoption of the ordinance, the Board requested the formation of a committee to review the regulations to see if they could be enhanced. The Board has approved a 7-member committee. One appointed by the TDC, the City of Destin, the Destin Chamber of Commerce and the Fort Walton Beach Chamber of Commerce. The County is also seeing one representative from each of the following areas: vendors, recreational user and livery businesses (upland jet skis and pontoons rental business owners). He continued there are originally 4 applicants for the City of Destin position; but, one individual has withdrawn his application. The 3 remaining applicants are Mr. Mike Buckingham, Councilmember Rodney Braden, and Ms. Teresa Hebert.

The Mayor announced he withdrew his application after speaking to some of the applicants. He finds them to be fair-minded, and that he is convinced they will represent the City well.

Councilmember Braden asked if the County would prefer the City of Destin appoints a current member of the City Council to the committee.

The City Attorney stated that according to the County Attorney, the Board prefers the City appoints an elected official; but it is not a requirement.

Councilmember Ramswell moved to appoint Councilmember Rodney Braden to the Crab Island Committee; seconded by Councilmember Menchel.

Councilmember Morgan asked Councilmember Braden if he is confident he will be able to attend all the meetings of the Crab Island Committee if appointed; to which Councilmember Braden replied affirmatively.

Councilmember Marler opined that this position falls under recreation, and that Ms. Teresa Hebert ought to be the City’s representative to the Crab Island Committee since she is the Chairperson of the Parks and Recreation Committee.

The Mayor called for a vote on the motion, which passes 4-1 (Council members Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Marler voted “no”; Councilmember Morgan abstained from voting; Councilmember Destin was absent from the meeting).

C. Direction concerning Evaluation of Professional Services

According to the City Manager, staff is preparing the Airport Road Improvements Request for Qualifications (RFQ) and is asking Council to clarify the selection process they wish to use so it can be clearly defined in the RFQ document. He explained that federal guidelines prefer that a staff team (in this case, the City’s Bid Committee) reviews the RFQ submissions received from prospective firms, choosing their top firm based on criteria listed in the RFQ and recommending their top choice to Council for approval. If the recommended firm is not approved, then the RFQ process starts over. An alternative process is that the Bid Committee confirms that the RFQ submissions are responsive and then forwards all responsive RFQ submissions to the Council. Each Council member then scores each RFQ submission individually based on the documents included in each firm’s RFQ submission packet. The rankings are then tallied and the best overall ranked firm is approved for contract negotiations.

Councilmember Overdier stated it is City staff’s job to review these submissions and make recommendations to the City Council.

Motion by Councilmember Overdier, seconded by Councilmember Menchel, to authorize the City’s Bid Committee to review the Airport Road Improvements RFQ submissions received from prospective firms, choosing their top firm based on criteria listed in the RFQ, and recommending their top choice to the City Council for approval, passed 5-1 (Council members Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Morgan voted “no”; Councilmember Destin was absent from the meeting).

D. Discussion item for livery vessel moratorium

Community Development Director Louis Zunguze noted that the Harbor CRA Advisory Committee, at their previous meeting, made two recommendations for Council’s consideration tonight. The first recommendation is to impose a moratorium on issuing any new livery vessel licenses, other than those that already obtained a livery vessel license this year. This recommendation is predicated on safety concerns for both the boaters and the people that recreate in the harbor. The second recommendation was for a carrying capacity study to be undertaken to determine the maximum defensible number of livery vessels they could allow in the harbor; and to look at it from the social component which is health and safety, the economic component in support of the tourism industry and recreation, and environmental component to ensure water quality. In addition, it was recommended that the City Council designate a funding source for the study.

Councilmember Overdier stated that he sees no factual evidence to substantiate the claim there is overcrowding in the harbor; in fact, he read a report that indicates there are fewer livery vessels in the harbor in 2018. He suggests waiting until they get the result of the harbor capacity study before imposing a moratorium on issuing new livery vessel licenses.

Councilmember Overdier moved to authorize City Staff to engage an entity to commission a harbor capacity study to consider aesthetics, socioeconomic, quality of life tourism, and community character issues; including population concentration, availability of open space, habitat diversity, and the diversity and health of existing species within the Harbor CRA district and Calhoun area; and for City staff to designate a funding source for the study; seconded by Councilmember Morgan.

The Mayor asserts that longtime residents of Destin, and everyone that had conducted business in the harbor, can attest to the exponential increase in the number of livery vessels in the harbor, which has become a safety issue. He continued that imposing a moratorium before the capacity study is completed is necessary. Businesses already in operation in 2018 can maintain their level of business until after the study is completed; at which time, the City Council can make better decisions.

Councilmember Overdier noted that his motion was not made to prevent the moratorium; adding that anyone in favor of the moratorium could make a second motion in that regard.

Councilmember Braden agreed with the Mayor that they should impose the moratorium prior to completion of the capacity study.

Councilmember Menchel inquired as to the number of unregistered vessels that are currently operating in the harbor.

According to Mr. Forgione, there are 15 businesses that are currently registered. There are 5 other businesses, 4 in the harbor and one that was launching from Joe's Bayou area that have not registered and are being monitored. He also noted that the City's harbor compliance officer has been tasked to conduct an internal audit and capacity survey after this season to determine the scope of the moratorium; and with the report to be presented to the Council by September.

Councilmember Menchel stated that based on his conversation with a lot of people on this subject, there is a possibility there are a lot of businesses that have not registered and a lot of vessels without a permit to operate. He continued he would support imposing a moratorium that includes a language that any legitimate business that currently has an outstanding order for vessels prior to the moratorium will be grandfathered in and will be allowed to continue their purchase.

Councilmember Morgan noted that they are beyond capacity and they need to take appropriate actions and adopt meaningful regulations now before tragic accidents happen. They have one of the most dangerous passes in the State of Florida, with a lot of novice boaters many of whom have never driven a boat in salt water and do not know the concept of the "No Wake Zone" signs.

Councilmember Marler stated that if they are going to impose a moratorium, it ought to have a specific time period rather than at the end of the capacity study. They also need to address other vessels in the harbor that are registered outside the City of Destin but are docking in the docking facilities in Destin.

The City Manager noted that the Unassigned Fund Balance would quite possibly be designated as the funding source for the capacity study.

The Mayor called for a vote on the motion, which passes 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Destin was absent from the meeting).

Councilmember Menchel moved to direct the City staff, Land Use Attorney and City Attorney to draft a livery vessel moratorium ordinance; seconded by Councilmember Overdier.

Councilmember Braden stated that the moratorium ordinance should include a language that if a business has already followed the current process, submitted their application and provided ample parking and bathroom facility for additional vessels which they have already purchased; then they should be allowed to continue with their purchase.

Ms. Jan Best, a member of the Harbor CRA Advisory Committee, stated they need to impose a moratorium so they could conduct a harbor capacity study. The Code Compliance Officers have a big job ahead of them. She and her husband walked along the docks yesterday and spotted approximately 115 unregistered boats. They found approximately 115 other boats that belong to registered businesses but have not been permitted. She also stated that the moratorium ordinance does not have to come back to the advisory committee because time is of the essence. The season is starting, and they need to get things under control.

The Mayor called for a vote on the motion, which passes 5-1 (Council members Morgan, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Marler voted “no”; Councilmember Destin was absent from the meeting).

E. Update from Community Development Director and City Land Use Attorney Per Council's Directives Regarding Updates to LDC and Comprehensive Plan

Mr. Zunguze provided an update related to the City Council Workshop on the Future Land Use Map and Zoning Map alignment and the subsequent directions from the City Council. On March 4, 2019, the Council directed the Community Development Director and the City Land Use Attorney to undertake the following:

- Bring the Zoning Map into compliance with the adopted Future Land Use Map, with the exception of areas 7 and 15, as set forth in Attachment A hereto, and as noted in the staff presentation
- Update the Land Development Code based on all adopted Comprehensive Plan amendments
- Create a Calhoun Mixed Use Village Zoning Category and declare a pending ordinance
- Revise the Town Center Mixed Use (TCMU) zoning category and declare a pending ordinance
- Amend the Comprehensive Plan to reduce densities in the TCMU future land use designation

To fulfill the City Council's directive, they propose the following course of action:

- Phase 1 – staff is currently in Phase 1
 - Create a Calhoun Mixed Use Village zoning category. The pending ordinance was previously announced by Council, and the ordinance is scheduled to go before the LPA on March 21, 2019
 - Revise the Town Center Mixed Use (TCMU) zoning category. The pending ordinance was previously announced by Council, and the ordinance is scheduled to go before the LPA on March 21, 2019
 - Seek Council guidance/direction regarding areas 7 and 15
 - Seek Council guidance/direction regarding densities in TCMU Future Land Use Map designation
- Phase 2
 - Prepare a rezoning package of all City parcels to bring them into compliance with adopted Future Land Use Map
- Phase 3
 - Amend the Comprehensive Plan to:
 - Reduce densities in the TCMU future land use designation
 - Update the Coastal Element; and if necessary, include resolutions regarding areas 7 and 15
- Phase 4
 - Update and adopt the Land Development Code based on all adopted Comprehensive Plan amendments
 - Update and adopt Impact Fee Schedule

Councilmember Marler noted that the Council previously approved the change of area #15 to Commercial General so it would comply with similar businesses (furniture store and warehouse) located on each side of the property. He asked if the plan is to change the zoning back to Residential Office & Institutional (ROI).

According to the Land Use Attorney, they plan to come back to Council for guidance, since direction was not provided when Council decided to pull the property from the list of properties to be brought into compliance with the Future Land Use Map.

F. ANNOUNCEMENTS

- City contracted with individual to assist with the coyote issue in Destin
- Pooch Palooza to be held in the Destin Dog Park at 10:00 a.m., Saturday, March 23rd
- Staff Appreciation Day on Friday, April 12th, from 11:00 a.m. to 5:00 p.m.

5. PUBLIC HEARINGS

6. CONSENT AGENDA

A. Approval of FEMA Funding Agreement

Motion by Councilmember Overdier, seconded by Councilmember Ramswell, to approve Consent Agenda item 6A, as printed above, passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Destin was absent from the meeting).

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

A. Councilmember Braden

Councilmember Braden asked staff to provide a copy of the unassigned fund balance from 2012 to 2018 to members of the City Council.

Councilmember Braden asked the City Manager to investigate and possibly hire an arborist to care for the health of the trees in Destin. Several Pine Trees in the Destin Dog Park are dying and some of the trees on Indian Bayou had to be removed due to beetle infestation.

B. Councilmember Ramswell

1. Appointment of Mr. Jim Wood to the Public Works/Safety Committee

Motion by Councilmember Ramswell, seconded by Councilmember Marler, to appoint Mr. Jim Wood to the Public Works/Safety Committee passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”; Councilmember Destin was absent from the meeting).

Councilmember Ramswell asked staff to repair a down sign located between the Main City Hall and the Annex.

Councilmember Ramswell asked for some data on the number of accidents that has occurred at the curve location, both eastbound and westbound lanes, on Airport Road.

Sergeant Fulghum will forward the information to the City Council.

C. Councilmember Menchel

Councilmember Menchel asked the City Manager to schedule a Meet and Greet on a date to be determined in April to allow the citizens to come and discuss their ideas and issues with members of the Council and City staff.

Councilmember Menchel expressed some concern over the left turn lane from US Hwy 98 on to Airport Road; stating there are only inches between the two lanes of traffic. He continued it is a safety issue and FDOT needs to be notified.

Councilmember Menchel also noted that FDOT needs to put the street signs back up on many of the intersections along US Hwy 98 with a permanent mast arm.

Councilmember Menchel pointed out that many of the street signs at major intersections along US Hwy 98, such as Gulf Shore and Benning Drives, are faded and unreadable; and that City staff should ask Okaloosa County to create and install new street signs at no charge to the City.

- D. Councilmember Overdier
 - E. Councilmember Marler
 - F. Councilmember Destin
 - G. Councilmember Morgan
 - H. Mayor Gary Jarvis
 - I. Land Use Attorney
 - J. City Attorney
1. East Pass Administration Action

The City Attorney announced that he, special counsel for the City of Destin Ken Oertel, Okaloosa County and FDEP had a conference call recently and discussed legal challenges facing the City and County regarding the dredging of the East Pass; and that it was agreed upon that the best path forward is for the City of Destin to take all the necessary actions related to clearing all challenges to the City's East Pass dredging permits. He asked for the Council's authorization to proceed with litigation in this matter.

Councilmember Morgan moved to direct the City Attorney and Special Counsel Ken Oertel to proceed with litigation in OGC Case # 18-1463, John Donovan, David Sherry and Rebecca Sherry vs. City of Destin, and take all other actions reasonably related to clearing all challenges to the City's East Pass dredging permits; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Morgan, Marler, Overdier, Menchel, Ramswell and Braden voted "yes"; Councilmember Destin was absent from the meeting).

Having no further business at this time, the meeting was adjourned at 8:00 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

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 Wednesday of the week prior to the meeting. **Any related materials that you wish to distribute to Council in support of your item 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.

The City appreciates your cooperation and adherence to these guidelines.

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

DATE OF REQUEST: 03/26/19 *COUNCIL MEETING DATE: 5/20/19

*NAME: Britney Moore *PHONE #: 850-245-3069

ADDRESS: Tallahassee, FL EMAIL: Britney.moore@FloridaDEP.gov

*TOPIC/ISSUE Connecting Communities through the Trails

*HAVE YOU SPOKEN WITH CITY STAFF ABOUT THIS ISSUE? If so, who and when?

*DESIRED ACTION BY COUNCIL? No Desired Action by Council

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

The Office of Greenways and Trails (OGT) is a bureau within the Division of Recreation and Parks and is tasked with fulfilling Chapter 260, Florida Statutes, the Florida Greenways and Trails Act. To accomplish this, OGT has been given the responsibility of leading, planning and facilitating the development of an interconnected Florida Greenways and Trails System.

For more than 20 years, OGT has established strong relationships with planners, land managers and other stakeholders at all levels, both public and private. OGT's role is to facilitate communication, cooperation and coordination among all governmental entities, private landowners, recreational user groups and other non-governmental organizations involved in outdoor recreation and trails planning, development and management.

Implementing the Florida Greenways and Trails System takes a coordinated effort with state and local partners to compile local trails data from cities, counties and other land managing entities into one inclusive system. Depicting the trails data on a statewide map helps to identify where connections can be made across jurisdictional boundaries. This allows for the identification of potential long-distance trails throughout the state. The multi-county approach encourages regional planning, allowing projects to be funded and completed more quickly.

When complete, the Great Northwest Florida Coastal Trail will connect Pensacola, Panama City and Tallahassee, joining populated areas together by linking landscapes such as parks, water features, open space, cultural features and historic sites.



Connecting Communities

Office of Greenways and Trails

Florida Park Service - Department of Environmental Protection





Office of Greenways and Trails



FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

GREENWAYS & TRAILS

FloridaGreenwaysAndTrails.com





Office of Greenways and Trails

The Office of Greenways and Trails was established to fulfill the Florida Greenways and Trails Act...

To ... "conserve, develop, and use the natural resources of this state for healthful and recreational purposes"

[Florida Greenways and Trails Act \(Ch. 260, F.S.\)](#)





Purpose

Coordinate and Advance the Florida Greenways and Trails System to support Florida's:





Florida Greenways and Trails System Plan Goals

Delineate
Regional
Systems



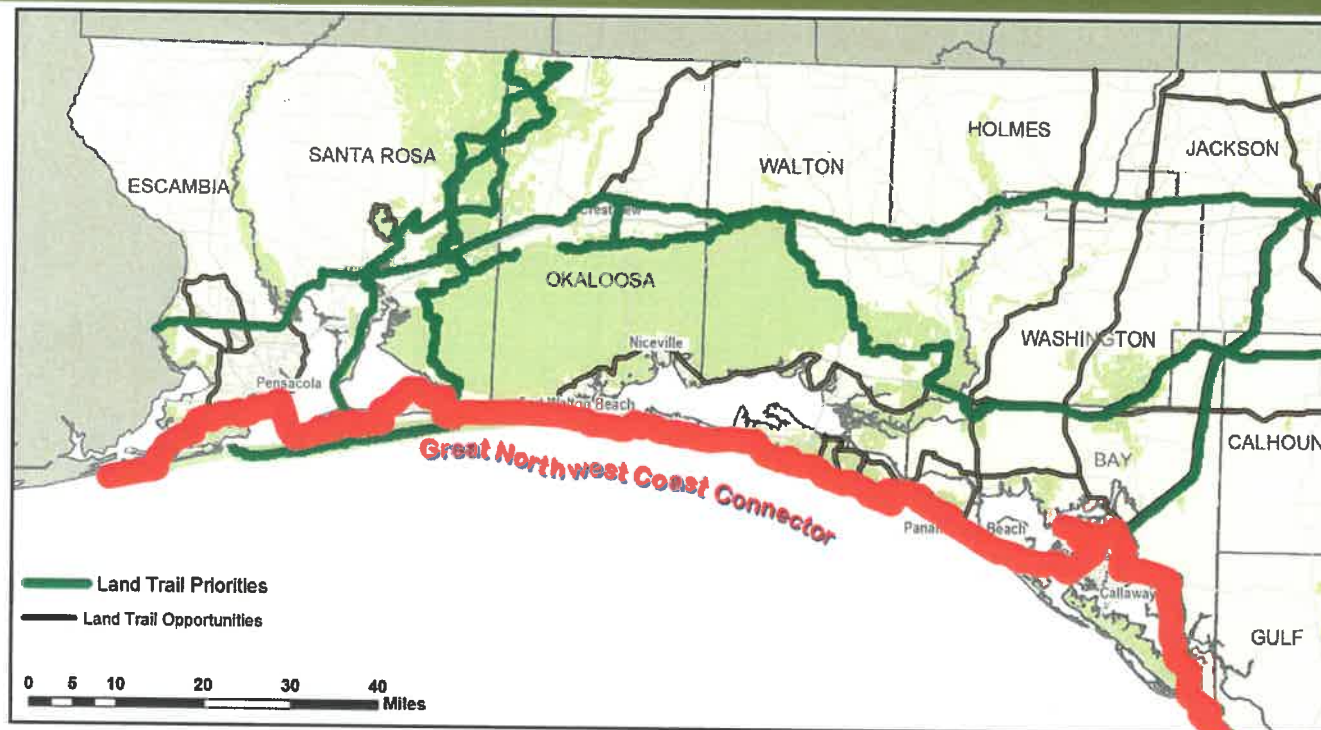
Delineate Regional Trail Systems

Goal 1

NO
MOT
VEHIC

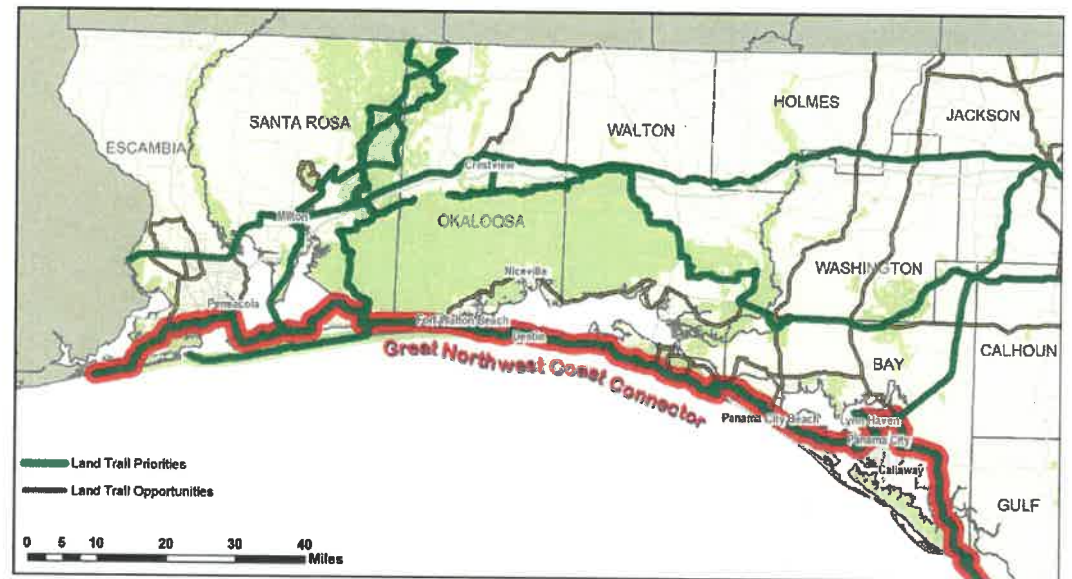
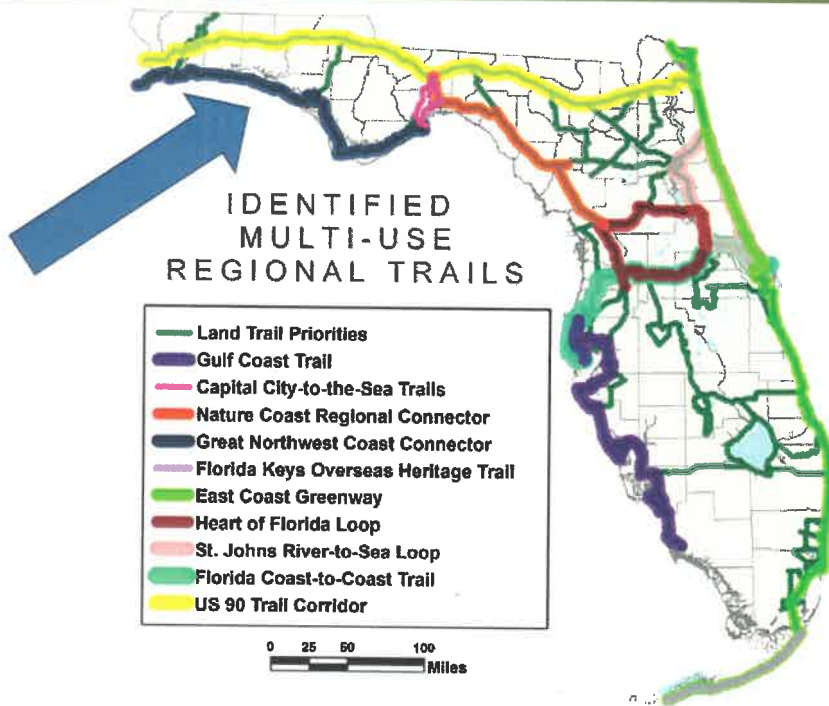


Land Trails





Multi-Use Regional Trails





Parks and Community Trails



PACT Program

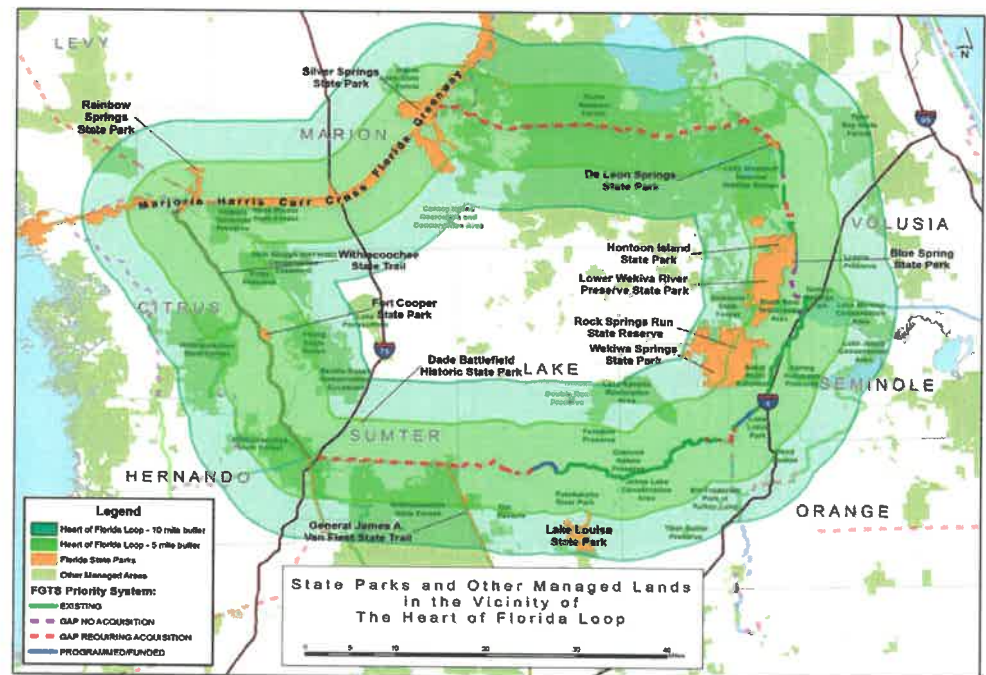
Goal: Connect community parks and state parks to the Florida Greenways and Trails Priority System.

Efforts are being made to connect state parks to the Florida Priority Greenways and Trails system



Parks and Community Trails

Efforts are being made to connect state parks to the Florida Priority Greenways and Trails system





Outdoor Recreation
in Florida

The Big Picture

\$58.6 Billion in Annual Consumer Spending

485,00 Direct Jobs

\$3.5 Billion in State and Local Taxes

\$17.9 Billion in Wages





2017 Economic Study of Florida Recreational Pursuits

Bicycling
on paved
roads and
trails

\$6 Billion



Bicycling on
unpaved trails

\$2 Billion



Fitness walking
and jogging

\$13.5 Billion

Paddling

\$3 Billion



Medical Expenses



Every dollar spent on walking paths saves \$3 in medical expenses.

American Heart Association



Community Amenities

Trails are among the top 4 community amenities sought by homeowners of all ages

National Association of Homebuilders,
2016





West Orange, Little Econ and Cady
Way Trails in Orange County

Regional Trail Study



- 516 Jobs
- Annual economic impact of \$42.6 million
- Supported 61 jobs in downtown Winter Garden



Florida Greenways and Trails System Plan Goals

**Delineate
Regional
Systems**

**Strategic
Investment of
Resources to
Advance
System
Completion**

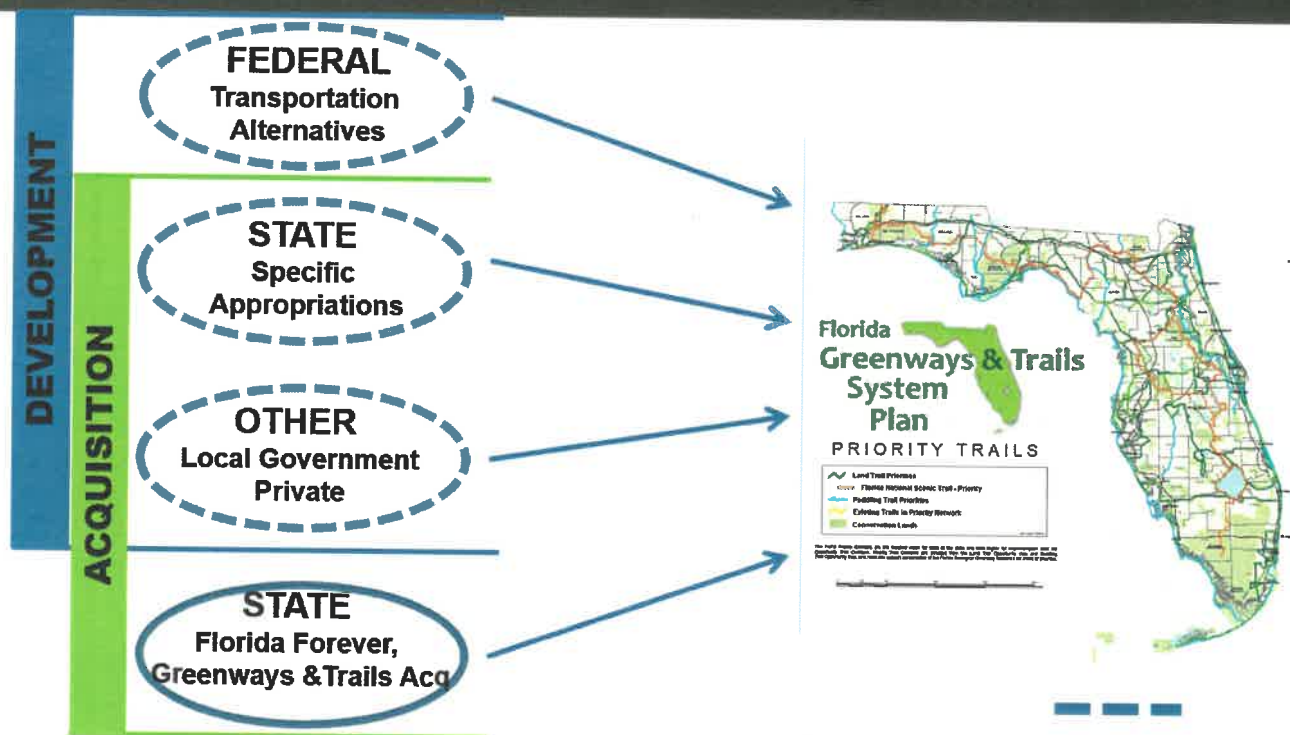


Strategic Investment of Resources to Advance System Completion

Goal 2



Identify funding sources





Shared Use Non-motorized (SUN) Trail Network

Chs 335.065 and 339.81, Florida Statutes

- The Florida Shared-Use Nonmotorized Trail Network is established as the paved multi-use trail component of the Florida Greenways and Trails System in chapter 260
- Florida Department of Transportation given the authority to fund the statewide system of interconnected multi-use trails
- Planning, Acquisition, Design and Construction of priority multi-use trails identified within the Florida Greenways and Trails System under chapter 260



Funding Sources

- Federal Transportation
- Other Federal Funding
 - Local Government
- Revenue from the Trail
- Private Funding Sources
 - State Funding
 - State- Specific Funding Appropriations
 - Be Creative!

More information: www.officeofgreenwaysandtrails.org or contact me



Florida Greenways and Trails System Plan Goals

**Delineate
Regional
Systems**

**Strategic
Investment of
Resources to
Advance
System
Completion**

**Promote and
Market the
Florida
Greenways and
Trails System to
Residents and
Visitors**



Promote and Market the Florida Greenways and Trails System to Residents and Visitors

Goal 3



Promote and Market



Greenways and Trails
Online Trail Guide

*Florida Designated
Paddling Trails*



Florida
Circumnavigational
Saltwater Paddling Trail



Multi-day Travel
Itineraries



Working with national, state and local partners to promote local trails and stimulate tourism.



OUTDOOR RECREATION & TRAILS

CONNECTING THE DOTS BETWEEN TRAILS & TOURISM



FLORIDA
State Parks
...the Real Florida™



TrailLink.com
Your Ultimate Free Trail Guide



Florida East Coast
Greenway



Trail Town

**NEW
PROGRAM!**



**Designated trail towns
receive signs, stickers for
participating businesses,
website presence and
publicity**



Trail Town Program Goals



- Enhance the quality of the trail experience
- Promote tourism and growth of Florida's trails
- Increase the amount and frequency of trail users
- Boost economy via purchases from trail users
- Engage citizens through community participation





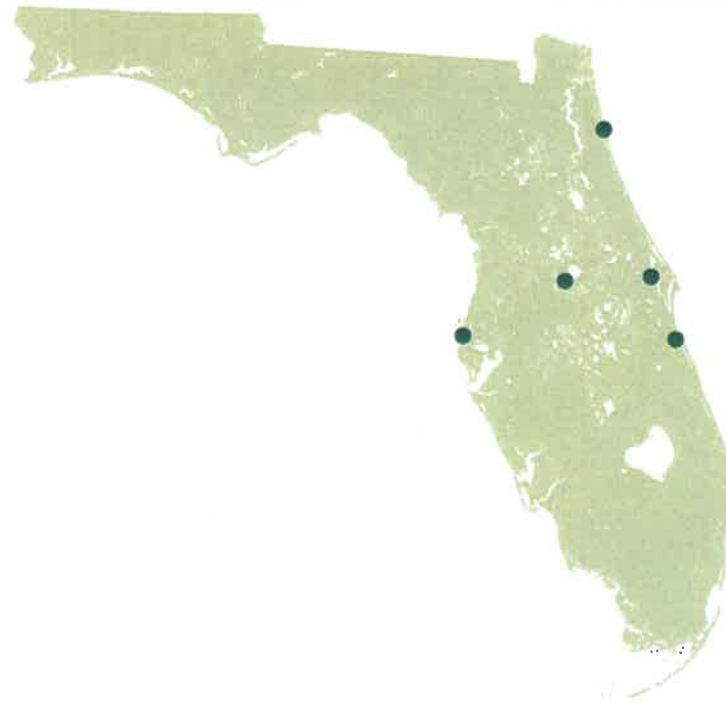
A Win-Win for Both the Towns and Trail Users





Florida's Designated Trail Towns

- **Dunedin**
- **Titusville**
- **Malabar**
- **Vilano Beach**
- **Clermont**





Florida Greenways and Trails System Plan Goals

**Delineate
Regional
Systems**

**Strategic
Investment of
Resources to
Advance
System
Completion**

**Promote and
Market the
Florida
Greenways and
Trails System to
Residents and
Visitors**

**Establish
Partnerships
and Engage
Stakeholders**



Establish Partnerships and Engage Stakeholders

Goal 4



Partnerships and Stakeholders



West Florida
Regional
Planning
Council



East Coast



Greenway



Where Good Living Flows





Britney Moore

Office of Greenways and Trails
Florida Department of Environmental
Protection

Britney.Moore@FloridaDEP.gov

Office: 850-245-3069



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Action Item

TO: City Council

THRU: Lance Johnson, City Manager

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

DATE: May 17, 2019

SUBJECT: Short-Term Rental Task Force - discussion

I. BACKGROUND: The City Council directed staff to review the establishment and any sunseting of the Short-Term Rental Task Force ("Task Force"), and to determine the current status of the Task Force.

II. DISCUSSION: The Task Force was formed via motion of the Council on October 2, 2017 (pls. see page 5 and 6 of attached minutes of October 2, 2017).

The motion included a provision for automatic sunset of the Task Force after 12 months. Therefore, the committee sunsetted on October 2, 2018, and is no longer in place.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: The Task Force automatically sunsetted on October 2, 2018, and is no longer in effect.

Establishment of a new Task Force (and new appointments and/or reappointments) would be required if the City Council desires to have a Task Force in place again.

IV. RECOMMENDED MOTION:

Attachments:

1. Oct 2 2017 MInutes of City Council

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
OCTOBER 2, 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 Prebble Ramswell

Councilmember Parker Destin

Councilmember Cyron Marler

Councilmember Tuffy Dixon

Councilmember Rodney Braden

Councilmember Jim Foreman

Destin City Staff

City Manager Carisse Lejeune

Public Information Manager Doug Rainer

Deputy City Manager Steve Schmidt

Parks/Rec Director Lance Johnson

Code Enforcement Manager John Mahone

Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey

Finance Director Bragg Farmer

Library Director Jurate Burns

City Engineer David Campbell

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. The Mayor 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)*

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to approve the agenda passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes"; Councilmember Morgan was absent from the meeting).

At this time, the City Attorney announced the temporary adjournment of the regular City Council meeting so that the City Council can convene an executive session to discuss the following cases:

CITY OF DESTIN, DEPARTMENT OF CODE ENFORCEMENT, Appellant/Petitioner, vs. BROOKE ANDRY, 3609 WAVERLY CIRCLE, LLC, GRAHAM HILL and KIMBERLY N. HILL, Appellees/Respondents, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County, Florida, Case No. 2017-CA-002297-F,

JOSEPH GARGUILO, JR. and KATHERINE GARGUILO, Petitioner, vs. CITY OF DESTIN, FLORIDA, Respondent, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County, Florida, Case No. 2017-CA-1110

The Mayor temporarily adjourned the regular City Council meeting at 6:05 PM.

The Mayor reconvened the regular City Council meeting at 7:11 PM.

1. APPROVAL OF MINUTES

A) Approval of minutes of September 6, 2017 special city council meeting

Motion by Councilmember Marler, seconded by Councilmember Destin, to approve minutes of September 6, 2017 special city council meeting passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes"; Councilmember Morgan was absent from the meeting).

B) Approval of minutes of September 6, 2017 executive session

Motion by Councilmember Braden, seconded by Councilmember Marler, to approve minutes of September 6, 2017 executive session passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes"; Councilmember Morgan was absent from the meeting).

2. PROCLAMATIONS / RECOGNITIONS / **SPECIAL PRESENTATIONS / ANNOUNCEMENTS

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS (ALL AGENDA ITEMS OTHER THAN THOSE UNDER NUMBER 6)

Mr. Mark Robertson, a Destin resident, spoke of agenda item #4C - *Short Term Vacation Rental Task Force*. He informed the Council that he and his wife are retired military and disabled veterans. He has been diagnosed with heart failure in September 2015 and received a 100 percent disability rating. He reported that a City's code enforcement officer visited his home at Kell-Aire Drive regarding their Bed and Breakfast business, which has been in operation for 2 years. They received their business license from Okaloosa County back in October 9, 2015. He has invested all his inheritance into this property. He stated that their area is currently zones Low Density Residential. He stated that their lot is unique because it is a standalone metes and bounds property. It is not located in Kell-Aire Subdivision. It was initially attached to Sugar Loaf Apartments. They have 2 driveways and no parking problems on the street. They have a privacy fence and there have been no noise violation issues. There have never been any complaints whatsoever from anyone. They are always home and there is no absentee landlord situation. He asked to be given the time to get his business into compliance with the current code.

Mr. Jason Sprenkle, a business owner in Destin, also addressed agenda item #4C - *Short Term Vacation Rental Task Force*. He informed the Council the short term rental management companies have formed a Destin Vacation Rental Compliance Board. Its purpose is to get the people in the industry to get a quick education on current short term rental regulations – what rules are being followed and what rules are being neglected. They created a website called Destin VRCB.com to try to provide a service of awareness and availability. The idea is to have a single resource that has all the information about short term rental vacation compliance in Destin. They also plan to staff a 1-800 number to be available 24 hours a day/7 days a week to allow everybody in the community with concerns about short term rentals to voice their concerns. Their main goals is to collect data and locate the problem areas in the City, and then work with the task force those problems.

Mr. Robert Becton, owner of Bec-tones Live Events, a concert production company and entertainment director at Tailfins Ale House & Oyster Bar on the Destin Harbor addressed agenda item #5 - *Ordinance 17-19-CC – Noise Ordinance*. He stated that since the last Council meeting

when the noise issue was discussed, they have gathered and examined a lot of information to get to the root of the complaints that were said to be entertainment related; with their primary focus on audio being generated along the harbor. Several residents have stated that they hear audio from land based harbor businesses during evening hours. It is important to know exactly what the residents are hearing as having all related information will only aid in finding a solution. He and his team got a map of Holiday Isle as well as the harbor and business along the harbor. He stated they took measurements combining decibel level and distance to determine decay of sine waves and directional pattern. They also use a quality GPS Map based Golf App to determine distances across the harbor and create accurate sample points. A pontoon boat captain took a pontoon boat out into the harbor and made a considerable amount of distance measurements using the GPS Distance App and audio measurements using a quality decibel meter. The highest decibel levels they found were 67 decibels peak at 247 yards on axis directly off the establishments in the harbor. Basically curbsides of a busy road like US Hwy 98, ambient noise. He added that they took distance and audio measurements using the available tools as well as the science involved; and that the unbiased and scientific information they collected does not support a noise level that is significant and alarming; and that he encourages working together and having more communications about this subject. He then distributed copies of the tests results to members of the Council.

Councilmember Marler asked if this same data can be applied to residential and short term rental issues; to which Mr. Becton replied affirmatively.

Mr. Peter Bos, a Destin resident and CEO of Legendary Inc., referencing the proposed noise ordinance stated that using the subjective "plainly audible" standard instead of a decibel meter is a frightening proposition as someone playing a classical guitar two doors down suddenly becomes a problem. It ruined the reputation of the rental community and the restaurants in Clearwater.

Mr. Walter Woo, a Destin resident, stated that their neighborhood has been invaded by huge short term rental houses with 8 bedrooms and 8 bathrooms. The noise they hear inside these houses is different than the noise they hear on the street. He stated that he supports the passing of the proposed noise ordinance. He also pointed out the "investigating officers" as referenced in the ordinance is not defined in the ordinance. He asked if it refers to the City's code enforcement officers or the Okaloosa County Sheriff's deputies.

The Mayor noted that investigating officer will be someone from the Sheriff's department as the City does not currently have a code enforcement officer trained to use the decibel meter, and they normally do not work nights and weekends.

According to the City Attorney, "investigating officers" refers to Okaloosa County Sheriff's deputies because they, not the City's code enforcement officers, are authorized to make an arrest.

Mr. Guy Tadlock, a Destin resident, stated that Mr. Becton, who took some audio and distance measurements on Holiday Isle and the harbor, made some valid points. He expressed that nobody is trying to shut down the festivities on the harbor, they are merely asking business owners to cut down on the noise. He stated that he sat at a popular place on the harbor a few years back with a decibel meter, very similar to the instrument Mr. Becton uses, and measured 110-150db in that establishment. It was too loud in there that people were leaving. He continued that fixed areas on the harbor where they have stages where bands perform, there are scientific things they could do things to attenuate the noise and lessen the amount of impact of the music across the harbor down to the residential areas. He urged the Council to approve the proposed noise ordinance.

Mr. Tadlock also informed the Council that out of the 49 short term rental properties on Holiday Isle which he previously mentioned, 31 are not currently registered with the City. Some have been registered previously, but they stop registering when the City raised the registration fee. He added they have already reported this information to the City.

Councilmember Ramswell asked if the City is tracking this particular case.

The City Manager noted that the new Code Enforcement Manager provides her a daily update on the number of short term rental properties that are registered; and that they are actively researching and pursuing other properties and are confident that those that have not registered will be registered.

Councilmember Dixon suggests they come up with a system upon which they could turn this information over to the Tax Collector's Office because in all probability, those properties that are not registering are also not paying into the bed tax.

Ms. Jennifer Green, speaking on behalf of HomeAway Vacation Rentals, stated that the companies they represent want to be good neighbors and want to do the right thing for the City. She also stated they would do whatever is necessary to work with the short term rental task force once it is formed.

4. CITY MANAGER REPORTS

A) Resolution 17-52 – FY 2018 Law Enforcement Service Agreement

The City Manager explained that law enforcement services within the City of Destin is provided by the Okaloosa County Sheriff's Office through the Law Enforcement Service Agreement negotiated each year. The proposed agreement totals \$1,975,080 and runs from October 1, 2017 through September 30, 2018. It reflects a 7.2 percent increase for the basic Sheriff's services and a marine patrol unit.

Councilmember Dixon moved to adopt Resolution 17-52 accepting the FY 2018 Law Enforcement Service Agreement to provide law enforcement services at the City of Destin by the Okaloosa County Sheriff's Office from October 1, 2017 to September 31, 2018; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes"; Councilmember Morgan was absent from the meeting).

B) Resolution 17-53 – Amending the Business Tax Receipt Equity Study Commission

The City Manager explained that the Equity Study Commission will required additional time to prepare its report to the City Council; therefore, staff is requesting that the current term of the Commission be extended until January 21, 2018.

Motion by Councilmember Dixon, seconded by Councilmember Marler, to approve Resolution 17-53 – Extension of Term of the Equity Study Commission passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted "yes"; Councilmember Morgan was absent from the meeting).

C) Short Term Vacation Rental Task Force

The City Manager noted that at the September 18, 2017 City Council meeting, several short term rental (STR) business and property owners came forward to ask about possible future legislation by the Council and to offer suggestions for mitigating concerns the community has with STR homes within the City. There was consensus from the City Council to form an advisory committee to look into the STR issues and bring back viable solutions that can be established through ordinance or resolution by the City. She was asked to bring back a workable format to facilitate these stakeholder discussions. The City Manager presented the following options:

- Option 1: Create a Temporary Advisory Committee. The members and length of service for members will be at the Council's discretions. An advertisement for Advisory Board members will be posted and applications will need to be completed and provided to the Council for review. Each member of the Council shall be entitled to nominate one person to the Board
- Option 2: Allow the City Manager to facilitate a Temporary Stakeholder Task Force. All concerns and negative impacts can be identified at this meeting. A membership roster would be circulated for all interested persons dedicated to making the commitment to continue working in a collaborative manner to find solutions. Recommendations could then be presented to the Council by City staff, fully vetted for feasibility and legal sufficiency

The City Manager also asked the Council if they would like staff to delay bringing the short term rental occupancy rate portion of the Land Development Code revision before the Local Planning Agency (LPA) until after the committee has submitted their recommendations to the City Council.

Motion by Councilmember Foreman, seconded by Councilmember Marler, for the City Manager to take the necessary actions in order to form a temporary Stakeholder Task Force Committee passed 5-1 (Council members Destin, Marler, Foreman, Dixon and Ramswell voted "yes"; Councilmember Braden voted "no"; Councilmember Morgan was absent from the meeting).

There were some discussions regarding the makeup of the task force.

Councilmember Ramswell stated since the goal is to try to make things work between the residents and the renters, it is important the committee is comprised of City residents because they would have first-hand knowledge of what is going on in the City.

Councilmember Destin suggests appointing at least 4 residents and a maximum of 3 non-residents to the task force.

Councilmember Dixon would like to see the majority of the members being residents of the City; but, he would not like to exclude non-resident stakeholders.

Councilmember Braden noted they need to include a sunset provision for the task force. He stated that he would like the task force to submit their recommendations by February 2018; before the next municipal election.

Councilmember Destin moved that the committee be made up of 7 members appointed by each Council member – a minimum of 4 resident members and a maximum of 3 non-resident members – and with a sunset provision of 12 months. The committee will bring forward recommendations to the City Council by February 2018. Councilmember Ramswell provided a second to the motion. Motion passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”; Councilmember Morgan was absent from the meeting).

Next, after a brief discussion, the City Council agreed to discuss at their regular meeting on October 16, 2017 whether or not to delay bringing the Short Term Rental occupancy rate portion of the Land Development Code revision before the LPA until after the Stakeholder Task Force Committee has submitted their recommendations to the City Council.

D) Deputy City Manager Confirmation

The City Manager requested that the City Council confirm the appointment of Mr. Steve Schmidt as the Deputy City Manager. She stated that Mr. Schmidt has been an asset to the City of Destin. He currently serves as the Development Manager and Interim Community Development Director. She then detailed Mr. Schmidt’s accomplishments and other numerous achievements and honors he received.

Motion by Councilmember Dixon, seconded by Councilmember Foreman, to accept the appointment of Steve Schmidt as the Deputy City Manager passed 5-1 (Council members Destin, Marler, Foreman, Dixon and Ramswell voted “yes”; Councilmember Braden voted “no”; Councilmember Morgan was absent from the meeting).

E) FY 2018 work plans

The City Manager presented the annual work objectives for the organization to the City Council. She stated these are the objectives the City will be focusing on for the upcoming fiscal year based on Council’s direction at the last visioning session.

Motion by Councilmember Dixon, seconded by Councilmember Marler, to approve the Organizational Work Objectives set forth in the Strategic Goals Table for Fiscal Year 2018 for the City of Destin passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”; Councilmember Morgan was absent from the meeting).

F) Announcements

The City Manager made the following announcements:

- Monday, October 9th @ 5:00 PM, in Council Chambers – City Council workshop to discuss the feasibility and potential for purchasing the Gulf Power electric distribution system for the City of Destin
- Wednesday, October 11th @ 9:00 AM – Norriego Point Stabilization Ground Breaking Ceremony
- Thursday, October 26th @ the Destin Community Center, 11:30 AM to 1:00 PM – City of Destin Open House
- Monday, October 30th, 5-9 PM – Fall Fest at the Community Center
- Friday, November 10th – City facilities will be closed in observance of Veterans Day
- November 17th and 18th – Holiday Craft Show @ the Community Center

**5. FIRST READING OF ORDINANCES NOT REQUIRING PUBLIC HEARINGS
(NO PUBLIC COMMENTS)**

A) First reading of Ordinance 17-19-CC – Noise Ordinance

The City Attorney read proposed Ordinance 17-19-CC by title; and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO NOISE POLLUTION CONTROL; AMENDING CHAPTER 14, ARTICLE II “NOISE” OF THE CITY CODE OF ORDINANCES; PROVIDING FOR AUTHORITY AND FINDINGS OF FACT; PROVIDING FOR THE CREATION OF CODE OF ORDINANCES, CHAPTER 14, ARTICLE II, PART I. GENERAL APPLICATION; PROVIDING FOR THE CREATION OF SEC. 14-52. - TERMINOLOGY, STANDARDS, AND DEFINITIONS; PROVIDING FOR THE CREATION OF SEC. 14-53. - PURPOSE; INTENT; AUTHORITY AND RESPONSIBILITY OF CITY MANAGER OR CITY MANAGER’S DESIGNEE AND INVESTIGATING OFFICER; PROVIDING FOR THE CREATION OF SEC. 14-54. - MEASUREMENT OR ASSESSMENT OF NOISE; PROVIDING FOR THE CREATION OF CODE OF ORDINANCES, SEC. 14-55. - PROHIBITED ACTS; PROVIDING FOR THE CREATION OF SEC. 14-56. – EXEMPTIONS; PROVIDING FOR THE CREATION OF CODE OF ORDINANCES, SEC. 14-57. - ENFORCEMENT/PENALTY; PROVIDING FOR THE CREATION OF CODE OF ORDINANCES CHAPTER 14, ARTICLE II, PART II. SOUTH HARBOR MIXED USE (SHMU); PROVIDING FOR THE CREATION OF SEC. 14-58. – DEFINITIONS FOR SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-59. – PROHIBITIONS FOR SHMU ONLY; PROVIDING FOR THE CREATION OF CODE OF SEC. 14-60. - MEASUREMENT OF SOUND IN SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-61. - CLASSIFICATION OF USE OCCUPANCIES IN SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-62. - MAXIMUM PERMISSIBLE SOUND LEVELS BY USE OCCUPANCY IN SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-63. – EXEMPTIONS IN SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-64. - SPECIAL PERMITS IN SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-65. - VIOLATIONS AND PENALTIES IN SHMU ONLY; PROVIDING FOR THE CREATION OF SEC. 14-66. - ADDITIONAL REMEDIES IN SHMU ONLY; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney noted that on September 6, 2017, the City Council unanimously approved Councilmember Dixon’s motion to implement the language in the proposed new noise ordinance, with the exception of SHMU zoning district; apply the existing provisions to SHMU only; and to direct staff to schedule a workshop to further discuss this issue. He continued that the version of the noise ordinance presented tonight meets Councilmember Dixon’s motion with few modifications. At the workshop on September 25, 2017, Destin Water Users requested exemption language for the operation of their utility facilities, equipment, etc. The version before Council tonight adds a provision for all utilities, not just Destin Water Users. Additionally, language was added in various places to ensure that the noise ordinance does not infringe on second amendment rights, which is actually a somewhat common successful challenge to noise ordinances enforce against people who discharge firearms. Finally, language was added which exempts noise/sound produced by the normal operation of boat engines, and which also exempts boat horns.

Councilmember Dixon move to approve Ordinance 17-19-CC on first reading and direct staff to schedule a public hearing at the next Council meeting in order for the public to take part in the second reading of the ordinance; seconded by Councilmember Braden.

Councilmember Destin suggests applying the ordinance provisions beginning at 8:00 or 9:00 PM instead of all hours of the day.

Councilmember Dixon objected to limiting the time of day the noise ordinance would apply; stating that residents should not be subjected to loud noises at any time during the day.

The Mayor called for a vote on the motion, which passes 5-1 (Council members Marler, Foreman, Dixon, Ramswell and Braden voted “yes”; Councilmember Destin voted “no”; Councilmember Morgan was absent from the meeting).

6. PUBLIC HEARINGS

7. *CONSENT AGENDA (NO PUBLIC COMMENTS)

- A) Resolution 17-51 – Amending fee schedule for the purchase of burial plots at the Destin Memorial Cemeteries

Motion by Councilmember Dixon, seconded by Councilmember Marler, to approve Consent Agenda items #7A, as printed above, passed 6-0 (Council members Destin, Marler, Foreman, Dixon, Ramswell and Braden voted “yes”; Councilmember Morgan 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 the grant funding for the Royal Melvin Heritage Park.

The City Manager replied it is still in the process; and that the County has not yet uploaded the grants to the Treasury Department and has not provided a timeline for completion.

- B. Councilmember Ramswell

Councilmember Ramswell noted they have had two teenage suicides since June of this year and at least six opioid overdoses of teenagers. She continued that nobody knows what circumstances led to these traumatic events; but, there are also rumors, allegations and thoughts that they may not be isolated. She stated she is not sure what anyone can do, but she would like the community to be aware of this situation and encourage parents to talk to their children and everyone to talk to one another and try to find a solution to this serious problem.

- C. Councilmember Dixon
D. Councilmember Foreman
E. Councilmember Marler
F. Councilmember Destin

Councilmember Destin stated that the Harbor CRA Advisory Committee is attempting to put together easement requests along U.S. Hwy 98. He continued this is a City project and that it may be more appropriate to designate a City staff member to lead this initiative.

The City Manager noted she recently attended a meeting regarding this issue and they did not have full cooperation from all the property owners. The representative from the Florida Department of Transportation (FDOT) was unable to attend and so there were many questions that were unable to be answered and so no one at this point is ready to commit to giving an easement.

She continued that City staff would be happy to take the lead but they are not sure what the City Council wants to see staff accomplish.

According to Councilmember Destin, he wants to make sure a representative from FDOT could come to the next meeting and for staff to make sure the process continues to move forward.

The City Manager noted the FDOT representative apparently had to attend to an emergency situation and was unable to come to the meeting; however, she would be glad to ask Ms. Leigh Moore of the Howard Group with whom she has been communicating at FDOT and find out if they would be willing to communicate with the City. If so, the City will set up anything meeting inviting FDOT and all the property owners.

- G. Councilmember Morgan
- H. Mayor Fischer
- I. Land Use Attorney
- J. City Attorney

**9. COMMENTS/CONCERNS FROM THE AUDIENCE/PUBLIC ON ANY MATTERS
CONSIDERED AT MEETING, OR ON ANY MATTERS NOT ON THE AGENDA**

10. ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 9:15 PM.

ADOPTED THIS 2ND DAY OF JANUARY 2018

By:

Scott Fischer, Mayor

ATTEST:

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019**TYPE OF AGENDA ITEM:** City Manager Report

TO: City Council**THRU:** Lance Johnson, City Manager**FROM:** Bragg Farmer, Finance Director**DATE:** May 14, 2019**SUBJECT:** Quarterly Financial and Investment Report

I. BACKGROUND: Per the City Charter, the Finance Director must present a City financial report to the City Council. Attached for your review is the current quarterly financial and investment report. It compares the FY2019 adjusted budget to the revenues received and expenses expended. There is also a schedule showing the current status of the City investment account with Raymond James

II. DISCUSSION: The City Financial and Investment report is for the period ended March 31, 2019. Our revenue has been received at a level consistent with prior years at 62%. Expenses are being made on a level consistent with prior years at 37%. The City investment accounts show a net gain on our original investment of (1.36%) for the fiscal year through March 2019.

A. Link to Strategic Goals / Objectives: Develop a sustainable Operating and Capital Budget ensuring the City is managed in a fiscally sound manner and complies with Legislative mandates.

B. Effect on Budget (EOB): This item is for information only and has no effect on the FY2019 Budget.

C. Level of Service (LOS): This report provides the City Council with the current financial condition of the City.

III. CONCLUSION: The City is currently receiving the budget revenue and expenses in a manner consistent with prior years.

IV. RECOMMENDED MOTION: No motion is required for this item.

Attachments:

1. March 2019
2. Raymond James Investment
Reconciliation 2019
3. Raymond James Mar 2019 report



City of Destin

Quarterly Financial and Investment Report

March 2019

March 31, 2019

OVERVIEW

This financial overview reflects the City's overall unaudited financial position for the fiscal year through **March 31, 2019**. Except as noted below, revenues and operating expenditures are generally on target.

GENERAL FUND

With **50%** of the year complete, General Fund revenues are **62%** of budget and expenditures are **37%** of the adjusted budget as summarized below.

General Fund	Adj. Budget	YTD Actual	Percent
Revenues	\$ 16,139,264	\$ 10,032,857	62%
Expenditures	\$ 16,220,615	\$ 6,009,848	37%

Property ad valorem taxes are the largest source of general fund revenue, and make up **45%** of total revenues. Other sources of revenue include building fees, traffic fines, county cooperative library funding, franchise fees, grants, and interest earnings.

The General Fund includes all services that are funded through general taxes and fees. It includes all city programs **except** those that are paid for through dedicated taxes (Community Redevelopment Agency – Town Center & Harbor), fees (electric franchise fees, ect.) or impact fees.

REVENUES

Overall, revenues are being received at a rate to past years. The City budgets 95% of the City Ad Valorem taxes and State projected shared revenue items. The following schedule outlines the City revenue collection progress for the current year.

Revenues	Adj. Budget	YTD Actual	% Received
Taxes	\$ 8,084,167	\$ 7,007,833	87%
License & Permits	\$ 2,626,150	\$ 1,151,326	44%
Intergovernmental	\$ 3,188,372	\$ 472,977	15%
Charges for Services	\$ 489,400	\$ 205,702	42%
Fines & Forfeits	\$ 43,000	\$ 276,361	643%
Miscellaneous Rev.	\$ 64,350	\$ 28,658	45%
Other Sources	\$ -	\$ -	0%
Interfund Transfers	\$ 1,643,825	\$ 890,000	54%
Carryforward Rev.	\$ -	\$ -	0%
Total	\$ 16,139,264	\$ 10,032,858	62%

- **Taxes.** This reflects the collection of the ad valorem taxes; sales, use and fuel taxes; local option taxes; local option fuel tax; and discretionary sales surtaxes.

The City has collected **87%** of the budgeted taxes. Of the \$8.08 million projected, \$6.57 million is in the form of ad valorem taxes. Ad valorem taxes on property are collected by the Tax Collector on an annual basis beginning on November 1st for the tax year January through December. The City budgets 95% of the projected ad valorem revenue and has received **91%** of the budgeted amount.

Licenses and permits. This revenue source reflects the collection of electricity franchisee fees; business licenses; building permits; and other licenses, fees, and permits. Electric Franchise fees and Building permit fees constitute **80%** of the revenue in this category. As of the end of **March** the City has collected **42%** of this revenue source.

InterGovernmental. Intergovernmental revenues are received from Federal Grants, State Grants, State Shared Revenues and Grants from other Local Agencies. Grant revenues vary each year based on different opportunities that present themselves to the City. On a monthly basis the City receives revenue from the Municipal Sharing Tax and the County

Occupational License. On a quarterly basis the City receives money from the County Library Cooperative and the Alcohol and Beverage Tax is received on an annual basis in September/October. The City has received 15% of our InterGovernmental budget.

Charges for Services. Charges for Services are revenues generated from the rendering of services for a fee (e.g. recording fees, etc.). Charges for services will vary from month to month due to the seasonal activities that take place throughout the year. For example, monies related to the sports complex are generally higher in the summer months whereas the community center is normally higher during the winter, "snowbird season". The City has received 42% of this revenue item.

- **Fines and Forfeits.** Fines and forfeits revenues are received from traffic fines; library fines; code violation fines; and other fines or forfeitures. Traffic fines represent 81% of the revenues in this category. As of the end of March, the City collected 27% of the budgeted traffic fines and 643% of this total revenue source due to a \$262,290 a developer infrastructure payment.

- **Miscellaneous Revenues.** Miscellaneous revenues primarily reflect interest earned on investments; library fees; inter-fund transfers; various contributions and/or donation transfers; and special assessments. The largest form of miscellaneous revenue involves the 2013 Revenue Note interfund transfer. This money is generated from the ½ cent sales tax and telecommunications tax which are budgeted in the Special Revenue Fund. The City has collected 45% of this revenue source.

EXPENSES

The City has completed 50% of the year and our department operating costs are running close to trends from prior years. The adjacent table gives the expenditure budgets for each department. This gives a clearer picture of how well each department or program is performing this budget year.

Overall the City has expended 37% of its budgeted expenditures. Departmental operating expenditures are also under or over budget as summarized by the following table. All budget amounts are after any budget amendments have been posted during the year.

Total Expenditures	Adj. Budget	YTD Actual	%
City Council	\$ 108,675	\$ 292,615	269%
City Manager	\$ 528,620	\$ 205,509	39%
City Clerk	\$ 236,247	\$ 112,464	48%
Finance	\$ 296,634	\$ 146,151	49%
Human Resources	\$ 434,384	\$ 333,822	77%
Administrative Services	\$ 88,100	\$ 22,224	25%
Facilities Maintenance	\$ 367,920	\$ 143,676	39%
Legal Services	\$ 407,200	\$ 168,549	41%
Community Development	\$ 622,851	\$ 243,854	39%
Debt Service - 2015A	\$ 458,211	\$ 398,875	87%
Debt Service - Veh Lease	\$ 25,797	\$ 25,796	100%
Debt Service - Eq Lease	\$ 77,567	\$ 15,075	19%
Information Technology	\$ 560,310	\$ 284,704	51%
Public Safety	\$ 2,272,057	\$ 1,084,537	48%
Inspections	\$ 435,556	\$ 205,905	47%
Code Inspections	\$ 362,376	\$ 144,913	40%
Emergency Management	\$ 12,025	\$ 36	0%
Cemetery	\$ 21,060	\$ 562	3%
Physical Environment	\$ 31,350	\$ 7,022	22%
Public Services	\$ 1,927,655	\$ 705,053	37%
Engineering	\$ 42,075	\$ 1,407	3%
Median Maintenance	\$ 197,344	\$ 51,439	26%
Library	\$ 612,524	\$ 210,311	34%
Parks	\$ 558,708	\$ 178,864	32%
Sports Complex	\$ 755,826	\$ 192,772	26%
Recreation	\$ 369,446	\$ 69,018	19%
Beach Operations	\$ 458,461	\$ 120,192	26%
Special Events	\$ 57,150	\$ 6,487	11%
Community Center	\$ 712,880	\$ 239,653	34%
GF CIP Projects	\$ 2,403,086	\$ -	0%
Gas Tax Funds Transfer	\$ 703,000	\$ 365,521	0%
Interfund Transfer	\$ -	\$ -	0%
Miscellaneous	\$ 75,520	\$ 32,842	43%
Total Expenditures	\$ 16,220,615	\$ 6,009,849	37%

CRA Town Center

CRA TC	Budget	YTD Actual	%
Revenues	\$ 791,782	\$ 790,876	100%
Expenditures	\$ 860,967	\$ 754,100	88%

CRA Harbor

CRA Harbor	Budget	YTD Actual	%
Revenues	\$ 596,310	\$ 596,051	100%
Expenditures	\$ 594,162	\$ 499,703	84%

All surplus funds collected in the CRA's will be used for future debt service.

FUND BALANCEUnreserved - Undesignated Fund Balance:

The City's undesignated fund balance is a surplus of funds which have accrued from unexpended operating budgets and unanticipated excess revenues. It has accumulated from prior year budgets that were not fully expended. This portion of the fund balance has not been identified as being required or having been appropriated for a specific purpose. This surplus also proves financial stability to bond holders and rating agencies, while providing the City with a "rainy day" fund for use in unforeseen, unbudgeted emergency situations.

Reserves and Contingencies

Once the budget is adopted, only that portion of the fund balance that is appropriated will be available during the fiscal year. As a result, reserves are budgeted for potential unforeseen events. Reserves are the portion of the fund balance that has been committed for identified purposes such as an amount needed to finance open purchase orders or unspent expenditure appropriations carried over for use in the following fiscal period. Reserves are established to provide for non-recurring, unanticipated expenditures (i.e. storm costs) or to meet unanticipated increases in service delivery costs.

Like the fund balance, the contingency is also exclusive of reserves not anticipated to be readily available for use in emergencies or unforeseen events. Although appropriated, City Council approval is required to expend from reserves and contingencies.

CHANGES IN FUND BALANCEGeneral Fund

On October 1, 2018 the City had a fund balance of \$22,806,201. This balance includes all committed funds, restricted funds, assigned funds, and unassigned reserves from FY2018.

The City General Fund balance is outlined below:

Nonspendable	\$ 2,469,019
Restricted	\$ 2,480,877
Committed	\$ 9,657,663
Assigned	\$ 1,289,375
Unassigned	\$ 6,909,267

There is also an Impact fee fund balance (restricted) of: **Park \$33,697; Traffic \$908,305; Police \$0; Library \$78,708; NPEB \$178,500; MultiModel \$407,171** (all netted for the FY2019 budget allocation, prior year unspent budget allocations, and current year contributions) that can only be used for projects related to the collection source of the impact fees.

CRA Town Center

The unreserved/undesignated fund balance on October 1, 2018 is \$ 0.00. The CRA currently owes the City \$ 2,240,217.

CRA Harbor

The unreserved/undesignated fund balance on October 1, 2017 is \$ 196,566.

CITY INVESTMENTS

The City of Destin has hired Raymond James & Associates to invest the unassigned fund balance. The following report reflects the City's overall unaudited investment return for the fiscal year from May 1, 2013 through March 31, 2019.

INVESTMENT RETURN

The unassigned fund balance is invested in four separate investment funds as outlined below. The table below reflects the current value of the funds by invested category (this includes market

increases/decreases, interest/dividend income, & investment fees).

Inv. Fund	May-13	Mar-19	Percent
Emergency Mt.	\$ 1,350,000	\$ 1,427,746	5.76%
Alt Investment	\$ 3,433,000	\$ 3,768,729	9.78%
Debt Service	\$ 338,000	\$ 357,070	5.64%
Emergency Op.	\$ 1,250,000	\$ 1,325,638	6.05%
CD Investment	\$ 2,951,000	\$ 3,021,061	2.37%
Total	\$ 9,322,000	\$ 9,900,244	6.20%

In FY2019 the City has seen an increase in the market value by (\$136,465) and an income earnings of \$123,058. The total cumulative market value loss on the investment (FY2013 thru FY2019) is (\$554,454), with earned income of \$1,403,091. The City had investment fees of \$16,942 for the fiscal year through March 2019.

Inv. Fund	FY Gain/Loss	FY Income	FY Exp.
Emergency Mt.	\$ 20,705	\$ 15,911	\$ (3,523)
Alt Investment	\$ 139,703	\$ 53,720	\$ (9,117)
Debt Service	\$ 6,169	\$ 3,979	\$ (962)
Emergency Op.	\$ 19,666	\$ 14,568	\$ (3,340)
CD Investment	\$ 56,338	\$ 34,880	\$ -
Total	\$ 242,580	\$ 123,058	\$ (16,942)

A current market report, as of March 30, 2019 produced by Raymond James is attached as supplemental information regarding these investments.

SUMMARY

For more information: This summary is based on detailed information produced by the City's Finance Department. If you would like additional information, or have any questions about the report, please call Bragg Farmer in the Finance Department at 837-4242.

FY2019		Primary Account 77304699		Raymond James/Eagle Asset Management				
	CONTRIBUTIONS	DIVIDENDS	INTEREST	EXPENSES	SECURITIES SOLD/ REDEEMED	SECURITIES PURCHASED	WITHDRAWALS TO OPERATING	Security Gain/Loss
OCT	85,000.00	15,370.71	-	(8,564.74)	(85,000.00)	-	-	(19,798.66)
	-	-	-	-	-	-	-	-
NOV	-	25,528.99	-	-	-	-	-	13,189.04
	-	-	-	-	-	-	-	-
DEC	-	14,337.68	-	-	-	-	-	56,910.58
	-	-	-	-	-	-	-	-
CALENDER YR TOTALS:	\$ 85,000.00	\$ 55,237.38	\$ -	\$ (8,564.74)	\$ (85,000.00)	\$ -	\$ -	\$ 50,300.96
JAN	18,000.00	21,301.92	-	(8,377.69)	(18,000.00)	-	-	29,906.05
	-	-	-	-	-	-	-	-
FEB	-	21,354.06	-	-	-	-	-	1,175.52
	-	-	-	-	-	-	-	-
MAR	-	25,164.77	-	-	-	-	-	55,082.83
	-	-	-	-	-	-	-	-
APRIL	-	18,253.80	-	(8,575.29)	-	-	-	(3,014.01)
	-	-	-	-	-	-	-	-
MAY	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
JUNE	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
JULY	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
AUGUST	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
SEPT	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
CALENDER YR TOTALS:	\$ 18,000.00	\$ 86,074.55	\$ -	\$ (16,952.98)	\$ (18,000.00)	\$ -	\$ -	\$ 83,150.39
FY2018 TOTALS	\$ 103,000.00	\$ 141,311.93	\$ -	\$ (25,517.72)	\$ (103,000.00)	\$ -	\$ -	\$ 133,451.35

FY 2019 SNAPSHOT				EARNED INCOME		
SECURITIES VALUE (10/1/2018)	\$ 9,657,663.48				\$ 10,000,000.00	
CASH DEPOSITED/SEC. SOLD	-			FY2013 Earned Income	\$ 76,848.56	0.77%
SECURITIES PURCHASED	-			FY2014 Earned Income	\$ 259,305.33	2.59%
EXPENSES	(25,517.72)	-0.26%		FY2015 Earned Income	\$ 258,805.58	2.59%
CASH WITHDRAWN	-	0.00%		FY2016 Earned Income	\$ 241,315.57	2.41%
INCOME EARNED	141,311.93	1.46%		FY2017 Earned Income	\$ 230,224.00	2.30%
CHANGE IN VALUE	133,451.35	1.38%		FY2018 Earned Income	\$ 213,534.19	2.14%
Current Value	\$ 9,906,909.04	2.85%		FY2019 Earned Income	\$ 141,311.93	183.88%
				EXPENSES		
				FY2013 Expenses	\$ (20,545.95)	-0.21%
				FY2014 Expenses	\$ (49,588.40)	-0.50%
				FY2015 Expenses	\$ (49,278.70)	-0.49%
				FY2016 Expenses	\$ (48,742.04)	-0.49%
				FY2017 Expenses	\$ (48,309.75)	-0.48%
				FY2018 Expenses	\$ (37,560.38)	-0.38%
				FY2019 Expenses	\$ (25,517.72)	124.20%
				Cash on Hand	\$ 511,595.73	5.16%
FY2013 Net Gain/Loss	(130,984.36)	-1.31%				
FY2014 Net Gain/Loss	91,238.17	0.92%				
FY2015 Net Gain/Loss	172,795.08	1.73%				
FY2016 Net Gain/Loss	207,212.95	2.04%				
FY2017 Net Gain/Loss	11,733.03	0.11%				
FY2018 Net Gain/Loss	(16,906.49)	-0.16%				
FY2019 Net Gain/Loss	249,245.56	2.33%				

FY2019	77304699	Debt Service Fund
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	CONTRIBUTIONS	DIVIDENDS	INTEREST	EXPENSES	SECURITIES SOLD/ REDEEMED	SECURITIES PURCHASED	WITHDRAWALS TO OPERATING	Security Gain/Loss
OCT	-	434.60	-	(502.73)	(30,000.00)	-	-	(331.04)
NOV	-	1,578.82	-	-	-	-	-	177.65
DEC	-	535.25	-	-	-	-	-	2,062.96
	\$ -	\$ 2,548.67	\$ -	\$ (502.73)	\$ (30,000.00)	\$ -	\$ -	\$ 1,909.57
JAN	-	417.18	-	(459.68)	(18,000.00)	-	-	13.87
FEB	-	499.40	-	-	-	-	-	71.20
MAR	-	513.81	-	-	-	-	-	1,157.95
APRIL	-	434.08	-	(445.12)	-	-	-	166.84
MAY	-	-	-	-	-	-	-	-
JUNE	-	-	-	-	-	-	-	-
JULY	-	-	-	-	-	-	-	-
AUGUST	-	-	-	-	-	-	-	-
SEPT	-	-	-	-	-	-	-	-
CALENDAR YR TOTALS:	\$ -	\$ 1,864.47	\$ -	\$ (904.80)	\$ (18,000.00)	\$ -	\$ -	\$ 1,409.86
FY2017 TOTALS	\$ -	\$ 4,413.14	\$ -	\$ (1,407.53)	\$ (48,000.00)	\$ -	\$ -	\$ 3,319.43

FY 2019 SNAPSHOT			
SECURITIES VALUE (10/1/2018)	\$ 398,901.05		
CASH DEPOSITED/SEC. SOLD	(48,000.00)		
EXPENSES	(1,407.53)	-0.35%	
CASH WITHDRAWN	-		
INCOME EARNED	4,413.14	1.26%	
CHANGE IN VALUE	3,319.43	0.83%	
Current Value	\$ 357,226.09	1.80%	

ORIGINAL INVESTMENT	\$ 539,000.00		
FY2013 Gain/Loss	\$ (3,835.16)	-0.71%	
FY2014 Gain/Loss	\$ (6,274.31)	-1.16%	
FY2015 Gain/Loss	\$ (5,283.22)	-0.98%	
FY2016 Gain/Loss	\$ (4,752.58)	-0.88%	
FY2017 Gain/Loss	\$ (7,479.47)	-1.39%	
FY2018 Gain/Loss	\$ (6,299.51)	-1.17%	
FY2019 Gain/Loss	\$ 3,319.43	0.62%	
RESTATEd Value	\$ 508,395.18	-5.68%	
FY2013 Net Gain/Loss	(1,347.62)	-0.25%	
FY2014 Net Gain/Loss	4,291.80	0.80%	
FY2015 Net Gain/Loss	4,508.21	0.83%	
FY2016 Net Gain/Loss	4,127.52	0.76%	
FY2017 Net Gain/Loss	520.58	0.09%	
FY2018 Net Gain/Loss	800.56	0.14%	
FY2019 Net Gain/Loss	6,325.04	1.15%	

EARNED INCOME	\$ 539,000.00	
FY2013 Earned Income	\$ 3,602.54	0.67%
FY2014 Earned Income	\$ 13,268.71	2.46%
FY2015 Earned Income	\$ 12,508.01	2.32%
FY2016 Earned Income	\$ 11,618.46	2.16%
FY2017 Earned Income	\$ 10,779.62	2.00%
FY2018 Earned Income	\$ 9,474.77	1.76%
FY2019 Earned Income	\$ 4,413.14	0.82%
EXPENSES	\$ 539,000.00	
FY2013 Expenses	\$ (1,115.00)	-0.21%
FY2014 Expenses	\$ (2,702.60)	-0.50%
FY2015 Expenses	\$ (2,716.58)	-0.50%
FY2016 Expenses	\$ (2,738.36)	-0.51%
FY2017 Expenses	\$ (2,779.57)	-0.52%
FY2018 Expenses	\$ (2,374.70)	-0.44%
FY2019 Expenses	\$ (1,407.53)	-0.26%

Cash on Hand	\$ 18,893.74	5.29%
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FY2019	77304675	Emergency Maintenance Fund
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	CONTRIBUTIONS	DIVIDENDS	INTEREST	EXPENSES	SECURITIES SOLD/ REDEEMED	SECURITIES PURCHASED	WITHDRAWALS TO OPERATING	Security Gain/Loss
OCT	-	1,617.48	-	(1,773.26)			-	(165.72)
	-							
NOV	-	5,594.99	-	-			-	511.59
	-							
DEC	-	2,188.08	-	-			-	4,036.49
	-							
CALENDER YR TOTALS:	\$ -	\$ 9,400.55	\$ -	\$ (1,773.26)	\$ -	\$ -	\$ -	\$ 4,382.36
JAN	-	1,871.32	-	(1,749.52)	-	-	-	806.94
	-							
FEB	-	2,253.04	-	-	-	-	-	190.28
	-							
MAR	-	2,386.06	-	-	-	-	-	2,936.76
	-							
APRIL	-	3,008.56	-	(1,779.71)	-	-	-	1,015.02
	-							
MAY	-	-	-	-	-	-	-	-
	-							
JUNE	-	-	-	-	-	-	-	-
	-							
JULY	-	-	-	-	-	-	-	-
	-							
AUGUST	-	-	-	-	-	-	-	-
	-							
SEPT	-	-	-	-	-	-	-	-
	-							
CALENDER YR TOTALS:	\$ -	\$ 9,518.98	\$ -	\$ (3,529.23)	\$ -	\$ -	\$ -	\$ 4,949.00
FY2017 TOTALS	\$ -	\$ 18,919.53	\$ -	\$ (5,302.49)	\$ -	\$ -	\$ -	\$ 9,331.36

FY 2019 SNAPSHOT			
SECURITIES VALUE (10/1/2018)	\$ 1,407,041.68		
CASH DEPOSITED/SEC. SOLD	-		
EXPENSES	(5,302.49)	-0.38%	
CASH WITHDRAWN	-		
INCOME EARNED	18,919.53	1.34%	
CHANGE IN VALUE	9,331.36	0.66%	
Current Value	\$ 1,429,990.08	1.63%	

ORIGINAL INVESTMENT	\$ 2,100,000.00		
FY2013 Gain/Loss	\$ (12,928.15)	-0.62%	
FY2014 Gain/Loss	\$ (23,429.82)	-1.12%	
FY2015 Gain/Loss	\$ (16,489.24)	-0.79%	
FY2016 Gain/Loss	\$ (16,043.68)	-0.76%	
FY2017 Gain/Loss	\$ (31,173.15)	-1.48%	
FY2018 Gain/Loss	\$ (20,352.23)	-0.97%	
FY2019 Gain/Loss	\$ 9,331.36	0.44%	
RESTATED Value	\$ 1,988,915.09	-5.29%	
FY2013 Net Gain/Loss	(3,878.09)	-0.18%	
FY2014 Net Gain/Loss	16,667.55	0.80%	
FY2015 Net Gain/Loss	19,905.50	0.94%	
FY2016 Net Gain/Loss	16,824.34	0.79%	

EARNED INCOME	\$ 2,100,000.00		
FY2013 Earned Income	\$ 13,395.64	0.64%	
FY2014 Earned Income	\$ 50,634.37	2.41%	
FY2015 Earned Income	\$ 46,991.26	2.24%	
FY2016 Earned Income	\$ 43,557.94	2.07%	
FY2017 Earned Income	\$ 42,124.97	2.01%	
FY2018 Earned Income	\$ 35,917.91	1.71%	
FY2019 Earned Income	\$ 18,919.53	0.90%	
EXPENSES	\$ 2,100,000.00		
FY2013 Expenses	\$ (4,345.58)	-0.21%	
FY2014 Expenses	\$ (10,537.00)	-0.50%	
FY2015 Expenses	\$ (10,596.52)	-0.50%	
FY2016 Expenses	\$ (10,689.92)	-0.51%	
FY2017 Expenses	\$ (10,850.00)	-0.52%	
FY2018 Expenses	\$ (8,665.22)	-0.41%	
FY2019 Expenses	\$ (5,302.49)	-0.25%	

Cash on Hand	\$ 41,691.64	2.92%
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FY2019		77304680		Alternate Investment Fund				
	CONTRIBUTIONS	DIVIDENDS	INTEREST	EXPENSES	SECURITIES SOLD/ REDEEMED	SECURITIES PURCHASED	WITHDRAWALS TO OPERATING	Security Gain/Loss
OCT	-	5,442.03		(4,573.55)			-	(16,121.67)
	-		-			-		
NOV	-	9,969.99		-		-	-	13,262.55
	-		-			-		
DEC	-	6,066.40		-			-	42,364.02
	-		-			-		
CALENDER YR TOTALS:	\$ -	\$ 21,478.42	\$ -	\$ (4,573.55)	\$ -	\$ -	\$ -	\$ 39,504.90
JAN	-	8,714.50		(4,543.69)	-	-	-	17,066.37
	-		-			-		
FEB	-	13,843.42		-	-	-	-	(2,964.12)
	-		-			-		
MAR	-	9,684.03		-	-	-	-	41,492.22
	-		-			-		
APRIL	-	6,647.22		(4,698.00)	-	-	-	(6,433.13)
	-		-			-		
MAY	-	-		-	-	-	-	-
	-		-			-		
JUNE	-	-		-	-	-	-	-
	-		-			-		
JULY	-	-		-	-	-	-	-
	-		-			-		
AUGUST	-	-		-	-	-	-	-
	-		-			-		
SEPT	-	-		-	-	-	-	-
	-		-			-		
CALENDER YR TOTALS:	\$ -	\$ 38,889.17	\$ -	\$ (9,241.69)	\$ -	\$ -	\$ -	\$ 49,161.34
FY2017 TOTALS	\$ -	\$ 60,367.59	\$ -	\$ (13,815.24)	\$ -	\$ -	\$ -	\$ 88,666.24

FY 2019 SNAPSHOT			
SECURITIES VALUE (10/1/2018)	\$ 3,629,026.73		
CASH DEPOSITED/SEC. SOLD	-		
EXPENSES	(13,815.24)	-0.38%	
CASH WITHDRAWN	-		
INCOME EARNED	60,367.59	1.66%	
CHANGE IN VALUE	88,666.24	2.44%	
Current Value	\$ 3,764,245.32	3.73%	

ORIGINAL INVESTMENT	\$ 5,361,000.00		
FY2013 Gain/Loss	\$ (159,228.76)	-2.97%	
FY2014 Gain/Loss	\$ (65,183.79)	-1.22%	
FY2015 Gain/Loss	\$ 721.63	0.01%	
FY2016 Gain/Loss	\$ 51,842.03	0.97%	
FY2017 Gain/Loss	\$ (104,431.80)	-1.95%	
FY2018 Gain/Loss	\$ (129,330.04)	-2.41%	
FY2019 Gain/Loss	\$ 88,666.24	1.65%	
RESTATEd Value	\$ 5,044,055.51	-5.91%	
FY2013 Net Gain/Loss	(123,089.42)	-2.30%	
FY2014 Net Gain/Loss	54,619.95	1.04%	
FY2015 Net Gain/Loss	129,062.54	2.44%	
FY2016 Net Gain/Loss	170,624.03	3.15%	
FY2017 Net Gain/Loss	8,240.39	0.15%	

EARNED INCOME	\$ 5,361,000.00		
FY2013 Earned Income	\$ 47,085.09	0.88%	
FY2014 Earned Income	\$ 146,114.29	2.73%	
FY2015 Earned Income	\$ 154,208.97	2.88%	
FY2016 Earned Income	\$ 143,908.89	2.68%	
FY2017 Earned Income	\$ 137,013.25	2.56%	
FY2018 Earned Income	\$ 104,078.11	1.94%	
FY2019 Earned Income	\$ 60,367.59	1.13%	
EXPENSES	\$ 5,361,000.00		
FY2013 Expenses	\$ (10,945.75)	-0.20%	
FY2014 Expenses	\$ (26,310.55)	-0.49%	
FY2015 Expenses	\$ (25,868.06)	-0.48%	
FY2016 Expenses	\$ (25,126.89)	-0.47%	
FY2017 Expenses	\$ (24,341.06)	-0.45%	
FY2018 Expenses	\$ (18,233.83)	-0.34%	
FY2019 Expenses	\$ (13,815.24)	-0.26%	

Cash on Hand	\$ 161,681.08	4.30%
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FY2019	77304703	Emergency Operating Fund
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	CONTRIBUTIONS	DIVIDENDS	INTEREST	EXPENSES	SECURITIES SOLD/ REDEEMED	SECURITIES PURCHASED	WITHDRAWALS TO OPERATING	Security Gain/Loss
OCT	-	1,573.60	-	(1,715.20)	(55,000.00)	-	-	(567.95)
NOV	-	5,120.64	-	-	-	-	-	842.85
DEC	-	1,985.16	-	-	-	-	-	4,680.37
CALENDER YR TOTALS:	\$ -	\$ 8,679.40	\$ -	\$ (1,715.20)	\$ (55,000.00)	\$ -	\$ -	\$ 4,955.27
JAN	-	1,613.19	-	(1,624.80)	-	-	-	189.77
FEB	-	2,117.40	-	-	-	-	-	(49.35)
MAR	-	2,158.07	-	-	-	-	-	3,342.24
APRIL	-	2,608.11	-	(1,652.46)	-	-	-	1,042.97
MAY	-	-	-	-	-	-	-	-
JUNE	-	-	-	-	-	-	-	-
JULY	-	-	-	-	-	-	-	-
AUGUST	-	-	-	-	-	-	-	-
SEPT	-	-	-	-	-	-	-	-
CALENDER YR TOTALS:	\$ -	\$ 8,496.77	\$ -	\$ (3,277.26)	\$ -	\$ -	\$ -	\$ 4,525.63
FY2017 TOTALS	\$ -	\$ 17,176.17	\$ -	\$ (4,992.46)	\$ (55,000.00)	\$ -	\$ -	\$ 9,480.90

FY 2019 SNAPSHOT		
SECURITIES VALUE (10/1/2018)	\$ 1,360,972.06	
CASH DEPOSITED/SEC. SOLD	(55,000.00)	
EXPENSES	(4,992.46)	-0.37%
CASH WITHDRAWN	-	
INCOME EARNED	17,176.17	1.32%
CHANGE IN VALUE	9,480.90	0.70%
Current Value	\$ 1,327,636.67	1.66%

ORIGINAL INVESTMENT	\$ 2,000,000.00	
FY2013 Gain/Loss	\$ (11,294.90)	-0.56%
FY2014 Gain/Loss	\$ (23,590.84)	-1.18%
FY2015 Gain/Loss	\$ (15,680.97)	-0.78%
FY2016 Gain/Loss	\$ (16,406.35)	-0.82%
FY2017 Gain/Loss	\$ (27,547.24)	-1.38%
FY2018 Gain/Loss	\$ (20,281.01)	-1.01%
FY2019 Gain/Loss	\$ 9,480.90	0.47%
RESTATEd Value	\$ 1,885,198.69	-5.74%
FY2013 Net Gain/Loss	(2,669.23)	-0.13%
FY2014 Net Gain/Loss	15,658.87	0.78%
FY2015 Net Gain/Loss	19,318.83	0.96%
FY2016 Net Gain/Loss	15,637.06	0.77%
FY2017 Net Gain/Loss	2,332.84	0.11%

EARNED INCOME	\$ 2,000,000.00	
FY2013 Earned Income	\$ 12,765.29	0.64%
FY2014 Earned Income	\$ 49,287.96	2.46%
FY2015 Earned Income	\$ 45,097.34	2.25%
FY2016 Earned Income	\$ 42,230.28	2.11%
FY2017 Earned Income	\$ 40,219.20	2.01%
FY2018 Earned Income	\$ 34,261.33	1.71%
FY2019 Earned Income	\$ 17,176.17	0.86%
EXPENSES	\$ 539,000.00	
FY2013 Expenses	\$ (4,139.62)	-0.77%
FY2014 Expenses	\$ (10,038.25)	-1.86%
FY2015 Expenses	\$ (10,097.54)	-1.87%
FY2016 Expenses	\$ (10,186.87)	-1.89%
FY2017 Expenses	\$ (10,339.12)	-1.92%
FY2018 Expenses	\$ (8,286.63)	-1.54%
FY2019 Expenses	\$ (4,992.46)	-0.93%

Cash on Hand	\$ 67,004.74	5.05%
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FY2019	480DT714	CD Investment Fund
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	CONTRIBUTIONS	DIVIDENDS	INTEREST	EXPENSES	SECURITIES SOLD/ REDEEMED	SECURITIES PURCHASED	WITHDRAWALS TO OPERATING	Security Gain/Loss
OCT	85,000.00	6,303.00	-	-			-	(2,612.28)
NOV	-	3,264.55	-	-		-	-	(1,605.60)
DEC	-	3,562.79	-	-		-	-	3,766.74
CALENDER YR TOTALS:	\$ 85,000.00	\$ 13,130.34	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (451.14)
JAN	18,000.00	8,685.73	-	-	-	-	-	11,829.10
FEB	-	2,640.80	-	-	-	-	-	3,927.51
MAR	-	10,422.80	-	-	-	-	-	6,153.66
APRIL	-	5,555.83	-	-	-	-	-	1,194.29
MAY	-	-	-	-	-	-	-	-
JUNE	-	-	-	-	-	-	-	-
JULY	-	-	-	-	-	-	-	-
AUGUST	-	-	-	-	-	-	-	-
SEPT	-	-	-	-	-	-	-	-
CALENDER YR TOTALS:	\$ 18,000.00	\$ 27,305.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,104.56
FY2017 TOTALS	\$ 103,000.00	\$ 40,435.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,653.42

FY 2019 SNAPSHOT		
SECURITIES VALUE (10/1/2017)	\$ 2,861,721.96	
CASH DEPOSITED	103,000.00	
EXPENSES	-	0.00%
CASH WITHDRAWN	-	
INCOME EARNED	40,435.50	1.36%
CHANGE IN VALUE	22,653.42	0.79%
Current Value	\$ 3,027,810.88	2.13%

ORIGINAL INVESTMENT	\$ 1,787,000.00	
FY2017 Gain/Loss	\$ 450.44	0.03%
FY2018 Gain/Loss	\$ (16,617.51)	-0.93%
FY2019 Gain/Loss	\$ 22,653.42	1.27%
FY2020 Gain/Loss	\$ -	0.00%
FY2021 Gain/Loss	\$ -	0.00%
RESTATED Value	\$ 1,793,486.35	0.36%
FY2017 Net Gain/Loss	537.40	0.03%
FY2018 Net Gain/Loss	13,184.56	0.74%
FY2019 Net Gain/Loss	63,088.92	3.50%
FY2020 Net Gain/Loss	-	0.00%
FY2021 Net Gain/Loss	-	0.00%

EARNED INCOME	\$ 1,787,537.40	
FY2017 Earned Income	\$ 86.96	0.00%
FY2018 Earned Income	\$ 29,802.07	1.67%
FY2019 Earned Income	\$ 40,435.50	2.26%
FY2020 Earned Income	\$ -	0.00%
FY2021 Earned Income	\$ -	0.00%
EXPENSES	\$ 1,787,537.40	
FY2017 Expenses	\$ -	0.00%
FY2018 Expenses	\$ -	0.00%
FY2019 Expenses	\$ -	0.00%
FY2020 Expenses	\$ -	0.00%
FY2021 Expenses	\$ -	0.00%

Cash on Hand	\$ 222,324.53	7.34%
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Brian Haugen WMS, CRPS®, CEP®
Senior Vice President, Investments

Steve Cann MS, MPAS®, CFP®
Associate Vice President, Investments

April 24, 2019

Bragg:

The information below and attachments may help with your current financial review for the period ending 3/31/2019.

Mark-to-Market Account Performance (net) as of March 31, 2019:

Total net deposits since inception = \$9,322,000

	1Q 2019 <i>(Jan 1 – Mar 31)</i>	YTD 2019 <i>(Jan 1 – Mar 31)</i>	Account Value <i>(as of Mar 31st)</i>
1. Emergency Operating Fund	0.72%	0.72%	\$1,330,691.21
2. Emergency Maintenance Fund	0.75%	0.75%	\$1,433,430.43
3. Debt Service Fund	0.90%	0.90%	\$358,327.39
4. Alternate Investment Fund	2.09%	2.09%	\$3,784,408.77
Aggregate Performance:	1.43%	1.43%	\$6,906,857.80
	Total CD amount (par)	Est Annual yield	Total value (CDs + interest)
5. FDIC-insured CD portfolio	\$2,999,000	2.37%	\$3,029,757.30
Total Portfolio Value:			\$9,936,615.10

*“The Fed’s revised economic projections appear more in line with our thinking.
...our view [is] that long-term rates are unlikely to head significantly higher.”*

Eagle Asset Management
Fixed Income Quarterly Insight
First Quarter 2019 (attached)

EMERGENCY OPERATING FUND (PAGE 1 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight	
DESTC1 - CITY OF DESTIN (Prices as of 03/29/2019)	2.466	06/18/2023	1,324	100.084	1,330,973.97				1.143	2.594	2.465	1.297	100.00
Cash													
-													
CASHCASH6 - OPENING BALANCE	0.000	03/31/2019	12	100.000	12,226.81	U.S./#Aaa	U.S.	0.000	0.000	0.000	0.005	0.92	
ABS													
-													
12596JAB9 - CNH 2019-A A2 2.96% 05/16/2022	2.960	05/15/2022	33	100.180	33,178.78	Aaa	AAA	1.680	2.874	2.955	1.759	2.49	
14041NFF3 - Capital One CC Tr 2016-4a 20220615 1.33000 a	1.330	08/15/2019	50	99.530	49,790.86	Aaa	AAA	0.360	2.595	1.336	0.380	3.74	
14041NFT3 - COMET 2019-A1 A1 2.84% 12/16/2024	2.840	12/15/2024	33	100.850	33,356.00	Aaa	AAA	2.720	2.549	2.816	2.879	2.51	
14315NAC4 - CARMX 2019-1 A3 3.05% 03/15/2024	3.050	03/15/2024	56	100.830	56,531.22	Aaa	AAA	3.340	2.822	3.025	3.581	4.25	
17305EFW0 - CCCIT 2016-A1 A1	1.750	11/19/2019	40	99.450	39,799.44	Aaa	AAA	0.620	2.629	1.760	0.639	2.99	
254683BV6 - Discover Card Exe Tr 2016-4 20220315 1.39000 a	1.390	03/15/2022	30	99.420	29,842.22	Aaa	AAA	0.450	2.682	1.398	0.459	2.24	
254683BY0 - DCENT 2017-A3 A3	2.714	10/15/2022	32	100.050	32,049.77	Aaa	AAA	0.040	2.742	2.712	1.041	2.41	
43814QAC2 - Honda Auto Recv 2016-2 20200415 1.39000 a-3	1.390	04/15/2020	2	99.820	1,829.36	Aaa	AAA	0.200	2.215	1.393	0.221	0.14	
47788NAC2 - John Deere Owner Tr 2016-B 20200615 1.25000 a-3	1.250	06/15/2020	5	99.740	5,203.22	Aaa		0.200	2.530	1.253	0.210	0.39	
65474VAM3 - Nissan Master Owne	2.794	04/15/2021	46	100.010	46,575.64	Aaa	AAA	0.040	2.837	2.793	0.041	3.50	
92348XAB1 - VZOT 2018-A A1B 0.01% 04/20/2023	2.728	04/20/2023	58	99.980	58,027.95	Aaa	AAA	0.060	2.810	2.728	2.041	4.36	
Agencies													
-													
3130A8DB6 - Federal Home Loan Bank 1.125% 06/21/2019	1.125	06/21/2019	80	99.720	80,021.00	Aaa	AA+	0.226	2.354	1.128	0.230	6.01	
3135G0U84 - Fannie Mae 2.875 10/30/20	2.875	10/30/2020	53	100.840	54,071.63	Aaa	AAA	1.544	2.332	2.851	1.589	4.06	
3137EAEK1 - Federal Home Ln Mtg Corp Fr 1.875%111720 Fr 1.8	1.875	11/17/2020	50	99.240	49,963.75	Aaa	AA+	1.597	2.351	1.889	1.638	3.75	
742651DU3 - Private Export Funding 2.25% 03/15/2020	2.250	03/15/2020	27	99.720	26,948.03	Aaa		0.945	2.546	2.256	0.962	2.02	
CMBS													
-													
3137A8PP7 - FHLMC Remic Series K-012 20201225 Flt a-2	4.186	12/01/2020	35	102.140	35,862.96	Aaa	AAA	1.610	2.731	4.098	0.921	2.69	
3137B4GX8 - FHLMC Remic Series K-032 20230225 3.01600 a-1	3.016	02/01/2023	12	101.020	12,395.44	Aaa	AAA	1.950	2.409	2.986	2.049	0.93	
3137FKK70 - FHMS KJ23 A1 3.174% 03/25/2022	3.174	03/01/2022	13	101.300	13,062.98	Aaa	AA+	2.360	2.560	3.133	2.490	0.98	
94989TAW4 - Wells Fargo Coml Tr 2015-Lc22 20580917 1.63900 a-1	1.639	09/15/2058	14	99.240	13,936.48	Aaa	AAA	0.550	2.909	1.652	0.571	1.05	
CMO													
-													
3136A0WP8 - FNMA Remic Trust 2011-76 20390425 2.50000 Pb	2.500	04/01/2039	10	99.120	10,311.53	Aaa	AA+	0.560	3.921	2.522	0.519	0.77	
3136A1BN4 - FNMA Remic Trust 2011-103 20291125 2.50000 Jk	2.500	11/01/2029	22	99.720	22,260.78	Aaa	AA+	0.540	2.716	2.507	0.571	1.67	
3137A1N25 - FHLMC Remic Series 3706 20231015 2.00000 Cb	2.000	10/01/2023	12	99.090	11,988.35	Aaa	AA+	0.980	2.852	2.018	1.019	0.90	
3137A3TA7 - FHLMC Remic Series 3773 20201215 2.50000 Gk	2.500	12/01/2020	11	99.530	10,539.31	Aaa	AA+	0.600	3.124	2.512	0.631	0.79	
3137A8QF8 - FHLMC Remic Series 3841 20260415 3.00000 Bd	3.000	04/01/2026	17	99.680	16,636.42	Aaa	AA+	0.510	3.411	3.010	0.530	1.25	
3137AB5K3 - FHLMC Remic Series 3852 20391015 3.00000 CA	3.000	10/01/2039	5	100.000	5,083.10	Aaa	AA+	0.480	2.798	3.000	0.541	0.38	
3137AFUE0 - FHLMC Remic Series 3942 20211015 2.00000 Ac	2.000	10/01/2021	17	99.260	16,589.75	Aaa	AA+	0.900	2.742	2.015	0.929	1.25	
3137ANRX5 - FHLMC Remic Series 4027 20251015 2.00000 Gd	2.000	10/01/2025	41	99.360	41,050.55	Aaa	AA+	0.750	2.778	2.013	0.751	3.08	
3137B86L6 - FHLMC Remic Series 4305 20380315 2.50000 Kn	2.500	03/01/2038	22	99.650	21,719.64	Aaa	AA+	0.730	2.871	2.509	0.730	1.63	
31393C4C4 - FNMA Remic Trust 2003-66 20330225 3.50000 PA	3.500	02/01/2033	0	100.020	211.92	Aaa	AA+	0.060	-0.008	3.499	0.071	0.02	
31398CUT3 - FHLMC Remic Series 3531 20390115 3.00000 Ea	3.000	01/01/2039	12	100.400	11,695.33	Aaa	AA+	1.220	2.615	2.988	1.329	0.88	
31398FN98 - FNMA Remic Trust 2009-87 20370825 5.00000 Qa	5.000	08/01/2037	18	103.110	18,661.34	Aaa	AA+	1.210	2.967	4.849	1.740	1.40	
31398T3R0 - FNMA Remic Trust 2010-99 20200925 2.00000 Ya	2.000	09/01/2020	0	99.740	350.50	Aaa	AA+	0.140	2.862	2.005	0.150	0.03	
38377NM84 - GNMA Remic Trust 2010-164 20370920 4.00000 Eb	4.000	09/01/2037	2	99.960	2,139.72			0.090	2.353	4.002	0.101	0.16	
38377RTG0 - GNMA Remic Trust 2010-162 20390616 3.50000 Wh	3.500	06/01/2039	14	100.090	13,973.31	Aaa	AA+	0.590	3.180	3.497	0.699	1.06	

MBS

EMERGENCY OPERATING FUND (PAGE 2 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTC1 - CITY OF DESTIN (Prices as of 03/29/2019)	2.466	06/18/2023	1,324	100.084	1,330,973.97			1.143	2.594	2.465	1.297	100.00
-												
3138EL4S9 - FNMA Pass-Thru Int 15 Year 4.500 20261001 4.	4.500	10/01/2026	45	102.820	46,724.80	Aaa	AAA	2.070	3.192	4.377	2.490	3.51
31418A6C7 - FNMA Pass-Thru Shrt 10 Year 2.500 20240101 2.	2.500	01/01/2024	34	99.580	34,385.72	Aaa	AAA	1.640	2.666	2.511	1.729	2.58
31418ACW6 - FNMA Pass-Thru Shrt 10 Year 2.500 20220201 2.	2.500	02/01/2022	16	99.590	15,839.48	Aaa	AAA	1.060	2.742	2.510	1.101	1.19
31418AGN2 - FNMA Pass-Thru Shrt 10 Year 2.500 20220701 2.	2.500	07/01/2022	15	99.640	14,844.73	Aaa	AAA	1.180	2.674	2.509	1.230	1.12
31418AXP8 - FNMA Pass-Thru Shrt 10 Year 2.000 20230901 2.	2.000	09/01/2023	45	99.840	44,599.75	Aaa	AAA	1.570	2.024	2.003	1.641	3.35
-												
<u>Treasuries</u>												
-												
912828A42 - United States Treas Nts 2%11/30/20 2%11/3	2.000	11/30/2020	177	99.440	177,166.11	U.S./#Aaa	U.S.	1.636	2.342	2.011	1.674	13.31
912828LY4 - United States Treas Nts 3.375% 11/15/19 3.375%	3.375	11/15/2019	73	100.540	74,306.19	U.S./#Aaa	U.S.	0.625	2.502	3.357	0.631	5.58
912828NT3 - United States Treas Nts 2.625% 08/15/20 2.625%	2.625	08/15/2020	35	100.330	35,222.10	U.S./#Aaa	U.S.	1.350	2.380	2.616	1.381	2.65

EMERGENCY MAINTENANCE FUND (PAGE 1 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTCT - CITY OF DESTIN (Prices as of 03/29/2019)	2.535	10/20/2022	1,426	100.155	1,433,660.08			1.083	2.595	2.532	1.265	100.00
<u>Cash</u>												
-												
CASHCASH6 - OPENING BALANCE	0.000	03/31/2019	7	100.000	6,607.87	U.S./#Aaa	U.S.	0.000	0.000	0.000	0.005	0.46
<u>ABS</u>												
-												
05584PAD9 - BMWLT 2017-2 A3	2.070	10/20/2020	21	99.620	20,931.07	Aaa	AAA	0.640	2.666	2.078	0.661	1.46
12596JAB9 - CNH 2019-A A2 2.96% 05/16/2022	2.960	05/15/2022	23	100.180	23,124.61	Aaa	AAA	1.680	2.874	2.955	1.759	1.61
14041NFF3 - Capital One CC Tr 2016-4a 20220615 1.33000 a	1.330	08/15/2019	54	99.530	53,774.13	Aaa	AAA	0.360	2.595	1.336	0.380	3.75
14041NFT3 - COMET 2019-A1 A1 2.84% 12/16/2024	2.840	12/15/2024	35	100.850	35,377.57	Aaa	AAA	2.720	2.549	2.816	2.879	2.47
14314MAC7 - Carmax Auto Owner Tr 2016-2 20210216 1.52000 a-3	1.520	02/15/2021	16	99.610	16,114.62	Aaa	AAA	0.480	2.329	1.526	0.500	1.12
14315NAC4 - CARMX 2019-1 A3 3.05% 03/15/2024	3.050	03/15/2024	57	100.830	57,540.71	Aaa	AAA	3.340	2.822	3.025	3.581	4.01
17305EFW0 - CCCIT 2016-A1 A1	1.750	11/19/2019	51	99.450	50,744.29	Aaa	AAA	0.620	2.629	1.760	0.639	3.54
254683BV6 - Discover Card Exe Tr 2016-4 20220315 1.39000 a	1.390	03/15/2022	32	99.420	31,831.70	Aaa	AAA	0.450	2.682	1.398	0.459	2.22
254683BY0 - DCENT 2017-A3 A3	2.714	10/15/2022	32	100.050	32,049.77	Aaa	AAA	0.040	2.742	2.712	1.041	2.24
43814QAC2 - Honda Auto Recv 2016-2 20200415 1.39000 a-3	1.390	04/15/2020	4	99.820	3,902.64	Aaa	AAA	0.200	2.215	1.393	0.221	0.27
44930UAD8 - Hyundai Auto Recv Tr 2016-a 20200915 1.56000 a-3	1.560	09/15/2020	14	99.810	14,309.05	Aaa	AAA	0.290	2.207	1.563	0.309	1.00
47788NAC2 - John Deere Owner Tr 2016-B 20200615 1.25000 a-3	1.250	06/15/2020	5	99.740	4,817.79	Aaa		0.200	2.530	1.253	0.210	0.34
65474VAM3 - Nissan Master Owne	2.794	04/15/2021	49	100.010	49,613.17	Aaa	AAA	0.040	2.837	2.793	0.041	3.46
92348XAB1 - VZOT 2018-A A1B 0.01% 04/20/2023	2.728	04/20/2023	68	99.980	68,032.77	Aaa	AAA	0.060	2.810	2.728	2.041	4.75
<u>Agencies</u>												
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3130A8DB6 - Federal Home Loan Bank 1.125% 06/21/2019	1.125	06/21/2019	75	99.720	75,019.69	Aaa	AA+	0.226	2.354	1.128	0.230	5.23
3135G0U84 - Fannie Mae 2.875 10/30/20	2.875	10/30/2020	71	100.840	72,435.58	Aaa	AAA	1.544	2.332	2.851	1.589	5.05
3137EAEK1 - Federal Home Ln Mtg Corp Fr 1.875%111720 Fr 1.8	1.875	11/17/2020	50	99.240	49,963.75	Aaa	AA+	1.597	2.351	1.889	1.638	3.49
742651DU3 - Private Export Funding 2.25% 03/15/2020	2.250	03/15/2020	43	99.720	42,917.23	Aaa		0.945	2.546	2.256	0.962	2.99
<u>CMBS</u>												
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3137A8PP7 - FHLMC Remic Series K-012 20201225 Flt a-2	4.186	12/01/2020	32	102.140	32,788.99	Aaa	AAA	1.610	2.731	4.098	0.921	2.29
3137B4GX8 - FHLMC Remic Series K-032 20230225 3.01600 a-1	3.016	02/01/2023	10	101.020	10,329.54	Aaa	AAA	1.950	2.409	2.986	2.049	0.72
3137BNN26 - FHLMC Remic Series K-P03 20190725 1.78000 a-2	1.780	07/01/2019	7	99.550	7,259.59	Aaa	AAA	0.290	2.941	1.788	0.199	0.51
3137FKK70 - FHMS KJ23 A1 3.174% 03/25/2022	3.174	03/01/2022	21	101.300	21,101.73	Aaa	AA+	2.360	2.560	3.133	2.490	1.47
94989TAW4 - Wells Fargo Coml Tr 2015-Lc22 20580917 1.63900 a-1	1.639	09/15/2058	10	99.240	10,300.87	Aaa	AAA	0.550	2.909	1.652	0.571	0.72
<u>CMO</u>												
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3136A0WP8 - FNMA Remic Trust 2011-76 20390425 2.50000 Pb	2.500	04/01/2039	8	99.120	7,836.76	Aaa	AA+	0.560	3.921	2.522	0.519	0.55
3137A1N25 - FHLMC Remic Series 3706 20231015 2.00000 Cb	2.000	10/01/2023	13	99.090	12,533.27	Aaa	AA+	0.980	2.852	2.018	1.019	0.87
3137A2ZM6 - FHLMC Remic Series 3763 20250515 2.50000 NE	2.500	05/01/2025	31	99.610	30,466.55	Aaa	AA+	1.290	2.735	2.510	1.389	2.13
3137A3TA7 - FHLMC Remic Series 3773 20201215 2.50000 Gk	2.500	12/01/2020	11	99.530	10,990.99	Aaa	AA+	0.600	3.124	2.512	0.631	0.77
3137A8PN2 - FHLMC Remic Series K-012 20201025 3.42700 a-1	3.427	10/01/2020	13	100.310	13,053.78	Aaa	AAA	0.640	2.608	3.416	0.650	0.91
3137A8QF8 - FHLMC Remic Series 3841 20260415 3.00000 Bd	3.000	04/01/2026	17	99.680	16,987.00	Aaa	AA+	0.510	3.411	3.010	0.530	1.18
3137AB5K3 - FHLMC Remic Series 3852 20391015 3.00000 CA	3.000	10/01/2039	4	100.000	3,771.33	Aaa	AA+	0.480	2.798	3.000	0.541	0.26
3137AFUE0 - FHLMC Remic Series 3942 20211015 2.00000 Ac	2.000	10/01/2021	18	99.260	17,818.62	Aaa	AA+	0.900	2.742	2.015	0.929	1.24
3137ANRX5 - FHLMC Remic Series 4027 20251015 2.00000 Gd	2.000	10/01/2025	23	99.360	22,852.88	Aaa	AA+	0.750	2.778	2.013	0.751	1.59
3137B2NA4 - FHLMC Remic Series 4219 20390815 3.50000 Ja	3.500	08/01/2039	37	102.160	37,574.85	Aaa	AAA	1.320	2.573	3.426	2.559	2.62
3137B86L6 - FHLMC Remic Series 4305 20380315 2.50000 Kn	2.500	03/01/2038	14	99.650	14,132.64	Aaa	AA+	0.730	2.871	2.509	0.730	0.99
31393C4C4 - FNMA Remic Trust 2003-66 20330225 3.50000 PA	3.500	02/01/2033	0	100.020	224.09	Aaa	AA+	0.060	-0.008	3.499	0.071	0.02
31397QC22 - FNMA Remic Trust 2011-17 20210325 2.75000 Cj	2.750	03/01/2021	7	99.870	6,599.00	Aaa	AA+	0.690	2.690	2.754	0.721	0.46

EMERGENCY MAINTENANCE FUND (PAGE 2 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTCT - CITY OF DESTIN (Prices as of 03/29/2019)	2.535	10/20/2022	1,426	100.155	1,433,660.08			1.083	2.595	2.532	1.265	100.00
31398T3R0 - FNMA Remic Trust 2010-99 20200925 2.00000 Ya	2.000	09/01/2020	1	99.740	517.00	Aaa	AA+	0.140	2.862	2.005	0.150	0.04
31398VUJ3 - FHLMC Remic Series 3659 20250415 4.00000 Dy	4.000	04/01/2025	26	101.620	26,522.82	Aaa	AA+	1.450	2.876	3.936	1.611	1.85
38377NM84 - GNMA Remic Trust 2010-164 20370920 4.00000 Eb	4.000	09/01/2037	2	99.960	2,202.65			0.090	2.353	4.002	0.101	0.15
MBS												
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3138EL4S9 - FNMA Pass-Thru Int 15 Year 4.500 20261001 4.	4.500	10/01/2026	33	102.820	33,605.03	Aaa	AAA	2.070	3.192	4.377	2.490	2.34
31410GCD3 - FNMA Pass-Thru Int 15 Year 5.500 20210901 5.	5.500	09/01/2021	22	101.580	22,208.46	Aaa	AAA	0.750	3.002	5.414	0.790	1.55
31417FQT8 - FNMA Pass-Thru Shrt 10 Year 2.000 20230301 2.	2.000	03/01/2023	26	99.940	25,813.15	Aaa	AAA	1.400	1.958	2.001	1.460	1.80
31418AFV5 - FNMA Pass-Thru Shrt 10 Year 2.500 20220601 2.	2.500	06/01/2022	21	99.640	20,910.87	Aaa	AAA	1.150	2.680	2.509	1.200	1.46
31418AGN2 - FNMA Pass-Thru Shrt 10 Year 2.500 20220701 2.	2.500	07/01/2022	25	99.640	24,828.81	Aaa	AAA	1.180	2.674	2.509	1.230	1.73
Treasuries												
-												
912828A42 - United States Treas Nts 2%11/30/20 2%11/3	2.000	11/30/2020	147	99.440	147,137.95	U.S./#Aaa	U.S.	1.636	2.342	2.011	1.674	10.26
912828LY4 - United States Treas Nts 3.375% 11/15/19 3.375%	3.375	11/15/2019	111	100.540	112,986.14	U.S./#Aaa	U.S.	0.625	2.502	3.357	0.631	7.88
912828NT3 - United States Treas Nts 2.625% 08/15/20 2.625%	2.625	08/15/2020	31	100.330	31,196.71	U.S./#Aaa	U.S.	1.350	2.380	2.616	1.381	2.18

DEBT SERVICE FUND (PAGE 1 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTCI - CITY OF DESTIN (Prices as of 03/29/2019)	2.177	10/20/2022	358	99.838	358,374.95			1.094	2.440	2.182	1.251	100.00
<u>Cash</u>												
-												
CASHCASH6 - OPENING BALANCE	0.000	03/31/2019	11	100.000	11,097.66	U.S./#Aaa	U.S.	0.000	0.000	0.000	0.005	3.10
<u>ABS</u>												
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05584PAC1 - BMWLT 2017-2 A2B	2.002	02/20/2020	0	100.000	493.66	Aaa	AAA	0.060	2.796	2.002	0.139	0.14
12596JAB9 - CNH 2019-A A2 2.96% 05/16/2022	2.960	05/15/2022	9	100.180	9,048.76	Aaa	AAA	1.680	2.874	2.955	1.759	2.52
14041NFF3 - Capital One CC Tr 2016-4a 20220615 1.33000 a	1.330	08/15/2019	15	99.530	14,937.26	Aaa	AAA	0.360	2.595	1.336	0.380	4.17
14041NFT3 - COMET 2019-A1 A1 2.84% 12/16/2024	2.840	12/15/2024	9	100.850	9,097.09	Aaa	AAA	2.720	2.549	2.816	2.879	2.54
14314MAC7 - Carmax Auto Owner Tr 2016-2 20210216 1.52000 a-3	1.520	02/15/2021	4	99.610	4,107.66	Aaa	AAA	0.480	2.329	1.526	0.500	1.15
14315NAC4 - CARMX 2019-1 A3 3.05% 03/15/2024	3.050	03/15/2024	14	100.830	14,132.80	Aaa	AAA	3.340	2.822	3.025	3.581	3.94
17305EFW0 - CCCIT 2016-A1 A1	1.750	11/19/2019	13	99.450	12,934.82	Aaa	AAA	0.620	2.629	1.760	0.639	3.61
254683BV6 - Discover Card Exe Tr 2016-4 20220315 1.39000 a	1.390	03/15/2022	5	99.420	4,973.70	Aaa	AAA	0.450	2.682	1.398	0.459	1.39
254683BY0 - DCENT 2017-A3 A3	2.714	10/15/2022	9	100.050	9,014.00	Aaa	AAA	0.040	2.742	2.712	1.041	2.52
34528FAD0 - FORDO 2018-1 A3	3.030	11/15/2022	2	100.730	2,022.01	Aaa	AAA	2.060	2.698	3.008	2.170	0.56
43814QAC2 - Honda Auto Recv 2016-2 20200415 1.39000 a-3	1.390	04/15/2020	0	99.820	487.82	Aaa	AAA	0.200	2.215	1.393	0.221	0.14
47788NAC2 - John Deere Owner Tr 2016-B 20200615 1.25000 a-3	1.250	06/15/2020	2	99.740	1,541.70	Aaa		0.200	2.530	1.253	0.210	0.43
65474VAM3 - Nissan Master Owne	2.794	04/15/2021	10	100.010	10,125.14	Aaa	AAA	0.040	2.837	2.793	0.041	2.83
92348XAB1 - VZOT 2018-A A1B 0.01% 04/20/2023	2.728	04/20/2023	15	99.980	15,007.22	Aaa	AAA	0.060	2.810	2.728	2.041	4.19
<u>Agencies</u>												
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3130A8DB6 - Federal Home Loan Bank 1.125% 06/21/2019	1.125	06/21/2019	20	99.720	20,005.25	Aaa	AA+	0.226	2.354	1.128	0.230	5.58
3135G0T29 - Fannie Mae	1.500	02/28/2020	16	99.170	15,887.87	Aaa	AAA	0.900	2.423	1.513	0.918	4.43
3137EAEK1 - Federal Home Ln Mtg Corp Fr 1.875%111720 Fr 1.8	1.875	11/17/2020	14	99.240	13,989.85	Aaa	AA+	1.597	2.351	1.889	1.638	3.90
<u>CMBS</u>												
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3137A8PP7 - FHLMC Remic Series K-012 20201225 Flt a-2	4.186	12/01/2020	4	102.140	4,098.62	Aaa	AAA	1.610	2.731	4.098	0.921	1.14
3137B5KM4 - FHLMC Series K-035 20230325 2.61500 a-1	2.615	03/01/2023	7	100.180	7,379.57	Aaa	AAA	1.750	2.427	2.610	1.819	2.06
94989TAW4 - Wells Fargo Coml Tr 2015-Lc22 20580917 1.63900 a-1	1.639	09/15/2058	2	99.240	2,423.73	Aaa	AAA	0.550	2.909	1.652	0.571	0.68
<u>CMO</u>												
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3136A0WP8 - FNMA Remic Trust 2011-76 20390425 2.50000 Pb	2.500	04/01/2039	3	99.120	2,938.78	Aaa	AA+	0.560	3.921	2.522	0.519	0.82
3136AHZ3 - FNMA Remic Trust 2013-127 20390525 2.50000 LA	2.500	05/01/2039	11	99.610	10,863.45	Aaa	AA+	1.820	2.618	2.510	2.249	3.03
3137A1N25 - FHLMC Remic Series 3706 20231015 2.00000 Cb	2.000	10/01/2023	3	99.090	3,269.55	Aaa	AA+	0.980	2.852	2.018	1.019	0.91
3137A5B78 - FHLMC Remic Series 3790 20370115 4.50000 Ap	4.500	01/01/2037	2	101.650	2,337.73	Aaa	AA+	0.350	2.601	4.427	0.970	0.65
3137ANRX5 - FHLMC Remic Series 4027 20251015 2.00000 Gd	2.000	10/01/2025	11	99.360	11,257.16	Aaa	AA+	0.750	2.778	2.013	0.751	3.14
3137GAA72 - FHLMC Remic Series 3726 20250415 3.00000 Kd	3.000	04/01/2025	4	100.210	4,279.70	Aaa	AA+	1.000	2.720	2.994	1.129	1.19
31393C4C4 - FNMA Remic Trust 2003-66 20330225 3.50000 PA	3.500	02/01/2033	0	100.020	56.99	Aaa	AA+	0.060	-0.008	3.499	0.071	0.02
31397QC22 - FNMA Remic Trust 2011-17 20210325 2.75000 Cj	2.750	03/01/2021	2	99.870	1,911.43	Aaa	AA+	0.690	2.690	2.754	0.721	0.53
31398CUT3 - FHLMC Remic Series 3531 20390115 3.00000 Ea	3.000	01/01/2039	2	100.400	1,846.63	Aaa	AA+	1.220	2.615	2.988	1.329	0.52
31398NXA7 - FNMA Remic Trust 2010-111 20201025 2.50000 DE	2.500	10/01/2020	1	99.580	1,127.86	Aaa	AA+	0.480	3.030	2.511	0.500	0.31
31398SRE5 - FNMA Remic Trust 2010-137 20251225 2.50000 Cj	2.500	12/01/2025	6	99.690	5,928.40	Aaa	AA+	1.750	2.595	2.508	1.841	1.65
31398T3R0 - FNMA Remic Trust 2010-99 20200925 2.00000 Ya	2.000	09/01/2020	0	99.740	144.59	Aaa	AA+	0.140	2.862	2.005	0.150	0.04
<u>MBS</u>												
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31417DPP2 - FNMA Pass-Thru Shrt 10 Year 2.000 20221001 2.	2.000	10/01/2022	10	99.840	10,060.98	Aaa	AAA	1.310	2.029	2.003	1.359	2.81

DEBT SERVICE FUND (PAGE 2 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTCI - CITY OF DESTIN (Prices as of 03/29/2019)	2.177	10/20/2022	358	99.838	358,374.95			1.094	2.440	2.182	1.251	100.00
31417FQT8 - FNMA Pass-Thru Shrt 10 Year 2.000 20230301 2.	2.000	03/01/2023	7	99.940	6,559.08	Aaa	AAA	1.400	1.958	2.001	1.460	1.83
31418AGN2 - FNMA Pass-Thru Shrt 10 Year 2.500 20220701 2.	2.500	07/01/2022	6	99.640	6,305.73	Aaa	AAA	1.180	2.674	2.509	1.230	1.76
31418AJN9 - FNMA Pass-Thru Shrt 10 Year 2.500 20220901 2.	2.500	09/01/2022	3	99.650	3,030.74	Aaa	AAA	1.240	2.660	2.509	1.290	0.85
31418ARF7 - FNMA Pass-Thru Shrt 10 Year 2.000 20230301 2.	2.000	03/01/2023	6	99.840	6,315.41	Aaa	AAA	1.400	2.027	2.003	1.460	1.76
31418AXP8 - FNMA Pass-Thru Shrt 10 Year 2.000 20230901 2.	2.000	09/01/2023	12	99.840	11,821.63	Aaa	AAA	1.570	2.024	2.003	1.641	3.30
Treasuries												
-												
912828A42 - United States Treas Nts 2%11/30/20 2%11/3	2.000	11/30/2020	53	99.440	53,049.74	U.S./#Aaa	U.S.	1.636	2.342	2.011	1.674	14.80
912828LY4 - United States Treas Nts 3.375% 11/15/19 3.375%	3.375	11/15/2019	26	100.540	26,465.23	U.S./#Aaa	U.S.	0.625	2.502	3.357	0.631	7.38
912828WW6 - United States Treas Nts 1.625%07/31/19 1.625%	1.625	07/31/2019	6	99.710	5,997.95	U.S./#Aaa	U.S.	0.337	2.472	1.630	0.339	1.67

ALTERNATE INVESTMENT FUND (PAGE 1 of 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTC2 - CITY OF DESTIN (Prices as of 03/29/2019)	2.937	02/23/2025	3,719	101.328	3,784,666.37			3.741	2.545	2.899	4.151	100.00
Cash												
-												
CASHCASH6 - OPENING BALANCE	0.000	03/31/2019	94	100.000	94,431.96	U.S./#Aaa	U.S.	0.000	0.000	0.000	0.005	2.50
ABS												
-												
12636WAD8 - Cnh Equipment Tr 2017-a 20220516 2.07000 a-3	2.070	05/15/2022	77	99.420	76,989.19		AAA	1.150	2.576	2.082	1.200	2.03
14041NFT3 - COMET 2019-A1 A1 2.84% 12/16/2024	2.840	12/15/2024	37	100.850	37,399.15	Aaa	AAA	2.720	2.549	2.816	2.879	0.99
34530VAE9 - Ford Credit Auto Own Tr 2015-B 20200815 1.58000 a-4	1.580	08/15/2020	8	99.920	7,777.12	Aaa		0.110	2.258	1.581	0.120	0.21
47788EAC2 - JDOT 2018-B A3 3.08% 11/15/2022	3.080	11/15/2022	36	100.730	36,305.92	Aaa		2.050	2.748	3.058	2.159	0.96
89231PAD0 - TAOT 2018-D A3 3.18% 03/15/2023	3.180	03/15/2023	73	101.370	74,090.38	Aaa	AAA	2.600	2.679	3.137	2.759	1.96
92348XAA3 - VZOT 2018-A A1A 3.23% 04/20/2023	3.230	04/20/2023	36	101.200	36,461.07	Aaa	AAA	1.950	2.638	3.192	2.041	0.96
98162WAD9 - WOART 2018-D A3 3.33% 3/15/2024	3.330	03/15/2024	54	101.840	55,662.93	Aaa	AAA	3.340	2.806	3.270	3.600	1.47
Agencies												
-												
3133EHP4 - 4Federal Farm Cr Bks Cons Bd 2.35%25 Cons B	2.350	06/16/2025	38	99.380	38,019.90	Aaa	AA+	5.753	2.458	2.365	6.216	1.00
3137EADB2 - Federal Home Ln Mtg Corp Refrnc 2.375%22 Refrnc	2.375	01/13/2022	73	100.280	73,570.41	Aaa	AA+	2.683	2.270	2.368	2.795	1.94
880591EL2 - Tennessee Valley Auth Pwr Bd 3.875%21 Pwr Bd	3.875	02/15/2021	90	102.700	92,856.25	Aaa	AA+	1.809	2.395	3.773	1.885	2.45
880591ER9 - Tennessee Valley Auth Sr Nt 2.875%24 Sr Nt	2.875	09/15/2024	73	102.340	74,789.82	Aaa	AA+	5.039	2.415	2.809	5.466	1.98
CMBS												
-												
3137B1UG5 - FHLMC Remic Series K-027 20230125 2.63700 a-2	2.637	01/01/2023	48	100.240	48,213.65	Aaa	AAA	3.450	2.532	2.631	3.671	1.27
3137B7YY9 - FHLMC Series K-037 20240125 3.49000 a-2	3.490	01/01/2024	35	103.730	36,400.51	Aaa	AAA	4.230	2.596	3.365	4.631	0.96
3137BBBD1 - FHLMC Remic Series K-038 20240325 3.38900 a-2	3.389	03/01/2024	36	103.350	37,300.89	Aaa	AAA	4.430	2.617	3.279	4.850	0.99
3137BSRZ8 - FHLMC Remic Series K-J09 20220925 2.83800 a-2	2.838	09/01/2022	71	100.760	71,696.32	Aaa	AAA	3.030	2.544	2.817	3.219	1.89
3137FARE0 - FHLMC Remic Series K-727 20240725 2.94600 a-2	2.946	07/01/2024	37	101.300	37,565.78	Aaa	AAA	4.730	2.649	2.908	5.159	0.99
3137FJYB9 - FHMS J22F A2 4.094% 09/25/2024	4.094	09/01/2024	39	105.720	41,354.98	Aaa	AA+	4.420	2.807	3.872	4.929	1.09
Corporates												
Financial												
0258M0EG0 - American Express Credit Corpor 2.7% Bds 03/03/22 Usd2000	2.700	03/03/2022	39	100.100	39,115.05	A2	A-	2.797	2.664	2.697	2.929	1.03
05531FBB8 - BB&T Corporation 2.85% Snr Mtn 26/10/2024 Usd (S	2.850	10/26/2024	38	99.390	38,228.48	A2	A-	5.121	2.969	2.867	5.578	1.01
12572QAJ4 - Cme Group Inc Sr Nt 3.75%28 Sr Nt	3.750	06/15/2028	36	105.170	38,251.20	Aa3	AA-	7.694	3.085	3.566	8.962	1.01
174610AN5 - Citizens Financial Group 2.375% 07/28/2021	2.375	07/28/2021	50	98.650	49,526.22		BBB+	2.249	2.978	2.408	2.332	1.31
446150AK0 - Huntington Bancshares Inc Sr Gbl Nt2.3%22 Sr Gbl	2.300	01/14/2022	51	98.490	50,474.27	Baa1	BBB+	2.682	2.866	2.335	2.797	1.33
571748BA9 - Marsh & McLennan Cos Inc	3.300	03/14/2023	45	101.380	45,682.88	Baa1	A-	3.693	2.928	3.255	3.959	1.21
808513AY1 - Schwab Charles Corp New Sr Gbl Nt 24 Sr Gbl	3.550	02/01/2024	37	103.870	38,643.52	A2	A	4.368	2.678	3.418	4.760	1.02
87236YAF5 - Td Ameritrade Hldg Corp Jr Gbl Nt3.3%27 Jr Gbl	3.300	04/01/2027	49	100.400	49,995.52	A2	A	6.959	3.242	3.287	7.762	1.32
Industrial												
02209SBA0 - Altria Group Inc Sr Nt 3.49%22 Sr Nt	3.490	02/14/2022	41	101.570	41,822.56	A3	BBB	2.647	2.900	3.436	2.797	1.11
03073EAP0 - Amerisourcebergen Corp 3.45%27 3.45%2	3.450	12/15/2027	40	97.760	39,502.67	Baa2	A-	7.460	3.753	3.529	8.713	1.04
126408HB2 - Csx Corp Sr Nt 3.4%24 Sr Nt	3.400	08/01/2024	37	101.880	37,898.27	Baa1	BBB+	4.730	2.999	3.337	5.090	1.00
126650CV0 - Cvs Health Corp 3.7% Snr Pidl Nts 09/03/2023 US	3.700	03/09/2023	37	101.610	37,610.91	Baa2	BBB	3.584	3.254	3.641	3.868	0.99
171340AH5 - Church & Dwight Inc Sr Nt 2.875%22 Sr Nt	2.875	10/01/2022	30	100.130	30,465.46	Baa1	BBB+	3.322	2.836	2.871	3.510	0.80
22160KAL9 - Costco Whsl Corp New Sr Gbl Nt 24 Sr Gbl	2.750	05/18/2024	49	100.670	49,818.64	Aa3	A+	4.710	2.605	2.732	4.970	1.32
256677AC9 - Dollar Gen Corp New Sr Nt 3.25%23 Sr Nt	3.250	04/15/2023	42	100.560	42,857.03	Baa2	BBB	3.615	3.093	3.232	3.800	1.13
31620MAS5 - Fidelity Natl Information Svcs Sr Nt 2.25%21 Sr Nt	2.250	08/15/2021	51	98.240	50,242.65	Baa2	BBB	2.295	3.022	2.290	2.381	1.33
539830BG3 - Lockheed Martin Corp Sr Gbl Nt3.1%23 Sr Gbl	3.100	01/15/2023	40	101.110	40,698.89	Baa1	BBB+	3.436	2.776	3.066	3.633	1.08
615369AB1 - Moodyys Corp Sr Nt 4.5%22 Sr Nt	4.500	09/01/2022	45	105.130	47,466.00		BBB+	2.958	2.799	4.280	3.175	1.25

ALTERNATE INVESTMENT FUND (PAGE 2 OF 2)

CUSIP	Coupon	Maturity	Quantity	Market Price	Mkt Value + Accrued	Moody Rating	S&P Rating	Duration	Yield to Worst	Current Yield	Avg Life Yrs	Weight
DESTC2 - CITY OF DESTIN (Prices as of 03/29/2019)	2.937	02/23/2025	3,719	101.328	3,784,666.37			3.741	2.545	2.899	4.151	100.00
615369AC9 - Moody's Corp Sr Nt 4.875%24 Sr Nt	4.875	02/15/2024	45	107.280	48,544.13		BBB+	4.153	3.171	4.544	4.631	1.28
67066GAD6 - Nvidia Corp 2.2% Bds 9/16//21	2.200	09/16/2021	48	98.650	47,390.13	A3	BBB+	2.379	2.770	2.230	2.468	1.25
871829BA4 - Sysco Corp Sr Gbl Nt2.5%21 Sr Gbl	2.500	07/15/2021	50	99.140	49,826.94	A3	BBB+	2.212	2.889	2.522	2.296	1.32
913017CQ0 - United Technologies Corp Sr Nt 2.3%22 Sr Nt	2.300	05/04/2022	50	98.490	49,804.03	Baa1	BBB+	2.890	2.812	2.335	3.099	1.32
<u>Utilities</u>												
03040WAQ8 - American Wtr Cap Corp Sr Nt 2.95%27 Sr Nt	2.950	09/01/2027	50	97.230	48,729.72	A3	A	7.397	3.330	3.034	8.426	1.29
30040WAC2 - Eversource Energy Sr -K Nt 2.75%22 Sr -K	2.750	03/15/2022	35	99.950	35,019.93	Baa1	A	2.761	2.767	2.751	2.962	0.93

MBS

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3128MCDX0 - FHLMC Pc Gold Comb 15 4.500 20240501 4.	4.500	05/01/2024	5	102.990	5,398.14	Aaa	AAA	1.610	2.665	4.369	1.770	0.14
3128MDBR3 - FHLMC Pc Gold Comb 15 4.000 20261001 4.	4.000	10/01/2026	42	103.650	43,550.83	Aaa	AAA	2.000	2.295	3.859	2.310	1.15
3128MFL48 - FHLMC Pc Gold Comb 15 3.500 20320901 3.	3.500	09/01/2032	42	102.510	43,553.41	Aaa	AAA	2.480	2.607	3.414	3.101	1.15
3128MMUS0 - FHLMC Pc Gold Comb 15 3.000 20310301 3.	3.000	03/01/2031	44	100.990	44,907.10	Aaa	AAA	3.170	2.723	2.971	4.101	1.19
31307B2Y5 - FHLMC Pc Gold 15 Yr 2.500 20280501 2.	2.500	05/01/2028	32	99.980	32,350.09	Aaa	AAA	2.950	2.487	2.501	3.189	0.85
3138AP3B2 - FNMA Pass-Thru Int 15 Year 3.500 20260801 3.	3.500	08/01/2026	39	102.300	39,539.89	Aaa	AAA	2.210	2.507	3.421	2.641	1.04
3138ELGM9 - FNMA Pass-Thru Int 15 Year 3.000 20280601 3.	3.000	06/01/2028	40	101.300	40,950.95	Aaa	AAA	2.510	2.471	2.962	2.921	1.08
3138EMNQ0 - FNMA Pass-Thru Int 15 Year 4.500 20270101 4.	4.500	01/01/2027	26	102.820	26,385.67	Aaa	AAA	1.980	3.099	4.377	2.310	0.70
3138EPS70 - FNMA Pass-Thru 15yr	4.000	02/01/2029	27	103.010	27,713.46	Aaa	AAA	1.940	2.492	3.883	2.260	0.73
3138EQE81 - FNMA Pass-Thru Int 15 Year 4.000 20290501 4.	4.000	05/01/2029	40	103.380	41,608.45	Aaa	AAA	2.120	2.452	3.869	2.449	1.10
3138VWW31 - FNMA Pass-Thru Int 15 Year 3.000 20280601 3.	3.000	06/01/2028	43	100.970	43,945.04	Aaa	AAA	2.860	2.644	2.971	3.370	1.16
31410LHK1 - FNMA Pass-Thru Int 15 Year 3.000 20270701 3.	3.000	07/01/2027	26	101.300	26,599.55	Aaa	AAA	2.580	2.456	2.962	2.841	0.70
31417GNJ1 - FNMA Pass-Thru Shrt 10 Year 2.500 20230501 2.	2.500	05/01/2023	27	99.580	27,194.18	Aaa	AAA	1.400	2.693	2.511	1.471	0.72
31418BFN1 - FNMA Pass-Thru Shrt 10 Year 3.500 20240701 3.	3.500	07/01/2024	19	102.300	19,891.98	Aaa	AAA	1.640	2.054	3.421	1.789	0.53
31418BFZ4 - FNMA Pass-Thru Int 20 Year 4.000 20340801 4.	4.000	08/01/2034	48	104.020	50,373.51	Aaa	AAA	3.210	2.975	3.845	4.590	1.33
31418BLG9 - FNMA Pass-Thru Shrt 10 Year 3.500 20241201 3.	3.500	12/01/2024	34	102.300	35,135.99	Aaa	AAA	1.780	2.181	3.421	1.970	0.93
31418BN85 - FNMA Pass-Thru Shrt 10 Year 3.000 20250301 3.	3.000	03/01/2025	49	101.840	49,542.88	Aaa	AAA	1.890	1.998	2.946	2.079	1.31
31418BNB8 - FNMA Pass-Thru Shrt 10 Year 3.000 20250201 3.	3.000	02/01/2025	26	101.840	26,671.55	Aaa	AAA	1.880	1.989	2.946	2.060	0.70
31418BPZ3 - FNMA Pass-Thru Shrt 10 Year 3.000 20250401 3.	3.000	04/01/2025	57	101.840	57,781.89	Aaa	AAA	1.920	2.013	2.946	2.121	1.53
31418BQP4 - FNMA Pass-Thru Shrt 10 Year 2.500 20250501 2.	2.500	05/01/2025	56	99.580	55,734.04	Aaa	AAA	2.050	2.636	2.511	2.189	1.47
31418BTL0 - FNMA Pass-Thru Int 20 Year 3.500 20350801 3.	3.500	08/01/2035	53	102.280	54,589.67	Aaa	AAA	3.560	2.983	3.422	5.290	1.44
31418C5W0 - FNMA Pass-Thru Int 15 Year 4.000 20340101 4.	4.000	01/01/2034	35	103.060	36,115.69	Aaa	AAA	2.100	2.843	3.881	3.071	0.95
31418CHS6 - FNMA Pass-Thru Shrt 10 Year 3.500 20270301 3.	3.500	03/01/2027	67	102.300	68,262.56	Aaa	AAA	2.250	2.516	3.421	2.671	1.80
31418CTH7 - FNMA Pass-Thru Shrt 10 Year 3.500 20280101 3.	3.500	01/01/2028	45	102.370	45,743.67	Aaa	AAA	2.360	2.567	3.419	2.910	1.21

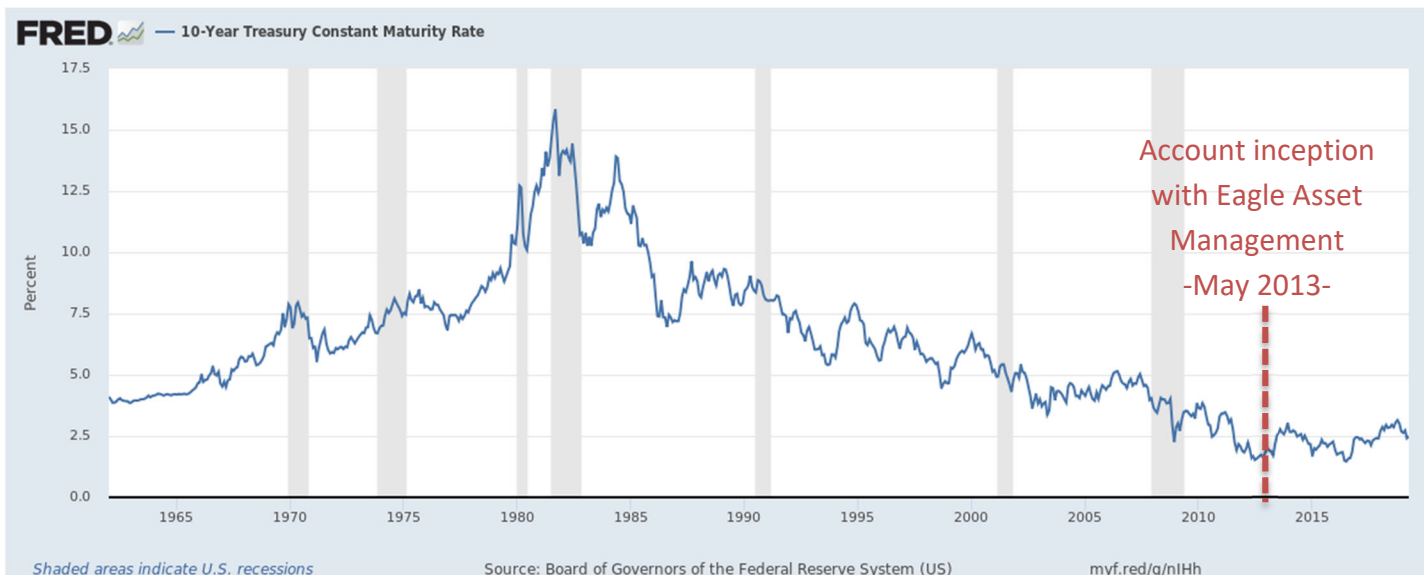
Treasuries

-												
9128283W8 - United States Treas Nts 2.75%02/15/28 2.75%0	2.750	02/15/2028	181	102.850	186,735.99	U.S./#Aaa	U.S.	7.891	2.392	2.674	8.883	4.93
9128283Z1 - United States Treas Nts 2.75%02/28/25 2.75%0	2.750	02/28/2025	180	102.530	184,944.09	U.S./#Aaa	U.S.	5.453	2.290	2.682	5.921	4.89
9128284S6 - United States Treas Nts 2.75%05/31/23 2.75%0	2.750	05/31/2023	36	102.020	37,050.85	U.S./#Aaa	U.S.	3.928	2.240	2.696	4.172	0.98
9128284V9 - United States Treas Nts 2.875%08/15/28 2.875%0	2.875	08/15/2028	65	103.900	67,751.82	U.S./#Aaa	U.S.	8.247	2.408	2.767	9.381	1.79
912828B66 - United States Treas Nts 2.75%02/15/24 2.75%0	2.750	02/15/2024	45	102.290	46,174.08	U.S./#Aaa	U.S.	4.555	2.252	2.688	4.883	1.22
912828WE6 - United States Treas Nts 2.75%11/15/23 2.75%1	2.750	11/15/2023	50	102.180	51,598.98	U.S./#Aaa	U.S.	4.335	2.251	2.691	4.631	1.36
912828XB1 - United States Treas Nts 2.125%05/15/25 2.125%0	2.125	05/15/2025	249	98.960	248,369.04	U.S./#Aaa	U.S.	5.717	2.308	2.147	6.129	6.56

FDIC Insured CD Ladder

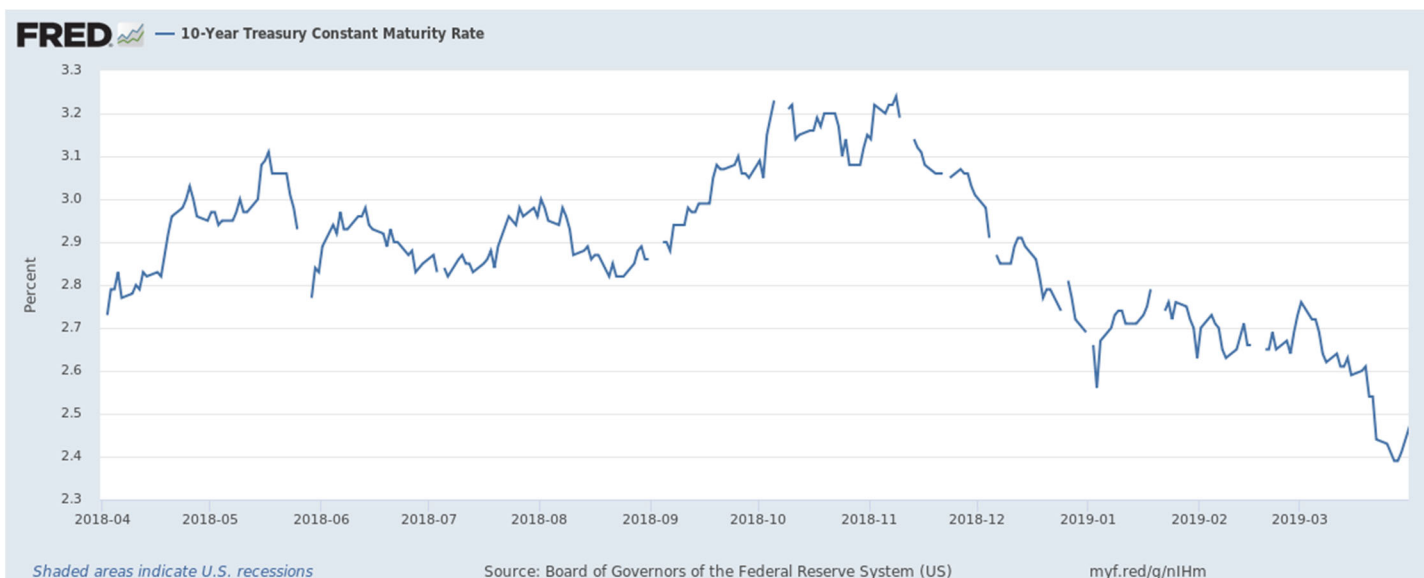
Description	Symbol/CUSIP	Maturity Date	Coupon	Quantity	Est. Annual Income
CASH				\$221,549.51	
TRANSPORTATION ALLIANCE BANK OGDEN, UT FDIC # 34781 CERTIFICATE OF DEPOSIT MONTHLY 2.1000% Due 07/12/2019	89388CCM8	7/12/2019	2.100	200,000.00	\$4,200.00
BARCLAYS BANK DE WILMINGTON, DE FDIC # 57203 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 1.7000% Due 09/27/2019	06740KKW6	9/27/2019	1.700	200,000.00	\$3,400.00
UMPQUA BANK FDIC # 17266 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 2.4000% Due 11/12/2019	90421MCC5	11/12/2019	2.400	89,000.00	\$2,136.00
METABANK STORM LAKE, IA FDIC # 30776 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 2.4500% Due 12/16/2019	59101LET0	12/16/2019	2.450	80,000.00	\$1,960.00
AXIOM BANK FDIC # 31390 CERTIFICATE OF DEPOSIT MONTHLY 2.2000% Due 12/20/2019	05464LAW1	12/20/2019	2.200	100,000.00	\$2,200.00
EAST BOSTON SAVINGS BANK BOSTON, MA FDIC # 33510 CERTIFICATE OF DEPOSIT MONTHLY 1.7500% Due 03/27/2020	27113PBY6	3/27/2020	1.750	200,000.00	\$3,500.00
TEXAS EXCH BANK SSB FDIC # 20099 CERTIFICATE OF DEPOSIT MONTHLY CALLABLE BEGINNING 10/29/18 1.8500% Due 06/29/2020 Callable 10/29/2018 @ 100.000	88241TCB4	6/29/2020	1.850	200,000.00	\$3,700.00
MORGAN STANLEY BANK NA SALT LAKE CITY, UT FDIC # 32992 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 2.8000% Due 09/08/2020	61747M5R8	9/8/2020	2.800	200,000.00	\$5,600.00
NORTHERN B&TC FDIC # 18266 CERTIFICATE OF DEPOSIT QTRLY CALLABLE BEGINNING 12/29/18 2.0000% Due 09/29/2020 Callable 12/29/2018 @ 100.000	66476QBZ0	9/29/2020	2.000	200,000.00	\$4,000.00
MEDALLION BANK SALT LAKE CITY, UT FDIC # 57449 CERTIFICATE OF DEPOSIT MONTHLY 2.7500% Due 11/16/2020	58404DBU4	11/16/2020	2.750	200,000.00	\$5,500.00
MERRICK BANK SOUTH JORDAN, UT FDIC # 34519 CERTIFICATE OF DEPOSIT MONTHLY 3.0500% Due 01/11/2021	59013J4P1	1/11/2021	3.050	200,000.00	\$6,100.00
CITIBANK NA SIOUX FALLS, SD FDIC # 7213 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 2.7500% Due 04/12/2021	17312QH93	4/12/2021	2.750	200,000.00	\$5,500.00
DISCOVER BANK GREENWOOD, DE FDIC # 5649 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 3.0000% Due 07/12/2021	254673RG3	7/12/2021	3.000	200,000.00	\$6,000.00
HERITAGE BANK HOPKINSVILLE, KY FDIC # 30090 CERTIFICATE OF DEPOSIT MONTHLY 3.0000% Due 10/18/2021	42724JEH4	10/18/2021	3.000	200,000.00	\$6,000.00
JP MORGAN CHASE BANK, NA COLUMBUS, OH FDIC # 628 CERTIFICATE OF DEPOSIT SEMI-ANNUAL CALLABLE BEGINNING 11/16/19 3.2500% Due 11/16/2021 Callable 11/16/2019 @ 100.000	48128FD66	11/16/2021	3.250	100,000.00	\$3,250.00
ALLY BANK MIDVALE, UT FDIC # 57803 CERTIFICATE OF DEPOSIT SEMI-ANNUAL 2.9000% Due 01/31/2022	02007GHF3	1/31/2022	2.900	130,000.00	\$3,770.00
JPMORGAN CHASE BANK NA COLUMBUS, OH FDIC # 628 CERTIFICATE OF DEPOSIT SEMI-ANNUAL CALLABLE BEGINNING 01/31/20 3.0000% Due 01/31/2022 Callable 01/31/2020 @ 100.000	48128HBR8	1/31/2022	3.000	100,000.00	\$3,000.00
				\$3,020,549.51	\$69,816.00

*Note: This report is current as of 04/24/2019



INTEREST RATES (10-year Treasury yield)

After a 30-yr trend of generally declining interest rates, since 2012 rates have been range-bound, generally between 1.50-3.00%



INTEREST RATES (10-year Treasury yield), trailing twelve months (Apr 2018 - Mar 2019).

In 2018, the 10-yr Treasury rate exceeded 3.00%, briefly, for the first time since 2013.

Fixed Income

First Quarter | 2019

James Camp, CFA

Managing Director and
Portfolio Manager

Joseph Jackson, CFA

Portfolio Co-manager

SMA Only:

Burton Mulford, CFA

Portfolio Manager

Sheila L. King, CFA

Portfolio Co-manager

Separately Managed Accounts (SMA):

Taxable:

High Quality Taxable
Core Fixed Income
Managed Income Solutions

Tax-free:

High Quality Tax-Free
Special Fixed Income
Managed Income Solutions

Market Overview¹

The domestic bond market, as measured by the Bloomberg Barclays U.S. Aggregate Bond Index, gained 2.94 percent in the first quarter. The bulk of the gain was in March as interest rates dropped after generally moving sideways for the first two months of the year. The initial move down in rates came as economic and inflation data continued to surprise to the downside, and the European Central Bank (ECB) unveiled new stimulus measures in response to the global economic slowdown. The rally in U.S. government bonds was then extended following the March 19-20 Federal Open Market Committee (FOMC) meeting as U.S. Federal Reserve (Fed) officials took a more dovish stance and downgraded their expectations for future growth and inflation. The yield on the benchmark 10-year U.S. Treasury note fell below 2.40 percent, causing the highly publicized yield curve inversion between the yields on the 3-month and 10-year U.S. Treasuries.

The corporate bond market held up well during March, leading to strong returns for the first quarter despite the various concerns that led interest rates lower. Usually corporate-credit spreads widen when Treasuries rally, but spreads finished March at 1.19 percent compared to 1.20 percent the previous month and 1.53 percent on December 31. It appears corporate bond investors have been more swayed by supportive monetary policies than the risks that lower yields portend — at least for now. Spread tightening drove corporate bonds to be the best performing major sector. Government-related securities and structured products also posted positive total returns and outperformed duration-matched Treasuries.

Fed Update and Outlook¹

Fed officials voted to keep the federal funds

target range unchanged at the March 19-20 FOMC meeting. The big news, however, was the revised dot-plot and new details regarding the Fed's balance sheet. The median forecast now suggests zero rate hikes in 2019, down from two rate hikes back in December. The Fed also announced that it would formally end its balance sheet "normalization" in September, and that in the meantime it will cut the maximum run-off of Treasuries in half from the current \$30 billion per month pace to \$15 billion per month. The official post-meeting statement and economic projections also leaned dovish as Fed officials downgraded their growth and inflation outlook while recognizing softness in consumer spending and business fixed investment. The combination of dovish factors from the FOMC meeting was more than the market expected as reflected by the sharp move lower in interest rates and fed fund futures. The probability of a rate hike in 2019 stood at 0.6 percent the day before the meeting while the probability of a rate cut was 28.8 percent. Following the meeting, those odds shifted to zero percent and 39.7 percent, respectively. A difference between the Fed's forecast and the futures market's probability for the future path of interest-rate increases is not unusual; however, a growing discrepancy can lead to bouts of market volatility.

The Fed's revised economic projections appear more in line with our thinking. As expected, the final estimate for fourth quarter 2018 real gross domestic product (GDP) growth was revised lower to a 2.2 percent annualized rate (or 3.0 percent year-over-year) from a prior estimate of 2.6 percent (or 3.1 percent year-over-year). That puts annual growth for all of 2018 at 2.9 percent. The updated rate makes more sense considering the noticeable slowdown reflected in other economic indicators that had already

Fixed Income

First Quarter | 2019

been released. Looking forward, the trend in reported economic data for January and February suggests further deceleration in growth for the first quarter of 2019.

The notable shifts at the Fed, the People's Bank of China, and the ECB are not all encouraging. On the one hand, it's better than continuing tightening into a slowdown, but on the other hand, none of the reasons for moderating monetary policy are positive for the economy or the markets. It means risk assets are less likely to retest their December lows, but it also opens up investors to a "bad news is good news" reaction function that can add to uncertainty and volatility.

We would also be remiss not to highlight the inverted yield curve although much has already been written about the subject. The difference in yields between short- and long-term Treasuries, specifically between the 3-month U.S. Treasury bill and the 10-year U.S. Treasury note, has historically been one of the best leading economic indicators. The yield curve inversion is one information-point (out of many) implying the Fed overshot on tightening despite the pivot away from the hawkishness of the previous quarter. It's important to note that the repercussions of an inverted yield curve are not immediate, and another key test will be for how long it stays inverted. But now the risks have increased and investors should be mindful about what they own and what this means for potential risk-adjusted returns in passive strategies going forward.

Our near-term outlook remains cautious. Slowing economic data, no signs of inflation running out of control, and global yields back to negative territory (the benchmark 10-year German bund is now at -0.07 percent) support

our view that long-term rates are unlikely to head significantly higher. These conditions likewise suggest fixed income should work well, especially as a part of a diversified, efficient portfolio. But the sizeable move in yields has opened up the bond market to a possible correction, even if just on a trading basis. Active management will be critical as the swings in the economy and the markets over the past few months are likely to play out for a little bit longer. As such, we remain comfortable with our current positioning with a deep focus on credit work and selection within specific pockets of the corporate bond market.

Corporate Market Review

Investment-grade corporate bonds, as measured by the Bloomberg Barclays U.S. Corporate Bond Index, gained 5.14 percent during the first quarter. Corporate credit spreads tightened 0.34 percentage points during the period, although the bulk of that move occurred back in January during a massive bounce off of oversold conditions from December. Spreads trended flat-to-down in February and March, which is still impressive considering the negative economic headlines internationally and in the United States that drove yields on government debt around the world much lower. As noted above, the move in spreads can be best explained by investors' enthusiasm that the pivot by global central banks toward more accommodative policies will limit downside in riskier assets. We believe this enthusiasm will give way as the combination of weaker growth/earnings prospects and the correlated move in spreads and yields over the past three months will put upward pressure on spreads going forward.

Municipal Market Review¹

The first quarter of 2019 was exhilarating for municipal investors as municipal bonds continued

their rally at an accelerated pace, outperforming all first quarter returns since 2014. Treasury yields plunged across the curve in March, declining by as much as 32 basis points over the month while AAA Municipals followed suit albeit at a lesser extent. The Barclay's Municipal Bond Index rose 1.58 percent for the month of March, resulting in 2.9 percent gain at quarter end. The curve flattened significantly over the quarter, with long and intermediate maturities outperforming short maturities. The 1-year Barclay's Municipal index gained 0.81 percent, while the 10 and 22+ year indices were up 3.15 and 3.85 percent respectively. The Fed's reversal on its tightening policy, municipal supply constraints, and increased demand from investors in high-tax states contributed to the outperformance of municipal bonds.

In March, an inversion of the 3-month and 10-year Treasury yields signaled that an impending recession and rate-cutting session could be on the horizon if history repeats itself. Keep in mind: the past is not a guarantee of the future and market conditions are certainly different. In addition, the Fed's reversal of its monetary tightening policy pushed rates lower while investors concurrently flocked to safe haven assets. Demand for municipal bonds was strong this quarter. Municipal mutual funds saw the largest inflows since the data series began in 1992, totaling \$10.1 billion in net inflows in March and \$22.4 billion year-to-date. On the other hand, supply was weaker than expected in March, down seven percent from last year, but year-to-date it increased 15 percent. Perpetuating the supply and demand imbalance, the cap on state and local tax deductions has sparked further demand for municipal bonds from investors in high-tax states looking for tax shelters for the upcoming year. This year, bank sales of municipal bonds have been at a minimum; however, the National

Fixed Income

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Association of Insurance Commissioners (NAIC) has proposed updates to its Risk-Based Capital (RBC) weightings which, if implemented, could spur demand for long-dated municipal bonds. In terms of new issuance this quarter, the majority of the larger investment-grade deals were oversubscribed and often re-priced with lower yields and higher prices.

Municipal bonds were rich across the curve, with the intermediate (4- to 10-year) portion richening the most. The 10-year Municipal to Treasury ratio is currently 78 percent, down from 86 percent at month end December 2018. Despite this richness, we are still finding value in the longer end of the curve (15+ year) where the Municipal to Treasury ratio is in the mid- to high-90s. Our barbell strategy – buying bonds on the longer end of the curve, and rebalancing them with shorter maturity bonds to maintain our target duration and quality characteristics of our portfolio – was accretive to performance. Our credit research team is actively monitoring the credit fundamentals of our holdings and recommending credit names to sell in an effort to take advantage of these higher prices. We expect cash levels to remain low into the next quarter.

A U.S. appeals court made headlines when it affirmed a lower court decision allowing Puerto Rico's Highway and Transportation Authority to withhold bond payments backed from pledged tolls and other revenues during the Commonwealth's bankruptcy. Historically, municipal analysts and bondholders have been under the impression that timely payment of debt service on special revenue bonds would be honored in all circumstances and the ruling is contrary to prior court decisions. The repercussions if this decision is upheld will be negative for dedicated revenue bonds, including increased credit risk for bondholders and increased issuer (municipality) cost at a time when U.S. infrastructure improve-

ments are very much needed. Moreover, it could incentivize distressed local governments to file Chapter 9 specifically to access pledged Project revenues instead of raising taxes and other general revenues to address their fiscal challenges. While Eagle does not own nor is buying Puerto Rico bonds, this is a market-changing event that we continue to monitor.

¹ References to specific securities are intended to illustrate the types of securities Eagle may hold in this portfolio. They are not intended as representations of specific investment recommendations that would have been profitable to an investor. Past performance is not a guarantee of future results. Opinions and estimates offered constitute Eagle's judgment and are subject to change without notice as are statements of financial-market trends, which are based on current market conditions. Investing involves risk, including the possible loss of principle.

This information is not intended to serve as investment, tax, legal or accounting advice. It should not be considered a recommendation to engage in or refrain from taking a particular course of action and is not an endorsement, recommendation or sponsorship of any securities, services or other investment property. It has been prepared for informational purposes only and you should consult your own investment, tax, legal and/or accounting advisors before engaging in any transaction. Any discussion of tax matters contained herein is not intended or written to be used, and cannot be used, for the purpose of avoiding any penalties that may be imposed under federal tax laws. The opinions expressed are those of the author(s) and do not necessarily reflect the views of the firm, its clients or any of its or their respective affiliates. Views expressed are as of the date indicated and may change based on market and other conditions. The accuracy of the content and its relevance to your particular circumstances is not guaranteed.

² Sources: Investor Tools Perform and Yield Book

Investing in bonds involves risks that may adversely affect the value of your investment such as inflation risk, credit risk, call risk, interest rate risk and liquidity risk, among others. The two most prominent factors are interest rate movements and the credit worthiness of the bond issuer. Investors should pay careful attention to the types of fixed income securities that comprise their portfolios and remember that, as with all investments, there is the risk of loss of capital. A Real Estate Mortgage Investment Conduit (REMIC) is a type of multiclass mortgage-related security in which interest and principal payments from mortgages are structured into separately traded securities. These classes

are distinguished by their sensitivity to the prepayment risk of the underlying mortgage-related collateral. Therefore, they may be more or less sensitive to prepayment risk, bear different interest rates, and have various average lives and final maturities.

Asset-backed securities and mortgage-backed securities are created by pooling loans from a variety of sources and issuing bonds that are backed by these loans. Creditworthiness stems from the credit quality of the underlying loans, as opposed to corporate bonds in which creditworthiness is derived from the earning power of the issuing company. The primary risk of these securities is interest-rate risk. Rising interest rates might cause loan principal prepayments to slow, resulting in less available principal to invest at prevailing higher rates. Conversely, rate decreases might accelerate prepayments, leaving more dollars to invest at lower rates.

Investment grade refers to fixed-income securities rated BBB or better by Standard & Poor's or Baa or better by Moody's. Convertible securities and preferred stock combine the fixed income characteristics of bonds with some of the potential for capital appreciation of equities and, thus, may be subject to greater risk than pure fixed-income instruments. Unlike bonds, preferred stock and some convertible securities do not have a fixed par value at maturity, and in this respect may be considered riskier than bonds. Convertible securities may include convertible bonds, convertible preferred stocks and other fixed-income instruments that have conversion features.

Investments in high-yield bonds and convertible securities are subject to the client's authorization, as set forth in the Investment Management Agreement. Such investments may be subject to greater risks than other fixed-income investments. The lower rating of high-yield bonds (less than investment grade) reflects a greater possibility that the financial condition of the issuer or adverse changes in general economic conditions may impair the ability of the issuer to pay income and principal. Periods of rising interest rates or economic downturns may cause highly leveraged issuers to experience financial stress, and thus markets for their securities may become more volatile. Moreover, to the extent that no established secondary market exists, there may be thin trading of high-yield bonds, which increases the potential for volatility.

Sovereign debt instruments are subject to the risk that a governmental entity may delay or refuse to pay interest or repay principal on its sovereign debt. A Real Estate Mortgage Investment Conduit (REMIC) is a type of multiclass mortgage-related security in which interest and principal payments from mortgages are structured into separately traded securities. These classes are distinguished by their sensitivity to the prepayment risk of the underlying

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mortgage-related collateral. Therefore, they may be more or less sensitive to prepayment risk, bear different interest rates, and have various average lives and final maturities.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Public Hearing

TO: City Council

THRU: Lance Johnson, City Manager
Kimberly Kopp, Land Use Attorney

FROM: Louis Zunguze, Community Development Director

DATE: May 20, 2019

SUBJECT: Innerlight Engineering Corporation, on behalf of Legacy Properties of Northwest Florida, LLC is requesting approval of a Major Deviation to an Existing Development Order and Major Subdivision identified as "Tuscan Village." The proposed development consists of 86 townhome units. The proposed project is generally located west of Mattie M. Kelly Boulevard, addressed as 500 Mattie M. Kelly Boulevard. The total site area is 7.81 acres, more or less.

I. BACKGROUND:

Legacy Properties of Northwest Florida, LLC is requesting a Major Deviation to a Development Order and Major Subdivision plat approval. The project consists of 86 townhouses with the associated infrastructure and platting. The proposed deviation is an overall reduction in density. The site was previously approved for 104 (36 condo and 68 townhouse) dwelling units through the following development orders and deviations:

- **DO 04-05 Old Bay Village Major Development Order**
- **DO 04-17 Old Bay Village Phase II Major Development Order**
- **DO 05-07 Old Bay Village Phase II, 1st Amendment Minor Deviation**
- **DO 06-08 Old Bay Village Phase I, 1st Amendment Minor Deviation**
- **DO 13-02 Old Bay Village Phase II, 2nd Amendment Minor Deviation**

The 7.81 acre site is currently platted as Old Bay Village Phase II-A Plat Book 26 Page 30 in the Public Records of Okaloosa County.

Although the Major Development Order and Major Subdivision requests are separate applications, the applicant and the City Staff have agreed to allow the City Council to hear the separate applications together, as they involve the same property.

II. DISCUSSION:

COMPREHENSIVE PLAN/Land Development Code

The property has a Future Land Use Map Designation of ROI- Residential, Office and Institutional and a Zoning Designation of ROI-GD - Residential, Office, & Institutional - General Development. The proposed project is consistent with the Comprehensive Plan and Land Development Code (LDC).

Land Use

Long-term multifamily residential is an allowable use in both the ROI future land use designation and ROI-GD zoning district.

DENSITY

Maximum allowed: 12 dwelling units per acre

Provided: 11.01 dwelling units per acre

HEIGHT

Maximum allowed: 50'4 stories

Provided: 19'5 1/2 stories

Pitched roof

Minimum required: 60%

Provided: 100%

FLOOR AREA RATIO

Not applicable

SETBACKS

Front minimum: 0 feet

Front provided: 19.93 feet

Side minimum allowed: 0 feet

Side provided: 14.43 feet

Rear minimum allowed: 0 feet

Rear allowed: 10 feet

Open Space

Minimum required: 25%

Provided: 50.7%

Platting

The project is proposing a major subdivision to be processed simultaneously with a major deviation to a development order. The applicant is requesting preliminary plat approval and will seek final plat approval once the infrastructure is complete.

CONCURRENCY MANAGEMENT

Concurrency requirements have been met:

Traffic: The traffic analysis is consistent with the technical methodology outlined in LDC 6.05.05.

Stormwater Management: The City's Stormwater Manager's Designee signed the CEC on May 13, 2019.

Potable Water/Sanitary Sewer: The Field Operation Manager signed the CEC on May 31, 2018.

Solid Waste: The Recycling Coordinator signed the CEC on March 13, 2018.

AIRPORT PROTECTION

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

Transportation ANALYSIS

The traffic analysis, dated July 25, 2018, indicates the proposed development is estimated to generate 53 PM peak hour vehicle trips. This is a reduction of 9 committed project trips currently allocated in the Multimodal Transportation District Capacity Table for the previous approved development orders. The analysis is consistent with the technical methodology outlined in LDC 6.05.05 and will be used to assist the City in determining the overall success of the MMTD as outlined in Comprehensive Plan Policy 12-4.1.8.

RIGHT-OF-WAY DEDICATION

The project does not include any new right-of-way dedication. The 18 foot wide pedestrian walkway easement dedicated to the public with the existing plat is maintained on the new plat.

INGRESS/EGRESS

Vehicular access to the property is provided by a previously constructed 24-foot-wide, two-way accessway from the Mattie M. Kelly Boulevard public ROW.

Pedestrian Network

The project provides a complete pedestrian network as required in LDC 8.09.03.A(6). External sidewalks exist along Mattie M. Kelly Boulevard. A continuous on-site internal sidewalk is provided throughout the development.

PARKING:

Required maximum/minimum vehicle parking spaces:	215/172
Provided vehicle parking spaces:	199
Required minimum bicycle parking spaces:	22
Provided bicycle parking spaces:	22

UTILITIES:

All utilities are required to be underground.

STORMWATER:

The City Stormwater Manager's Designee approved the stormwater plan in a memo dated February 15, 2019.

REFUSE COLLECTION:

Solid waste collection will occur on each individual lot via trash receptacles.

WHITE SANDS ZONE

The proposed project is not located within a White Sands Zone.

Landscaping

Front perimeter/common boundary:	Exempt per LDC 12.04.04.B
Interior parking landscape:	Minimum requirements met
Buffer zone:	Exempt per LDC 12.04.04.D

Preservation and restoration:

Acres of development:	7.81
Reforestation trees required:	79
Preserved trees:	0 tree credits (0 preserved trees)
Required additional trees:	0

Required parking trees: 10

Total required trees: 89

Total trees provided: 146

SIGNS

All signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection or Northwest Florida Water Management District permitting is required prior to obtaining a building permit.

IMPACT FEES:

Final impact fee amounts will be determinant upon the gross floor area of the overall development land uses and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. The impact fees for the proposed project are estimated to be:

18-26 – Tuscan Village

LAND USE	UNITS	PARK	LIBRARY	POLICE	TRANS.	TOTAL
Residential, 1,500—1,999 sq. ft., per dwelling unit	86	\$399.00	\$133.00	\$19.00	\$1,198.00	
Totals	86	\$34,314.00	\$11,438.00	\$1,634.00	\$103,028.00	\$150,414.00

OTHER FEES: Not applicable.

ADDITIONAL REQUIREMENTS:

1. **Prior to the issuance of a Clearing Permit**, a clearing plan must be submitted and approved by the Community Development Department.
2. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.
3. If the applicant proposes outdoor lighting in the future, an outdoor lighting plan must be submitted to the Office of Community Development for review and approval.

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

B. **Effect on Budget (EOB):**

C. **Level of Service (LOS):**

III. CONCLUSION:

Staff has determined that the applications meet or exceed the minimum requirements of the Land Development Code for the major subdivision and major development. The report of the Technical Review Team that is required pursuant to sections 2.07.01(A) and 2.19.03(D), LDC, is attached.

With respect to the subdivision request, Section 2.19.03(D) of the Land Development Code states:

Final action by City Council. Where proposed major development includes the subdivision or resubdivision of land and the dedication of right-of-way, final approval of such subdivision or resubdivision shall be made by the City Council in accordance with this Code and general law. Upon receiving the recommendation of the technical review committee, the City Council will consider the subdivision for approval.

With respect to the Major Development, 2.07.01(B) of the Land Development

Code requires the following of major development applications:

Following the required public notice and hearing, the City Council shall either approve, approve with conditions, approve with modifications or deny the Community Development staff's recommendation and shall:

1. Determine conformity of the proposed development with the Comprehensive Plan, this Code, other applicable requirements and the items enumerated in A. above.
2. Hear and address concerns and desires of surrounding landowners and other affected persons.
3. Consider any rule, objective or policy of the Comprehensive Plan or any other criterion applicable to the particular development proposals in formulating its recommendation to either approve or deny the development proposal.
4. If the proposal is approved or approved with conditions, the City Council shall instruct the City Manager, or designee, to authorize the issuance of a development order that complies with Section 2.08.00.
5. If the proposal is approved with modifications, a development order may be authorized by the City Manager, or his designee, once the required modifications have been completed and approved by the appropriate TRT members.
6. If the proposal is denied based upon the applicant's failure to meet the requirements of this Code in the proposed development plan(s), the application will become null and void, the applicant will lose in-line priority consideration for concurrency. The applicant will have to submit a new application and start the review process over in order to secure consideration for approval of the proposal.

The City Council should review these criteria and render its decision on the applications in accordance therewith.

IV. RECOMMENDED MOTION: I move to approve/deny the Major Deviation to an existing Development Order and Major Subdivision identified as "Tuscan Village."

Attachments:

1. APPLICATION
2. REVISED APPLICATION
3. Tuscan Village Construction Plans
Exhibit D
4. TUSCAN VILLAGE PLAT (V6)
5. TuscanVillageDestin_StaffReport

6. ARCH PLANS_6 FRONT ENTRY
7. ARCH PLANS_8 REAR ENTRY
8. ARCH PLANS_8 FRONT ENTRY



City of Destin

Community Development Department

Planning Division

City of Destin Annex

4100 Indian Bayou Trail

Destin, Florida 32541

Phone (850) 837-4242 • Fax (850) 460-2171

www.cityofdestin.com/index.aspx?nid=91

MAJOR SUBDIVISION APPLICATION

_____ - _____ - MS

(project number assigned by planning staff)

Major Subdivision is a subdivision in which all or a majority of lots front on future public or private rights-of-way and which includes the dedication of the land to the City or homeowners association. (e.g. right-of-way, park, drainage retention areas, parking area, access easements, etc.)

Name of Proposed Subdivision: TUSCAN VILLAGE
(THIS NAME SHALL BE CONSISTENT ON ALL SUBMITTED PLANS & DOCUMENTS)

1. CONTACT INFORMATION:

A. Owner(s): LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC

Mailing Address: 2001 FAIRWAY VISTA DR., LOUISVILLE, KY 40245

Business Phone: _____ Cell: (502) 550-6008

Email: RAMILES@AOL.COM

B. Authorized Agent (if applicable): DAVID SMITH, P.E.

Mailing Address: 11490 EMERALD COAST PKWY, 2W MIRAMAR BEACH FL 32550

Business Phone: (850) 424-5855

Cell: _____

Email: DAVID@IECENG.COM

C. Engineer: MARK MURRAY, P.E., PROJECT MANAGER

Mailing Address: 11490 EMERALD COAST PKWY, 2W MIRAMAR BEACH FL 32550

Business Phone: (850) 424-5855

Cell: _____

Email: MARK@IECENG.COM

D. Surveyor: DAVID E. SMITH, PSM

Mailing Address: 11490 EMERALD COAST PKWY, 2W MIRAMAR BEACH FL 32550

Business Phone: (850) 424-5855

Cell: _____

Email: DAVID@IECENG.COM

2. PROPERTY TO BE SUBDIVIDED:

Parcel ID (s): SEE ATTACHED LIST OF PARCEL ID NUMBERS

Lot: _____ Block: _____ Plat Book: 26 Page Number: 29-30

Subdivision: OLD BAY VILLAGE PHASE II

3. PROJECT INFORMATION:

A. General Information:

RESIDENTIAL, OFFICE &

1) Future Land Use Map Designation(s) of the Property: INSTITUTIONAL (ROI)

2) Zoning District(s) of the Property: ROI - GENERAL DEVELOPMENT

3) Type of Project / Proposed Land Use of the Property: RESIDENTIAL TOWN-HOMES/ ROI - GENERAL DEVELOPMENT

4) Total Acreage and Square Footage of the Property: 7.81 ACRES (340,413 SF)

5) Existing or Proposed Special Exceptions, Variances, Administrative Appeals, etc.:

6) Total Number of Lots Proposed:	<u>86</u>
7) Minimum Lot Area Proposed:	<u>1,717.40 SF</u>
8) Minimum Lot Width Proposed:	<u>20.67 SF</u>
9) Minimum Lot Depth Proposed:	<u>83.10 SF</u>

B. Comprehensive Plan Compliance: Including, but not limited to the following:

Does the Proposed Development Site Include the following (Insert "Yes" or "No" in every blank and include those with a "Yes" on the Plans):

<u>NO</u> Multimodal District and Design Initiatives	
<u>NO</u> Within Harbor CRA District:	<u>NO</u> Within Town Center CRA District
<u>NO</u> 100-Year Flood Plains	<u>NO</u> Waterfront Property
<u>NO</u> Conservation Areas	<u>NO</u> Seaward of (Within) a V-Zone
<u>NO</u> Environmentally Sensitive Area	<u>NO</u> Seaward of the CCCL
<u>NO</u> Historic Landmarks	<u>NO</u> Protected Dunes
<u>NO</u> In a Historic District	<u>NO</u> Protected/Unique Vegetation
<u>NO</u> Archeological Sites	<u>NO</u> Seaward of Shoreline Protection Zone
<u>NO</u> Habitat of Threatened Species	<u>NO</u> Preserved Trees (24" d.b.h. and over)
<u>NO</u> Habitat of Endangered Species	<u>NO</u> Protected Trees (12" d.b.h. and over)
<u>NO</u> Within 200 Feet of a Potable Water Well	

If in a Flood Zone, give Minimum Base Flood Elevation Required: N/A Provided: N/A

4. SUBMITTAL REQUIREMENTS:

A. X **Completed application** - All applicable areas of the application shall be filled in and submitted to the Community Development Department Planning Division at the City of Destin Annex, 4100 Indian Bayou Trail, Destin, Florida 32541.

B. X **Application Fees** (FY 2017 Schedule of Fees, Resolution 17-05, adopted 02/22/17, effective 02/23/17)

- 1) **\$3,000.00 Major Subdivision**
- 2) **\$2,500.00 Planned Unit Development**
- 3) **\$300.00 per Easement**

Application fee includes First Submittal Reviews only. Subsequent Submittal Reviews and all mailing costs will be invoiced to the Applicant; invoices must be paid prior to submittal of additional Submittal Review Packages.

Accepted Payments are Cash, Check, MasterCard or Visa. Checks shall be made payable to the City of Destin and submitted to the Planning Division, Community Development Department, City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541.

C. X **Proof of Ownership** - A copy of the last recorded deed of the property. Owner on deed must correspond to "Current Owner" identified on page 1.

D. X **Agent Affidavit** (if applicable) - Required if the applicant is other than the property owner.

E. Concurrency Evaluation Certificates (CEC's) - The following must be provided:

- 1). S/A Stormwater Management, plus 2 sets of signed, sealed and dated calculations.
- 2). X DWU Service Questionnaire

The applicant is responsible for returning each CEC to the Community Development Department, completed, approved and signed.

F. Plan Requirements (LDC Section 2.18.02): Including, but not limited to, the following:

- 1) X Cover Sheet
- 2) X Boundary Survey, which includes the following:
 - a) Signed, sealed and dated by Surveyor registered in the State of Florida.
 - b) No older than six months unless Engineer of Record certifies site has NOT changed.
 - c) Existing conditions of site, which includes trees over 12" in diameter at breast height.
 - d) Delineated Topography.
- 3) X Demolition Plan (if applicable)
- 4) X Site Plan
- 5) X Subdivision Plat (paper copy)
- 6) X Grading and Drainage Plan – Calculations must be signed & sealed by a Registered Florida Engineer and meet the requirements of Destin Code of Ordinances, Sections 6-346 and 6-352.
- 7) X Utility Plan
- 8) X Landscape Plan and Supporting Plans (if applicable)
- 9) X Street Lighting Plan
- 10) X Detail Sheets

G. Checklist. The following checklists are extremely useful to design professional in complying with the City of Destin development regulations. The inclusion of them with the submittal package is optional.

- 1) _____ Checklist A – Site Plan Requirements
- 2) _____ Checklist B – Stormwater Management
- 3) _____ Checklist C – Landscape Plan

5. SUBMITTAL PACKAGE QUANTITIES:

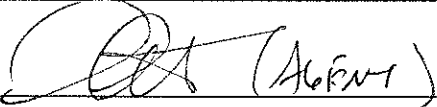
- A. **THREE (3) COMPLETE** paper packages, including ALL items in section 4 above.
- B. **ONE (1) COMPLETE** electronic package of PDF files on a storage device.
(Flash Drive, Disk or e-mailed Dropbox link)

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

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

APPLICANT: LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC

SIGNATURE:

 (AGENT) **DATE:** 5/10/18

PRINTED NAME:

DAVID SMITH, P.E. (AGENT)



APPLICATION

X MAJOR MINOR DEVIATION - DEVELOPMENT

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

Name & Project Number of the Previously Approved Development to which this deviation will apply:

OLD BAY VILLAGE (SP-04-16) (RENAMED: TUSCAN VILLAGE)

I. CONTACT INFORMATION:

A. Owner(s): LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC / RICHARD MILES

Mailing Address: 2001 FAIRWAY VISTA DR., LOUISVILLE KY 40245

Business Phone: _____ Cell: (502) 550-6008

Email: ramiles@aol.com

B. Authorized Agent (if applicable): MARK MURRAY, P.E. / DAVID SMITH, P.E.

Mailing Address: 11490 EMERALD COAST PARKWAY, SUITE 2W, MIRAMAR BEACH, FL 32550

Business Phone: (850) 424-5855

Cell: _____

Email: MARK@IECENG.COM / DAVID@IECENG.COM

C. Engineer: MARK MURRAY, P.E.

Mailing Address: 11490 EMERALD COAST PARKWAY, SUITE 2W, MIRAMAR BEACH FL 32550

Business Phone: (850) 424-5855

Cell: _____

Email: MARK@IECENG.COM

D. Architect: LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
Mailing Address: 2001 FAIRWAY VISTA DR., LOUISVILLE KY 40245
Business Phone: _____ Cell: (502) 550-6008
Email: ramiles@aol.com

E. Surveyor: DAVID E. SMITH, PSM, MANAGING DIRECTOR
Mailing Address: 11490 EMERALD COAST PARKWAY, SUITE 2W MIRAMAR BEACH FL 32550
Business Phone: (850) 424-5855 Cell: _____
Email: DAVID@IECENG.COM

II. **PROPERTY INFORMATION:**

Existing Street Address: 500 MATTIE M. KELLY BLVD, DESTIN
Parcel ID (s): SEE ATTACHED LIST OF PARCEL I.D. NUMBERS
_____, _____
Lot: _____ Block: _____ Plat Book: 26 Page Number: 29-30
Subdivision: OLD BAY VILLAGE PHASE 2-A

III. **PROJECT INFORMATION:**

A. **General Information** (brief project description of which this application is seeking approval):
The proposed development consists of 86 townhome units which
provides a decrease in total number of previously approved unit count
of 104 and a change from condo/town homes to all town home units.

Future Land Use Map Designation(s) of the Property: RESIDENTIAL, OFFICE & INSTITUTIONAL (ROI)
Zoning District(s) of the Property: RESIDENTIAL, OFFICE & INSTITUTIONAL - GENERAL DEVELOPMENT
Type of Project / Proposed Land Use of the Property: RESIDENTIAL (TOWN HOMES) /
RESIDENTIAL, OFFICE & INSTITUTIONAL - GENERAL DEVELOPMENT (ROI-GD)

Total Acreage and Square Footage of the Property: 7.81 ACRES; 340,413 SF
Number of Permanent or Long-term Residential Units: 86
Number of Seasonal or Short-term Residential Units: 0

Total Number of Units Proposed:	<u>86</u>
Number of Units per Acre Allowed:	<u>12</u>
Number of Units per Acre Proposed:	<u>11.01</u>
Proposed Building Height (Comprehensive Plan 2020 - Policy 1-2.1.4):	<u>19.17 FT</u>
Number of Proposed Stories (included parking decks above grade):	<u>2</u>
Gross Floor Area of Proposed Structure: (Chapter 1 of the Comprehensive Plan: 2020 definition and Article 3, Sec. 3.00.00 "Gross Floor Area" of the Destin Land Development Code)	<u>+/- 322,500 SF</u>

(NOTE: Calculations from the Site Plan and Architectural Floor Plan must match.)

B. White Sands Zone: The project is located in (check one):

White Sands Zone I: ☐ White Sands Zone II: ☐ Outside White Sands Zones: ☒

C. Existing or Proposed Conditional Uses, Variances, Administrative Appeals, etc:

Yes: ☐ (Provide a copy of Final Order) No: ☒

D. Development Intensity - Floor Area Ratio (FAR):

This entire section must be completed for all non-residential projects that have the following Future Land Use Map (FLUM) Designations (Comprehensive Plan: 2020, Policy 1-2.1.2): CBN, CL, CG, CTS, ROI, CBR, TCMU, CMU, SHMU, NHMU, GRMU, HIMU, IN, A, INST, REC, and CON.

Formula:

Square footage of the subject parcel (_____ acre(s) x 43,560 sq. ft.): N/A

Multiplied by FAR allowed in the Future Land Use Map Designation: X N/A

Non-residential structure (not including above-grade parking structure) FAR Calculation:
(described in Policy 1-2.1.2, Comprehensive Plan: 2020)

a). Sum of Gross Floor Area (square feet) all existing and proposed structures: N/A
(The gross floor area shall not include public parking structures or portions of parking structures dedicated to the public and shall adhere to Chapter 1 of the Comprehensive Plan: 2020 definition and Article 3, Sec. 3.00.00 "Gross Floor Area" of the Destin Land Development Code.)

b). Divide result of item "a" above by the gross site area (square feet): N/A

Compliance:

FAR allowed in the Future Land Use Map Designation:

N/A

FAR proposed for this project (Insert figure from item “b”):

N/A

The proposed project FAR (___ is , ___ is not) in compliance.

Formula for above-grade parking structures:

Square footage of the subject parcel: (_____ acre(s) x 43,560 sq. ft.)

N/A

Multiplied by 0.50 bonus FAR allowed in ONLY NHMU, SHMU,
and TCMU Future Land Use Map Designations:

N/A

Maximum above-grade parking structure square footage allowed:

N/A

Above-grade parking structure FAR Calculation (described in Policy 1-2.1.2, Comprehensive Plan: 2020):

a). Sum of Gross Floor Area (square feet):
(all existing and proposed above-grade parking structures)

N/A

b). Divide result of item “a” above by the gross site area (square feet):

N/A

Compliance for above-grade parking structures:

FAR allowed in the NHMU, SHMU, and TCMU Future Land Use Map Designations: 0.50

FAR proposed for this project (Insert figure from item “b”):

N/A

The proposed project FAR (___ is , ___ is not) in compliance.

E. Minor Subdivision (as defined in LDC Article 3):

Not Applicable with this proposed development: X

Applicable: ___ (see below & requires Minor Subdivision Application)

Total Number of Lots Proposed:

N/A

Minimum Lot Area Proposed:

N/A

Minimum Lot Width Proposed:

N/A

Minimum Lot Depth Proposed:

N/A

F. Airport Protection:

FAA Permit Required: ____ Permit Attached: ____

Does the Proposed Project Lie within the Airport Noise Zone: Yes ____ No X

If yes, requires disclosure statement and increased construction standards. For residential projects, requires a disclosure statement on the mylar of subdivision and at time of sale (Article III, Airport Zoning Regulations, Section 212-155 of Land Development Code).

Does the Proposed Project Lie within Airport Clear Zone: Yes ____ No X

Does the Proposed Project Lie within Airport Expansion Area: Yes ____ No X

If Yes, attach statement from Okaloosa County of Airport Authority of "approval" or "no objection" to encroachment within the proposed expansion area.

Construction Crane Registration Form Required: ____ Approved Form Attached: ____

G. Comprehensive Plan Compliance: Including, but not limited to the following:

Concurrency Evaluation Certificates: **Refer to and complete item No. 14 under Section 4 below for compliance.**

Does the Proposed Development Site Include the following (Insert "Yes" or "No" in every blank and include those with a "Yes" on the Plans):

NO Multimodal District and Design Initiatives

NO Within Harbor CRA District:

NO Within Town Center CRA District

NO 100-Year Flood Plains

NO Waterfront Property

NO Conservation Areas

NO Seaward of (Within) a V-Zone

NO Environmentally Sensitive Area

NO Seaward of the CCCL

NO Historic Landmarks

NO Protected Dunes

NO In a Historic District

NO Protected/Unique Vegetation

NO Archeological Sites

NO Seaward of Shoreline Protection Zone

NO Habitat of Threatened Species

NO Preserved Trees (24" d.b.h. and over)

NO Habitat of Endangered Species

NO Protected Trees (12" d.b.h. and over)

NO Within 200 Feet of a Potable Water Well

If in a Flood Zone, give Minimum Base Flood Elevation Required: N/A Provided: N/A

IV. SUBMITTAL REQUIREMENTS

- A. Completed Application – All applicable areas of the application shall be filled in and submitted to the Community Development Department Planning Division at the City of Destin Annex, 4100 Indian Bayou Trail, Destin, Florida 32541.
- B. Agent Affidavit (if applicable) – Required if the applicant is other than the property owner.
- C. Application Fee:
 - 1. **\$3,000.00 – Major Deviation**
 - 2. **\$2,000.00 – Minor Deviation**

Application fee includes First Submittal Reviews only. Subsequent Submittal Reviews and all mailing costs will be invoiced to the Applicant; invoices must be paid prior to submittal of additional Submittal Review Packages.

NOTE: Accepted Payments are Cash, Check, Debit, Discover, MasterCard or Visa. Checks shall be made payable to the City of Destin and submitted to the Planning Division, City Hall Annex, 4100 Indian Bayou Trail, Destin, Florida 32541

- D. Proof of Ownership – A copy of the last recorded deed of the property. Owner on deed must correspond to “Current Owner” identified on page 1.
- E. Concurrency Evaluation Certificates (CEC’s) – The following must be provided:
 - 1. Solid Waste
 - 2. Sanitary Sewer (must submit completed questionnaire to DWU)
 - 3. Potable Water (must submit completed questionnaire to DWU)
 - 4. Traffic plus analysis (**3 sets signed and sealed**)
 - 5. Stormwater Management plus calculations (**2 sets signed and sealed**)
 - 6. DWU Service Questionnaire

The applicant is responsible for returning each CEC to the Community Development Department, completed, approved and signed.

- F. Approval from Okaloosa County Airport Authority (if applicable) - This applies to projects that lie within airport expansion area as defined in Article 7, Section 7.15.00 of the Land Development Code.
- G. Plans Requirements (LDC Section 2.18.02) – Including, but not limited to the following:
 - 1. Cover Sheet
 - 2. Boundary Survey, which includes the following:
 - ✓ Signed and Sealed by Registered Surveyor
 - ✓ No older than six months unless Engineer of Record certifies site has NOT changed
 - ✓ Existing Conditions of site, which includes trees over 12” in diameter at breast height
 - ✓ Delineated Topography
 - 3. Demolition Plan (if applicable)
 - 4. Site Plan
 - 5. Drainage Plan – Calculations must be signed & sealed by a Registered Florida Engineer and meet the requirements of Destin Code of Ordinances, Sections 6-346 and 6-352.
 - 6. Utility Plan

7. Landscape Plan and Supporting Plans
8. Outdoor Lighting Plan
9. Detail Sheets
10. Architectural Elevations with height shown (North, South, East, and West)
11. General Architectural Floor Plans (all floors) with gross floor area calculated

H. Other Required Plans

1. Construction Vehicle Parking Mitigation Plan (LDC Section 7.01.02.E)
For non-residential and multi-family residential construction
2. Dust Control Plan (LDC Section 11.10.03)
3. Vibration Impact Mitigation Plan (LDC Section 7.02.03)

- I. Checklists** – The following checklists are extremely useful to the design professional in complying with City of Destin development regulations.
The inclusion of them with the submittal package is **optional**.

1. Checklist A – Site Plan Requirement
2. Checklist B – Stormwater Management
3. Checklist C – Landscape Plan
4. Checklist D – Dust Control Plan
5. Checklist E – Vibration Impact Mitigation Plan
6. Checklist F – Outdoor Lighting Plan

- J. Emergency Contact Posting Requirements** (LDC Section 7.01.02.B)

V. SUBMITTAL PACKAGE QUANTITIES:

- A. **THREE (3) COMPLETE** paper packages, including **ALL** items in section IV. above.
- B. **ONE (1) COMPLETE** electronic package of PDF files on a portable storage device.
(CD, DVD, USB Flash Drive or Dropbox link)

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

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

APPLICANT:

SIGNATURE:



DATE: 11.15.2018

PRINTED NAME:

MARK T. MURRAY

C:\DROBOX [EC]\PROJECTS\OLD BAY VILLAGE\PHI\3.ENGINEERING\1.CDA\2.SHEETS\COVER SHEET.DWG, MarkMurray, 11/12/2018 9:12:28 AM

CONSTRUCTION PLANS FOR:
TUSCAN VILLAGE
RESIDENTIAL TOWNHOMES

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

PROJECT DATA

PROJECT NAME:	TUSCAN VILLAGE, RESIDENTIAL TOWNHOMES
CLIENT NAME:	LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC 2001 FAIRWAY VISTA DRIVE LOUISVILLE, KY 40245 CONTACT: MR. RICHARD MILES
PREPARED BY:	INNERLIGHT ENGINEERING CORPORATION 11490 EMERALD COAST PARKWAY, SUITE 2W MIRAMAR BEACH, FLORIDA 32550
ENGINEER OF RECORD:	MARK T. MURRAY, P.E. FLORIDA REG. NO. 80519 11490 EMERALD COAST PARKWAY, SUITE 2W MIRAMAR BEACH, FLORIDA 32550 850.424.5855

BENCHMARK DATA

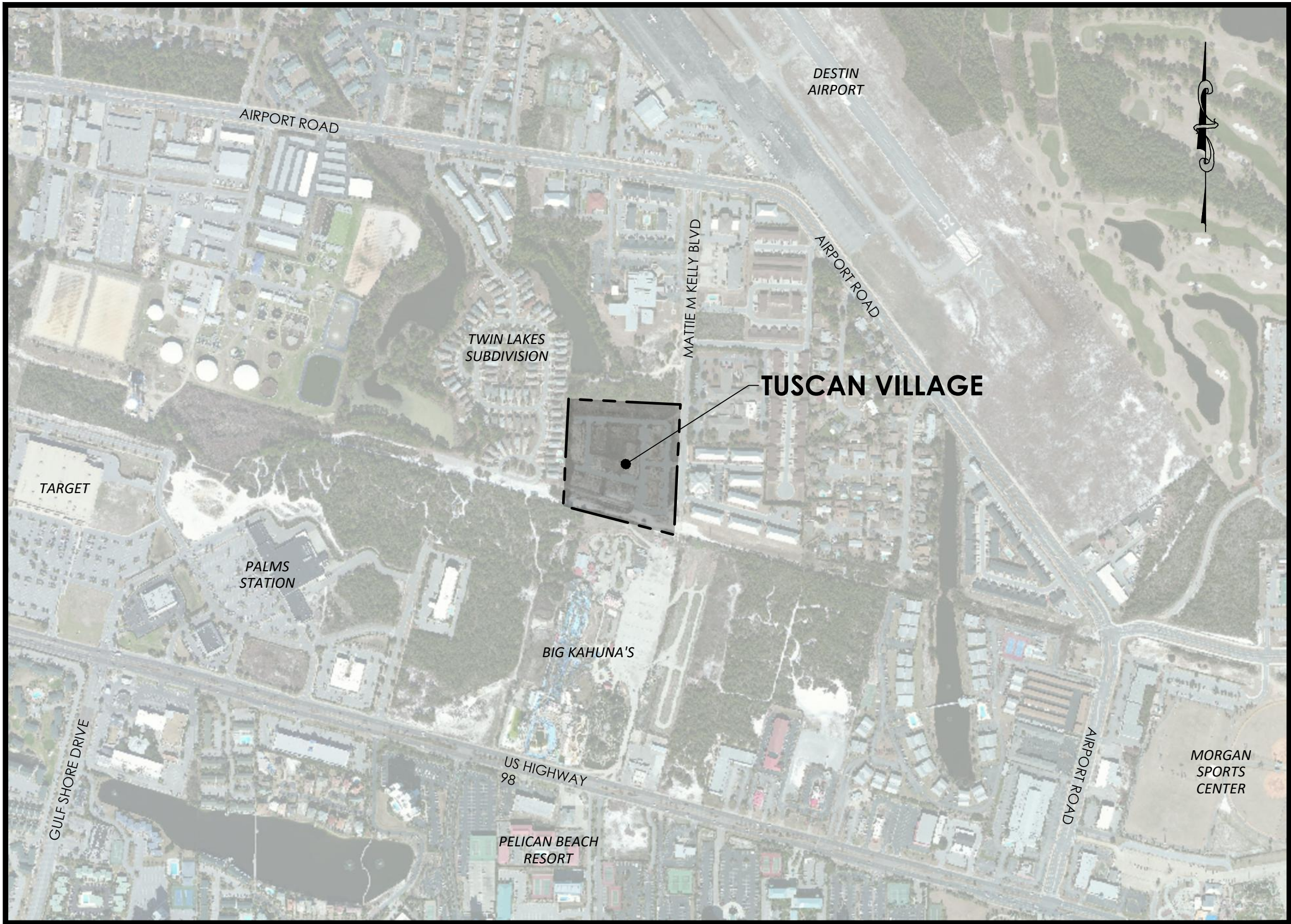
BENCHMARK #1:	4"x4" CONCRETE MONUMENT (PRM 7245) NORTHING: 511816.9430 EASTING: 1347035.3870 ELEVATION: 20.48 (NAVD 1988)
BENCHMARK #2:	4"x4" CONCRETE MONUMENT (PRM 3724) NORTHING: 511304.6430 EASTING: 1346412.8330 ELEVATION: 33.50 (NAVD 1988)

UTILITY PROVIDERS

POTABLE WATER PROVIDER:	DESTIN WATER USERS 218 MAIN STREET DESTIN, FLORIDA 32541 850.837.6146
SANITARY SEWER PROVIDER:	DESTIN WATER USERS 218 MAIN STREET DESTIN, FLORIDA 32541 850.837.6146
TELEPHONE PROVIDER:	COX COMMUNICATIONS, INC. 320 RACETRACK ROAD NW FORT WALTON BEACH, FLORIDA 32547 850.695.9440
POWER PROVIDER:	GULF POWER 34854 EMERALD COAST PARKWAY DESTIN, FLORIDA 32541 850.244.4701
TV/CABLE PROVIDER:	COX COMMUNICATIONS, INC. 320 RACETRACK ROAD NW FORT WALTON BEACH, FLORIDA 32547 850.695.9440

CONSTRUCTION ACTIVITY SCHEDULE

ANTICIPATED START DATE - MARCH 2019				
	MONTH 1	MONTH 2	MONTH 3	MONTH 4
INSTALL INITIAL STAGE EROSION CONTROL MEASURES	■■■■■			
DEMOLITION / CLEARING & GRUBBING	■■■■■■■■■■			
CONSTRUCT STORM SEWER		■■■■■		
CONSTRUCT UTILITIES		■■■■■■■■■■		
FINE GRADING			■■■■■■■■■■	
CONSTRUCT CURB & GUTTER			■■■■■	
PAVING (TO BINDER)			■■■■■	
ESTABLISH PERMANENT LANDSCAPING				■■■■■
REMOVE EROSION CONTROL MEASURES AS PERMANENT VEGETATION IS ESTABLISHED				■
OVERLAY AND RESTRIPING				■
AS-BUILT CERTIFICATION				■■■■■



VICINITY MAP

N.T.S

REVISION TABLE

REVISION NUMBER	REVISION DATE	DESCRIPTION
1	07.31.2018	FIRST SUBMITTAL REVIEW FOR 18-26-SP/MS
2	11.05.2018	RESPONSE TO CITY OF DESTIN COMMENTS (DATED: OCTOBER 3, 2018)

SHEET INDEX

SHEET NO.	SHEET DESCRIPTION
1 OF 10	COVER SHEET
2 OF 10	GENERAL NOTES (1 OF 2)
3 OF 10	GENERAL NOTES (2 OF 2)
4 OF 10	EXISTING CONDITIONS PLAN
5 OF 10	DEMOLITION & EROSION CONTROL PLAN
6 OF 10	PRELIMINARY PLAT
7 OF 10	SITE GEOMETRY PLAN
8 OF 10	GRADING & DRAINAGE PLAN
9 OF 10	UTILITY PLAN
10 OF 10	EROSION CONTROL & CONSTRUCTION DETAILS

CONSTRUCTION NOTES

- CONTRACTORS SHALL MAINTAIN PUBLIC ACCESS AT ALL TIMES ALONG CITY RIGHT-OF-WAYS.
- NO PARKING OR UNLOADING OF MATERIALS SHALL OCCUR WITHIN PUBLIC RIGHT-OF-WAY.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO STRUCTURES WITHIN THE PUBLIC RIGHT-OF-WAY AND SHALL REPAIR ANY DAMAGE CAUSED BY THE CONSTRUCTION ACTIVITIES TO THE PUBLIC RIGHT-OF-WAY AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR SHALL MARK ALL CROSSWALKS AND MULTI-USE PATH CROSSINGS TO INDICATE THEM AS A PEDESTRIAN PATHWAY AFTER THE FINAL ASPHALT IS IN PLACE
- NOTHING SHALL BE ERECTED, PLACED, PARKED, PLANTED, OR ALLOWED TO GROW IN SUCH A MANNER AS TO MATERIALLY IMPEDE VISION BETWEEN A HEIGHT OF TWO FEET AND TEN FEET ABOVE THE GRADE, MEASURED AT THE CENTERLINE OF THE INTERSECTION FOR CLEAR VISIBILITY TRIANGLE.
- PARTY RESPONSIBLE FOR MONITORING CONSTRUCTION; LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
- PARTY RESPONSIBLE FOR SUBMITTING TO THE DISTRICT, THE NOTICE OF CONSTRUCTION COMMENCEMENT AND AS-BUILT CERTIFICATIONS FOR PROJECT: LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
- EROSION CONTROL & SEDIMENT PROTECTION IS THE RESPONSIBILITY OF CONTRACTOR.

LEGAL DESCRIPTION (AS FURNISHED)

OLD BAY VILLAGE PHASE 2 AS RECORDED IN PLAT BOOK 24, PAGES 75-76 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
AND
OLD BAY VILLAGE PHASE 2-A AS RECORDED IN PLAT BOOK 26, PAGES 29-30 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

INNERLIGHT ENGINEERING CORPORATION

THE APPLIED SCIENCE OF SUCCESS

THINK • SENSE • SERVE

11490 EMERALD COAST PARKWAY, SUITE 2W
MIRAMAR BEACH | FLORIDA | 32550

TUSCAN VILLAGE
RESIDENTIAL TOWNHOMES

LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
2001 FAIRWAY VISTA DRIVE
LOUISVILLE, KY 40245

RECORD DATA

DATE: 04.13.2018
REV. No: 2
REV. DATE: 11.05.2018
DRAWN BY: MTM
REVIEWED BY: MTM

MARK T. MURRAY
LICENSE
No. 80519
NOV 12 2018
STATE OF FLORIDA
PROFESSIONAL ENGINEER

SHEET TITLE

COVER SHEET

SHEET NUMBER

1 OF 10

ALWAYS CALL 811 TWO FULL BUSINESS DAYS BEFORE YOU DIG TO
HAVE UNDERGROUND UTILITIES LOCATED AND MARKED.

C:\DROPOBOX\IEC\PROJECTS\OLD BAY VILLAGE\PHI\3-ENGINEERING\1.CDD\2-SHEETS\GENERAL NOTES.DWG, DSK8, 11/17/2018 9:12:34 AM

GENERAL NOTES:

- THE EXACT LOCATION AND ELEVATION OF EXISTING STRUCTURES, UTILITIES, AND PIPING SHALL BE PHYSICALLY VERIFIED IN THE FIELD BY THE CONTRACTOR BEFORE CONSTRUCTION BEGINS. THESE DRAWINGS DO NOT PURPORT TO SHOW IN COMPLETE DETAIL. ALL EXISTING STRUCTURES, UTILITIES, OR PIPING, THE CONTRACTOR SHALL EXAMINE ALL AVAILABLE RECORDS AND MAKE ALL EXPLORATIONS AND EXCAVATIONS AS REQUIRED TO DETERMINE THE LOCATION OF EXISTING STRUCTURES, UTILITIES, AND PIPING, WHENEVER NECESSARY. THE OWNER RESERVES THE RIGHT TO CHANGE LOCATION OF LINES TO AVOID CONFLICT WITH EXISTING STRUCTURES, UTILITIES, OR PIPING.
- THE CONTRACTOR SHALL CHECK PLANS FOR CONFLICTS AND DISCREPANCIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE OWNER OR OWNER'S ENGINEER OF ANY CONFLICT. IN WRITING, BEFORE PERFORMING ANY WORK IN THE AFFECTED AREA. ENGINEER WILL HAVE 7 DAYS TO PROVIDE A RESPONSE.
- THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION IN AREAS OF BURIED UTILITIES AND SHALL PROVIDE AT LEAST 48 HOURS NOTICE TO THE VARIOUS UTILITY COMPANIES IN ORDER TO PERMIT MARKING THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES IN ADVANCE OF CONSTRUCTION.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE TO EXISTING FACILITIES ABOVE OR BELOW GROUND THAT MAY OCCUR AS A RESULT OF WORK CALLED FOR IN THESE CONTRACT DOCUMENTS. ALL REPAIRS MUST BE MADE TO THE SATISFACTION OF THE RESPECTIVE OWNER.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LEARN, KNOW, AND COMPLY WITH THE REGULATIONS, ORDINANCES, PERMIT AND INSPECTION REQUIREMENTS OF THE VARIOUS GOVERNMENTAL AGENCIES HAVING JURISDICTION. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW AND COMPLY WITH THE CONDITIONS OF THE VARIOUS PERMITS OF THE GOVERNMENTAL AGENCIES. THE CONTRACTOR SHALL SCHEDULE THE REQUIRED INSPECTIONS AND APPROVALS IN ACCORDANCE WITH THE REQUIREMENTS OF THE PERMIT CONDITIONS. THE CONTRACTOR SHALL NOTIFY THE NECESSARY AGENCIES OF CONSTRUCTION COMMENCEMENT.
- ALL SPECIFICATIONS AND DOCUMENTS REFERRED TO SHALL BE OF LATEST ISSUE AND SHALL BE CONSIDERED A PART OF THESE DOCUMENTS BY REFERENCE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SETTING OF CONSTRUCTION STAKES TO MARK THE LOCATION, ALIGNMENT, ELEVATION, AND GRADE OF THE WORK. THE STAKES PROVIDED SHALL BE ADEQUATE IN NUMBER, POSITION, AND ELEVATION SO THAT THE PHYSICAL ITEM CAN BE CONSTRUCTED IN ACCORDANCE WITH THE PLANS. THE CONSTRUCTION LAYOUT SURVEY SHALL MEET THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA (CHAPTER 21HH-6, FLORIDA ADMINISTRATIVE CODE), AND SHALL BE PERFORMED BY A PERSON OF ADEQUATE EXPERTISE. FAILURE TO PERFORM THE CONSTRUCTION STAKEOUT IN ACCORDANCE WITH THE CONSTRUCTION PLANS MAY RESULT IN REMOVAL AND REPLACEMENT OF THE IMPROVEMENTS AT NO EXPENSE TO THE OWNER. CONSTRUCTION LAYOUT INFORMATION HAS BEEN PROVIDED IN THE FORM OF DIMENSIONS AND OFFSETS OBTAINED THROUGH COMPUTER GENERATION. THE INFORMATION IS ADEQUATE FOR THE CONSTRUCTION LAYOUT OF THE IMPROVEMENTS USING STANDARD SURVEYING CONSTRUCTION LAYOUT TECHNIQUES. IN NO CASE SHALL THE CONTRACTOR SCALE INFORMATION FROM THE PLANS OR ATTEMPT TO CONSTRUCT IMPROVEMENTS WITHOUT PERFORMING THE CONSTRUCTION LAYOUT IN ACCORDANCE WITH THE INFORMATION CONTAINED HEREIN.
- THE CONTRACTOR SHALL OBTAIN AND HAVE ONSITE ALL PERMITS PRIOR TO CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, F.D.E.P., F.D.O.T., AND THE LOCAL GOVERNMENT. THE CONTRACTOR SHALL OBTAIN ALL OTHER REQUIRED PERMITS.
- PRIOR TO COMMENCING CONSTRUCTION OR DEMOLITION / LAND CLEARING ACTIVITIES, CONTRACTOR SHALL INSTALL ANY REQUIRED SILT FENCING OR BALED HAY BARRIERS (F.D.O.T. INDEX 102) FOR SILT CONTROL. THERE WILL BE NO DIRECT PAYMENT FOR THIS WORK. COST SHALL BE INCLUDED IN OTHER ITEMS OF WORK. LOCATION SHALL BE AS SHOWN ON THE PLANS OR AS DIRECTED IN THE FIELD.
- DEWATERING: SHOULD LOWERING OF GROUNDWATER BE NECESSARY FOR THE INSTALLATION OF CONCRETE STRUCTURES, WATER MAIN, ETC., OR TO PREVENT LATERAL MOVEMENT OF MATERIAL UNDER CONCRETE ALREADY PLACED, SUCH LOWERING SHALL BE ACCOMPLISHED BY MEANS OF A WELL POINT SYSTEM OR OTHER APPROVED MEANS, AT CONTRACTOR'S EXPENSE. COMPREHENSIVE PLANS FOR DE- WATERING OPERATIONS, IF USED, SHALL BE SUBMITTED BY THE CONTRACTOR PRIOR TO INSTALLATION. DISCHARGE OF GROUNDWATER TO SURFACE WATERS OF THE STATE REQUIRES A PERMIT UNDER F.A.C. 62-621.300(2). CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AN ANALYSIS OF GROUND WATER IN ACCORDANCE WITH THE GENERIC PERMIT FOR THE DISCHARGE OF PRODUCED GROUND WATER FROM ANY NON-CONTAMINATED SITE ACTIVITY - TABLE 1, AND FILING APPROPRIATE NOTIFICATIONS TO THE FDEP INDUSTRIAL WASTEWATER DIVISION.
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION UNLESS OTHERWISE DIRECTED.
- CONTRACTOR SHALL OBTAIN, IF AVAILABLE, AND REVIEW ALL AVAILABLE GEOTECHNICAL REPORTS PRODUCED FOR THE SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION. IF NO GEOTECHNICAL REPORTS ARE AVAILABLE, THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING SITE SOIL CONDITIONS PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PROVIDING SIGNED AND SEALED RECORD DRAWINGS SHOWING ALL IMPROVEMENTS CONSTRUCTED UNDER THIS CONTRACT. RECORD DRAWINGS SHALL INCLUDE BOTH ABOVE GROUND AND BURIED UTILITIES INCLUDING ANY EXISTING UTILITIES NOT SHOWN ON THESE PLANS BUT ENCOUNTERED DURING THE CONSTRUCTION PROCESS. RECORD DRAWINGS SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED LAND SURVEYOR. CONTRACTOR SHALL CONTACT ENGINEER OF RECORD FOR SPECIFIC REQUIREMENTS.
- CONTRACTOR IS RESPONSIBLE FOR CONTINUATION OF SERVICE TO OCCUPIED BUILDINGS DURING CONSTRUCTION AND REPAIR OR REPLACEMENT OF ANY EXISTING UTILITIES IMPACTED BY CONSTRUCTION.
- IF WELLS ARE ENCOUNTERED ON SITE, THEY SHALL BE ABANDONED BY A FLORIDA CERTIFIED WELL DRILLER USING ABANDONMENT PROCEDURES AND PERMITTING PROCESS OF THE LOCAL WATER MANAGEMENT DISTRICT OR OTHER APPLICABLE REGULATORY AGENCY.
- IF APPLICABLE, ANY WELLS PROPOSED ONSITE, I.E. IRRIGATION, GEOTHERMAL, ETC. SHALL BE PERMITTED APPROPRIATELY THROUGH THE LOCAL WATER MANAGEMENT DISTRICT. PERMITTING IS THE RESPONSIBILITY OF THE CONTRACTOR UNLESS OTHERWISE ARRANGED.
- CONTRACTOR SHALL CALL BEFORE DIGGING TO SUNSHINE 811 OF FLORIDA.
- PRIOR TO COMMENCEMENT OF DEMOLITION AND CONSTRUCTION ACTIVITIES, CONTRACTOR IS TO INSTALL ADEQUATE BARRIERS TO RESTRICT PUBLIC AREAS. IN AREAS WHERE CONSTRUCTION ACTIVITIES ARE DIRECTLY ADJACENT TO HIGH TRAFFIC ROUTES, MAY RESULT IN THE CREATION OF DUST OR PROJECTILES. SOLID BARRIERS (SUCH AS CANVAS OR PLYWOOD) MUST BE USED.

HANDICAP ACCESSIBILITY:

- HANDICAP RAMPS AND CROSSWALKS PER THE LATEST FLORIDA ACCESSIBILITY CODE, A.D.A. AND FDOT STANDARD INDEX #304 ARE REQUIRED AT ALL PEDESTRIAN CROSSING LOCATIONS.

ARCHITECTURAL COORDINATION:

- WHEN APPLICABLE, ARCHITECTURAL PLANS SHALL SUPERSEDE THESE PLANS WITH RESPECT TO ALL BUILDING DIMENSIONS AND BUILDING HARDSCAPE INTERFACE. IN CASE OF CONFLICT AND PRIOR TO CONSTRUCTION, CONTRACTOR IS RESPONSIBLE FOR CONTACTING BOTH THE ENGINEER AND ARCHITECT IMMEDIATELY.

STRUCTURAL COORDINATION:

- WHEN APPLICABLE, CONTRACTOR SHALL REFER TO THE CONSTRUCTION DETAILS AND SPECIFICATIONS OF THE APPLICABLE STRUCTURAL PLANS FOR ALL SITE RETAINING WALLS AND OTHER STRUCTURAL COMPONENTS.

SIGNAGE:

- PROJECT SIGNS SHALL MEET ALL APPLICABLE REQUIREMENTS BASED ON LOCAL SIGN ORDINANCE.
- CONTRACTOR IS RESPONSIBLE FOR SIGN PERMITTING.

DEMOLITION:

- ALL EXISTING CONCRETE, ASPHALT, TREES, STUMPS, AND OTHER DELETERIOUS MATERIAL AS INDICATED ON THE PLANS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE WITH FLORIDA LAWS.
- WHERE PAVEMENT IS TO BE REMOVED AND REPLACED, AS INDICATED ON THE PLANS OR DIRECTED IN THE FIELD, ALL EXISTING MARKINGS AND TRAFFIC LOOPS SHALL ALSO BE REPLACED. THERE WILL BE NO DIRECT PAYMENT FOR THIS WORK. COST SHALL BE INCLUDED IN RELATED ITEMS OF WORK.
- ALL EXISTING PAVEMENT AND DRIVEWAY PAVEMENT TO BE REMOVED SHALL BE SAW CUT.
- REPAIR ALL EXISTING DRIVEWAYS CROSSED BY UTILITY CONSTRUCTION TO MATCH EXISTING CONSTRUCTION.
- CONTRACTOR SHALL TRIM, TACK AND MATCH EXISTING PAVEMENT AT LOCATIONS WHERE NEW PAVEMENT ABUTS.
- ANY DISTURBED MAIL BOXES OR SIGNS MUST BE REINSTALLED TO EXISTING OR ACCEPTABLE CONDITION AT THE CONTRACTOR'S EXPENSE.
- ALL ITEMS NOTED AS "REMOVE AND SALVAGE" ARE TO REMAIN THE PROPERTY OF OWNER. CARE MUST BE TAKEN NOT TO DAMAGE SALVAGED ITEMS. ITEMS ARE TO BE TRANSPORTED TO A STORAGE LOCATION SPECIFIED BY THE OWNER.

SEDIMENTATION AND EROSION CONTROL NOTES:

- CONTRACTOR SHALL STAGE AND TIME CONSTRUCTION TO MINIMIZE THE SIZE OF EXPOSED SOIL AREAS AND THE TIME BETWEEN EXPOSING THE SOIL AREA AND FINISHING THE SOIL AREA.
- AS SOON AS GRADING IS COMPLETE IN AN AREA, THE CONTRACTOR WILL STABILIZE THE SOIL. FOR LONG, NARROW AREAS, THE CONTRACTOR SHALL STABILIZE CONTINUOUSLY DURING GRADING OPERATIONS. ROUGH GRADED AREAS SHOULD BE STABILIZED WITH TEMPORARY EROSION CONTROL. IF FINAL GRADING AND STABILIZATION WILL NOT BE PERFORMED WITHIN FIVE (5) DAYS, FAILURE TO STABILIZE EXPOSED SOIL AREAS IN A TIMELY MANNER AFTER GRADING MAY BE CONSIDERED A VIOLATION OF CHAPTERS 17-3, 17-12, AND/OR 17/25, FLORIDA ADMINISTRATIVE CODE, BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (F.D.E.P.) AND SUBJECT TO CORRECTIVE ACTION, PURSUANT TO SECTION 403.121-403.161 FLORIDA STATUTES.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR PERFORMING A TASK TO PROVIDE EROSION CONTROL UNLESS ANOTHER PARTY HAS BEEN PREVIOUSLY SPECIFIED AS RESPONSIBLE FOR THE EROSION CONTROL ASSOCIATED WITH THAT TASK. IN THE EVENT ANOTHER PARTY IS RESPONSIBLE FOR EROSION CONTROL, THE CONTRACTOR SHALL STILL BE RESPONSIBLE FOR COORDINATION WITH THE PARTY RESPONSIBLE. IN THE EVENT THAT DAMAGE TO THE CONSTRUCTED ITEM RESULTS ARE DUE TO LACK OF EROSION CONTROL, THE CONTRACTOR SHALL REPAIR OR REPLACE THE ITEM AT NO CHARGE TO THE OWNER.
- TEMPORARY EROSION CONTROL SHALL CONSIST OF TEMPORARY GRASS, TEMPORARY MULCH, TEMPORARY SOD, ARTIFICIAL COVERINGS, BALED HAY OR STRAW, SILT FENCES, AND TURBIDITY BARRIERS AS SHOWN ON THE CONSTRUCTION DRAWINGS AND IN ACCORDANCE WITH APPROPRIATE TECHNICAL SPECIFICATIONS. IF TECHNICAL SPECIFICATIONS ARE NOT PROVIDED, THEN TEMPORARY EROSION CONTROL SHALL BE IN ACCORDANCE WITH SECTION 104 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) STANDARD SPECIFICATIONS.
- PERMANENT EROSION CONTROL SHALL CONSIST OF SEED, SEED AND MULCH, HYDRO-SEEDING, SOD, AND/OR ARTIFICIAL COVERINGS AS SHOWN ON THE CONSTRUCTION DRAWINGS AND IN ACCORDANCE WITH TECHNICAL SPECIFICATION SECTIONS 12 AND 13. IF TECHNICAL SPECIFICATIONS ARE NOT PROVIDED THEN PERMANENT EROSION CONTROL SHALL BE IN ACCORDANCE WITH SECTIONS 570 AND 575 OF THE F.D.O.T. STANDARD SPECIFICATIONS. SEED OR GRASS TYPE SHALL MATCH EXISTING OR BE AS SPECIFIED BY OWNER UNLESS NOTED OTHERWISE.
- GRASS BY SEEDING SHALL BE IN ACCORDANCE WITH SECTIONS 104, 570, 981, 982, AND 983 OF F.D.O.T. STANDARD SPECIFICATIONS. THIS SHALL BE USED ONLY IN AREAS SUBJECT TO LIGHT EROSION SUCH AS FLAT AREAS.

- GRASS BY HYDRO-SEEDING SHALL BE IN ACCORDANCE WITH SECTIONS 104, 570, 981, 982, AND 983 OF F.D.O.T. STANDARD SPECIFICATIONS. HYDRO-SEEDING MAY BE USED FOR FLAT AREAS AND SIDE SLOPES WHICH DO NOT EXCEED 4:1. DRAINAGE DITCHES OR LARGE SWALES MUST HAVE ADDITIONAL PROTECTION BESIDES HYDRO-SEEDING.
- GRASS AND MULCH SHALL BE IN ACCORDANCE WITH SECTIONS 104, 570, 981, 982, AND 983 OF F.D.O.T. STANDARD SPECIFICATIONS. GRASS AND MULCH MAY BE USED IN ALL AREAS EXCEPT LARGE SWALES OR DITCHES. MULCH SHALL BE ANCHORED IN ACCORDANCE WITH SECTION 570.
- SOLID SOD SHALL BE IN ACCORDANCE WITH SECTIONS 104, 575, 981, 982, AND 983 OF F.D.O.T. STANDARD SPECIFICATIONS. SOD MAY BE USED IN ALL AREAS FOR SIDE SLOPES GREATER THAN OR EQUAL TO 2:1. SOD SHALL BE STAGGERED SO AS TO AVOID A CONTINUOUS SEAM. IN AREAS WITH SLOPES 4:1 OR STEEPER, EACH PIECE OF SOD SHALL BE PEGGED WITH SOD PEGS. IN DIFFICULT SOIL CONDITIONS WITH STEEP SLOPES, IT MAY BE NECESSARY TO COVER SOD WITH ARTIFICIAL COVERINGS SUCH AS JUTE MESH UNTIL SOD BECOMES ESTABLISHED.
- TEMPORARY EROSION CONTROL BY ARTIFICIAL COVERINGS SHALL CONSIST OF STRAW BLANKETS, COCONUT FIBER BLANKETS, POLYESTER BLANKETS, JUTE MESH, AND DRAINAGE FABRICS. MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. SEEDING SHALL BE INCLUDED IF MATERIAL REQUIRES VEGETATION TO FUNCTION PROPERLY.
- THE CONTRACTOR IS TO PROVIDE EROSION CONTROL/ SEDIMENTATION BARRIER (HAY BALES, SILT FENCE, TURBIDITY BARRIER, OR AS SPECIFIED IN THE CONSTRUCTION DRAWINGS) TO PREVENT SILTATION OF ADJACENT PROPERTY, STREETS, STORM SEWERS, WATERWAYS, AND WETLAND OR JURISDICTIONAL AREAS. IF, IN THE OPINION OF THE ENGINEER, AND/OR REGULATORY AUTHORITIES, EXCESSIVE QUANTITIES OF MATERIAL ARE TRANSPORTED OFF- SITE BY EROSION OR STORMWATER RUNOFF, THE CONTRACTOR SHALL IMPROVE CONDITIONS TO THE SATISFACTION OF THE ENGINEER AND/OR AUTHORITIES. IN NO CASE SHALL CONSTRUCTION COMMENCE PRIOR TO INSTALLATION OF EROSION CONTROL/SEDIMENTATION BARRIER.
- CONTRACTOR SHALL PLACE STRAW, MULCH, OR OTHER SUITABLE MATERIAL ON GROUND IN ADDITION TO COARSE AGGREGATE IN AREAS WHERE CON- STRUCTION-RELATED TRAFFIC IS TO ENTER AND EXIT SITE.
- IF WIND EROSION BECOMES SIGNIFICANT DURING CONSTRUCTION, THE CONTRACTOR SHALL STABILIZE THE AREA USING SPRINKLING IRRIGATION OR OTHER ACCEPTABLE METHODS.
- ALL DISTURBED AREAS NOT PAVED, SODDED OR OTHERWISE LANDSCAPED SHALL BE SEEDDED, FERTILIZED AND MULCHED PER FDOT SPECIFICATIONS, SECTION 570. SEEDING RATE AND MIX SHALL COMPLY WITH THE SEEDING RATE TABLE OFF DOT STANDARD INDEX 105.
- CONTRACTOR SHALL SOD ALL SLOPES 4:1 AND STEEPER IMMEDIATELY AFTER CONSTRUCTION UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
- ALL EXCAVATED SOILS SHALL BE STOCKPILED IN LOCATION(S) INDICATED ON PLANS IF SHOWN. APPROPRIATE SEDIMENTATION AND EROSION CONTROLS SHALL BE INSTALLED AROUND THE STOCKPILE.

MAINTENANCE:

- THE CONTRACTOR SHALL PROVIDE ROUTINE MAINTENANCE OF PERMANENT AND TEMPORARY EROSION CONTROL FEATURES IN ACCORDANCE WITH TECHNICAL SPECIFICATIONS SECTION 10, 12, AND 13 UNTIL THE PROJECT IS COMPLETED AND ACCEPTED. IF TECHNICAL SPECIFICATIONS ARE NOT PROVIDED, THEN MAINTENANCE SHALL BE IN ACCORDANCE WITH SECTION 104 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (F.D.O.T.) STANDARD SPECIFICATIONS.
- SILT FENCES AND TURBIDITY BARRIERS SHALL BE CHECKED DAILY FOR EFFECTIVENESS, BREACHES, AND ROUTINE MAINTENANCE.
- ALL DISTURBED AREAS TO BE PERMANENTLY GRASSED AND RETENTION AREAS TO BE SODDED.

SITE GEOMETRY NOTES:

- ALL BUILDING DIMENSIONS ARE TO THE FACE OF BUILDING UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS ALONG CURB LINES ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.

GENERAL UTILITY NOTES:

- ALL UTILITIES MUST BE INSTALLED PRIOR TO THE CONSTRUCTION OF CURB, BASE AND PAVEMENT. APPROVAL BY LOCAL AUTHORITY MUST BE OBTAINED PRIOR TO FURTHER CONSTRUCTION.
- CONTRACTOR IS TO PROVIDE A SITE ELECTRICAL PLAN TO OWNER AND ENGINEER PRIOR TO COMMENCEMENT OF CONSTRUCTION (EXCLUDING DEMOLITION). CONDUITS FOR ELECTRICAL WORK IN CIVIL PLANS ARE ONLY TO NOTE AN INTENT TO SERVE SPECIFIC AREAS. SITE ELECTRICAL PLAN SHOULD BE DEVELOPED IN COORDINATION WITH OWNER TO ANTICIPATE DEMAND AND ASSURE SUCH WORK MEETS APPLICABLE CODES.
- SITE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH LIGHTING, IRRIGATION AND ELECTRICAL CONTRACTORS REGARDING REQUIRED CONDUITS.
- PIPE LENGTHS SHOWN ARE FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE. PIPE LENGTHS ARE MEASURED IN LINEAR FEET (NOTED AS LF).
- ALL MANHOLES, INLETS AND CLEANOUTS SUBJECT TO VEHICULAR LOADING, INCLUDING THOSE AREAS REQUIRING FUTURE MAINTENANCE, SHALL HAVE TRAFFIC BEARING (HS-20) RINGS, COVERS, GRATES, ETC.
- ALL STORM INLETS EQUAL TO OR GREATER THAN 5' DEEP SHALL BE EQUIPPED WITH ACCESS RUNGS.
- ALL STORM SEWER STUB-OUTS TO BE CLOSED W/ MASONRY SEAL AT THE STUB END.
- ALL STORMWATER DRAIN PIPE JOINTS WITHIN 6 FEET OF PAVING SHALL BE WRAPPED WITH FDOT APPROVED FABRIC UNLESS OTHERWISE NOTED OR STATED BY THE ENGINEERS.
- WATER AND WASTEWATER CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL AUTHORITY SPECIFICATIONS, UNLESS OTHERWISE SHOWN ON PLANS.
- A MINIMUM 18" COVER IS REQUIRED ON ALL PROPOSED WATER AND SANITARY LINES AND SERVICES FROM FINISHED GRADES, INCLUDING SWALES AND STORMWATER RETENTION / DETENTION AREAS.
- POTABLE WATER MAINS, SERVICES AND VALVES SHALL BE MARKED BY INSTALLATION OF NO. 14 COPPER INSULATED TRACER WIRE IN TRENCH ABOVE PIPE. TRACER WIRE SHALL BE INSTALLED THROUGHOUT THE ENTIRE SYSTEM.
- CONTRACTOR SHALL INSTALL SANITARY SEWER MAINS AT UNIFORM SLOPE BETWEEN MANHOLES SPECIFIED ON THE UTILITY PLAN. ALIGNMENT OF PIPE BETWEEN MANHOLES SHALL BE STRAIGHT.
- FIRE HYDRANTS SHALL BE PAINTED CHROME YELLOW (SAFETY YELLOW) PER NFPA-291.
- LEAKAGE TESTS SHALL BE PERFORMED ON ALL SEWER PIPES AND MANHOLES.
 - SEWER PIPES SHALL BE TESTED BY EITHER INFILTRATION OR EXFILTRATION, AS APPROPRIATE, SO THAT TEST IS PERFORMED WITH A MINIMUM POSITIVE HEAD OF 2 FEET. TEST DURATION SHALL BE A MINIMUM OF 2 HOURS DURATION AND MAXIMUM ALLOWABLE LEAKAGE (IN OR OUT OF PIPE) SHALL NOT EXCEED 200 GALLONS PER INCH OF PIPE DIAMETER PER MILE PER DAY [EQUivalent TO 0.157 GALLONS PER INCH DIAMETER PER 100 FEET OF PIPE PER HOUR].
 - MANHOLES SHALL BE TESTED BY PLUGGING LINES IN / OUT OF THE MANHOLE AND FILLING MANHOLE TO RIM WITH WATER. AFTER ALLOWING WATER TO STABILIZE FOR ONE HOUR, CONTRACTOR SHALL FILL THE MANHOLE AGAIN, THEN CHECK WATER LEVEL AFTER TWO HOURS. A DROP IN WATER LEVEL OF ONE INCH (1") PER FOOT OF MANHOLE DEPTH PER HOUR IS CONSIDERED ACCEPTABLE.
- IF PIPING OR MANHOLE FAIL LEAKAGE TESTS, CONTRACTOR SHALL TAKE CORRECTIVE ACTION TO RESEAL AND THEN RETEST.
- HYDROSTATIC TESTING OF WATER MAINS AND APPURTENANCES SHALL CONSIST OF BOTH PRESSURE AND LEAKAGE TESTS OF 2 HOUR DURATION EACH AT 150 PSIG.
- PRESSURE TESTS WILL BE CONDUCTED WITH A PRESSURE LOSS OF NOT MORE THAN 2 PSIG REGARDLESS OF PIPE LENGTH TESTED.
- LEAKAGE TESTS WILL BE CONDUCTED AFTER PRESSURE TESTS. PIPE INSTALLATION WILL NOT BE ACCEPTED IF LEAKAGE IS GREATER THAN DETERMINED BY THE FOLLOWING FORMULA FROM ANSI/AWWA C-600-LATEST; L=(SD(P)/J)133200 WHERE L = ALLOWABLE LEAKAGE IN GALLONS PER HOUR; S = LENGTH OF PIPELINE TESTED IN FEET; D = NOMINAL DIAMETER OF PIPE IN INCHES; P = AVERAGE PRESSURE DURING LEAKAGE TEST IN PSIG.
- IF LEAKAGE IS GREATER THAN SPECIFIED LIMIT, CONTRACTOR SHALL TAKE CORRECTIVE ACTION TO LOCATED AND REPAIR DEFECTIVE MATERIAL. VISIBLE LEAKS WILL BE CORRECTED REGARDLESS OF TOTAL LEAKAGE.
- ALL WATER PIPES AND FITTINGS WILL BE THOROUGHLY DISINFECTED PRIOR TO BEING PLACED INTO SERVICE. DISINFECTION WILL FOLLOW APPLICABLE PROVISIONS OF PROCEDURES ESTABLISHED IN AWWA C-651-LATEST, RULE 62-555.345, F.A.C. AND WILL BE IN ACCORDANCE WITH BOTH STATE AND LOCAL REQUIREMENTS.
- WHERE IT BECOMES NECESSARY TO TEMPORARILY REMOVE, REPOSITION, OR SUPPORT EXISTING FACILITIES, UTILITY POLES, ETC. THIS WORK SHALL BE PERFORMED AT THE CONTRACTOR'S EXPENSE AND IN ACCORDANCE WITH REQUIREMENTS OF THE OWNER. OF THE EXISTING FACILITY, UTILITY POLE, ETC., THE CONTRACTOR SHALL GIVE PROPER NOTICE TO THE UTILITIES. THE CONTRACTOR SHALL PHYSICALLY EXAMINE THE ENTIRE PROJECT SITE AND INFORM HIMSELF FULLY IN REGARD TO ALL CONDITIONS PERTAINING TO THE PLACE WHERE THE WORK IS TO BE PERFORMED FOR PURPOSE OF DETERMINING HIS COST TO PERFORM THE WORK.
- THE CONTRACTOR SHOULD PAY SPECIAL ATTENTION TO AREAS INVOLVING CLEARING AND GRUBBING, EXISTING FACILITIES REMOVAL AND REPLACEMENT, SUPPORT ON RELOCATION, AND WORK INVOLVED IN WETLAND AREAS, WHERE IT IS NECESSARY TO CROSS OVER OR UNDER EXISTING FACILITIES. A MINIMUM OF 6' CLEARANCE SHALL BE PROVIDED BETWEEN THE NEW AND EXISTING UTILITY. IT MAY BE NECESSARY AT SUCH LOCATIONS TO PROVIDE DUCTILE IRON PIPE FOR THE NEW UTILITY AND/OR SUPPORT AS SHOWN IN THE PLANS. THIS WORK WILL BE AS DIRECTED IN THE FIELD OR SHOWN ON THE PLANS AND SHALL BE PAID FOR UNDER THE UNIT PRICES BID FOR THE VARIOUS SIZES AND TYPES OF PIPE. THERE SHALL BE NO ADDITIONAL COMPENSATION FOR EXTRA DEPTH REQUIRED TO CROSS UNDER EXISTING FACILITIES.
- WHEN PIPE DEFLECTION IS USED TO CHANGE ALIGNMENT ON GRADE OF PRESSURE PIPE, DEFLECTION SHALL NOT EXCEED 50% OF THE MANUFACTURER'S MAXIMUM RECOMMENDED DEFLECTION. IT SHALL BE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE AND SCHEDULE THE ACTIVITIES OF THE UTILITY COMPANIES INCLUDING BUT NOT LIMITED TO TV, TELEPHONE, GAS, POWER, ETC., AND PROVIDE IN ACCORDANCE WITH THE UTILITY COMPANY ANY NECESSARY CONDUITS FOR CROSSINGS UNDER PAVEMENT. NO ADDITIONAL COMPENSATION SHALL BE PROVIDED FOR THIS SERVICE.
- ANY DAMAGE CAUSED BY THE UTILITY COMPANY TO THE IMPROVEMENTS OF THE CONTRACTOR SHALL BE REPAIRED IN ACCORDANCE WITH THESE CONTRACT DOCUMENTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSURE THAT REPAIRS ARE PERFORMED, EITHER BY THE CONTRACTOR OR THE UTILITY COMPANY AT NO COST TO THE OWNER.

STORMWATER MANAGEMENT NOTES:

- JUNCTION BOXES OUTSIDE THE RIGHT OF WAY MUST BE CAST IRON CAPABLE OF HANDLING LIVE LOADS AND BE CAST WITH "STORM" ON THE COVER.

PAVING, GRADING & EARTHWORK NOTES:

- IN EXCAVATING STREETS AND DRIVEWAYS THAT HAVE BEEN SURFACED WITH SAND-CLAY, CLAY GRAVEL, OR OTHER BASE COURSE, SUCH BASE MATERIALS SHALL BE EITHER STOCKPILED AND KEPT SEPARATE FROM THE EARTH EXCAVATED OR THE CONTRACTOR SHALL, AT HIS EXPENSE, PROVIDE NEW BASE OF LIKE KIND AND EQUAL QUALITY.
- CONTRACTOR MUST SALVAGE EXISTING TOP SOIL WITHIN PROJECT SITE OR REPLACE AT HIS OWN EXPENSE.
- ANY DEFICIENCY IN THE QUANTITY OF MATERIAL FOR BACKFILLING THE TRENCHES, OR FOR FILLING DEPRESSIONS CAUSED BY SETTLEMENT, SHALL BE SUPPLIED BY THE CONTRACTOR AT NO COST TO THE OWNER. THIS ALSO APPLIES TO BASE COURSE UNDER PAVED STREETS.

- CONTRACTOR SHALL CLEAR AND GRUB ONLY THOSE PORTIONS OF THE SITE NECESSARY FOR CONSTRUCTION. CLEAR AND GRUB SHALL CONSIST OF THE REMOVAL OF ALL DELETERIOUS MATERIAL INCLUDING TREES, ROOTS, TOPSOIL, ETC.
- ORGANIC, UNSUITABLE SOILS BENEATH THE PAVED AREAS SHALL BE REMOVED AND REPLACED WITH CLEAN SAND MATERIAL OF WHICH NOT MORE THAN 15% BY DRY WEIGHT IS FINER THAN THE NUMBER 200 MESH SIEVE. FILL MATERIAL SHALL BE FREE OF ORGANICS, RUBBLE, CLAY, OR OTHER DELETERIOUS MATTER.
- THE PAVEMENT SUBGRADE SHOULD BE STABILIZED TO A MINIMUM LBR OF 40 UNLESS OTHERWISE SPECIFIED. MATERIAL FOR STABILIZATION SHALL BE AS CALLED OUT ON THE PLANS, OR OTHER MATERIAL APPROVED BY THE ENGINEER AND THE GEOTECHNICAL ENGINEER. COMPACTION OF THE SUBGRADE SHALL BE BY A HEAVY VIBRATORY ROLLER (MINIMUM STATIC WEIGHT OF FIVE TONS) WITH A MINIMUM OF 10 PASSES WITH A 20% OVERLAP BETWEEN PASSES. THE VIBRATORY ROLLER SHOULD ALSO BE EQUIPPED WITH A VARIABLE FREQUENCY CONTROL TO OPERATE AT THE RESONANT FREQUENCY OF THE SOILS.
- ALL WASTE MATERIAL SHALL BE DISPOSED OF OFFSITE IN ACCORDANCE WITH APPLICABLE REGULATIONS.
- PROPOSED SPOT ELEVATIONS REPRESENT FLOW LINE OF CURB & GUTTER OR FINISHED PAVEMENT OR GROUND SURFACE GRADE UNLESS OTHERWISE NOTED ON DRAWINGS.
- CONTRACTOR TO PROVIDE 1/2" TO 1" BITUMINOUS EXPANSION JOINT MATERIAL WITH SEALER AT ABUTMENT OF CONCRETE AND OTHER MATERIALS (BUILDINGS, OTHER POURED CONCRETE, ETC.) EXCEPT ASPHALT.
- CONTRACTOR SHALL TRIM, TACK AND MATCH EXISTING PAVEMENT AT LOCATIONS WHERE NEW PAVEMENT ABUTS.
- TESTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE TESTING SCHEDULE CONTAINED WITHIN THESE PLANS OR PER APPLICABLE LOCAL GOVERNMENT OR REGULATORY AGENCY, WHICHEVER IS MORE STRINGENT. SELECTION AND CONTRACTING WITH THE TESTING FIRMS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE AND SCHEDULE ALL TESTS.
- ACCEPTANCE TESTING FOR NEW PAVEMENT, IF APPLICABLE, SHALL CONSIST OF ONE PASS OF A STANDARD 15-FOOT ROLLING STRAIGHT EDGE OPERATED WHILE THE PAVEMENT IS STILL HOT. ALL DEFICIENCIES IN EXCESS OF 3/16 INCH SHALL BE CORRECTED IN ACCORDANCE WITH F.D.O.T. STANDARD SPECIFICATION 330.
- AT THE OPTION OF THE OWNER, THE CONTRACTOR SHALL FLOOD ALL NEW PAVEMENT SURFACES WITH WATER AND INSPECT FOR PONDING. ALL PONDING AREAS SHALL BE CORRECTED IN ACCORDANCE WITH F.D.O.T. STANDARD SPECIFICATION 330.

TRAFFIC, SIGNAGE & STRIPING NOTES:

- IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO MAINTAIN ADEQUATE TRAFFIC CONTROL AND TO PROVIDE DETOURS AROUND CONSTRUCTION ACTIVITIES UNLESS APPROVED BY THE OWNER. IN WRITING, NO STREET SHALL REMAIN CLOSED TO TRAFFIC OVERNIGHT. IN ADDITION, THE CONTRACTOR SHALL COOPERATE WITH LOCAL RESIDENTS IN GAINING ACCESS TO THEIR HOMES AND BUSINESSES DURING WORKING HOURS AND SHALL ASSIST AT ALL TIMES WHEN VEHICLES EXPERIENCE TROUBLE DUE TO CONSTRUCTION ACTIVITIES.
- THE CONTRACTOR SHALL INSTALL ALL TEMPORARY TRAFFIC CONTROL DEVICES REQUIRED FOR THE MAINTENANCE AND PROTECTION OF TRAFFIC DUE TO CONSTRUCTION ACTIVITIES IN ACCORDANCE WITH THE LATEST EDITION OF THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD PART 6), AND/OR IN ACCORDANCE W/FDOT STD. 600, WHICHEVER IS MORE STRINGENT.
- ALL STRIPING IN THE FLORIDA STATE RIGHT-OF-WAY IS TO BE THERMOPLASTIC.

POLLUTION CONTROL:

- POLLUTION CONTROL MEASURES FOR THE SITE INCLUDE PROPER WASTE DISPOSAL, PROPER MANAGEMENT OF CHEMICAL STORAGE TANKS, EROSION FROM EGREGESSES, SANITARY SEWAGE DISPOSAL AND ON-SITE VEHICLE STORAGE AND MAINTENANCE. NO DEBRIS THAT IS GENERATED WILL BE BURIED ON SITE.
 - WASTE DISPOSAL: SOLID MATERIALS, INCLUDING BUILDING MATERIALS, SHALL BE PROPERLY DISPOSED OF OR REMOVED FROM THE SITE TO AN APPROPRIATE LANDFILL, AND SHALL NOT BE DISCHARGED INTO WATERS OF THE STATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT. CLEANUP AND DISPOSAL OF ALL WASTE MATERIALS (SOLID OR HAZARDOUS) SHALL BE IN ACCORDANCE WITH ALL RECOGNIZED LOCAL AND FEDERAL REQUIREMENTS. ALL DISPOSAL SHALL BE TO APPROVED OFF-SITE WASTE FACILITIES. ALL PERSONNEL WILL BE INSTRUCTED REGARDING THE CORRECT PROCEDURE FOR WASTE DISPOSAL. NOTICES STATING THESE PRACTICES WILL BE POSTED IN THE APPROPRIATE ON-SITE OR OFF-SITE LOCATION. THE INDIVIDUAL WHO MANAGES THE DAY-TO-DAY SITE OPERATIONS WILL BE RESPONSIBLE FOR SEEING THAT THESE PROCEDURES ARE FOLLOWED.
 - OFF-SITE VEHICLE TRACKING: OFF-SITE VEHICLE TRACKING OF DIRT, SOILS, AND SEDIMENTS AND THE GENERATION OF DUST SHALL BE MINIMIZED OR ELIMINATED TO THE MAXIMUM EXTENT PRACTICAL. A STABILIZED CONSTRUCTION ENTRANCE HAS BEEN PROVIDED TO HELP REDUCE VEHICLE TRACKING OF SEDIMENTS. THE PAVED STREET ADJACENT TO THE SITE ENTRANCE WILL BE CLEANED AS NECESSARY TO REMOVE ANY EXCESS MUD, DIRT, OR ROCK TRACKED FROM THE SITE. DUMP TRUCKS HAULING MATERIAL FROM THE CONSTRUCTION SITE WILL BE COVERED WITH A TARPULIN ON AN AS NEEDED BASIS. A CONCRETE TRUCK WASHOUT LOCATION SHALL BE IN A TEMPORARY TRUCK WASH AREA LOCATED AT THE SITE ENTRANCE. WASHOUT SHALL BE CONTAINED WITHIN A PIT OR TRENCH WITH NO MATERIAL LEAVING THE SITE OR IMPACTING VEGETATED OR NON-DISTURBED AREAS.
 - SANITARY WASTE: AS SITE CONDITIONS WARRANT, ALL SANITARY WASTE WILL BE MANAGED APPROPRIATELY BY EITHER AN ON-SITE PORTABLE UNIT(S) COLLECTED AT A MINIMUM OF ONCE PER WEEK BY THE LOCAL MUNICIPALITY AND/OR STATE OF GEORGIA LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR, OR WITH A MANAGEMENT PLAN THAT ROUTES INDIVIDUALS TO A LEGAL AND APPROPRIATE SANITARY WASTE FACILITY.
 - SPILL REMEDIATION MANAGEMENT PRACTICES: THE FOLLOWING ARE THE BEST MANAGEMENT PRACTICES THAT WILL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIALS AND SUBSTANCES, AS WELL AS A CLEANUP PLAN IF NECESSARY.
- RISK REDUCTION: PETROLEUM, FERTILIZERS AND PAINT PRODUCTS
 - AN EFFORT WILL BE MADE TO STORE ONLY ENOUGH PRODUCT REQUIRED TO DO THE JOB.
 - PRODUCTS WILL BE STORED IN THEIR ORIGINAL CONTAINERS WITH THE ORIGINAL MANUFACTURER'S LABEL, AND MUST BE KEPT OFF THE GROUND IN SECURELY FASTENED LIDS.
 - SUBSTANCES WILL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER.
 - WHENEVER POSSIBLE, ALL OF A PRODUCT WILL BE USED BEFORE DISPOSING OF THE CONTAINER.
 - MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL WILL BE FOLLOWED.
 - THE SITE SUPERINTENDENT WILL INSPECT DAILY TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS.
 - ORIGINAL LABELS AND MATERIAL SAFETY DATA SHEETS (MSDS) WILL BE RETAINED.
 - IF SURPLUS PRODUCT MUST BE DISPOSED OF, MANUFACTURERS OR LOCAL AND STATE RECOMMENDED METHODS FOR PROPER DISPOSAL WILL BE FOLLOWED.
 - ALL ON-SITE VEHICLES WILL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE THE CHANCE OF LEAKAGE.
 - ALL PRODUCTS SHALL BE STORED AND USED IN AN AREA THAT PROVIDES A SECONDARY CONTAINMENT FEATURE, AND SHALL BE LOCATED IN AN AREA WITH THE LEAST FORESEEABLE IMPACT IF A CATASTROPHIC EVENT SHOULD OCCUR. FACILITIES SHOULD BE COVERED AND ACCESS RESTRICTED TO EMPLOYEES ONLY.
 - FERTILIZERS USED WILL BE APPLIED ONLY IN MINIMUM AMOUNTS AS RECOMMENDED BY THE MANUFACTURER. ONCE APPLIED, FERTILIZER WILL BE WORKED INTO THE SOIL TO LIMIT EXPOSURE TO STORM WATER. THE CONTENTS OF ANY PARTIALLY USED BAGS OF FERTILIZER WILL BE TRANSFERRED TO A SEALABLE PLASTIC BIN TO AVOID SPILLS.
 - KEEP FLAMMABLE LIQUIDS IN CLOSED CONTAINERS WHEN NOT IN USE.
 - USE PROPER RECEPTACLES TO DISPOSE OF CONTAMINATED WASTES THAT CANNOT BE RECYCLED IN CONFORMANCE WITH FEDERAL, STATE AND/OR LOCAL REGULATIONS.
 - DO NOT DUMP PETROLEUM PRODUCT WASTE, PESTICIDES, FERTILIZERS, PAINTS OR OTHER CHEMICALS INTO SEWERS, STORM DRAINS OR DRAINAGE CHANNELS.
 - PREVENT SPILLS OF PETROLEUM PRODUCTS FROM OCCURRING BY TAKING SPECIAL CARE WHEN HANDLING, AND KEEP FACILITIES AND EQUIPMENT MAINTAINED.
 - USE SPILL PROOF CONTAINERS AND FUNNELS WHEN TRANSFERRING FLUIDS FROM ONE CONTAINER TO ANOTHER.
 - POST INFORMATIONAL MATERIALS REGARDING CHEMICAL CONTROL.

SPILL CONTROL PLAN: THE FOLLOWING PRACTICES WILL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP:

- EMERGENCY CONTACT NUMBERS FOR SPILLS SHALL BE AVAILABLE ON-SITE.
 - MANUFACTURERS' RECOMMENDED METHODS FOR SPILL CLEANUP WILL BE ON SITE.
 - MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP SHALL BE AVAILABLE ON-SITE.
 - ALL SPILLS WILL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY.
 - KEEP TRAINED STAFF IN SPILL RESPONSE ON CALL.
 - THE SPILL AREA WILL BE KEPT WELL VENTILATED AND PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A HAZARDOUS SUBSTANCE.
 - SPILLS OF TOXIC OR HAZARDOUS MATERIAL WILL BE REPORTED TO THE APPROPRIATE LOCAL OR FEDERAL GOVERNMENT AGENCY, REGARDLESS OF THE SIZE.
 - THE SPILL PREVENTION PLAN WILL BE ADJUSTED TO INCLUDE MEASURES TO PREVENT THIS TYPE OF SPILL FROM REOCCURRING AND HOW TO CLEAN UP THE SPILL IF THERE IS ANOTHER ONE. A DESCRIPTION OF THE SPILL, WHAT CAUSED IT, AND THE CLEANUP MEASURES WILL ALSO BE INCLUDED.
- THE FOLLOWING MATERIALS OR SUBSTANCES ARE ANTICIPATED TO BE PRESENT ON-SITE DURING CONSTRUCTION: CONCRETE AND ASPHALT; GRADED AGGREGATE BASE AND OTHER AGGREGATES; DETERGENTS; PAINTS (ENAMEL AND LATEX); METAL STUDS; CONCRETE; TAR; FERTILIZERS; PETROLEUM BASED PRODUCTS; CLEANING SOLVENTS; WOOD; MASONRY BLOCK; ROOFING SHINGLES.
 - ALL PETROLEUM PRODUCTS SHALL BE STORED AND USED IN AN AREA THAT PROVIDES A SECONDARY CONTAINMENT FEATURE, AND SHALL BE LOCATED IN AN AREA WITH THE LEAST FORESEEABLE IMPACT IF A CATASTROPHIC EVENT SHOULD OCCUR. EMERGENCY CONTACT NUMBERS AND PROCEDURES FOR SPILLS SHALL BE AVAILABLE ON-SITE.
 - WASTE DISPOSAL: SOLID MATERIALS, INCLUDING BUILDING MATERIALS WILL BE DISPOSED OF OFF SITE AND THEREFORE WILL NOT BE DISCHARGED TO WATERS OF THE STATE FROM THE CONSTRUCTION SITE.
 - ALL POTENTIAL POLLUTION SOURCES WILL BE IDENTIFIED, INCLUDING PETROLEUM PRODUCT STORAGE, CONCRETE HANDLING, HERBICIDES AND ANY OTHER POLLUTANTS WHICH HAVE THE POTENTIAL TO BE EXPOSED TO RAINFALL AND BE DISCHARGED IN THE STORM WATER RUNOFF. PRACTICES WILL BE IMPLEMENTED TO ENSURE THE REDUCTION OF THESE POLLUTANTS IN STORM WATER DISCHARGES.

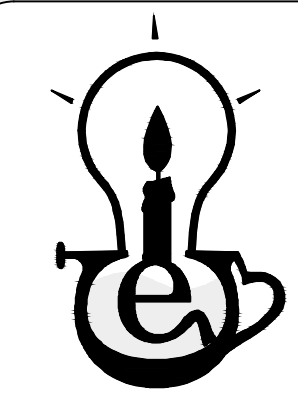


TUSCAN VILLAGE
RESIDENTIAL TOWNHOMES

LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
2001 FAIRWAY VISTA DRIVE
LOUISVILLE, KY 40245

RECORD DATA

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SHEET TITLE

GENERAL NOTES
(SHEET 1 OF 2)

SHEET NUMBER

2 OF 10

1. TESTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE TESTING SCHEDULE CONTAINED WITHIN THESE PLANS OR PER APPLICABLE LOCAL GOVERNMENT OR REGULATORY AGENCY. WHICHEVER IS MORE STRINGENT. SELECTION AND CONTRACTING WITH THE TESTING FIRMS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE AND SCHEDULE ALL TESTS.

2. COPIES OF THE TEST REPORTS FOR ASPHALT, BASE, SUBGRADE, FILL AND BACKFILL UNDER ROADWAYS AND STRUCTURES, AND UTILITY TRENCHES SHALL BE PROVIDED DIRECTLY TO THE ENGINEER FOR APPROVAL. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE TESTING AND INSURE THAT ALL APPLICABLE TESTS HAVE BEEN PERFORMED. FAILURE TO OBTAIN TEST RESULTS AT ANY POINT OF CONSTRUCTION WILL REQUIRE THE REMOVAL OF THE IMPROVEMENT AND REPLACEMENT BY CONTRACTOR, AT NO ADDITIONAL COST TO THE OWNER. IT SHOULD BE NOTED THAT THE APPLICABLE LOCAL GOVERNMENT MAY REQUIRE COMPARISON TESTING IN ACCORDANCE WITH THE TESTING SCHEDULE FOR UTILITY TRENCH FILL AND BACKFILL OR ACCORDING TO THE LOCAL GOVERNMENTAL STANDARDS, WHICHEVER IS MORE STRINGENT.

ABBREVIATIONS:			
ABB.	DESCRIPTION	ABB.	DESCRIPTION
N	NORTH	"	SECONDS WHEN USED IN BEARING OR ANGLE
S	SOUTH	"	INCHES OF DECIMAL THEREOF WHEN USED IN DIMENSION
E	EAST	"	DEGREE
W	WEST	HDPE	HIGH DENSITY POLYETHYLENE
SF	SQUARE FOOT	RCP	REINFORCED CONCRETE PIPE
LF	LINEAR FOOT	CMP	CORRUGATED METAL PIPE
AC	ACRE	EOP	EDGE OF PAVEMENT
L1	LINE & NUMBER TO LINE TABLE	FOC	FACE OF CURB
C1	CURVE & NUMBER TO LINE TABLE	BOC	BACK OF CURB
LB	BUSINESS LICENSE	R	RADIUS
ID	IDENTIFICATION	TC	TOP OF CURB
NAVD	NORTH AMERICAN VERTICAL DATUM OF 1988	BC	BOTTOM OF CURB
NAD83	NORTH AMERICAN DATUM OF 1983	TW	TOP OF WALL
ORB	OFFICIAL RECORDS BOOK	BW	BOTTOM OF WALL
PG	PAGE	INV	INVERT
EL/ELEV	ELEVATION	CO	CLEANOUT
±	MORE OR LESS	SSMH	SANITARY SEWER MANHOLE
'	MINUTES WHEN USED IN BEARING OR ANGLE	SSTMH	STORM MANHOLE
"	FEET OF DECIMAL THEREOF WHEN USED IN DIMENSION	YI	YARD INLET

LINE TYPE DESCRIPTION	LINE TYPE
CABLE TELEVISION	CATV
COMMUNICATION	C
OVERHEAD ELECTRIC	OE
UNDERGROUND ELECTRIC	UE
FIBER OPTIC LINE	FO
GAS MAIN	GAS
IRRIGATION LINE	IR
PROPERTY BOUNDARY	
BUFFER	
EASEMENT	
PROPERTY LOT LINE	
PRESERVATION	
RIGHT-OF-WAY	
SETBACK	
BUILDING OUTLINE	
BUILDING OVERHANG	
WETLAND BUFFER	
EDGE OF PAVEMENT	
BACK OF CURB	
FACE OF CURB	
RECLAIM WATER MAIN	RC
CENTERLINE	
FORCE MAIN	FM
SANITARY SEWER MAIN	SS
BARBED WIRE FENCE	X
CHAIN LINK FENCE	
WOOD FENCE	
WOVEN FENCE	
MAJOR CONTOUR	
MINOR CONTOUR	
POTABLE WATER MAIN	W
FIRE LINE	F
STORM PIPE	
STORM POND OUTLINE	
LEFT OFFSET (PROFILE)	L
RIGHT OFFSET (PROFILE)	R
GRADE (PROFILE)	
SAMPLE/SECTION LINE	
SINGLE ROW SILT FENCE	SF
DOUBLE ROW SILT FENCE	SF
HEAVY DUTY SILT FENCE	HDSF
TREE PROTECTION	TP
LIMITS OF CLEARING	
LIMITS OF CONSTRUCTION	

HATCH DESCRIPTION	HATCH
ASHPALT	
CONCRETE	
GRAVEL	
PAVERS	

SYMBOL	DESCRIPTION
	FOUND CAPPED IRON PIN
	SET CAPPED IRON PIN
	FOUND NAIL & DISK
	SET NAIL & DISK
	FOUND CONCRETE MONUMENT
	SET CONCRETE MONUMENT
	FOUND NAIL
	SET NAIL
	FOUND PK MAG NAIL
	SET PK MAG NAIL
	FOUND CHISELED TRIANGLE
	FOUND GPS MONUMENT
	FOUND RAILROAD SPIKE
	FOUND AERIAL TARGET
	BENCHMARK
	PRIMARY CONTROL POINT (PCP)
	MAGNOLIA TREE
	HICKORY TREE
	PALM TREE
	OAK TREE
	PINE TREE
	ELECTRIC METER
	ELECTRIC PEDESTAL
	TELEPHONE PEDESTAL
	CABLE PEDESTAL
	UTILITY POLE
	GUY POLE
	FLAG POLE
	LIGHT POLE
	GROUND LIGHT
	MAIL BOX
	BOLLARD
	WHEEL STOP
	HANDICAP STRIPING
	PAVEMENT ARROW
	SIGNAGE
	MONITORING WELL
	POINT OF ANALYSIS
	FLOW ARROWS
	STORMWATER MANHOLE
	STORMWATER CLEANOUT
	NYLOPLAST DRAIN BASIN
	MITERED END SECTION
	FLARED END SECTION
	DITCH BOTTOM INLET
	CURB INLET
	GUTTER INLET
	COMBINATION INLET
	NATURAL GAS METER
	NATURAL GAS VALVE (PROPOSED)
	NATURAL GAS VALVE (EXISTING)
	IRRIGATION CONTROL VALVE (PROPOSED)
	IRRIGATION CONTROL VALVE (EXISTING)
	POTABLE WATER METER (SINGLE SERVICE)
	POTABLE WATER METER (DUAL SERVICE)
	POTABLE WATER METER BANK
	POTABLE WATER VALVE (PROPOSED)
	POTABLE WATER VALVE (EXISTING)
	BACKFLOW PREVENTER
	POTABLE WATER REDUCER
	TEE
	CROSS
	90° BEND
	45° BEND
	22.5° BEND
	11.25° BEND
	FIRE HYDRANT (PROPOSED)
	FIRE HYDRANT (EXISTING)
	WATER SPIGOT
	RECLAIM METER
	RECLAIM VALVE (PROPOSED)
	RECLAIM VALVE (EXISTING)
	AIR RELEASE VALVE
	FORCE MAIN VALVE (PROPOSED)
	FORCE MAIN VALVE (EXISTING)
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEANOUT
	GREASE TRAP
	GREASE TRAP MANHOLE
	SANITARY SEWER HAND HOLE
	SANITARY SEWER LAMP HOLE
	CONE (TRAFFIC CONTROL)
	INLET PROTECTION
	DITCH PROTECTION
	SAND BAG
	DEMOLITION

REFERENCE ABB.	REFERENCE MATERIAL
ASTM	AMERICAN SOCIETY OF TESTING MATERIALS
ANSI	AMERICAN NATIONAL STANDARDS INSTITUTE
AASHTO	AMERICAN ASSOCIATION OF HIGHWAY AND TRANSPORTATION OFFICIALS
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
FDEP	FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

3 OF 10

1. THIS SHEET REPRESENTS AN EXISTING CONDITIONS PLAN THAT WAS CREATED FROM A BOUNDARY & TOPOGRAPHIC SURVEY, WHICH WAS FOR THE PURPOSE OF LOCATING/ESTABLISHING MONUMENTATION AND VISIBLE IMPROVEMENTS AND IS ONLY FOR THE LANDS DESCRIBED. COMPLETION DATE: FIELD SURVEY: JULY 21, 2016. BY: BILL ADAMS AND JACOB JENKINS IN FIELD BOOK 15, PAGE 36.

2. SOURCES OF INFORMATION USED IN THE PREPARATION OF THIS SURVEY INCLUDE:

- EXISTING MONUMENTATION
- PLAT BOOK 24, PAGES 75-78 IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
- PLAT BOOK 26, PAGES 29-30 IN THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

3. THIS DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY OF ANY KIND BY ANY ENGINEERING CORPORATION, REGARDING TITLE OR EASEMENT, THERE MAY EXIST; DEEDS OF RECORD, UNRECORDED DEEDS, PLATS, UNRECORDED PLATS, EASEMENTS, RIGHTS-OF-WAYS, OR OTHER INSTRUMENTS THAT MAY AFFECT THIS PARCEL.

4. NORTH AND THE BEARINGS DEPENDING HEREON ARE BASED UPON THE STATE PLANE COORDINATE SYSTEM - FLORIDA NORTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAD 83).

5. MONUMENTS ARE AS SHOWN AND ANY ATTEMPT WAS MADE TO LOCATE UNDERGROUND FEATURES, UNDERGROUND FOUNDATIONS, OR UNDERGROUND UTILITIES UNLESS OTHERWISE NOTED.

6. ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.), FLOOD INSURANCE RATE MAP (FIRM) 12091C0488H, BEING PANEL 488 OF 494, EFFECTIVE DATE OF DECEMBER 6, 2002, INDICATES THAT THE SUBJECT PARCEL IS LOCATED IN ZONES "X". NO CERTIFICATIONS ARE MADE REGARDING THE ACCURACY OF SAID FIRM.

OLD BAY VILLAGE PHASE 2-A AS RECORDED IN PLAT BOOK 26, PAGES 29-30 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

BENCHMARK #1:	4'X4' CONCRETE MONUMENT (PRM 7245) NORTHING: 511816.9450 EASTING: 1347005.8870 ELEVATION: 20.48 (NAVD 1988)
BENCHMARK #2:	4'X4' CONCRETE MONUMENT (PRM 3724) NORTHING: 511304.6450 EASTING: 1346412.8330 ELEVATION: 33.50 (NAVD 1988)

MAP UNIT SYMBOL	MAP UNIT NAME	RATING
10	KURE SAND, 0 TO 8 PERCENT SLOPES	A
15	LEON SAND, 0 TO 2 PERCENT SLOPES	A/D
17	MANDARIN SAND, 0 TO 3 PERCENT SLOPES	A
18	NEWHAM-COROLLA COMPLEX, ROLLING	A
21	RESOTA SAND, 0 TO 5 PERCENT SLOPES	A
ON-SITE SOILS DESCRIPTION WERE DETERMINED FROM THE NATIONAL RESOURCES CONSERVATION SERVICE (NRCS) WEB SOIL SURVEY, NATIONAL COOPERATIVE SOIL SURVEY.		

CONTRACTOR TO USE METHOD OR COMBINATION OF METHODS LISTED BELOW AND TO PREVENT PARTICULATE MATTER FROM BECOMING AIRBORNE AND BEING TRANSPORTED OFF-SITE:

- PHASING; ONLY DISTURB AREAS LESS THAN ONE ACRE AT ONE TIME. BEGIN CONSTRUCTION ACTIVITIES AT WEST SIDE OF SITE AND PROCEED TO EAST TO PROVIDE BUFFER AREA WHERE SHIFTING SOIL CAN BE ARRESTED.
- SCHEDULE: DELAY EARTHWORK AND OTHER ACTIVITIES GENERATING PARTICULATE MATTER WHEN WIND VELOCITY IS GREATER THAN 30 MPH.
- RESTRICT VEHICLES: USE HIGHWAY CLOSURE OFF-RAMP CONGRUOUS TO LIMIT SPEED AND ACCESS OF JOB SITE VEHICLES. LIMIT SPEED TO 10 MPH MAXIMUM. RESTRICT VEHICLE TRAFFIC IN DUST STABILIZED AREAS.
- EXCAVATED MATERIAL: KEEP OUT OF ACTIVE TRAFFIC Lanes. IMMEDIATELY REMOVE EXCAVATED MATERIAL DEPOSITED IN ROADWAYS BY EROSION OR SPILLAGE. COVER LOADS TRANSPORTED IN EARTH-MOVING EQUIPMENT.
- WATERING: USE SPRINKLER SYSTEM OR WATER TRUCK WITH SPRAY BOOM TO WATER DISTURBED AREAS, AS NEEDED, TO ADEQUATELY CONTROL DUST.
- WINDBREAKS: ERECT SPLITTER FENCES OR SIMILAR WINDBREAKS UPWIND AND WITHIN DISTURBED AREAS. PLANT FENCES PERPENDICULAR TO PREVAILING WINDS AS APPROPRIATE.
- PALLIATIVES: APPLY DUST PALLIATIVE TO STABILIZE SOILS AFTER EARTHWORK IS COMPLETED AND TO SANDY SOILS WHERE WATERING IS INEFFECTIVE. DO NOT USE PALLIATIVE DETRIMENTAL TO VEGETATION IN AREAS OF FUTURE PLANT LANDSCAPING.
- OTHER METHODS THAT SUBSTANTIALLY AND EFFECTIVELY REDUCE TRANSPORTED MATERIAL OR EMISSION OF PARTICULATE MATTER INTO ATMOSPHERE.
- IF WATER TRUCK IS USED TO CONTROL DUST ON DIRT/GRADDED AREAS ONLY, WATER TRUCK WILL ONLY DROP ENOUGH WATER TO CONTROL THE DUST OR REACH THE OPTIMUM MOISTURE CONTENT OF THE SOIL FOR COMPACTION. NO RUN-OFFS TO BE GENERATED.
- CONTROLLING DUST ON PAVED ROADWAYS WILL BE DONE BY USE OF SWEEPER WITH WATER-JET SPRAYS. ONLY ENOUGH WATER SHOULD BE APPLIED TO CONTROL DUST WHILE SWEEPING. DO NOT GENERATE RUN-OFF FROM SPRAYERS THAT RUNS INTO CATCH BASINS.
- CONTRACTOR TO PROVIDE OPACITY MONITORING BY A PROPERLY TRAINED AND CERTIFIED INDIVIDUAL IN ORDER TO MAKE SURE THAT DUST IS NOT EXCEEDED 30 PERCENT OVER A SIX-MINUTE PERIOD; AND HOW REMEDIAL ACTIONS TO ADDRESS OPACITY WILL BE IMMEDIATELY MANAGED AND DOCUMENTED.
- CONTRACTOR TO FAMILIARIZE THEMSELVES WITH SECTION 11.10.00 - AIR QUALITY, IN THE CITY OF DESTIN LAND DEVELOPMENT CODE.
- FOLOWING INITIAL SOIL DISTURBANCE OR RE-DISTURBANCE, A PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN SEVEN CALENDAR DAYS ON ALL PERIMETER DITCHES, SWALES, DITCHES, PERIMETER SLOPES AND ALL SLOPES GREATER THAN 3 HORIZONTAL TO 1 VERTICAL. PERMANENT STABILIZATIONS OF PONDS, BASINS, AND TRAPS, AND WITHIN 14 CALENDAR DAYS ON ALL OTHER DISTURBED OR GRADED AREAS. THE REQUIREMENTS OF SECTION 11.09.03 OF THE DESTIN LAND DEVELOPMENT CODE DO NOT APPLY TO THOSE AREAS WHICH ARE SHOWN ON THE PLAN AND ARE CURRENTLY BEING PERFORMED.
- ALL BARE GROUND, STRIPPED OF VEGETATION DURING THE CLEARING/GRADING PROCESS, SHALL BE COVERED TO THE MAXIMUM EXTENT PRACTICABLE.
- ALL DISTURBED AREAS SHALL BE COVERED AND/OR MULCHED WITHIN 12 HOURS, IF THEY ARE TO REMAIN UN-WORKED FOR MORE THAN 2 CALENDAR DAYS.
- AREAS NOT BEING WORKED FOR 30 CALENDAR DAYS OR MORE SHALL BE VEGETATED, UNLESS THE CITY DETERMINES THAT WINTER WEATHER MAKES VEGETATION ESTABLISHMENT INFEASIBLE. IF THIS IS THE CASE, IT MUST STILL BE MORE PERMANENTLY STABILIZED, USING METHODS SUCH AS BONDED FIBER, STICK MULCH, OR OTHER MORE STABLE BMPs.
- SLOPES & STOCKPILES 3H:1V OR STEEPER AND MORE THAN 10 FEET OF VERTICAL RELIEF SHALL BE COVERED IF THEY ARE UN-WORKED FOR MORE THAN 60 DAYS.
- AREAS THAT ARE BEING HYDRO-SEEDED SHALL HAVE A TACKIFIER MIXED INTO THE HYDRO-SEED TO HELP STABILIZE MIXTURE UNTIL THE SOIL.
- ENOUGH COVER MATERIAL TO SUFFICIENTLY PROTECT ALL DISTURBED AREAS SHALL BE STOCKPILED ON THE SITE AT THE BEGINNING OF THE WET SEASON.
- ROADS AND PARKING AREAS SHALL BE STABILIZED IMMEDIATELY AFTER THE INITIAL GRADING.
- ADDITIONAL TECHNIQUES TO REDUCE SOIL TRACKING OFF OF A SITE AND INTO A ROADWAY SUCH AS WHEEL WASHING STATIONS MAY BE REQUIRED.
- THE PAVEMENT SHALL NOT BE CLEANED BY WASHING/FLUSHING STREETS.
- ANY SEDIMENT THAT IS TRACKED ONTO ROAD PAVEMENT SHALL BE REMOVED IMMEDIATELY (PRIOR TO THE END OF THE WORK DAY) BY SWEEPING. THE SEDIMENT COLLECTED BY SWEEPING SHALL BE REMOVED FROM THE ROADWAY AND STABILIZED ON-SITE.

DESIGN CONSIDERATIONS AND PROJECT LAYOUT:

1. ROUTE HEAVILY LOADED TRUCKS AWAY FROM RESIDENTIAL STREETS, IF POSSIBLE. SELECT STREETS WITH FEWEST HOMES, IF NO ALTERNATIVES ARE AVAILABLE.
2. OPERATE EARTHMOVING EQUIPMENT ON THE CONSTRUCTION LOT AS FAR AWAY FROM VIBRATION-SENSITIVE SITES AS POSSIBLE.

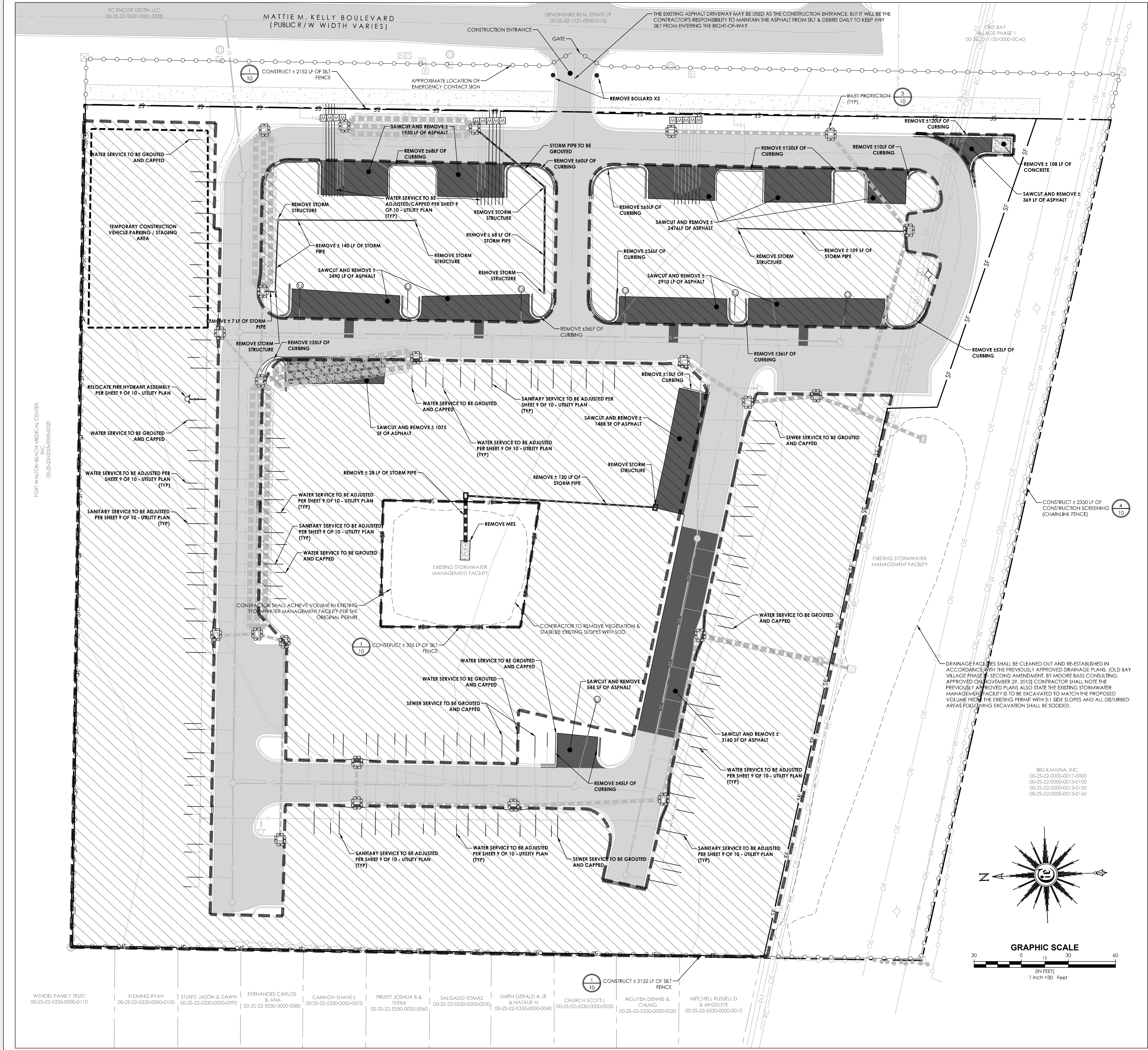
SEQUENCE OF OPERATIONS:

1. PHASE DEMOLITION, EARTHMOVING AND GROUND-IMPACTING OPERATIONS SO AS NOT TO OCCUR IN THE SAME TIME PERIOD, UNLIKE NOISE. THE TOTAL VIBRATION LEVEL PRODUCED COULD BE SIGNIFICANTLY LESS WHEN EACH VIBRATION SOURCE OPERATES SEPARATELY. CONTRACTOR SHALL MINIMIZE IMPACTS ON SURROUNDING AREAS FOR ANY ACTIVITY EXCEEDING THE APPROXIMATE FTA VIBRATION ANNOYANCE THRESHOLD OF 80 VDB.
2. AVOID NIGHTTIME ACTIVITIES. PEOPLE ARE MORE AWARE OF VIBRATION IN THEIR HOMES DURING THE NIGHTTIME HOURS.

ALTERNATIVE CONSTRUCTION METHODS:

1. SELECT DEMOLITION METHODS NOT INVOLVING IMPACT, WHERE POSSIBLE. FOR EXAMPLE, MILLING GENERATES LOWER VIBRATION LEVELS THAN EXCAVATION USING CLAM SHELL OR CHISEL DROPS. VIBRATIONS TO SENSITIVE RECIPIENT STRUCTURES SHALL NOT EXCEED THE VIBRATION DAMAGE THRESHOLD OF 95 VDB.
2. AVOID VIBRATORY ROLLERS AND PACKERS NEAR SENSITIVE AREAS.

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DEMOLITION & ESCP NOTES

1. EROSION CONTROL MEASURES SHALL BE MAINTAINED ON SITE FOR THE DURATION OF CONSTRUCTION. REPAIR AND / OR REPLACE AS NECESSARY.
2. WHERE SILT FENCE IS SHOWN OUTSIDE PROJECT BOUNDARY FOR CLARITY ONLY.
3. ALL EXISTING BUILDING MATERIALS, CONCRETE, ASPHALT, TREES, STUMPS, AND OTHER DELETERIOUS MATERIAL AS INDICATED ON THE PLANS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN ACCORDANCE WITH FLORIDA LAWS.
4. THE CONTRACTOR SHALL CLEAR AND GRUB ALL AREA WITHIN THE CLEARING LIMITS DEPICTED HEREON INCLUDING DEMOLITION OF EXISTING INFRASTRUCTURE INCLUDING UNDERGROUND UTILITIES WHETHER DEPICTED HEREON OR NOT BUT ONLY AFTER VERIFICATION FROM ENGINEER & RESPECTIVE UTILITY COMPANY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VISIT THE SITE AND ACCOUNT FOR IN BID ALL REQUIRED CLEARING, GRUBBING & DEMOLITION NECESSARY TO ACCOMPLISH THIS TASK.
5. FOLLOWING INITIAL SOIL DISTURBANCE OR RE-DISTURBANCE, A PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN SEVEN CALENDAR DAYS ON ALL PERIMETER DIKES, SWALES, DITCHES, PERIMETER SLOPES AND ALL SLOPES GREATER THAN 3 HORIZONTAL TO 1 VERTICAL (3:1); EMBANKMENTS OF PONDS, BASINS, AND TRAPS; AND WITHIN 14 CALENDAR DAYS ON ALL OTHER DISTURBED OR GRADED AREAS.; THE REQUIREMENTS OF SECTION 11.09.03 OF THE DESTIN LAND DEVELOPMENT CODE DO NOT APPLY TO THOSE AREAS WHICH ARE SHOWN ON THE PLAN AND ARE CURRENTLY BEING PERFORMED.
6. ALL BARE GROUND, STRIPPED OF VEGETATION DURING THE CLEARING/GRADING PROCESS, SHALL BE COVERED TO THE MAXIMUM EXTENT PRACTICABLE.
7. ALL DISTURBED AREAS SHALL BE COVERED AND/OR MULCHED WITHIN 12 HOURS, IF THEY ARE TO REMAIN UN-WORKED FOR MORE THAN 2 CALENDAR DAYS.
8. AREAS NOT BEING WORKED FOR 30 CALENDAR DAYS OR MORE SHALL BE VEGETATED, UNLESS THE CITY DETERMINES THAT WINTER WEATHER MAKES VEGETATION ESTABLISHMENT INFEASIBLE. IF THIS IS THE CASE, IT MUST STILL BE MORE PERMANENTLY STABILIZED, USING METHODS SUCH AS BONDED FIBER MATRIX, OR OTHER MORE STABLE BMPs.
9. SLOPES & STOCKPILES 3H:1V OR STEEPER AND MORE THAN 10 FEET OF VERTICAL RELIEF SHALL BE COVERED IF THEY ARE UN-WORKED FOR MORE THAN 48 HOURS.
10. AREAS THAT ARE BEING HYDRO-SEEDED SHALL HAVE A TACKIFIER MIXED INTO THE HYDRO-SEED TO HELP STABILIZE MIXTURE ONTO THE SOIL.
11. ENOUGH COVER MATERIAL TO SUFFICIENTLY PROTECT ALL DISTURBED AREAS SHALL BE STOCKPILED ON THE SITE AT THE BEGINNING OF THE WEST SEASON.
12. ROADS AND PARKING AREAS SHALL BE STABILIZED IMMEDIATELY AFTER THE INITIAL GRADING.
13. ADDITIONAL TECHNIQUES TO REDUCE SOIL TRACKING OFF OF A SITE AND ONTO A ROADWAY SUCH AS WHEEL WASHING STATIONS MAY BE REQUIRED.
14. THE PAVEMENT SHALL NOT BE CLEANED BY WASHING/FLUSHING STREETS.
15. ANY SEDIMENT THAT IS TRACKED ONTO ROAD PAVEMENT SHALL BE REMOVED IMMEDIATELY (PRIOR TO THE END OF THE WORK DAY) BY SWEEPING. THE SEDIMENT COLLECTED BY SWEEPING SHALL BE REMOVED FROM THE ROADWAY AND STABILIZED ON-SITE.
16. SEE ADDITIONAL EROSION CONTROL NOTES ON SHEET 10 OF 10 - EROSION CONTROL & CONSTRUCTION DETAILS

LAND DISTURBANCE - CONSTRUCTION SEQ.

- THE FOLLOWING IS THE PROPOSED CONSTRUCTION SEQUENCE, UNLESS INCLEMENT WEATHER, SITE CONDITIONS, OR REVISIONS DICTATES A DEVIATION FROM THIS SCHEDULE.
1. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, CONSTRUCTION SCREEN MEETING THE STANDARDS SET FORTH IN THE CITY OF DESTIN CODE OF ORDINANCES, CHAPTER 6, ARTICLE III, SECTION 6-51 SCREEN CRITERIA MUST BE INSTALLED PRIOR TO COMMENCEMENT OF CLEARING, GRADING, AND/OR TREE REMOVAL.
 2. DEVELOPER TO FILE A NOTICE OF INTENT PRIOR TO LAND DISTURBANCE.
 3. SET UP A DAILY INSPECTION LOG FOR THE BMP INSPECTIONS TO BE KEPT IN THE CONSTRUCTION TRAILER OR AT A NEARBY ACCESSIBLE LOCATION (SALES OFFICE, ETC.)
 4. CLEARING AND GRUBBING FOR THOSE AREAS NECESSARY FOR INSTALLATION OF PERIMETER EROSION CONTROL DEVICES.
 5. INSTALL PERIMETER EROSION CONTROL DEVICES & CHAIN LINK FENCE ADJACENT TO PUBLIC ACCESS AREAS.
 6. CLEAR AND GRUB ROUTES TO AREAS FOR TEMPORARY AND PERMANENT STRUCTURAL BEST MANAGEMENT PRACTICES (BMP).
 7. INSTALL ALL STRUCTURAL EROSION CONTROL PRACTICES IN CONCENTRATED FLOW AREAS, AS SHOWN ON THE PLANS, WITH MINIMAL DISTURBANCE TO THE ADJACENT AREA.
 8. CONSTRUCT ALL REMAINING TEMPORARY AND PERMANENT EROSION CONTROL PRACTICES SHOWN ON THE PHASE-1 ESCP CONCURRENT WITH CLEARING AND GRUBBING OPERATIONS.
 9. CONTRACTOR SHALL COMPLETE CLEARING AND GRUBBING FOR REMAINING AREAS OF CONSTRUCTION. IF CLEARING MATERIALS ARE GROUND ON SITE, PLACING GROUND MULCH MATERIALS AT THE TOE OF ANY SLOPES WILL PROVIDE ADDITIONAL PROTECTION FROM EROSION ESCAPING THE SITE.
 10. ROAD GRADING & GRADING FOR THE REMAINDER OF SITE.
 11. UTILITY INSTALLATION AND WHETHER STORM DRAINS WILL BE USED OR BLOCKED AFTER CONSTRUCTION.
 12. BUILDING, PARKING LOT, AND SITE CONSTRUCTION.
 13. FINAL GRADING, LANDSCAPING AND/OR STABILIZATION.
 14. IMPLEMENTATION AND MAINTENANCE OF FINAL EROSION CONTROL STRUCTURES.
 15. REMOVAL OF TEMPORARY EROSION CONTROL DEVICES.

PERIMETER PROTECTION NOTES

1. PERIMETER PROTECTION TO FILTER SEDIMENT FOR SHEET FLOW WASHOUT SHALL BE LOCATED DOWN SLOPE OF ALL DISTURBED AREAS AND BE PROPERLY INSTALLED PRIOR TO UP-SLOPE GRADING.
2. A MINIMUM OF 100 LINEAR FEET OF SILT FENCE PER ACRE AND THE NECESSARY STAKES TO HOLD THE FENCE IN PLACE SHALL BE STOCKPILED ON-SITE.

ON-SITE SOILS DESCRIPTION

MAP UNIT SYMBOL	MAP UNIT NAME	RATING
10	KUREB SAND, 0 TO 8 PERCENT SLOPES	A
15	LEON SAND, 0 TO 2 PERCENT SLOPES	A/D
17	MANDARIN SAND, 0 TO 3 PERCENT SLOPES	A
18	NEWHAM-COROLLA COMPLEX, ROLLING	A
21	RESOTA SAND, 0 TO 5 PERCENT SLOPES	A

ON-SITE SOILS DESCRIPTION WERE DETERMINED FROM THE NATIONAL RESOURCES CONSERVATION SERVICE (NRCS) WEB SOIL SURVEY, NATIONAL COOPERATIVE SOIL SURVEY.

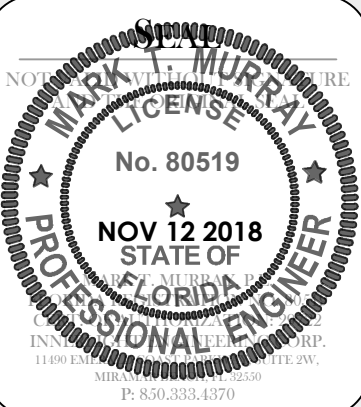
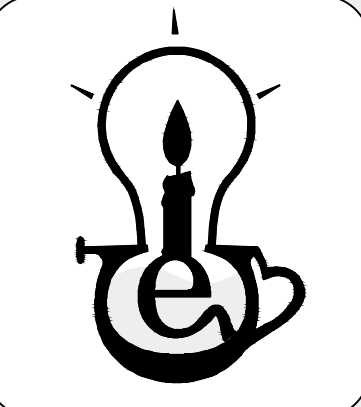
LIMITS OF CONSTRUCTION

TOTAL SITE AREA	340,412.61 SF (± 7.81 ACRES)
LIMITS OF CLEARING	194,927.63 SF (4.47 ACRES)

INNERLIGHT ENGINEERING CORPORATION
THE APPLIED SCIENCE OF SUCCESS
11490 EMERALD COAST PARKWAY, SUITE 2W
MIRAMAR BEACH | FLORIDA 32550

TUSCAN VILLAGE
RESIDENTIAL TOWNHOMES
LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
2001 FAIRWAY VISTA DRIVE
LOUISVILLE, KY 40245

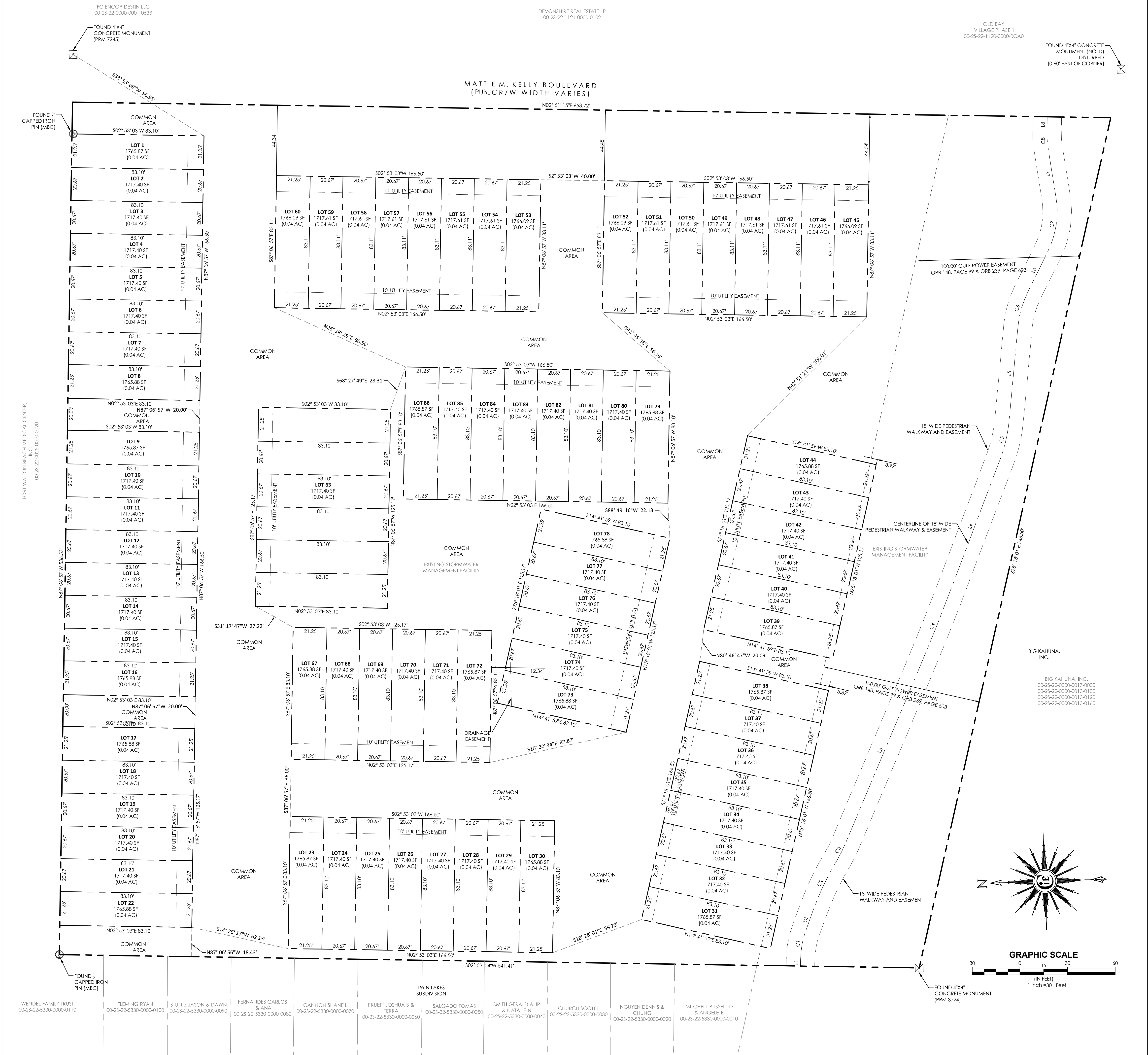
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DATE: 04.13.2018
REV. NO: 2
REV. DATE: 11.05.2018
DRAWN BY: MTM
REVIEWED BY: MTM



SHEET TITLE
DEMOLITION & EROSION CONTROL PLAN

SHEET NUMBER
5 OF 10

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GENERAL NOTES

- 1. THIS PLAT IS BASED UPON A BOUNDARY SURVEY BY THIS FIRM AND WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 61G17-06 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
- 2. SOURCES OF INFORMATION RELIED UPON FOR THE PREPARATION OF THIS PLAT INCLUDES THE FOLLOWING: FIELD RECOVERED MONUMENTATION, PLATS, DEEDS, AND OTHER DOCUMENTATION AS NOTED HEREON.
- 3. THIS PLAT DOES NOT REFLECT RESEARCH BY INNERLIGHT ENGINEERING CORPORATION, REGARDING TITLE OR EASEMENT, THERE MAY EXIST DEEDS OF RECORD, UNRECORDED DEEDS, PLATS, UNRECORDED PLATS, EASEMENTS, RIGHTS-OF-WAYS, OR OTHER INSTRUMENTS THAT MAY AFFECT THIS PARCEL.
- 4. NORTH AND THE BEARINGS DEPICTED HEREON ARE BASED UPON THE STATE PLANE COORDINATE SYSTEM - FLORIDA NORTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83).
- 5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, UTILITIES, FOUNDATIONS, FOOTERS, HUMAN BURIAL SITES, AND CEMETERIES, WERE LOCATED, EXCEPT AS SHOWN.
- 6. ALL LOT LINES DEPICTED HEREON ARE NON-RADIAL (N.R.) UNLESS OTHERWISE NOTED.

FLOOD NOTE

FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.), FLOOD INSURANCE RATE MAP (FIRM) 12091CD488H, BEING PANEL 488 OF 494, EFFECTIVE DATE OF DECEMBER 6, 2002, INDICATES THAT THE SUBJECT PARCEL IS LOCATED IN ZONES "X". NO CERTIFICATIONS ARE MADE REGARDING THE ACCURACY OF SAID FIRM.

LEGAL DESCRIPTION (AS FURNISHED)

OLD BAY VILLAGE PHASE 2-A AS RECORDED IN PLAT BOOK 26, PAGES 29-30 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

CURVE DATA TABLE

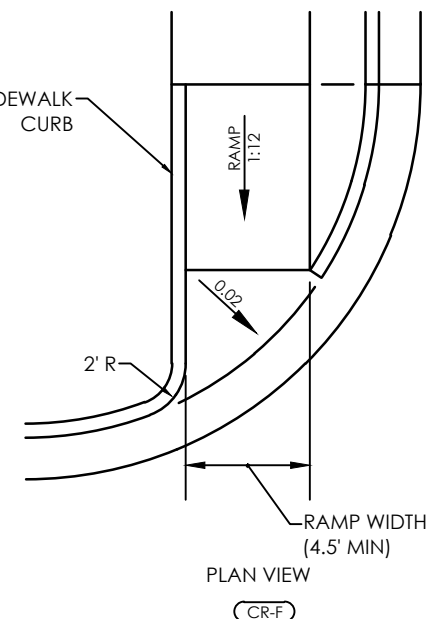
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	18.69'	56.00'	019°07'08"	S77°35'53"E	18.60'
C2	37.03'	194.00'	010°56'07"	S62°37'16"E	36.97'
C3	10.34'	74.00'	008°00'17"	S61°09'33"E	10.33'
C4	43.34'	1194.00'	002°04'47"	S66°11'49"E	43.34'
C5	25.30'	94.00'	015°25'08"	S74°55'22"E	25.22'
C6	22.22'	61.00'	020°52'24"	S72°13'51"E	22.10'
C7	35.02'	56.00'	035°49'41"	S79°28'43"E	34.45'
C8	10.61'	61.00'	009°58'08"	N87°52'30"E	10.60'

LINE DATA TABLE

LINE #	LENGTH	DIRECTION
L1	4.19'	S87°06'56"E
L2	12.27'	S68°04'51"E
L3	126.17'	S65°09'26"E
L4	91.52'	S67°14'13"E
L5	59.42'	S82°36'32"E
L6	29.11'	S61°51'10"E
L7	30.77'	N82°53'45"E
L8	9.64'	S87°08'44"E

TABLE OF DETECTABLE WARNINGS		
CURB RAMP TYPE	CURB RADIUS (FT)	TOTAL AREA (SF)
CR-A	N/A	8
CR-B	N/A	8
CR-C	N/A	8
CR-D	25	11
CR-E	N/A	8
CR-F	10	9
	20	11
	25	12
	30	14
CR-G	10	10
	20	11
	25	12
	30	14
CR-H	20	8
	25	8
	30	8
CR-I	N/A	8
CR-L	10	18
	15	13
FLUSH SHOULDER		
OPTION A	10	11
	20	14
	25	15
	30	17
	40	19
	50	21
OPTION B	10	10
	20	10
	25	10

NOTE: DUE TO CONSTRUCTION APPLICATIONS, CR-L IS THE ONLY CURB RAMP FOR WHICH DETECTABLE WARNING QUANTITY WAS CALCULATED USING A CURB RADIUS OF 15'. FOR FLUSH SHOULDER OPTIONS WITH 5' SIDEWALKS, THE BACK OF SIDEWALK IS MEASURED AT 10' FROM THE EDGE OF TRAVELED WAY.



DETECTABLE WARNINGS AND SIDEWALK CURB RAMPS (FDOT INDEX NO. 304)

NOT TO SCALE

INNERLIGHT ENGINEERING CORPORATION
Survey
THE APPLIED SCIENCE OF SUCCESS

TUSCAN VILLAGE
RESIDENTIAL TOWNHOMES
LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
2001 FAIRWAY VISTA DRIVE
LOUISVILLE, KY 40245

RECORD DATA
DATE: 04.13.2018
REV. NO: 2
REV. DATE: 11.05.2018
DRAWN BY: MTM
REVIEWED BY: MTM

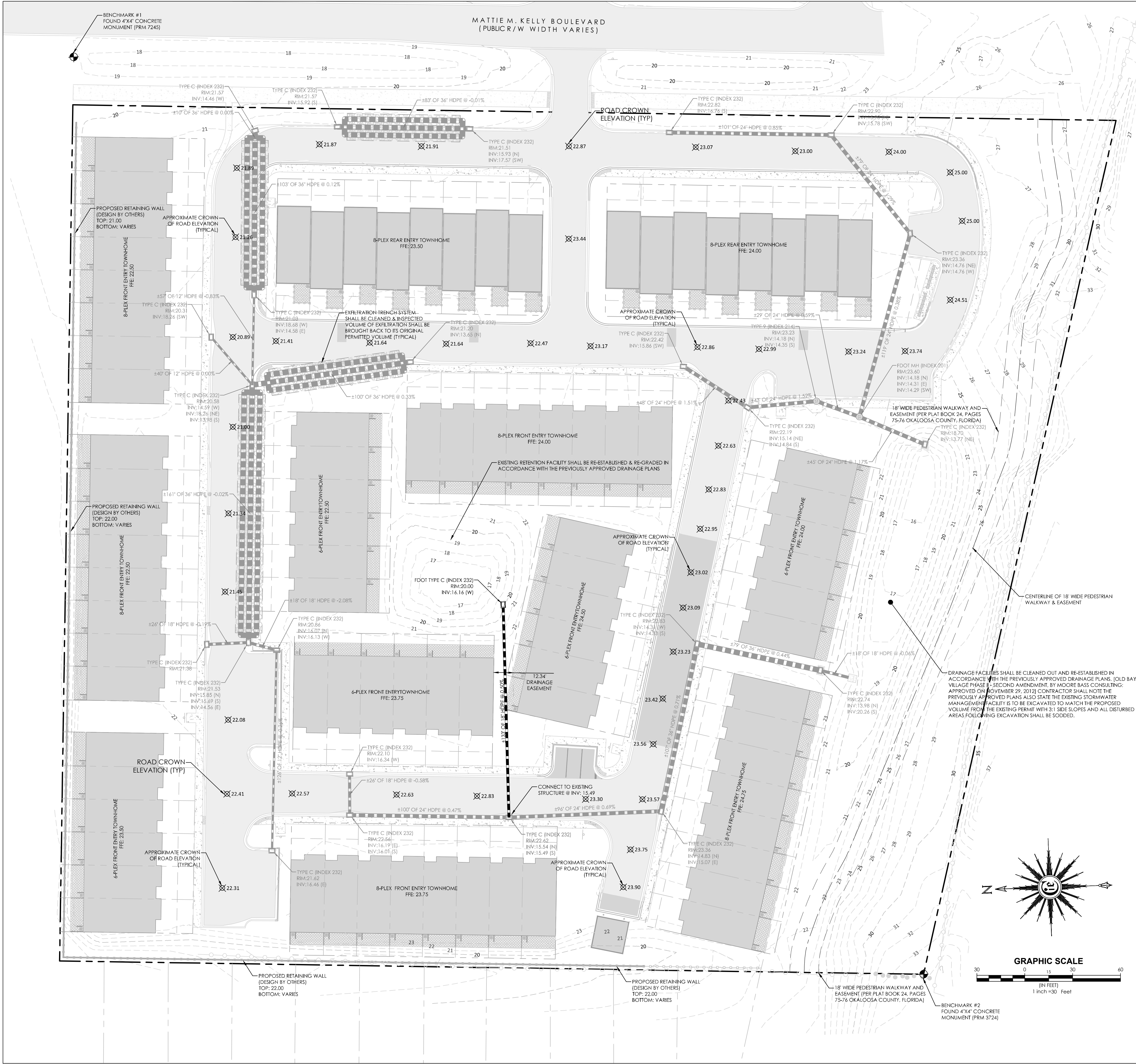
MARK T. MURRAY
LICENSE
No. 80519
NOV 12 2018
STATE OF FLORIDA
PROFESSIONAL ENGINEER

SHEET TITLE
PRELIMINARY PLAT

SHEET NUMBER
6 OF 10

* PER SECTION 8.06.12(D)1 OF THE CITY OF DESTIN LAND DEVELOPMENT CODE, THE PROPOSED PARKING HAS BEEN REDUCED TO 80% OF THE MAXIMUM INDICATED IN TABLE 8-6 OF THE LAND DEVELOPMENT CODE.

C:\DROPOX\EC\PROJECTS\OLD BAY VILLAGE\PHI\3.ENGINEERING\1.CDA\2.SHEETS\GRADING AND DRAINAGE.DWG, Makmuray, 11/12/2018 9:13:45 AM



GRADING & DRAINAGE NOTES

1. ALL DISTURBED AREAS TO BE PERMANENTLY GRASSED AND RETENTION AREAS TO BE SODDED. ALL SLOPES 3:1 AND STEEPER SHALL BE SODDED.
2. EROSION CONTROL MEASURES SHALL BE INSPECTED AND MAINTAINED ON SITE FOR THE DURATION OF CONSTRUCTION.
3. CONTRACTORS SHALL MAINTAIN PUBLIC ACCESS AT ALL TIMES ALONG PRIVATE, CITY AND COUNTY RIGHT-OF-WAYS.
4. NO PARKING OR UNLOADING OF MATERIALS SHALL OCCUR WITHIN RIGHT-OF-WAY WITHOUT PRIOR APPROVAL FROM THE CITY OF DESTIN.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO STRUCTURES WITHIN THE PUBLIC AND PRIVATE RIGHT-OF-WAY AND SHALL REPAIR ANY DAMAGE CAUSED BY THE CONSTRUCTION ACTIVITIES TO THE PRIVATE AND PUBLIC RIGHT-OF-WAY AT THE CONTRACTOR'S EXPENSE.
6. CONTRACTOR SHALL NOT RELOCATE ANY SIDEWALK OR MULTI-USE PATH WITHOUT WRITTEN PERMISSION FROM THE CITY OR COUNTY ENGINEER.
7. CONTRACTOR SHALL MARK ALL CROSSWALKS AND MULTI-USE PATH CROSSINGS TO INDICATE THEM AS A PEDESTRIAN PATHWAY AFTER THE FINAL DRIVEWAY IS IN PLACE.
8. NOTHING SHALL BE ERECTED, PLACED, PARKED, PLANTED, OR ALLOWED TO GROW IN SUCH A MANNER AS TO MATERIALLY IMPEDE VISION BETWEEN A HEIGHT OF TWO FEET AND TEN FEET ABOVE THE GRADE, MEASURED AT THE CENTERLINE OF THE INTERSECTION FOR CLEAR VISIBILITY TRIANGLE.
9. SPOT ELEVATIONS ALONG ROADWAY ARE FROM EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
10. CONTRACTOR SHOULD NOTE THAT SOME EXISTING DRAINAGE STRUCTURES ARE MISSING GRATES. GRATES WILL BE REQUIRED PER THE ORIGINAL DEVELOPMENT ORDER CIVIL PLANS.
11. EACH UNIT WITHIN EACH BUILDING SHALL HAVE THE SAME FINISHED FLOOR ELEVATION(FFE) AS SHOWN ON THIS SHEET.

BENCHMARK DATA

BENCHMARK #1:	4"x4" CONCRETE MONUMENT (PRM 7245) NORTHING: 511816.9430 EASTING: 1347005.8870 ELEVATION: 20.46 (NAVD 1988)
BENCHMARK #2:	4"x4" CONCRETE MONUMENT (PRM 3724) NORTHING: 511304.4430 EASTING: 1344112.8330 ELEVATION: 33.50 (NAVD 1988)

ON-SITE SOILS DESCRIPTION

MAP UNIT SYMBOL	MAP UNIT NAME	RATING
10	KURE SAND, 0 TO 8 PERCENT SLOPES	A
15	LEON SAND, 0 TO 2 PERCENT SLOPES	A/D
17	MANDARIN SAND, 0 TO 3 PERCENT SLOPES	A
18	NEWHAN-COROLLA COMPLEX, ROLLING	A
21	RESOTA SAND, 0 TO 5 PERCENT SLOPES	A
ON-SITE SOILS DESCRIPTION WERE DETERMINED FROM THE NATIONAL RESOURCES CONSERVATION SERVICE (NRCS) WEB SOIL SURVEY. NATIONAL COOPERATIVE SOIL SURVEY.		

DUST CONTROL METHOD

- CONTRACTOR TO USE METHOD OR COMBINATION OF METHODS LISTED BELOW AND TO PREVENT PARTICULATE MATTER FROM BECOMING AIRBORNE AND BEING TRANSPORTED OFF-SITE.
1. PHASING: ONLY DISTURB AREAS LESS THAN ONE ACRE AT ONE TIME. BEGIN CONSTRUCTION ACTIVITIES AT WEST SIDE OF SITE AND PROCEED TO EAST TO PROVIDE BUFFER AREA WHERE SHIFTING SOIL CAN BE ARRESTED.
 2. SCHEDULE: DELAY EARTHWORK AND OTHER ACTIVITIES GENERATING PARTICULATE MATTER WHEN WIND VELOCITY IS GREATER THAN 30 MPH.
 3. RESTRICTING VEHICLES: USE SIGNS AND OTHER TRAFFIC CONTROLS TO LIMIT SPEED AND ACCESS OF JOB SITE VEHICLES. LIMIT SPEED TO 10 MPH MAXIMUM. RESTRICT VEHICLE TRAFFIC IN DUST STABILIZED AREAS.
 4. EXCAVATED MATERIAL: KEEP OUT OF ACTIVE TRAFFIC LANES. IMMEDIATELY REMOVE EXCAVATED MATERIAL DEPOSITED IN ROADWAYS BY EROSION OR SPILLAGE. COVER LOADS TRANSPORTED IN EARTH-MOVING EQUIPMENT.
 5. WATERING: USE SPRINKLER SYSTEM OR WATER TRUCK WITH SPRAY BOOM TO WATER DISTURBED AREA, AS NEEDED, TO ADEQUATELY CONTROL DUST.
 6. WINDBREAKS: ERECT SNOW FENCES OR SIMILAR WINDBREAKS UPWIND AND WITHIN DISTURBED AREAS. PLACE FENCES PERPENDICULAR TO PREVAILING WINDS AS APPROPRIATE.
 7. PALLIATIVES: APPLY DUST PALLIATIVE TO STABILIZE SOILS AFTER EARTHWORK IS COMPLETED AND TO SANDY SOILS WHERE WATERING IS INEFFECTIVE. DO NOT USE PALLIATIVE DETRIMENTAL TO VEGETATION IN AREAS OF FUTURE PLANT LANDSCAPING.
 8. OTHER METHODS THAT SUBSTANTIALLY AND EFFECTIVELY REDUCE TRANSPORTED MATERIAL OR EMISSION OF PARTICULATE MATTER INTO ATMOSPHERE.
 9. IF WATER TRUCK IS USED TO CONTROL DUST ON DIRT/GRADED AREAS ONLY, WATER TRUCK WILL ONLY DROP ENOUGH WATER TO CONTROL THE DUST OR REACH THE OPTIMUM MOISTURE CONTENT OF THE SOIL FOR COMPACTION. NO RUN-OFF IS TO BE GENERATED.
 10. CONTROLLING DUST ON PAVED ROADWAYS WILL BE DONE BY USE OF SWEEPER WITH WATER-JET SPRAYERS. ONLY ENOUGH WATER SHOULD BE APPLIED TO CONTROL DUST WHILE SWEEPING. DO NOT GENERATE RUN-OFF FROM SPRAYERS THAT RUNS INTO CATCH BASINS.
 11. CONTRACTOR TO PROVIDE OPACITY MONITORING BY A PROPERLY TRAINED AND CERTIFIED INDIVIDUAL IN ORDER TO MAKE SURE THAT DUST EMISSIONS DO NOT EXCEED 30 PERCENT OVER A SIX-MINUTE PERIOD; AND HOW REMEDIAL ACTIONS TO ADDRESS OPACITY WILL BE IMMEDIATELY MANAGED AND DOCUMENTED.
 12. CONTRACTOR TO FAMILIARIZE THEMSELVES WITH SECTION 11.10.00 - AIR QUALITY, IN THE CITY OF DESTIN LAND DEVELOPMENT CODE.
 13. FOLLOWING INITIAL SOIL DISTURBANCE OR RE-DISTURBANCE, A PERMANENT OR TEMPORARY STABILIZATION SHALL BE COMPLETED WITHIN SEVEN CALENDAR DAYS ON ALL PERIMETER DITCHES, SWALES, DITCHES, PERIMETER SLOPES AND ALL SLOPES GREATER THAN 3 HORIZONTAL TO VERTICAL (3:1); EMBANKMENTS OF PONDS, BASINS, AND TRAPS; AND WITHIN 14 CALENDAR DAYS ON ALL OTHER DISTURBED OR GRADED AREAS; THE REQUIREMENTS OF SECTION 11.09.03 OF THE DESTIN LAND DEVELOPMENT CODE DO NOT APPLY TO THOSE AREAS WHICH ARE SHOWN ON THE PLAN AND ARE CURRENTLY BEING PERFORMED.
 14. ALL BARE GROUND, STRIPPED OF VEGETATION DURING THE CLEARING/GRADING PROCESS, SHALL BE COVERED TO THE MAXIMUM EXTENT PRACTICABLE.
 15. ALL DISTURBED AREAS SHALL BE COVERED AND/OR MULCHED WITHIN 12 HOURS, IF THEY ARE TO REMAIN UN-WORKED FOR MORE THAN 2 CALENDAR DAYS.
 16. AREAS NOT BEING WORKED FOR 30 CALENDAR DAYS OR MORE SHALL BE VEGETATED, UNLESS THE CITY DETERMINES THAT WINTER WEATHER MAKES VEGETATION ESTABLISHMENT INFEASIBLE, IF THIS IS THE CASE, IT MUST STILL BE MORE PERMANENTLY STABILIZED, USING METHODS SUCH AS BONDED FIBER MATRIX, OR OTHER MORE STABLE BMPs.
 17. SLOPES & STOCKPILES 3H:1V OR STEEPER AND MORE THAN 10 FEET OF VERTICAL RELIEF SHALL BE COVERED IF THEY ARE UN-WORKED FOR MORE THAN 48 HOURS.
 18. AREAS THAT ARE BEING HYDRO-SEEDED SHALL HAVE A TACKIFIER MIXED INTO THE HYDRO-SEED TO HELP STABILIZE MIXTURE ONTO THE SOIL.
 19. ENOUGH COVER MATERIAL TO SUFFICIENTLY PROTECT ALL DISTURBED AREAS SHALL BE STOCKPILED ON THE SITE AT THE BEGINNING OF THE WET SEASON.
 20. ROADS AND PARKING AREAS SHALL BE STABILIZED IMMEDIATELY AFTER THE INITIAL GRADING.
 21. ADDITIONAL TECHNIQUES TO REDUCE SOIL TRACKING OFF OF A SITE AND ONTO A ROADWAY SUCH AS WHEEL WASHING STATIONS MAY BE REQUIRED.
 22. THE PAVEMENT SHALL NOT BE CLEANED BY WASHING/FLUSHING STREETS.
 23. ANY SEDIMENT THAT IS TRACKED ONTO ROAD PAVEMENT SHALL BE REMOVED IMMEDIATELY (PRIOR TO THE END OF THE WORK DAY) BY SWEEPING. THE SEDIMENT COLLECTED BY SWEEPING SHALL BE REMOVED FROM THE ROADWAY AND STABILIZED ON-SITE.

VIBRATION IMPACT MITIGATION METHODS

- DESIGN CONSIDERATIONS AND PROJECT LAYOUT:**
1. ROUTE HEAVILY LOADED TRUCKS AWAY FROM RESIDENTIAL STREETS, IF POSSIBLE. SELECT STREETS WITH FEWEST HOMES, IF NO ALTERNATIVES ARE AVAILABLE.
 2. OPERATE EARTHMOVING EQUIPMENT ON THE CONSTRUCTION LOT AS FAR AWAY FROM VIBRATION-SENSITIVE SITES AS POSSIBLE.
- SEQUENCE OF OPERATIONS:**
1. PHASE DEMOLITION, EARTHMOVING AND GROUND-IMPACTING OPERATIONS SO AS NOT TO OCCUR IN THE SAME TIME PERIOD, UNLIKE NOISE, THE TOTAL VIBRATION LEVEL PRODUCED COULD BE SIGNIFICANTLY LESS WHEN EACH VIBRATION SOURCE OPERATES SEPARATELY. CONTRACTOR SHALL MINIMIZE IMPACTS ON SURROUNDING AREAS FOR ANY ACTIVITY EXCEEDING THE APPROXIMATE FTA VIBRATION ANNOYANCE THRESHOLD OF 80 VDB.
 2. AVOID NIGHTTIME ACTIVITIES. PEOPLE ARE MORE AWARE OF VIBRATION IN THEIR HOMES DURING THE NIGHTTIME HOURS.
- ALTERNATIVE CONSTRUCTION METHODS:**
1. SELECT DEMOLITION METHODS NOT INVOLVING IMPACT, WHERE POSSIBLE. FOR EXAMPLE, MILLING GENERATES LOWER VIBRATION LEVELS THAN EXCAVATION USING CLAM SHELL OR CHISEL DROPS. VIBRATIONS TO SENSITIVE RECEPTOR STRUCTURES SHALL NOT EXCEED THE VIBRATION DAMAGE THRESHOLD OF 95 VDB.
 2. AVOID VIBRATORY ROLLERS AND PACKERS NEAR SENSITIVE AREAS.

INNERLIGHT ENGINEERING CORPORATION

THE APPLIED SCIENCE OF SUCCESS

11490 EMERALD COAST PARKWAY, SUITE 2W
MIRAMAR BEACH | FLORIDA | 32150

TUSCAN VILLAGE
RESIDENTIAL TOWNHOMES

LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC
2001 FAIRWAY VISTA DRIVE
LOUISVILLE, KY 40245

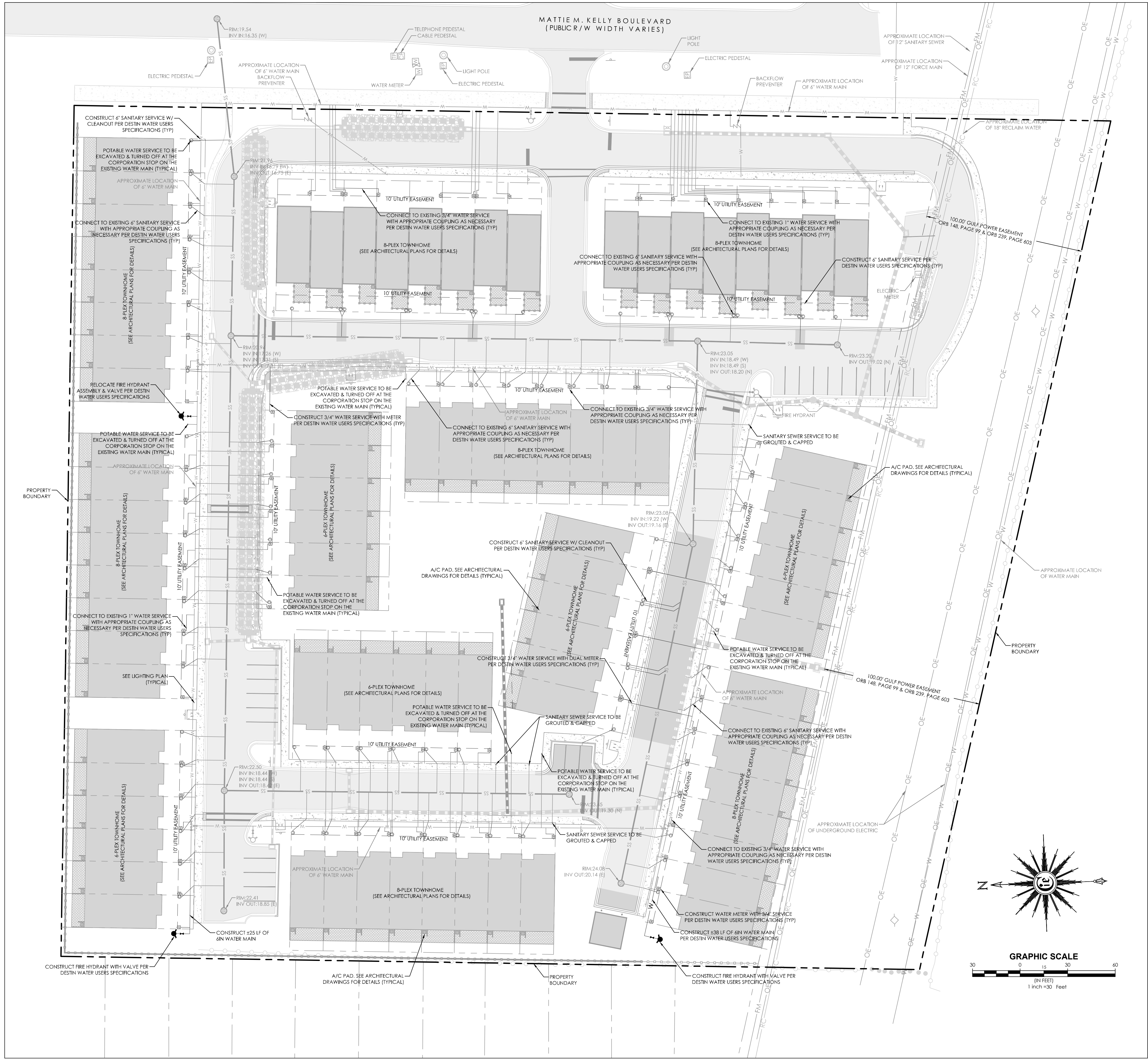
RECORD DATA
DATE: 04.13.2018
REV. NO: 2
REV. DATE: 11.05.2018
DRAWN BY: MTM
REVIEWED BY: MTM

MARK T. MURRAY
LICENSE
No. 80519
NOV 12 2018
STATE OF FLORIDA
PROFESSIONAL ENGINEER
P.E. 80519

SHEET TITLE
GRADING & DRAINAGE PLAN

SHEET NUMBER
8 OF 10

C:\DROPOBOX [EC] PROJECTS\OLD BAY VILLAGE\PHI\3.ENGINEERING\1.CDA\2.SHEETS\UTILITY PLAN.DWG, DSK8, 11/12/2018 9:13:59 AM

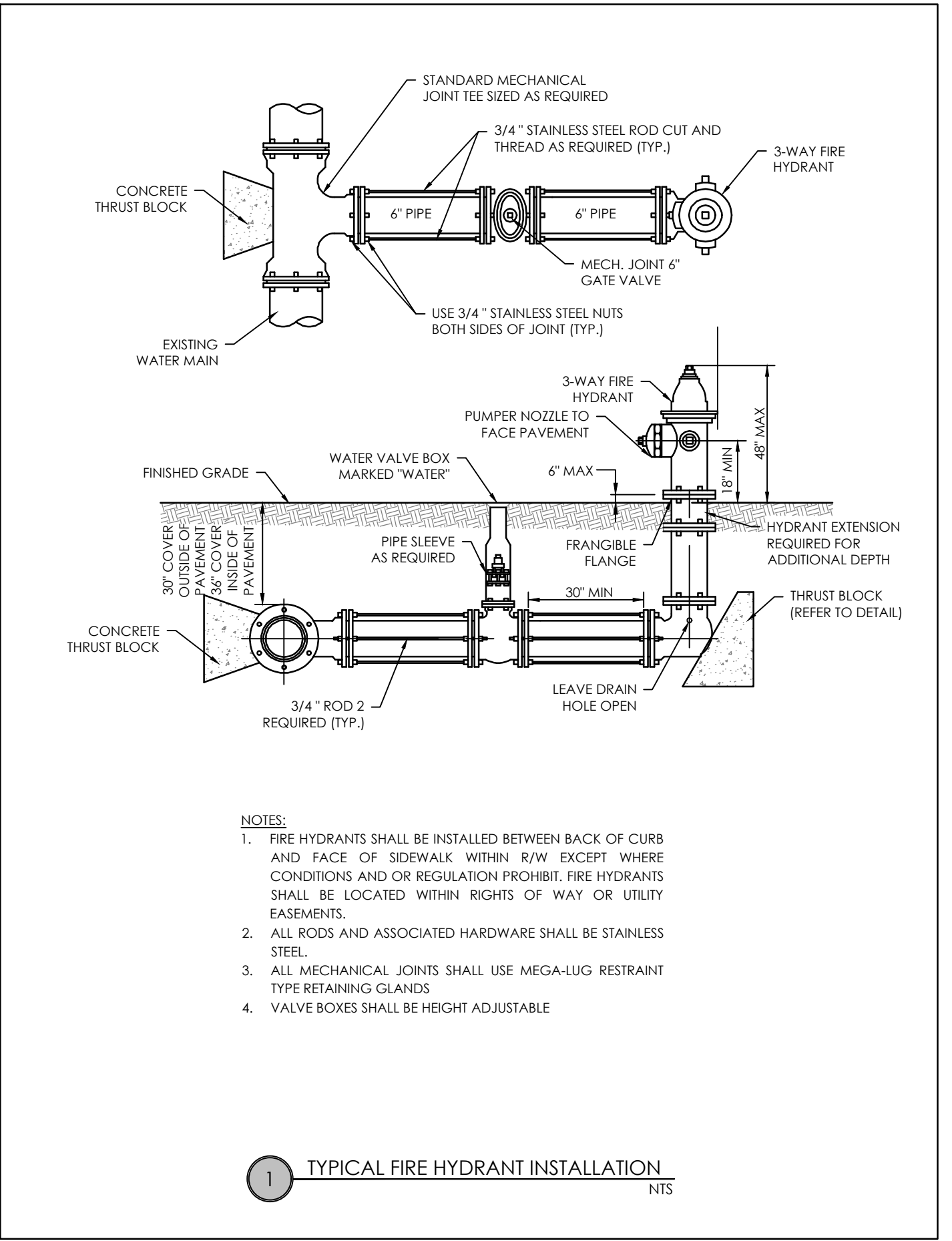


GENERAL UTILITY PLAN NOTES

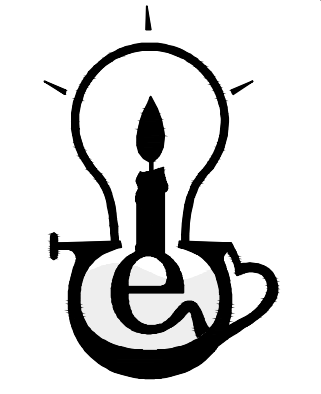
1. A MANDATORY PRECONSTRUCTION MEETING SHALL BE HELD WITH ALL INVOLVED PARTIES, INCLUDING THE DEVELOPER(S), ENGINEER-OF-RECORD, CONTRACTOR(S) AND D.W.U. STAFF A MINIMUM OF TWO (2) WEEKS PRIOR TO CONSTRUCTION TO ADDRESS ALL CONSTRUCTION & INSPECTION REQUIREMENTS. THIS MEETING SHALL BE COORDINATED BY THE ENGINEER-OF-RECORD OR UTILITIES CONTRACTOR, AND HELD AT THE OCWS ENGINEERING DEPARTMENT.
2. PLEASE COORDINATE WITH LOCAL FIRE DEPARTMENT ON INSPECTION REQUIREMENTS AND TESTING. THE PROPOSED WATER MAINS SHALL BE SIZED AND EXTENDED ACCORDINGLY TO MEET CURRENT FIRE CODE REQUIREMENTS.
3. PLEASE COORDINATE ALL UTILITY TIE-INS WITH D.W.U. (850) 857-4146 A MINIMUM OF TEN (10) WORKING DAYS PRIOR TO CONSTRUCTION. ALL UTILITY CONSTRUCTION SHALL BE INSPECTED BY THE D.W.U. ENGINEERING DEPARTMENT, INCLUDING PRESSURE TEST, FINISHED GRADE DEPTH AND SERVICE LOCATIONS. A FORTY-EIGHT (48) HOUR PRIOR NOTICE IS REQUIRED WHEN CALLING FOR INSPECTIONS. ALL PROPOSED WATER MAINS AND SERVICES SHALL HAVE A PASSING PRESSURE TEST, BACTERIOLOGICAL CLEARED AND FDEP CERTIFICATION RECEIVED PRIOR TO ACCEPTANCE.
4. A MINIMUM 15' CLEARANCE SHALL BE MAINTAINED BETWEEN UTILITY MAINS AND PROPOSED BUILDINGS. THE CONTRACTOR SHALL PROVIDE PROPER SEPARATION FROM PROPOSED DRAINAGE SYSTEMS AND UTILITY PIPES, INCLUDING SERVICES. THE CONTRACTOR WILL BE RESPONSIBLE FOR EXCAVATION OF MATERIAL, COMPLETELY EXPOSING MAINS, SUPPLYING MATERIAL IF REQUIRED AND SECURING SITE. THE CONTRACTOR WILL NEED TO IDENTIFY THE TIE-IN LOCATIONS AND PAY ALL ASSOCIATED CONNECTION COST, PRIOR TO CONNECTIONS BEING MADE.
5. NO UTILITY CONNECTIONS WILL BE MADE INTO COUNTRY/FOOT RIGHT-OF-WAY, AND/OR EASEMENTS WITHOUT AN APPROVED UTILITY PERMIT. ALL EXISTING ROAD CROSSINGS WILL BE BORED, UNLESS PERMITTED OTHERWISE. THE CONTRACTOR MUST REPAIR ANY PAVEMENT CUTS WITHIN TIME SPECIFIED ON PERMIT AND COORDINATE ALL CUTS WITH GOVERNING AUTHORITY A MINIMUM 10 DAYS PRIOR TO WORK BEING DONE.
6. THE CONTRACTOR WILL INSTALL TRACER WIRE ABOVE ALL WATER MAINS, SERVICES AND VALVES, INCLUDING VALVES INSTALLED BY D.W.U. THE WIRE WILL BE EXTENDED A MINIMUM 12" ABOVE FINAL GROUND ELEVATION AT THE VALVES AND ALL EXCESS WIRE COILED AND PLACED INSIDE THE VALVE BOX LID. THE WIRE WILL RUN THE ENTIRE SYSTEM, INCLUDING SERVICES TO CREATE A CONTINUOUS ELECTRIC CIRCUIT CAPABLE OF BEING FULLY TRACED WHEN CONNECTED TO A SINGLE DC SOURCE.
7. A MINIMUM 36" COVER IS REQUIRED FROM TOP OF ALL PROPOSED UTILITY LINES AND SERVICES FROM FINISHED GRADES, INCLUDING SWALES AND BASINS. ALL FIRE AND FLUSH HYDRANTS WILL BE PLACED AT BACK OF THE PROPOSED UTILITY EASEMENT, WITH BOTTOM FLANGE SECTION LEVEL WITH FINISH PAVEMENT SURFACE AND HAVE AN ISOLATION VALVE FOR EACH HYDRANT. AS NOTED ON PLANS, ALL WATER MAINS REQUIRING TO BE INSTALLED DIRECTLY UNDER PAVEMENT OR DRAINAGE BASINS SHALL BE DUCTILE IRON PIPE.
8. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING SANITARY INVERTS AND LOCATION OF EXISTING WATER MAIN AND NOTIFY THE ENGINEER IF THERE IS A DISCREPANCY.
9. SEE LIGHTING PLAN FOR LIGHTING LOCATIONS & SPECIFICATIONS.
10. CONTRACTOR SHALL VIDEO ALL GRAVITY SEWER MAINS AND EXISTING MANHOLES AND A COPY SHALL BE GIVEN TO DESTIN WATER USERS FOR REVIEW.

GENERAL POTABLE WATER NOTES

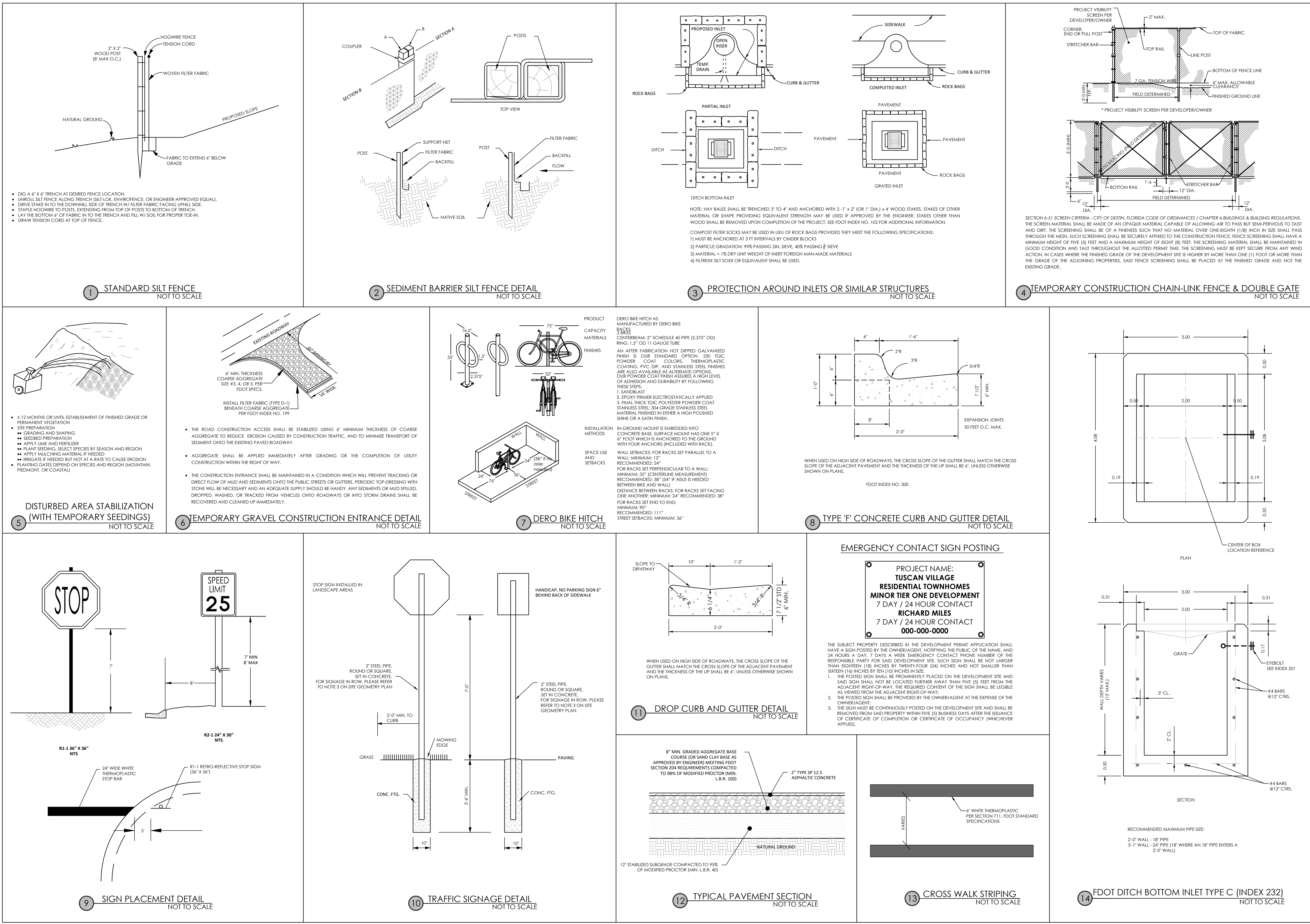
1. JOINT RESTRAINTS SHALL BE REQUIRED ON ALL WATERLINES WITHIN THE DEVELOPMENT.
2. ALL WATER METERS DEPICTED ON THESE PLANS ARE SHOWN SCHEMATIC. WATER METERS SHALL BE INSTALLED PER DESTIN WATER USERS' STANDARD DETAILS AND SPECIFICATIONS (LATEST EDITION).
3. WATER MAIN TO BE CONSTRUCTED PER DESTIN WATER USERS' STANDARD SPECIFICATIONS.
4. FIRE HYDRANTS TO BE ASSEMBLED PER DESTIN WATER USERS' SPECIFICATIONS WITH APPROPRIATE 6" DUCTILE IRON LEADER AND 6" GATE VALVES.
5. CONTRACTOR TO VERIFY DETAILS AND SPECIFICATIONS WITH DESTIN WATER USERS' DETAILS AND SPECIFICATIONS.
6. CONTRACTOR SHALL COORDINATE WITH DESTIN WATER USERS PRIOR TO MAKING ANY CONNECTIONS.
7. CONTRACTOR SHALL CONDUCT HYDROSTATIC PRESSURE TESTS ON THE EXISTING WATER MAINS AT 150 PSI FOR 2 HOURS. SAMPLES SHALL BE TAKEN TO CLEAR THE EXISTING WATER MAINS & RESULTS GIVEN TO DWU FOR ACCEPTANCE.



1 TYPICAL FIRE HYDRANT INSTALLATION DETAILS



C:\DROPOX\EC\PROJECTS\OLD BAY VILLAGE\PHI\3.ENGINEERING\1.CDA\2.SHEETS\CONSTRUCTION DETAILS.DWG, DSK8, 11/12/2018 9:14:03 AM



SHEET INDEX:

1 - DEDICATIONS, CERTIFICATIONS, DESCRIPTION
2 - BOUNDARY LOCATION INFORMATION

TUSCAN VILLAGE
A REPLAT OF OLD BAY VILLAGE PHASE II-A
AS RECORDED IN PLAT BOOK 26, PAGES 29-30
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA
SITUATED IN UNSECTIONALIZED - TOWNSHIP 2 NORTH - RANGE 22 WEST

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT RICHARD MILES WITH LEGACY PROPERTIES OF NORTHWEST FLORIDA, A FLORIDA LIMITED LIABILITY COMPANY, THE OWNER OF FEE SIMPLE TITLE COVERING THE LANDS DESCRIBED IN THIS PLAT OF "TUSCAN VILLAGE" DOES DECLARE THAT IT HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN HEREON AND DOES HEREBY DEDICATE ALL COMMON AREAS TO THE TUSCAN VILLAGE HOMEOWNERS ASSOCIATION, INC. LEGACY PROPERTIES OF NORTHWEST FLORIDA, A FLORIDA LIMITED LIABILITY COMPANY, DOES HEREBY GRANT NON EXCLUSIVE EASEMENT WITHIN THE COMMON AREAS TO VARIOUS UTILITY COMPANIES FOR THE PURPOSE OF INGRESS, EGRESS, INSTALLATION, REPAIR AND MAINTENANCE OF UTILITIES INCLUDING BUT NOT LIMITED TO COX COMMUNICATIONS, GULF POWER, CENTURY LINK AND DESTIN WATER USERS AND DOES HEREBY DEDICATE THE 18 FEET WIDE PEDESTRIAN WALKWAY EASEMENT TO THE PUBLIC.

WITNESS _____

WITNESS _____

RICHARD MILES, MANAGING MEMBER
LEGACY PROPERTIES OF NORTHWEST FLORIDA,
A FLORIDA LIMITED LIABILITY COMPANY
MANAGING MEMBER

ACKNOWLEDGMENT OF DEDICATION:

COUNTY OF _____
STATE OF _____
THIS IF TO CERTIFY THAT ON THE _____ DAY OF _____, 2019, BEFORE ME, RICHARD MILES, MANAGING MEMBER OF LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC PERSONALLY APPEARED AND WHO IS PERSONALLY KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT OF DEDICATION AS, OR WHO HAS PRODUCED _____ AS IDENTIFICATION, ACKNOWLEDGED TO AND BEFORE ME THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF RICHARD MILES, MANAGING MEMBER OF LEGACY PROPERTIES OF NORTHWEST FLORIDA, LLC.
WITNESS MY HAND AND OFFICIAL SEAL ON THIS _____, DAY OF _____, 2019.

NOTARY PUBLIC, STATE OF FLORIDA

PRINTED NAME

MY COMMISSION EXPIRES: _____

SEAL

JOINDER AND CONSENT TO DEDICATION:

FIRST NATIONAL BANK NORTHWEST FLORIDA, AS HOLDER OF MORTGAGE, LIEN OR OTHER ENCUMBRANCE UPON THE PROPERTY HEREON SUBDIVIDED AS TUSCAN VILLAGE, DOES HEREBY JOIN IN AND CONSENT TO SAID SUBDIVISION AND THE DEDICATION AS SHOWN ABOVE FOR USES AND PURPOSES HEREON SET FORTH.

ANGIE BARGER, PRESIDENT AND CEO

DATE

ACKNOWLEDGMENT TO JOINDER AND CONSENT:

COUNTY OF _____
STATE OF _____
THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 2019, BEFORE ME, _____ PERSONALLY APPEARED AND WHO IS PERSONALLY KNOWN TO ME TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT OF DEDICATION AS, OR WHO HAS PRODUCED _____ AS IDENTIFICATION, ACKNOWLEDGED TO AND BEFORE ME THAT SAID INSTRUMENT IS THE FREE ACT AND DEED.
WITNESS MY HAND AND OFFICIAL SEAL ON THIS _____, DAY OF _____, 2019.

NOTARY PUBLIC, STATE OF FLORIDA

PRINTED NAME

MY COMMISSION EXPIRES: _____

SEAL

TITLE OPINION:

PURSUANT TO CHAPTER 177, F.S., THE UNDERSIGNED ATTORNEY, ABSTRACTOR OR TITLE COMPANY, DULY LICENSED IN THE STATE OF FLORIDA, CERTIFIES THAT TITLE TO LAND(S) DESCRIBED HEREON IS IN THE NAME OF DEDICATORS AND INDICATED HEREIN AND THAT THERE ARE NO UNSATISFIED MORTGAGES RECORDED AS A MATTER OF RECORD EXCEPT AS SHOWN IN THE JOINDER AND CONSENT.

DATE

COMPANY

ATTORNEY AT LAW

NOTE:

PURSUANT TO F.A.C. CHAPTER 177.091(27):
NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

PURSUANT TO F.A.C. CHAPTER 177.091(28):
ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION DOES NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.



VICINITY MAP
NOT TO SCALE

LEGAL DESCRIPTION

ALL OF OLD BAY VILLAGE PHASE II-A, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 26, PAGE 29, AND BEING A REPLAT OF OLD BAY VILLAGE PHASE II, AS RECORDED IN PLAT BOOK 24, PAGES 75 AND 76, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.
AND
ALL OF OLD BAY VILLAGE PHASE II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 24, PAGE 75, OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA.

SURVEYOR'S CERTIFICATE:

THE UNDERSIGNED HEREBY ACKNOWLEDGES THAT THIS PLAT WAS PREPARED UNDER HIS DIRECTION AND SUPERVISION, AND THAT THIS PLAT WAS PREPARED IN COMPLIANCE WITH THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING, OF THE FLORIDA STATUTES.

DAVID E. SMITH, P.S.M.
FLORIDA REGISTRATION NUMBER 6432
INNERLIGHT ENGINEERING CORPORATION
11490 EMERALD COAST PARKWAY
MIRAMAR BEACH, FLORIDA 32550
850-424-5855
LB # 7927

DATE _____

PUBLIC SERVICES DEPARTMENT APPROVAL

CITY OF DESTIN
STATE OF FLORIDA
THIS CERTIFIES THAT THIS PLAT OF "TUSCAN VILLAGE" WAS PRESENTED TO AND APPROVED BY THE PUBLIC SERVICES DEPARTMENT OF THE CITY OF DESTIN, FLORIDA, THIS DAY _____ OF _____, 2019.

TIM PIETENPOL, INTERIM PUBLIC SERVICES DIRECTOR

CITY OF DESTIN APPROVAL:

THE CITY OF DESTIN, HAVING EXAMINED THE WRITTEN PLAT ON THE _____ DAY OF _____, 2019, DOES HEREBY APPROVE THE PLAT FOR RECORDING.

LANCE JOHNSON, CITY MANAGER

REY BAILEY, CITY CLERK

GARY JARVIS, MAYOR

COMMUNITY DEVELOPMENT DEPARTMENT APPROVAL

THIS CERTIFIES THAT THIS PLAT WAS PRESENTED TO AND APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF DESTIN, FLORIDA, THIS DAY _____ OF _____, 2019.

A. LOUIS ZUNGUZE, COMMUNITY DEVELOPMENT DIRECTOR

TAX COLLECTOR'S CERTIFICATE

OKALOOSA COUNTY
STATE OF FLORIDA
I, BEN ANDERSON, DO HEREBY CERTIFY THAT THE TAXES HAVE BEEN PAID FOR THE TAX YEAR _____ FOR THE PROPERTY DESCRIBED HEREON TO THE BEST OF MY KNOWLEDGE, AS OF THIS _____ DAY OF _____, 2019.

BEN ANDERSON, TAX COLLECTOR
OF OKALOOSA COUNTY, FLORIDA

COUNTY CLERK'S CERTIFICATE OF RECORDING

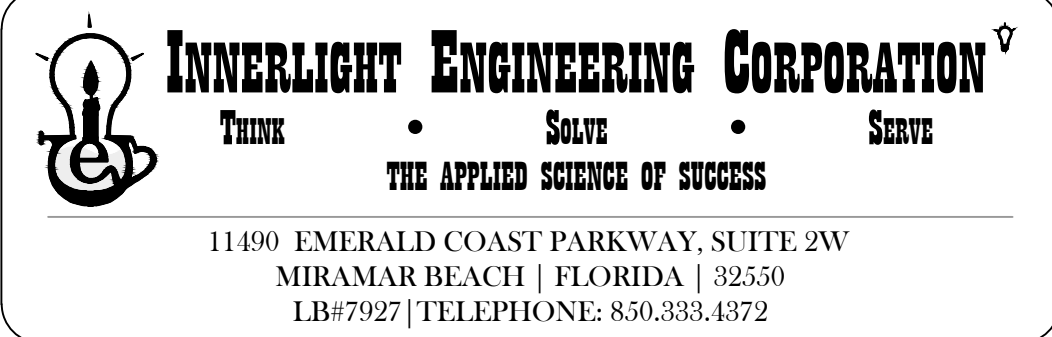
OKALOOSA COUNTY
STATE OF FLORIDA
I, J.D. PEACOCK II, CLERK OF THE CIRCUIT COURT, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD ON THE _____ DAY OF _____, 2019, IN PLAT BOOK _____, PAGE _____.

J.D. PEACOCK II, CLERK OF CIRCUIT COURT

CITY SURVEYOR'S CERTIFICATE

CITY OF DESTIN
STATE OF FLORIDA
THIS IS TO CERTIFY THAT THIS PLAT WAS REVIEWED BY THE CITY SURVEYOR OF DESTIN, FLORIDA, AND MEETS THE REQUIREMENTS OF CHAPTER 177 OF THE FLORIDA STATUTES AND WAS APPROVED BY HIM ON THE _____ DAY OF _____, 2019.

ERIC B. STUART - PSM# 6707



TUSCAN VILLAGE

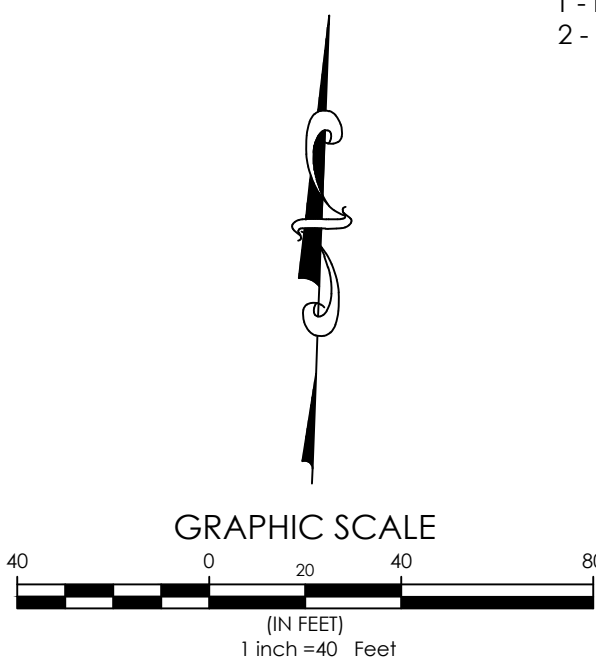
TUSCAN VILLAGE

A REPLAT OF OLD BAY VILLAGE PHASE II-A
AS RECORDED IN PLAT BOOK 26, PAGES 29-30
CITY OF DESTIN, OKALOOSA COUNTY, FLORIDA
SITUATED IN UNSECTIONALIZED - TOWNSHIP 2 NORTH - RANGE 22 WEST

PLAT BOOK _____, PAGE _____.

SHEET INDEX:

1 - DEDICATIONS, CERTIFICATIONS, DESCRIPTION
2 - BOUNDARY LOCATION INFORMATION



LEGEND

- FOUND 4X4 CONCRETE MONUMENT
- FOUND CAPPED IRON PIN
- PERMANENT REFERENCE MONUMENT (P.R.M.)
SET 1/2" CAPPED IRON PIN (PRM LB 7927)

ABBREVIATIONS

R/W	RIGHT-OF-WAY	NAD83	NORTH AMERICAN DATUM 1983
N	NORTH	DNR	DEPARTMENT OF NATURAL RESOURCES
S	SOUTH	ORB	OFFICIAL RECORD BOOK
E	EAST	PG	PAGE
W	WEST	ELEV / EL	ELEVATION
SQ. FT.	SQUARE FEET	(R)	RECORD DIMENSION
AC.	ACRES	°	DEGREES WHEN USED IN A BEARING OR ANGLE
L1	LINE & NUMBER TO LINE TABLE	'	MINUTES WHEN USED IN A BEARING OR ANGLE
C1	CURVE & NUMBER TO CURVE TABLE	"	SECONDS WHEN USED IN A BEARING OR ANGLE
LB	LICENSED BUSINESS	'	FEET OR DECIMAL THEREOF WHEN USED IN A
#	NUMBER		DIMENSION
ID	IDENTIFICATION	"	INCHES WHEN USED IN A DIMENSION
NGVD29	NATIONAL GEODETIC VERTICAL DATUM 1929	±	MORE OR LESS

GENERAL NOTES

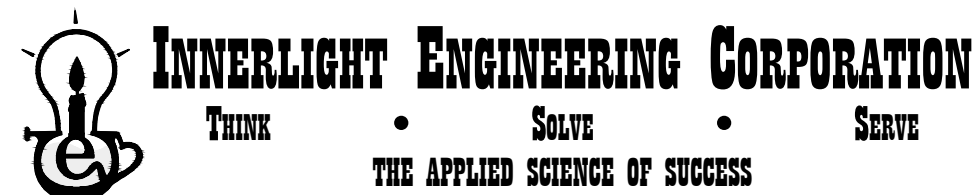
- THIS PLAT IS BASED UPON A BOUNDARY SURVEY BY THIS FIRM AND WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
- SOURCES OF INFORMATION RELIED UPON FOR THE PREPARATION OF THIS PLAT INCLUDES THE FOLLOWING: FIELD RECOVERED MONUMENTATION, PLATS, DEEDS, AND OTHER DOCUMENTATION AS NOTED HEREON.
- NORTH AND THE BEARINGS DEPICTED HEREON ARE BASED UPON THE STATE PLANE COORDINATE SYSTEM - FLORIDA NORTH ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83).
- ALL LOT LINES DEPICTED HEREON ARE NON-RADIAL (N.R.) UNLESS OTHERWISE NOTED.

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LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	4.19'	S87° 06' 56"E
L3	12.27'	S68° 04' 51"E
L6	126.17'	S63° 09' 26"E
L8	91.52'	S67° 14' 13"E
L10	59.42'	S82° 36' 32"E
L12	29.11'	S61° 51' 10"E
L14	30.77'	N82° 53' 45"E
L16	12.24'	S87° 08' 44"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	18.61'	56.00'	19°02'09"	S77° 35' 53"E	18.52'
C2	36.98'	194.00'	10°55'14"	S62° 37' 16"E	36.92'
C3	10.33'	74.00'	7°59'49"	S61° 09' 33"E	10.32'
C4	43.34'	1194.00'	2°04'47"	S66° 11' 49"E	43.34'
C5	25.22'	94.00'	15°22'11"	S74° 55' 22"E	25.14'
C6	22.10'	61.00'	20°45'31"	S72° 13' 51"E	21.98'
C7	34.45'	56.00'	35°14'52"	S79° 28' 43"E	33.91'
C8	10.60'	61.00'	9°57'34"	N87° 52' 30"E	10.59'



11490 EMERALD COAST PARKWAY, SUITE 2W
MIRAMAR BEACH | FLORIDA | 32550
LB#7927 | TELEPHONE: 850.333.4372

TUSCAN VILLAGE

PLAT BOOK _____, PAGE _____.

SHEET 2 OF 2

**TECHNICAL REVIEW COMMITTEE REPORT
TUSCAN VILLAGE
MAJOR DEVIATION TO A DEVELOPMENT ORDER (18-26-SP)
AND MAJOR SUBDIVISION (18-26-MS)**

Applicant: Legacy Properties of Northwest Florida, LLC
Agent: Mark Murray and David Smith, Innerlight Engineering Corp.
Location: 500 Mattie M. Kelly Boulevard
Request: 86 unit townhome development and plat
Parcel Size: 7.81 acres, 340,413 square feet
Future Land Use: ROI- Residential, Office and Institutional
Zoning District: ROI-GD - Residential, Office, & Institutional - General Development
Density: 11.01 DU/AC Provided (12 DU/AC Allowed)
Intensity: Not applicable
Application Date: May 14, 2018
Approved Site Plan Date: March 26, 2019

DISCUSSION/FINDINGS

Legacy Properties of Northwest Florida, LLC is requesting a Major Deviation to a Development Order and Major Subdivision plat approval. The project consists of 86 townhouses with the associated infrastructure and platting. The site was previously approved for 104 (36 condo and 68 townhouse) dwelling units through the following development orders and deviations:

- DO 04-05 Old Bay Village Major Development Order
- DO 04-17 Old Bay Village Phase II Major Development Order
- DO 05-07 Old Bay Village Phase II, 1st Amendment Minor Deviation
- DO 06-08 Old Bay Village Phase I, 1st Amendment Minor Deviation
- DO 13-02 Old Bay Village Phase II, 2nd Amendment Minor Deviation

The 7.81 acre site is currently platted as Old Bay Village Phase II-A Plat Book 26 Page 30 in the Public Records of Okaloosa County.

COMPREHENSIVE PLAN/LAND DEVELOPMENT CODE

The property has a Future Land Use Map Designation of ROI- Residential, Office and Institutional and a Zoning Designation of ROI-GD - Residential, Office, & Institutional - General Development. The proposed project is consistent with the Comprehensive Plan and Land Development Code (LDC).

LAND USE

Long-term multifamily residential is an allowable use in both the ROI future land use designation and ROI-GD zoning district.

DENSITY

Maximum allowed: 12 dwelling units per acre
Provided: 11.01 dwelling units per acre

HEIGHT

Maximum allowed: 50'¼ stories
Provided: 19'5"½ stories

PITCHED ROOF

Minimum required: 60%
Provided: 100%

FLOOR AREA RATIO

Not applicable

SETBACKS

Front minimum: 0 feet
Front provided: 19.93 feet

Side minimum allowed: 0 feet
Side provided: 14.43 feet

Rear minimum allowed: 0 feet
Rear allowed: 10 feet

OPEN SPACE

Minimum required: 25%
Provided: 50.7%

PLATTING

The project is proposing a major subdivision to be processed simultaneously with a major deviation to a development order. The applicant is requesting preliminary plat approval and will seek final plat approval once the infrastructure is complete.

CONCURRENCY MANAGEMENT

Concurrency requirements have been met:

Traffic: The traffic analysis is consistent with the technical methodology outlined in LDC 6.05.05. The modification is a reduction in the committed project trips currently allocated in the Multimodal Transportation District Capacity Table from the previously approved development orders.

Stormwater Management: The City's Stormwater Manager's Designee signed the CEC on May 13, 2019.

Potable Water/Sanitary Sewer: The Field Operation Manager signed the CEC on May 31, 2018.

Solid Waste: The Recycling Coordinator signed the CEC on March 13, 2018.

AIRPORT PROTECTION

As proposed, this project is not affected by nor affects the Destin – Ft. Walton Beach Airport. The applicant has indicated on the development order application that the proposed project is not within the Airport Expansion Area. NOTE: If construction necessitates the use of a crane, or other obstruction, which exceeds Federal Aviation Administration FAR 77 Standards (normally 200 feet above ground level), the applicant must request a variance from the FAA for temporary encroachment into this restrictive area and a copy of a completed FAA Form 7460, must be placed

on file with the City of Destin prior to the crane, or other obstruction, penetrating the restricted airspace.

TRANSPORTATION ANALYSIS

The traffic analysis, dated July 25, 2018, indicates the proposed development is estimated to generate 53 PM peak hour vehicle trips. This is a reduction of 9 committed project trips currently allocated in the Multimodal Transportation District Capacity Table for the previous approved development orders. The analysis is consistent with the technical methodology outlined in LDC 6.05.05 and will be used to assist the City in determining the overall success of the MMTD as outlined in Comprehensive Plan Policy 12-4.1.8.

RIGHT-OF-WAY DEDICATION

The project does not include any new right-of-way dedication. The 18 foot wide pedestrian walkway easement dedicated to the public with the existing plat is maintained on the new plat.

INGRESS/EGRESS

Vehicular access to the property is provided by a previously constructed 24-foot-wide, two-way accessway from the Mattie M. Kelly Boulevard public ROW.

PEDESTRIAN NETWORK

The project provides a complete pedestrian network as required in LDC 8.09.03.A(6). External sidewalks exist along Mattie M. Kelly Boulevard. A continuous on-site internal sidewalk is provided throughout the development.

PARKING:

Required maximum/minimum vehicle parking spaces:	215/172
Provided vehicle parking spaces:	199

Required minimum bicycle parking spaces:	22
Provided bicycle parking spaces:	22

UTILITIES:

All utilities are required to be underground.

STORMWATER:

The City Stormwater Manager's Designee approved the stormwater plan in a memo dated February 15, 2019.

REFUSE COLLECTION:

Solid waste collection will occur on each individual lot via trash receptacles.

WHITE SANDS ZONE

The proposed project is not located within a White Sands Zone.

LANDSCAPING

Front perimeter/common boundary:	Exempt per LDC 12.04.04.B
Interior parking landscape:	Minimum requirements met

Buffer zone:	Exempt per LDC 12.04.04.D
Preservation and restoration:	
Acres of development:	7.81
Reforestation trees required:	79
Preserved trees:	0 tree credits (0 preserved trees)
Required additional trees:	0
Required parking trees:	10
Total required trees:	89
Total trees provided:	146

SIGNS

All signs must comply with the sign code section of the Destin Land Development Code in effect at the time a sign application is submitted.

STATE/FEDERAL PERMITS REQUIRED BEFORE ISSUANCE OF BUILDING PERMIT:

1. A Florida Department of Environmental Protection or Northwest Florida Water Management District permitting is required prior to obtaining a building permit.

IMPACT FEES:

Final impact fee amounts will be determinant upon the gross floor area of the overall development land uses and whether exemption or credits are applicable and reevaluated at the time a Certificate of Occupancy is requested. The impact fees for the proposed project are estimated to be:

18-26 – Tuscan Village

LAND USE	UNITS	PARK	LIBRARY	POLICE	TRANS.	TOTAL
Residential, 1,500—1,999 sq. ft., per dwelling unit	86	\$399.00	\$133.00	\$19.00	\$1,198.00	
Totals	86	\$34,314.00	\$11,438.00	\$1,634.00	\$103,028.00	\$150,414.00

OTHER FEES: Not applicable.

COMMENTS:

Per Community Development Department:

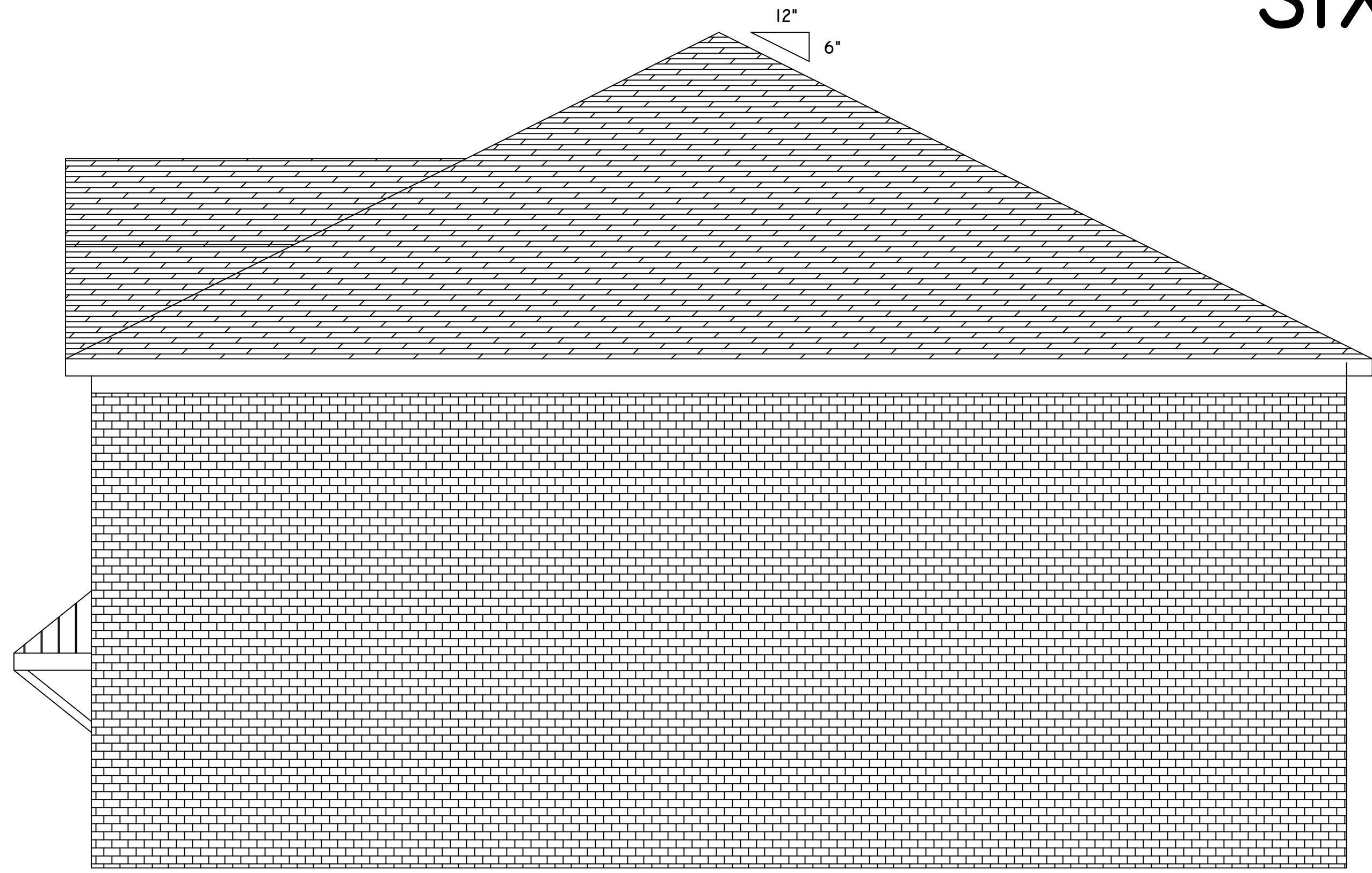
1. **Prior to the issuance of a Clearing Permit**, a clearing plan must be submitted and approved by the Community Development Department.
2. **Prior to the issuance of a Certificate of Occupancy**, all required parking and related landscaping shall be installed, inspected, and approved by the Engineering and Community Development Departments.

3. If the applicant proposes outdoor lighting in the future, an outdoor lighting plan must be submitted to the Office of Community Development for review and approval.

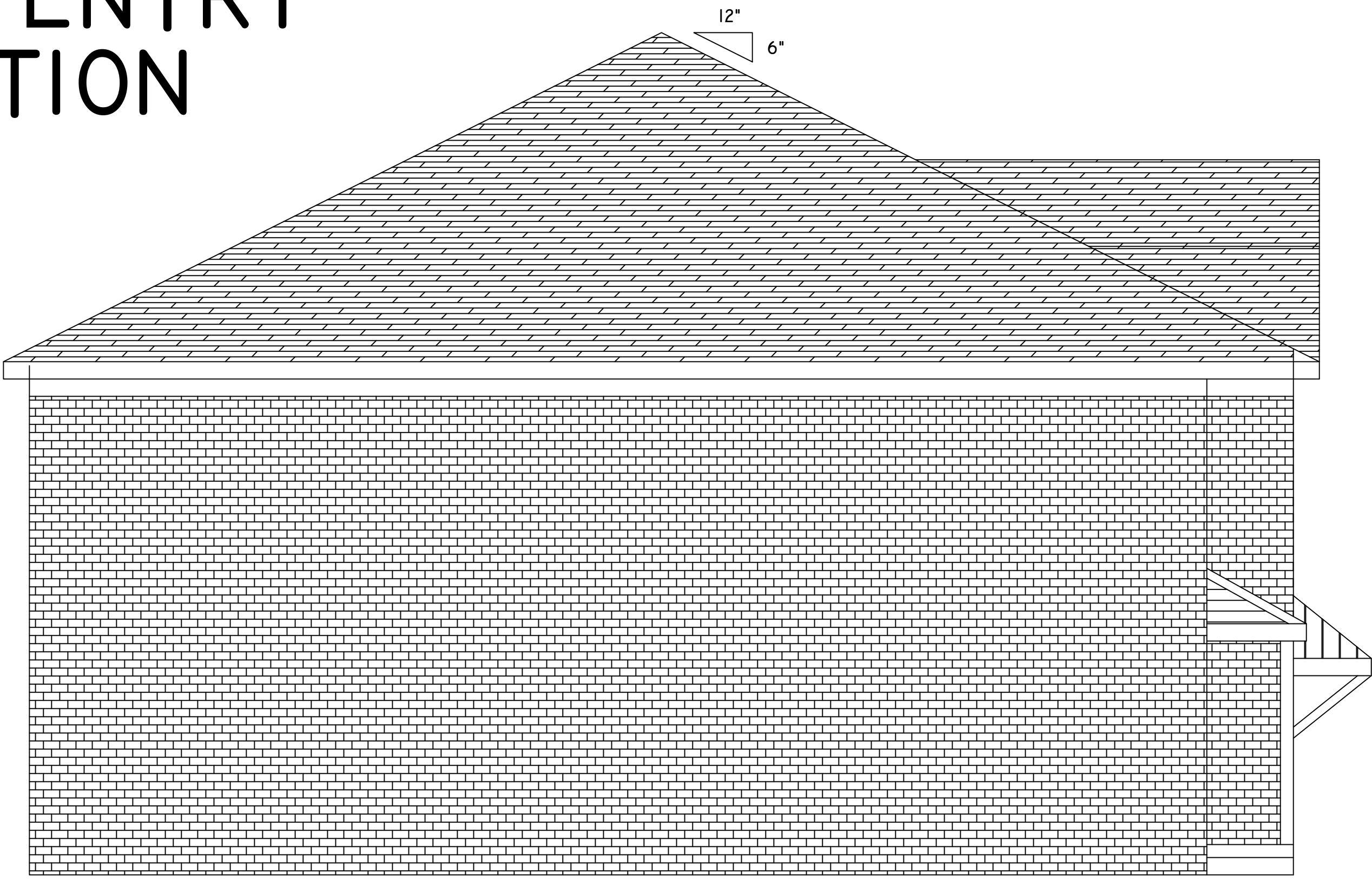
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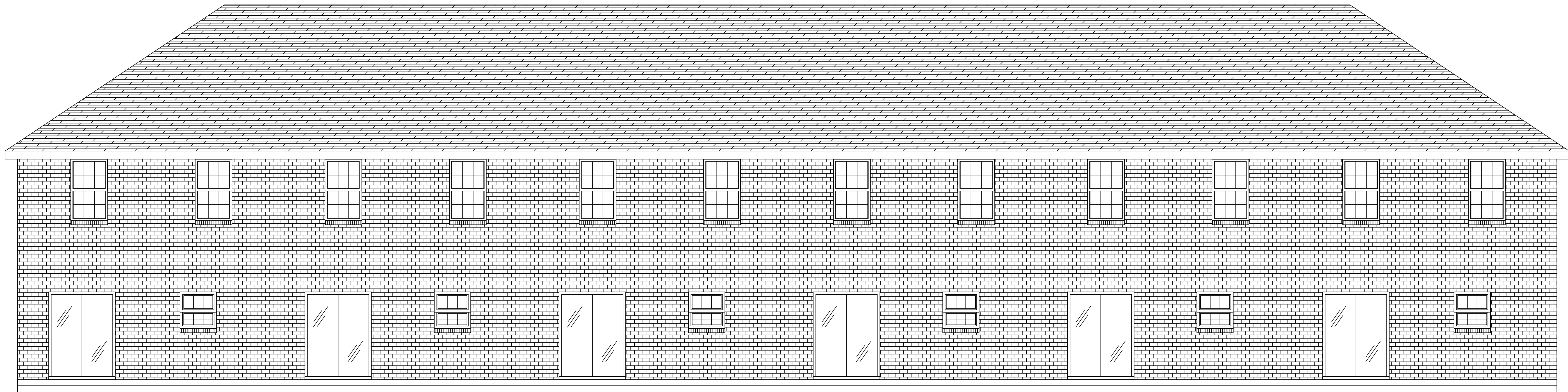
SIX PLEX FRONT ENTRY
FRONT ELEVATION



SIX PLEX FRONT ENTRY
RIGHT ELEVATION



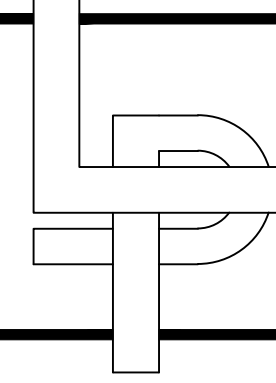
SIX PLEX FRONT ENTRY
LEFT ELEVATION



SIX PLEX FRONT ENTRY
REAR ELEVATION

Legacy Properties of Northwest Florida

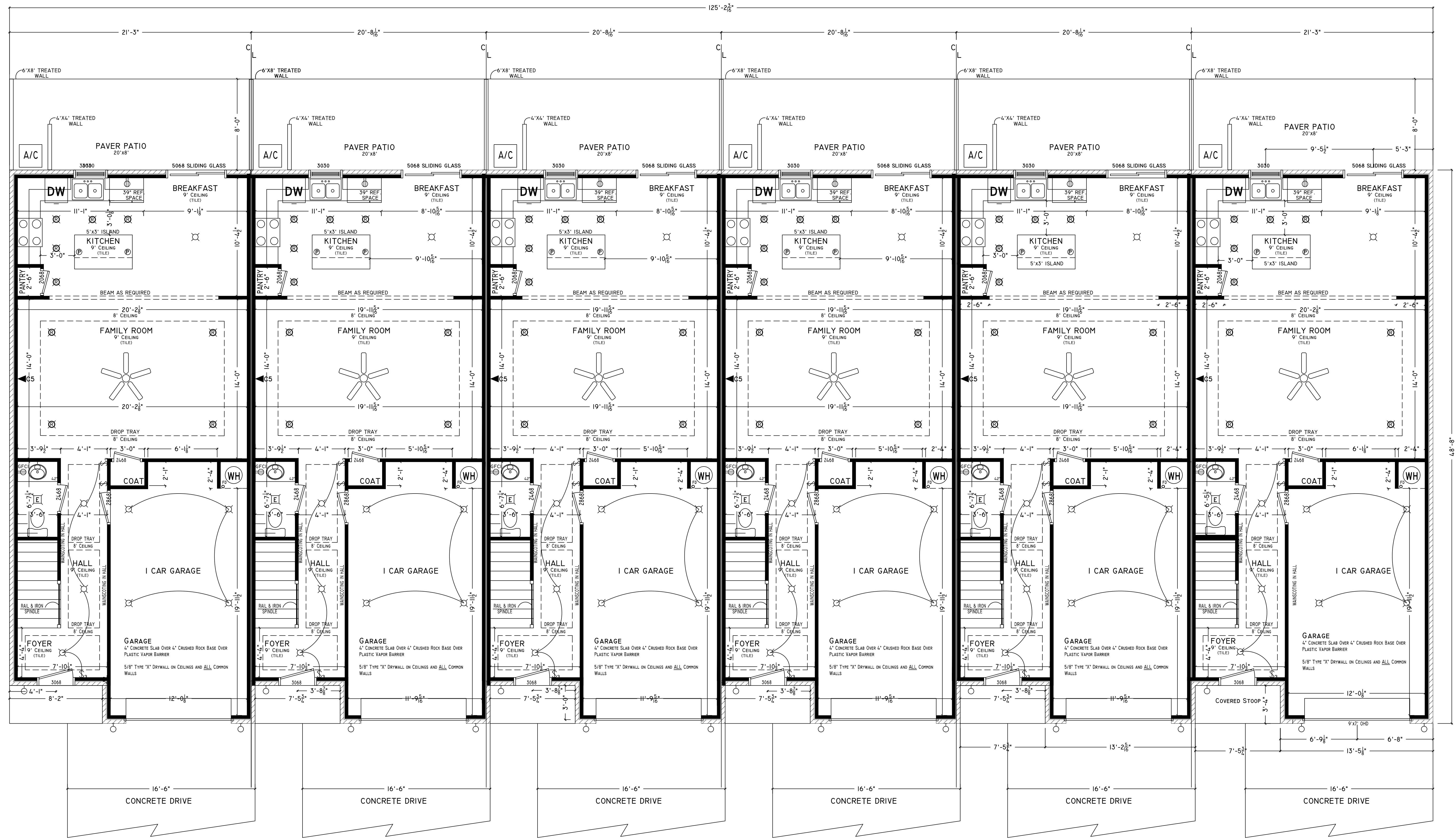
Richard Miles
2001 Fairway Vista Drive
Louisville Ky 40245
502-550-6008



07.25.18

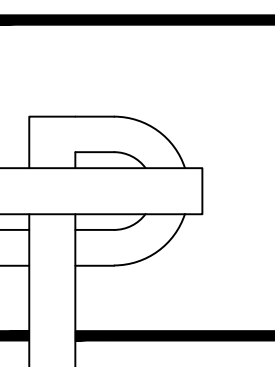
1 OF 5

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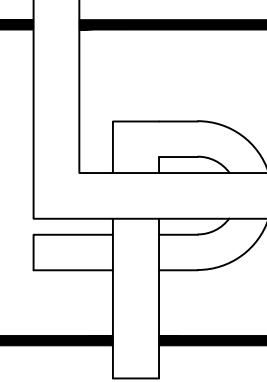
Legacy Properties of Northwest Florida

Richard Miles
2001 Fairway Vista Drive
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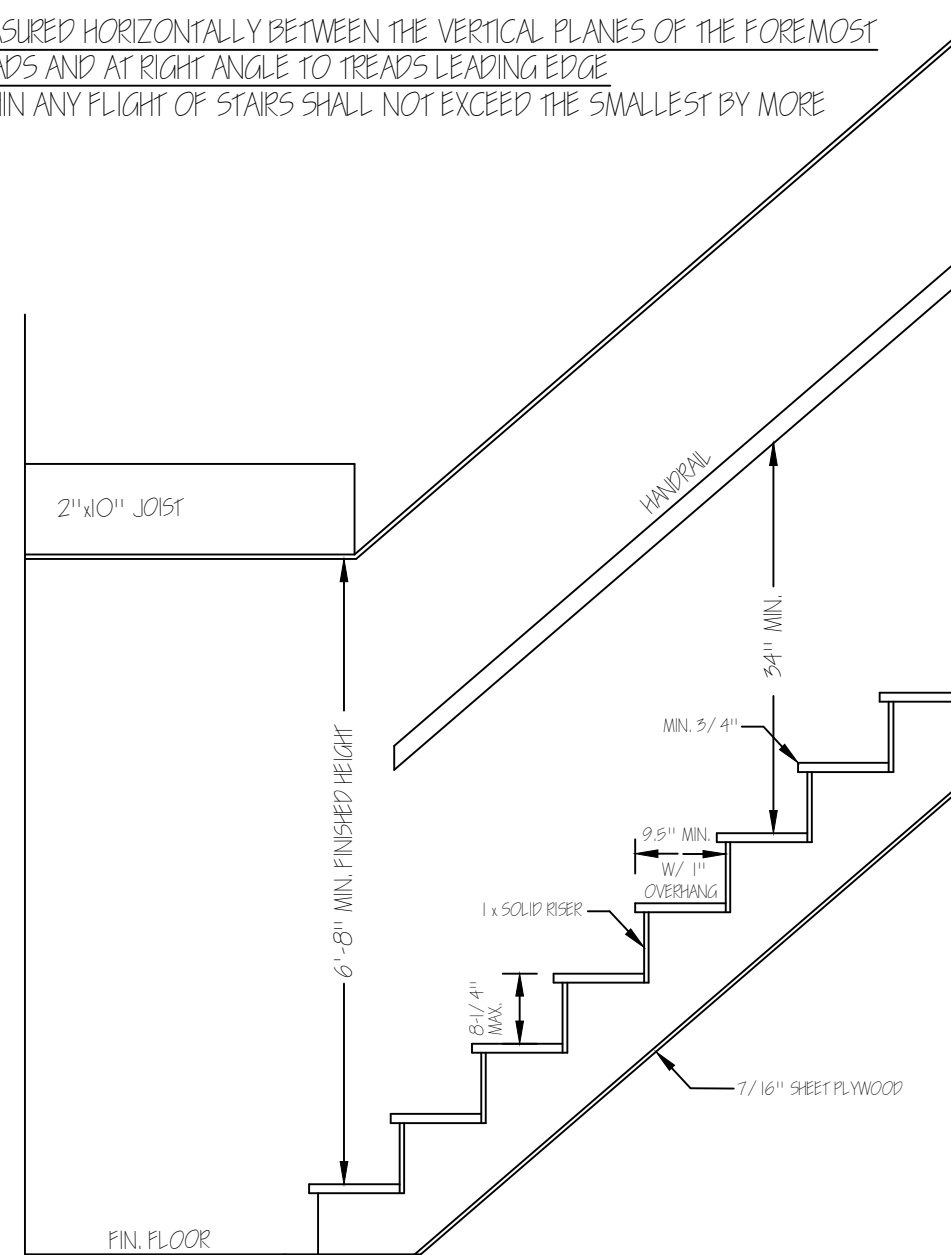
2 OF 5



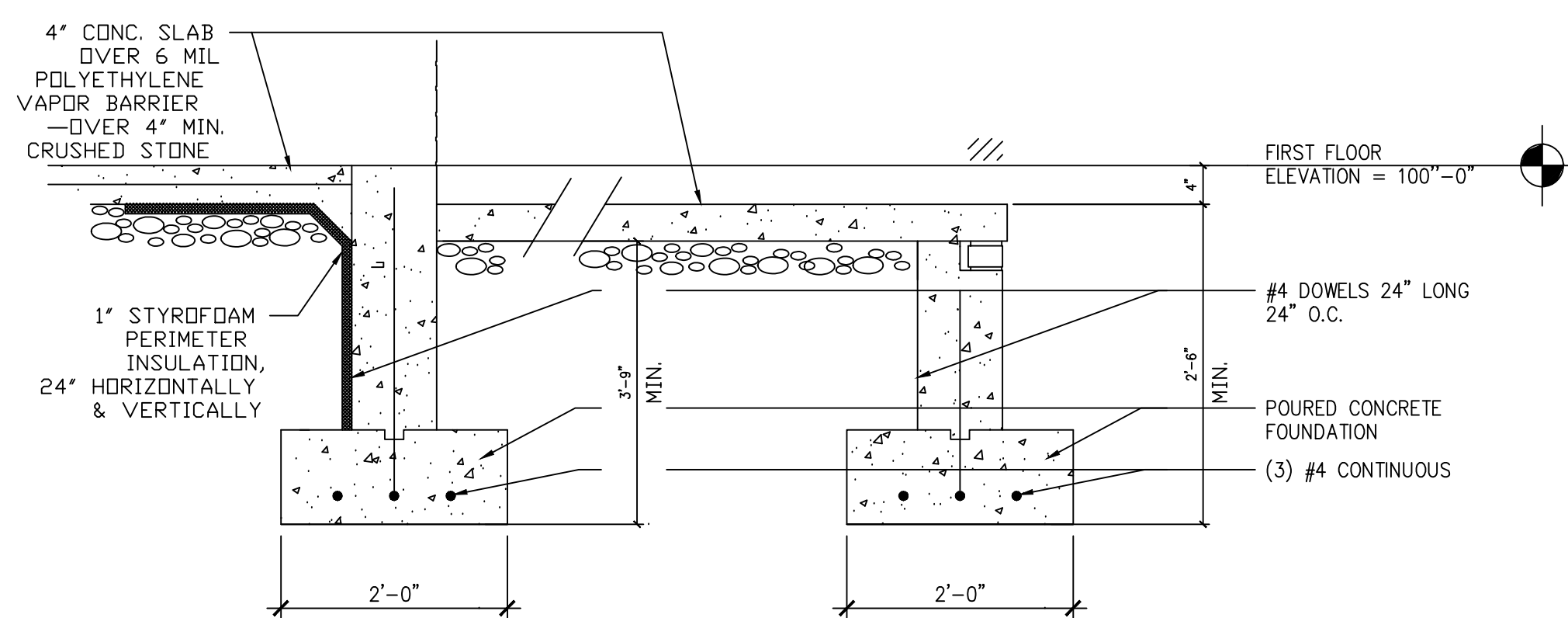




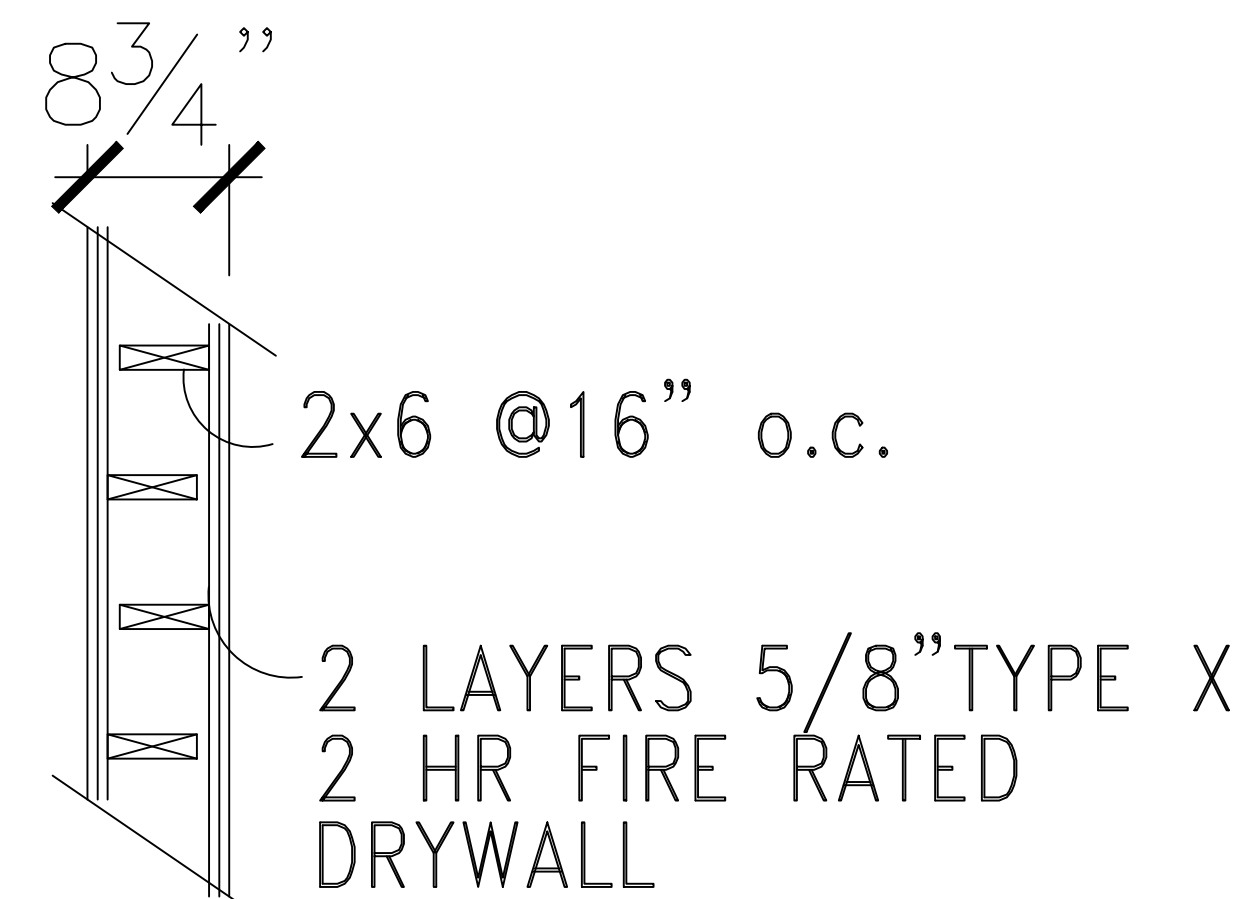
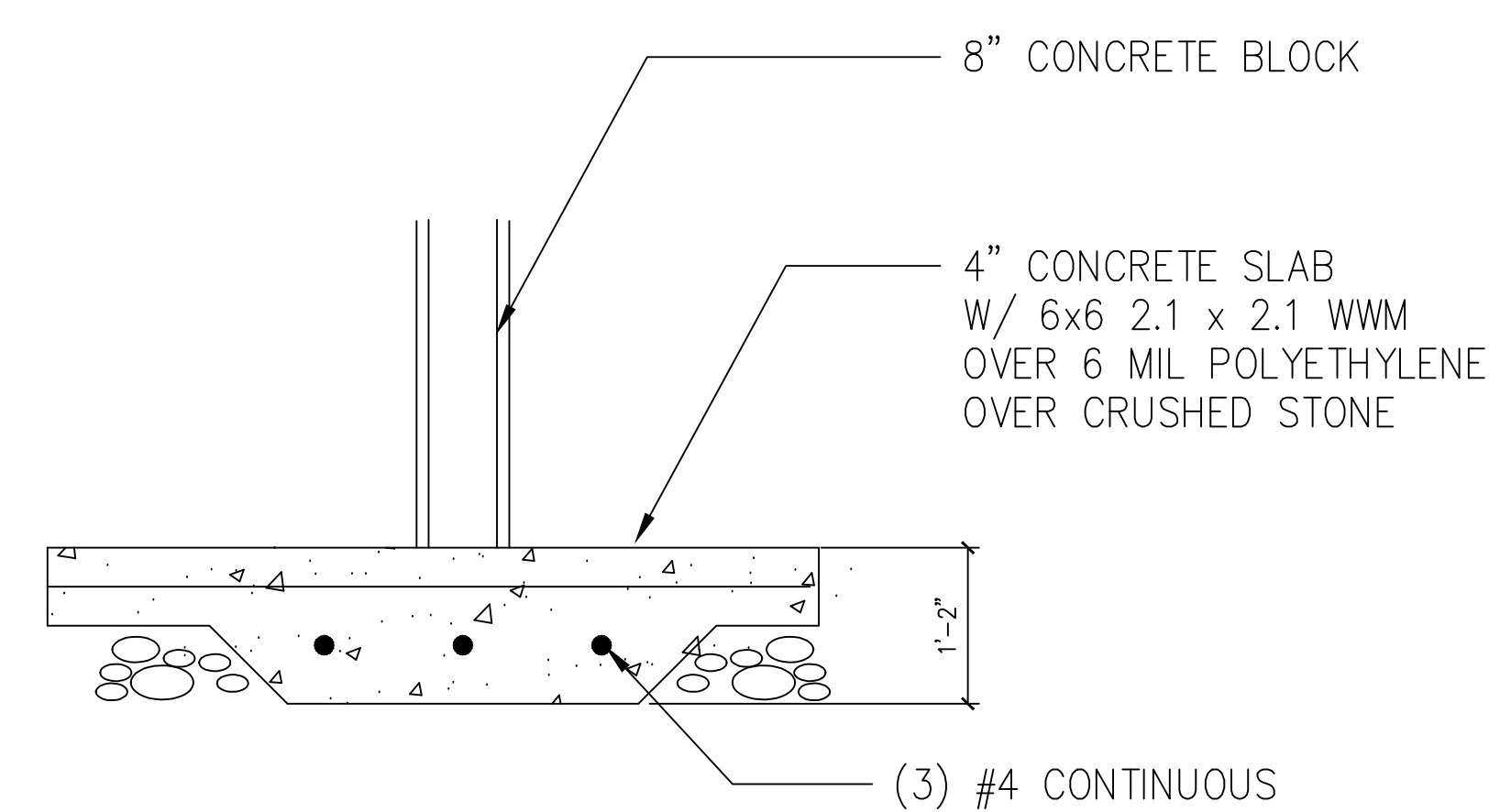
THE TREAD DEPTH SHALL BE MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FOREMOST PROJECTION OF ADJACENT TREADS AND AT RIGHT ANGLE TO TREADS LEADING EDGE.
THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8" (INCHES).



NOT TO SCALE



NOT TO SCALE



DETAIL A-1

THE WINDOW THAT IS
CONSIDERED EMERGENCY RESCUE
ACCESS SHALL HAVE A MINIMUM NET CLEAR
OPENING WIDTH OF 20" AND A MINIMUM NET CLEAR
OPENING HEIGHT OF 24".

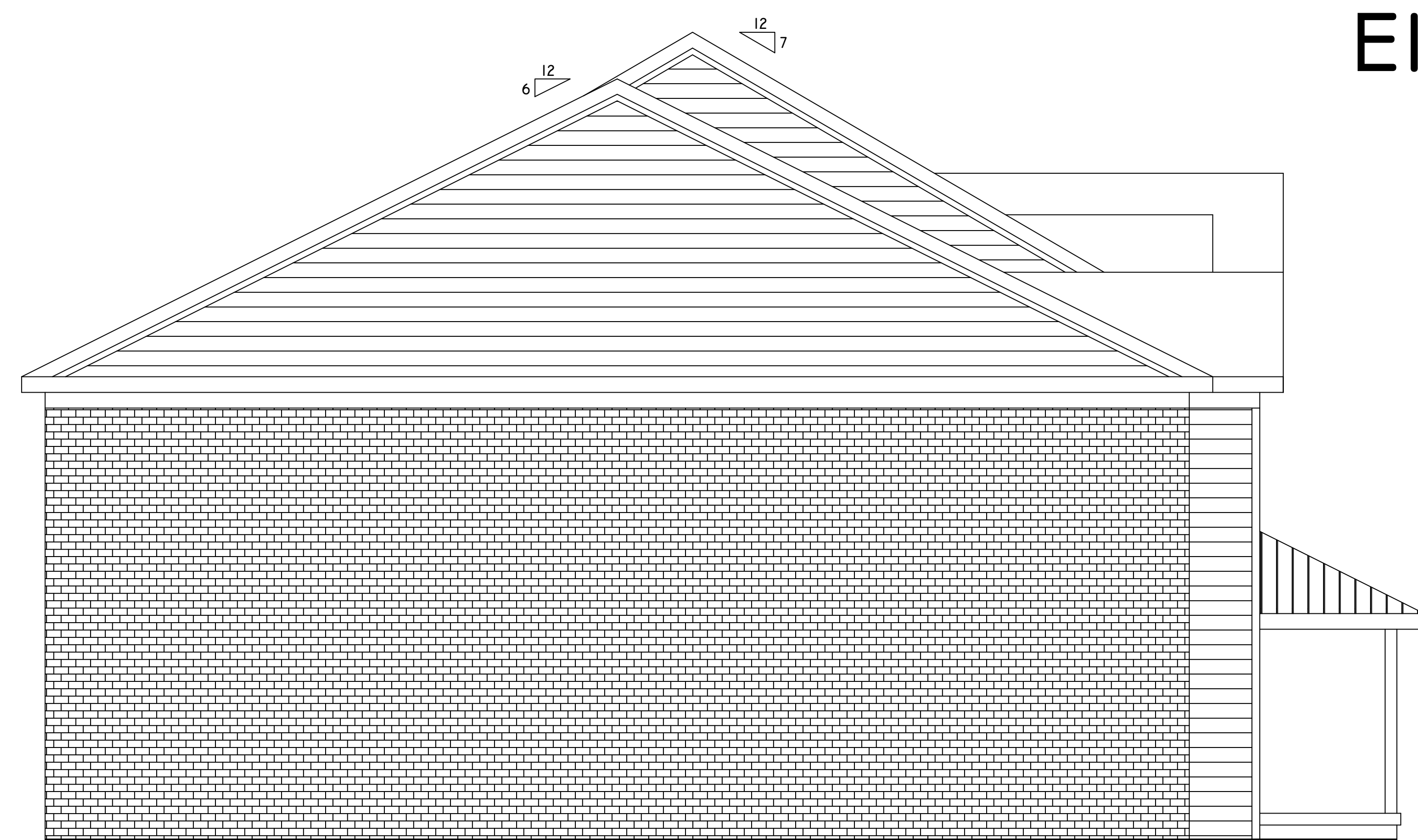
5 OF 5

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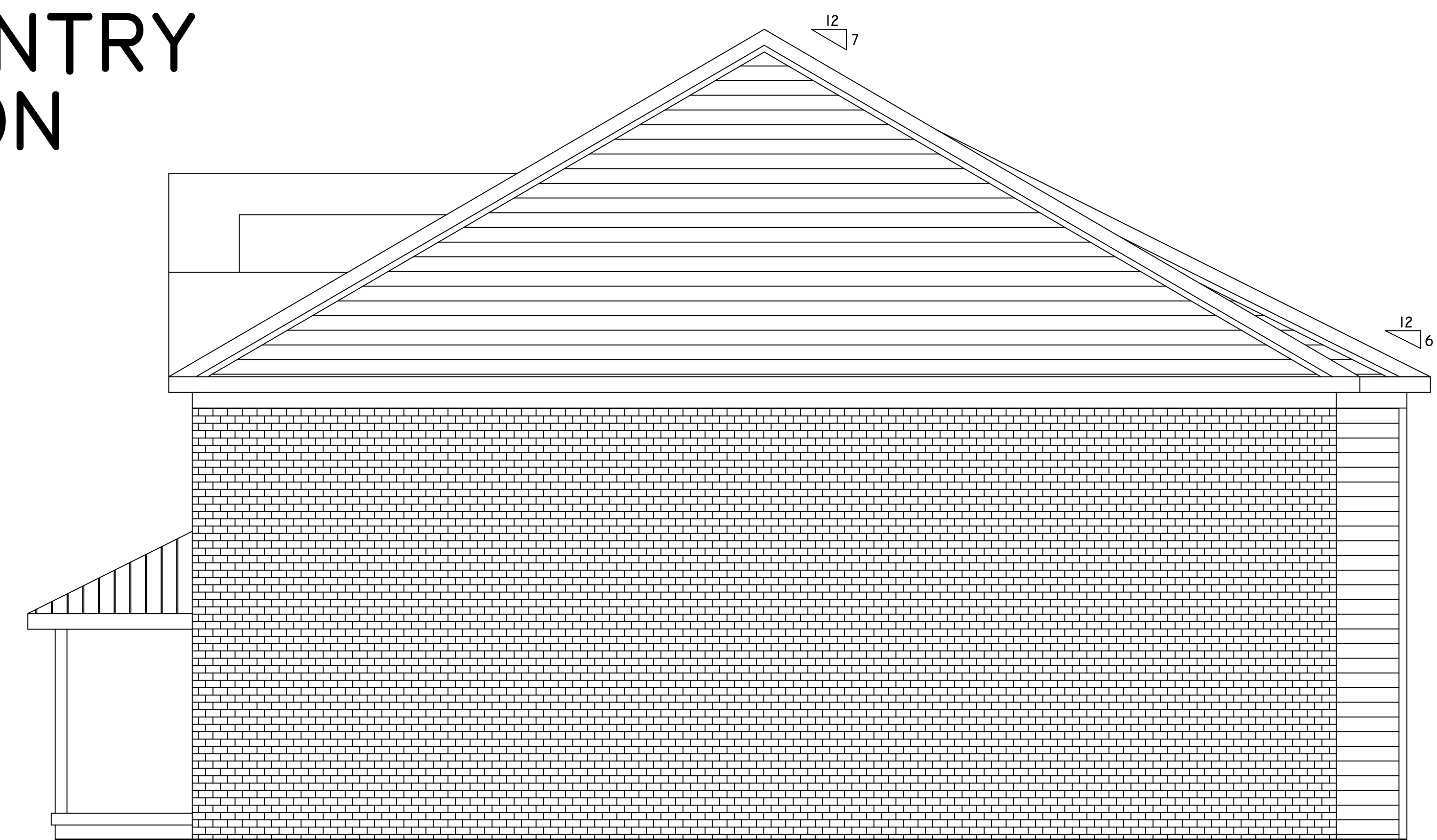
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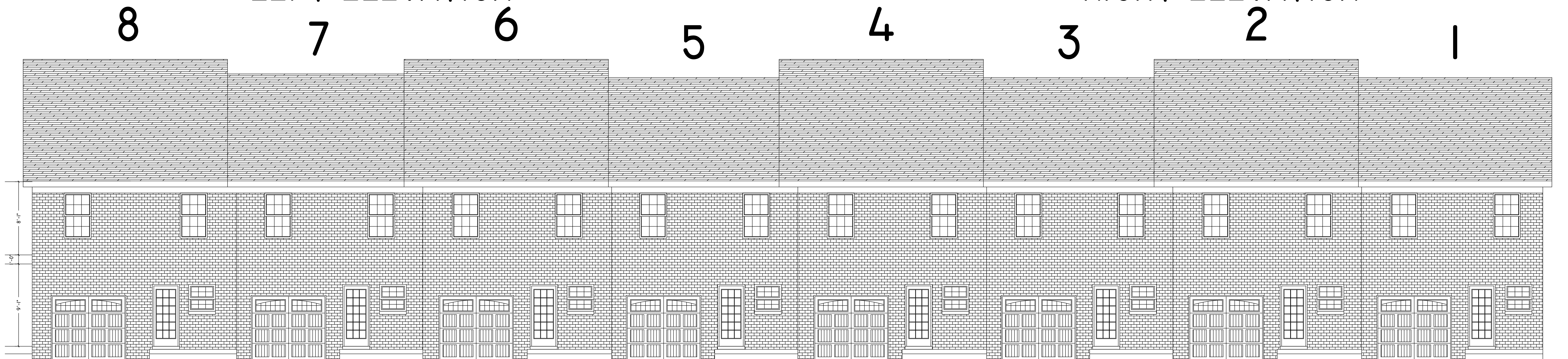
EIGHT PLEX REAR ENTRY
FRONT ELEVATION



LEFT ELEVATION



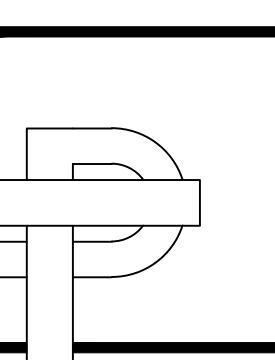
RIGHT ELEVATION



EIGHT PLEX REAR ENTRY
REAR ELEVATION

Legacy Properties of Northwest Florida

Richard Miles
2001 Fairway Vista Drive
Louisville Ky 40245
502-550-6008



07.25.18

1 OF 5

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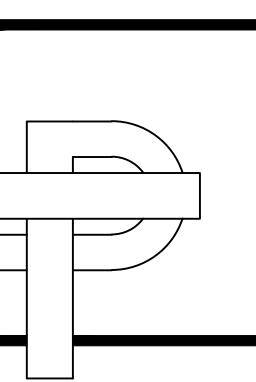
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EIGHT PLEX REAR ENTRY FIRST FLOOR PLANS

Legacy Properties of Northwest Florida

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07.25.18

2 OF 5

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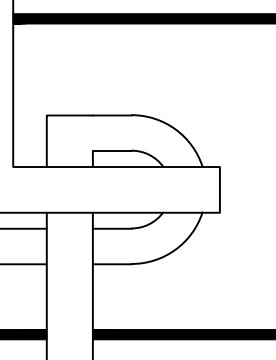
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EIGHT PLEX REAR ENTRY SECOND FLOOR PLANS

Legacy Properties of Northwest Florida

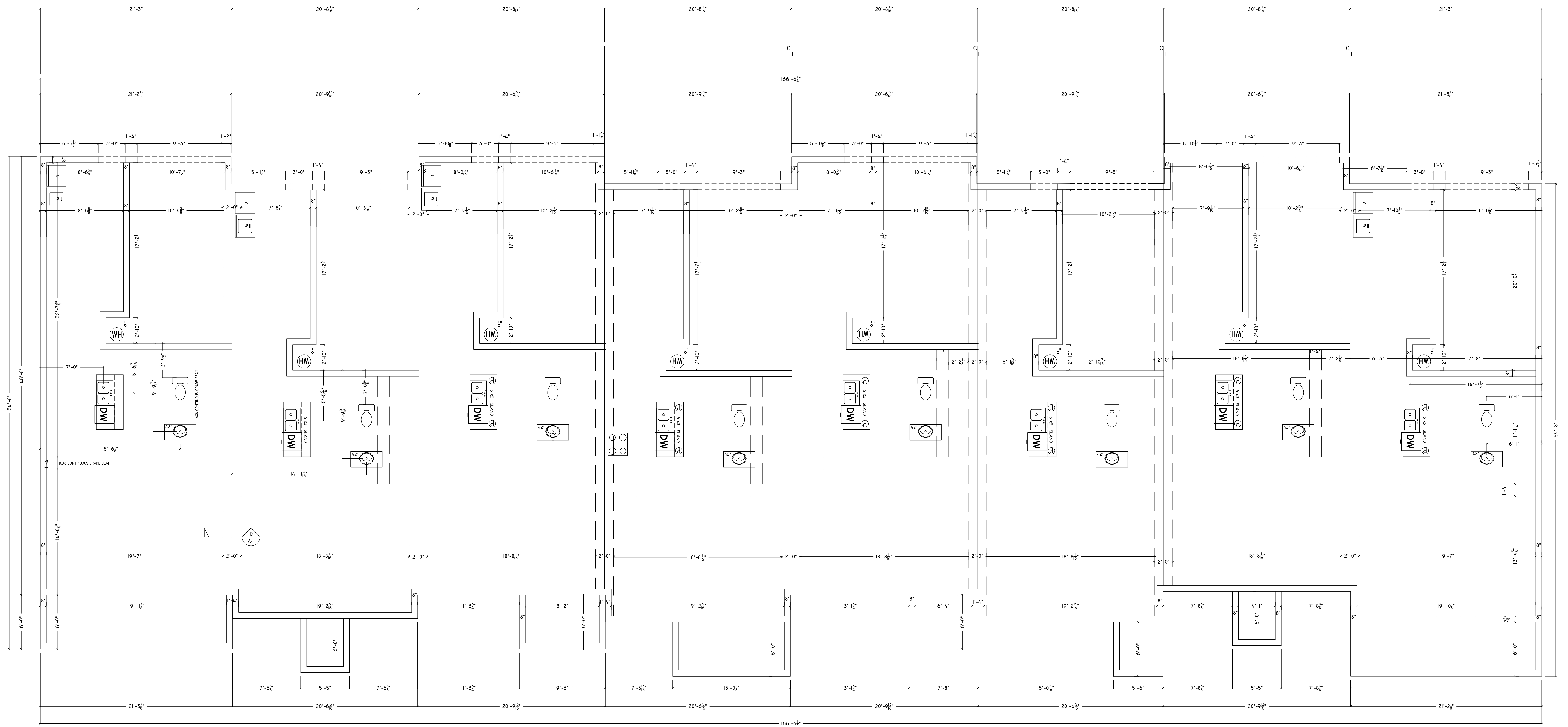
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07.25.18

3 OF 5

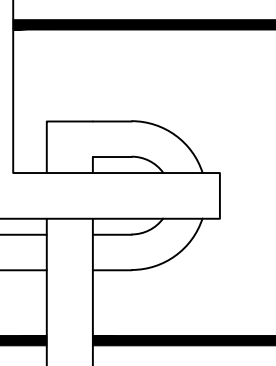
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EIGHT PLEX REAR ENTRY FOUNDATION

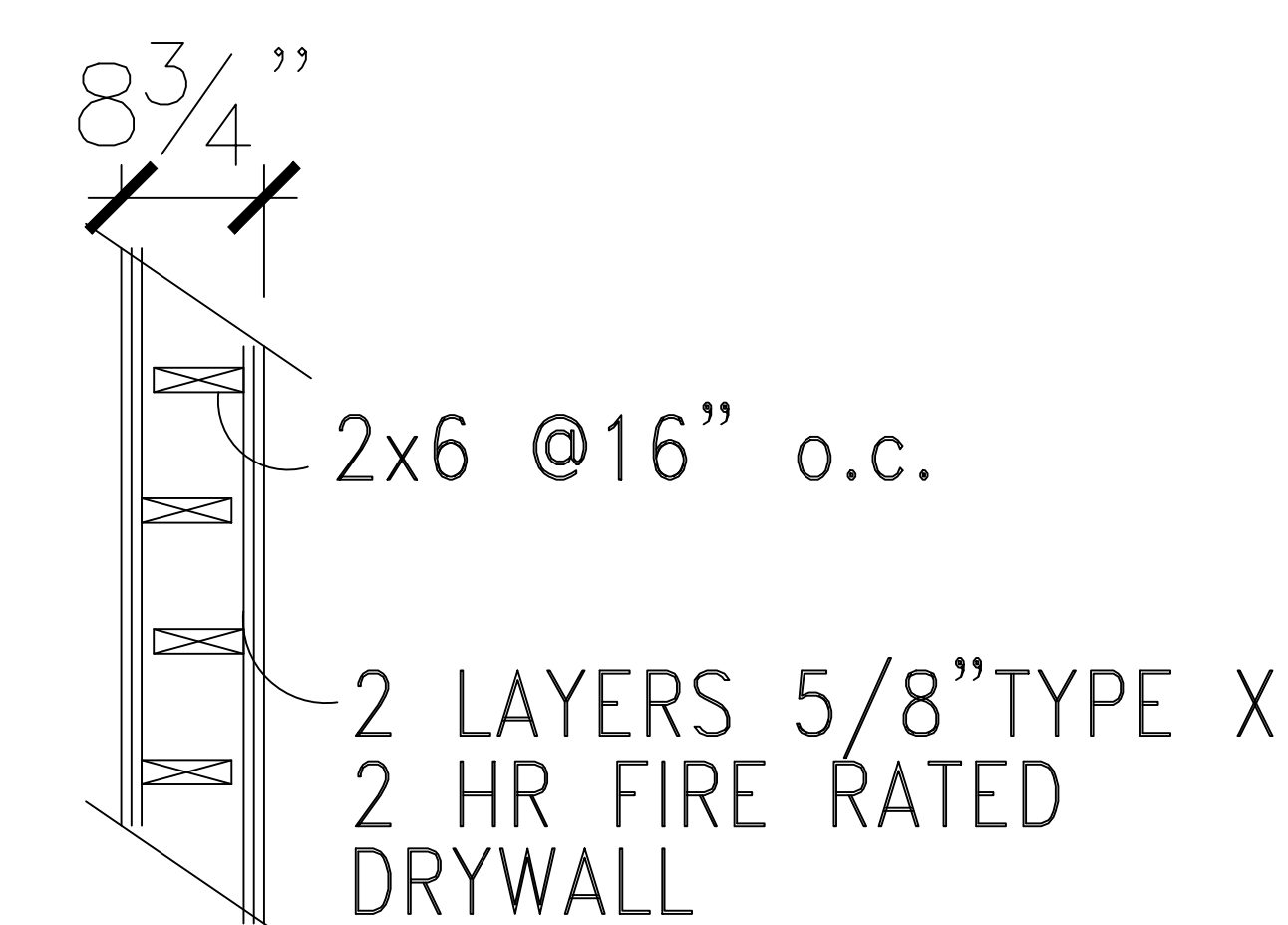
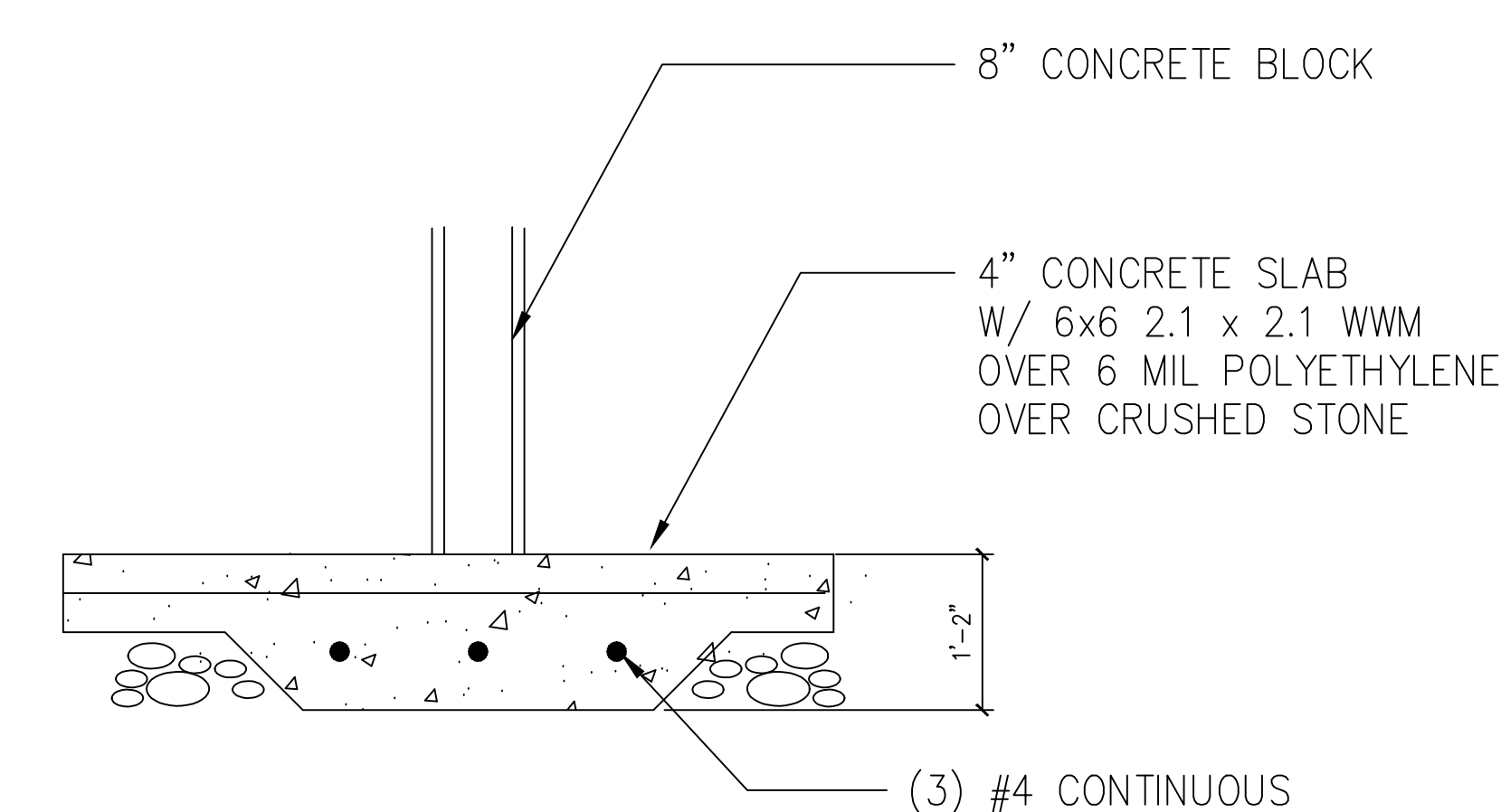
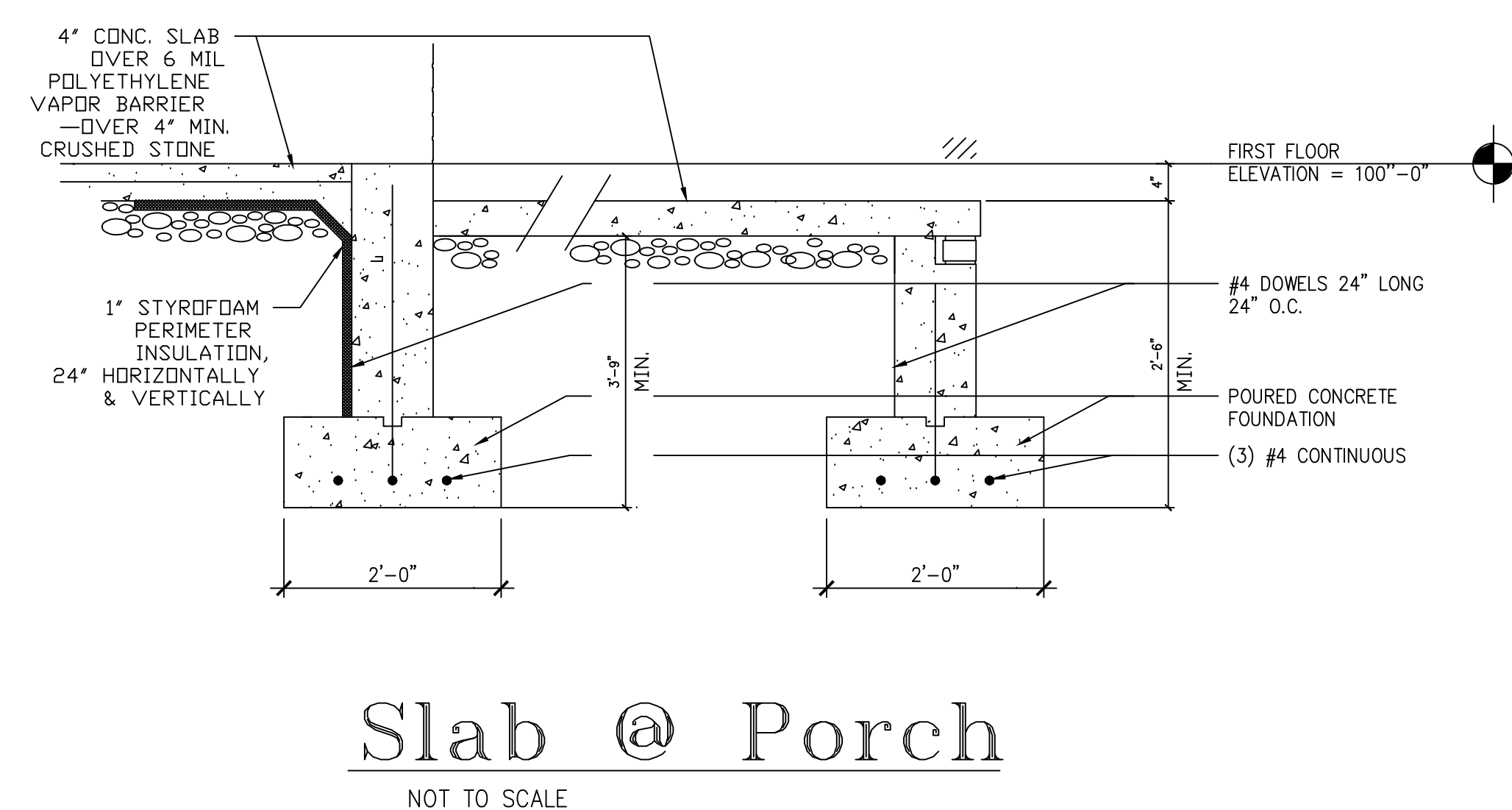
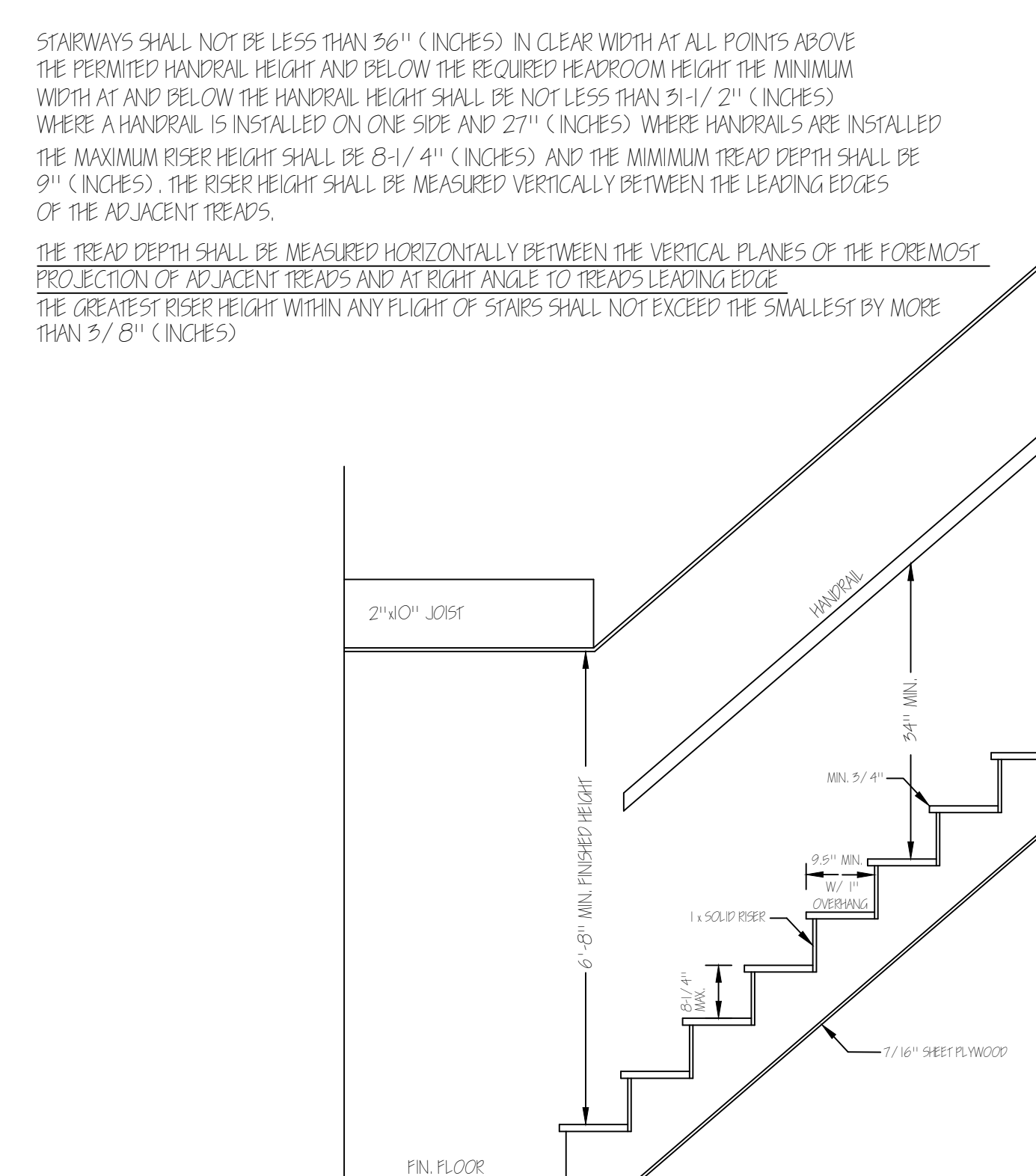
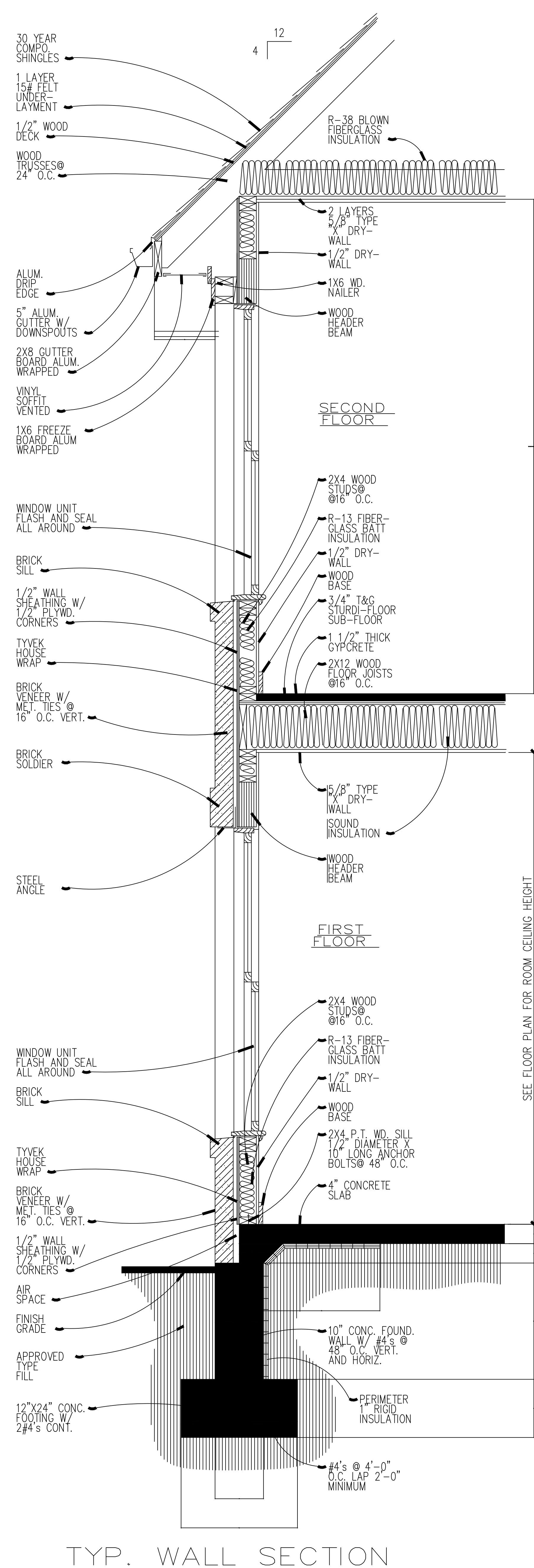
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07.25.18

4 OF 5



DETAIL A-1

SMOKE DETECTORS

INSTALL SMOKE ALARMS IN ALL SLEEPING ROOMS AND OUTSIDE OF EACH SEPERATE SLEEPING ROOM AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS.

INSTALL AT LEAST ONE SMOKE DETECTORS ON EACH ADDITIONAL STORY INCLUDING BASEMENT.

ALL SMOKE ALARMS SHALL BE INTERCONNECTED AND HARD WIRED WITH BATTERY BACK UP.

STAIR REQUIREMENTS

STAIR WIDTH MIN.	36" CLEAR AT ALL POINTS
RISERS	8 1/4" MAX.
TREADS	9" MIN.
HEADROOM	6'-8" MIN.
HANDRAILS	34" MIN. - 38" MAX.
GUARDRAILS	36" MIN.
HANDRAIL GRIP SIZE	1 1/4" Ø MIN. - 2 5/8" Ø MAX.
STAIR LANDING	36" MIN.

NOTE:
RAILING SPINDLES/PICKETS SHALL BE
CONSTRUCTED AND SPACED IN A WAY
THAT A 4" DIAMETER SPHERE CAN
NOT PASS THRU.

WINDOW NOTES

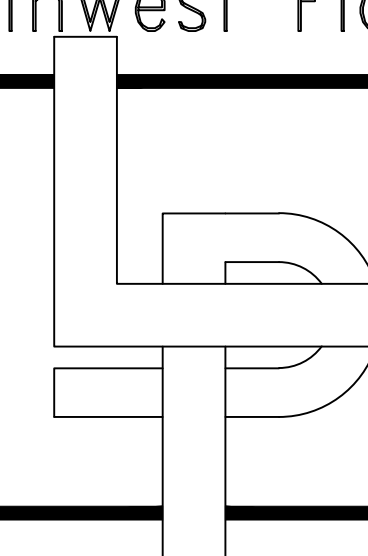
ALL WINDOWS MUST BE OPENED FROM THE INSIDE
AND WITHOUT THE USE OF A SEPERATE TOOL.

AT LEAST ONE WINDOW IN A SLEEPING ROOM SHALL BE CONSIDERED EMERGENCY RESCUE ACCESS AND HAVE A MINIMUM NET CLEAR OPENING AREA OF 5.7 SQUARE FEET AND THE WINDOW SILL SHALL NOT EXCEED 44" IN HEIGHT.

THE WINDOW THAT IS
CONSIDERED EMERGENCY RESCUE
ACCESS SHALL HAVE A MINIMUM NET CLEAR
OPENING WIDTH OF 20" AND A MINIMUM NET CLEAR
OPENING HEIGHT OF 24".

Legacy Properties of Northwest Florida

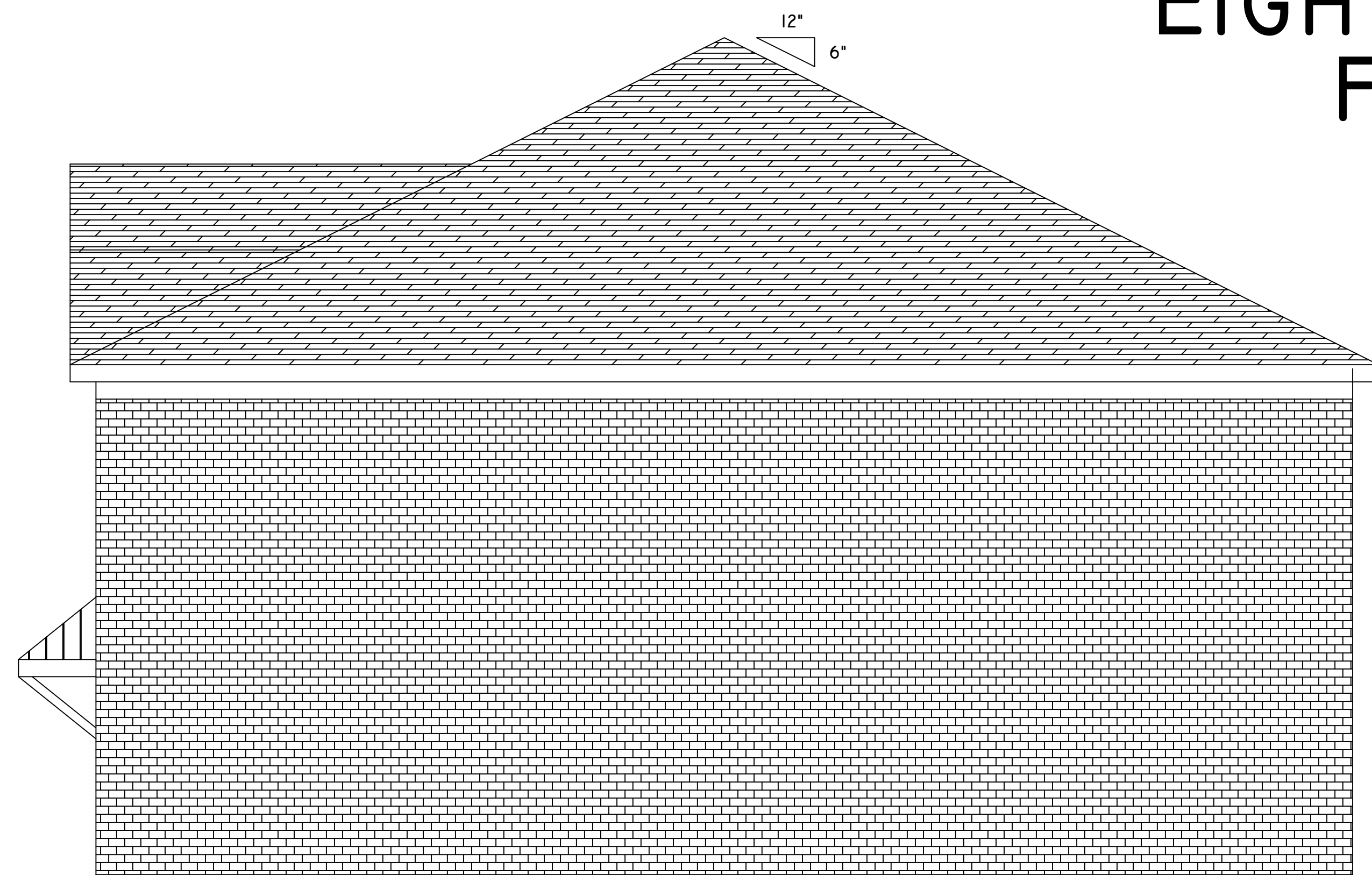
Richard Miles
2001 Fairway Vista Drive
Louisville Ky 40245
502-550-6008



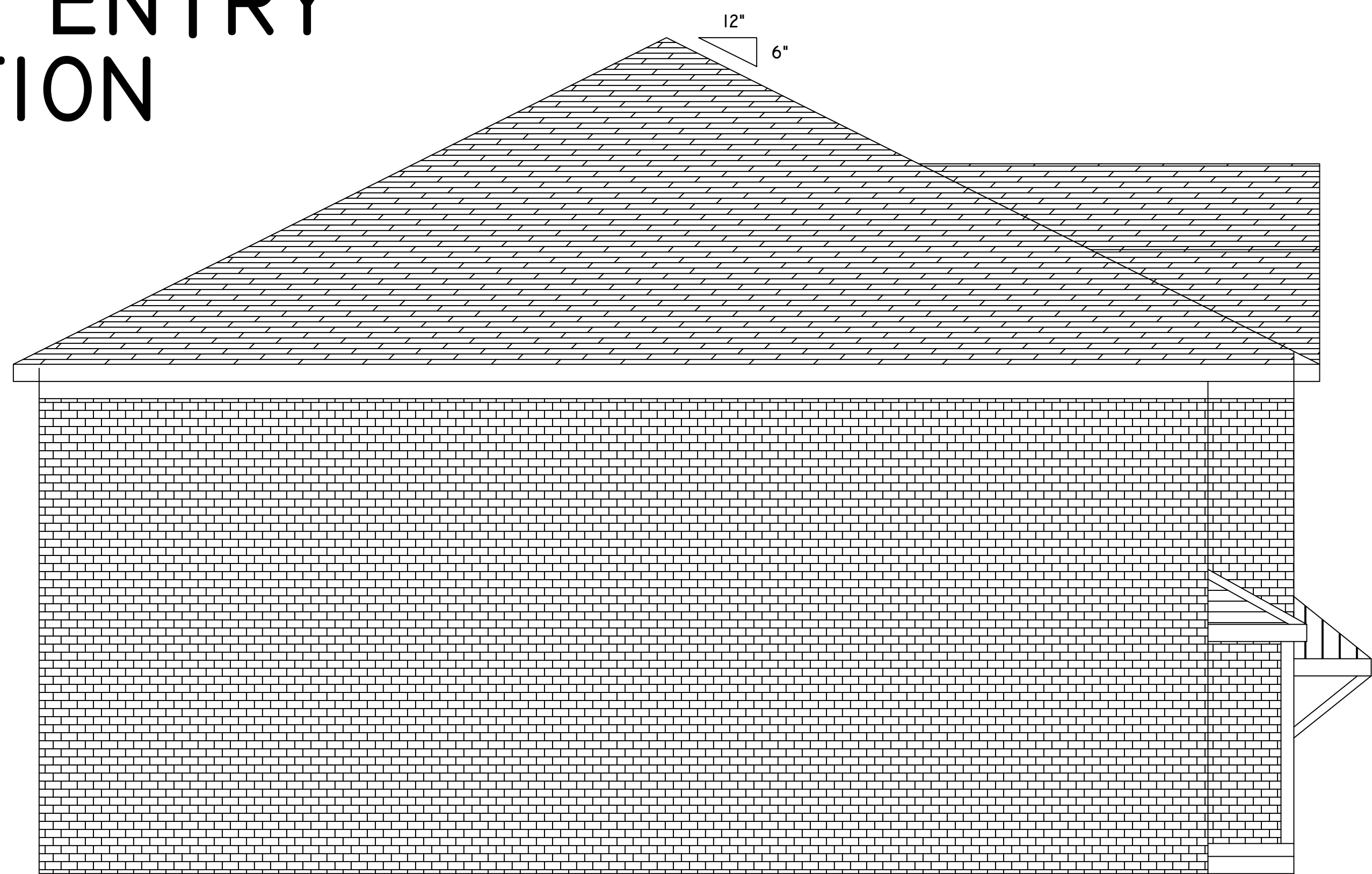
NOTE:
ALL FEDERAL, STATE AND LOCAL
CODES, ORDINANCES AND REGULATIONS
ETC. SHALL BE CONSIDERED AS
PART OF SPECIFICATION FOR THIS
BUILDING AND SHALL TAKE PREFFERENCE
OVER ANYTHING SHOWN DESCRIBED OR
IMPLIED WHERE SAME ARE AT VARIANCE



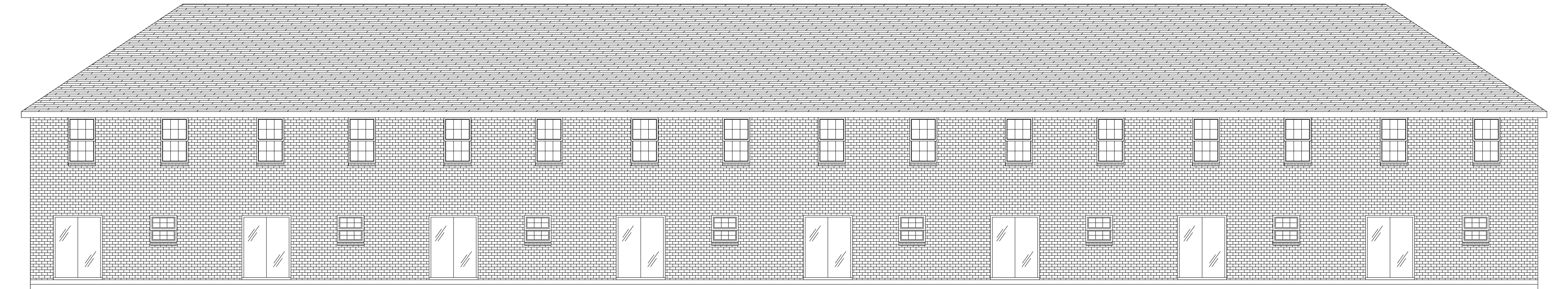
EIGHT PLEX FRONT ENTRY
FRONT ELEVATION



EIGHT PLEX FRONT ENTRY
RIGHT ELEVATION



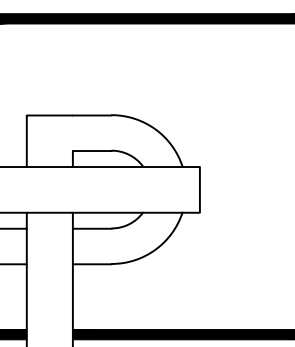
EIGHT PLEX FRONT ENTRY
LEFT ELEVATION



EIGHT PLEX FRONT ENTRY
REAR ELEVATION

Legacy Properties of Northwest Florida

Richard Miles
2001 Fairway Vista Drive
Louisville Ky 40245
502-550-6008



07.25.18

1 OF 5

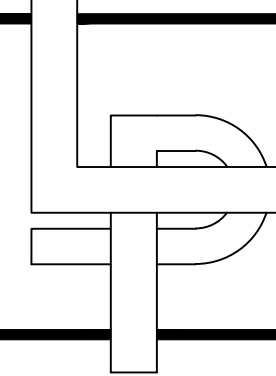
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EIGHT PLEX FRONT ENTRY FIRST FLOOR PLANS

Legacy Properties of Northwest Florida

Richard Miles
2001 Fairway Vista Drive
Louisville Ky 40245
502-550-6008



07.25.18

2 OF 5

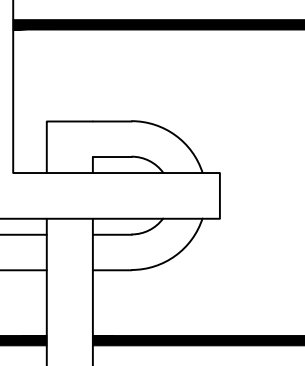
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EIGHT PLEX FRONT ENTRY SECOND FLOOR PLANS

Legacy Properties of Northwest Florida

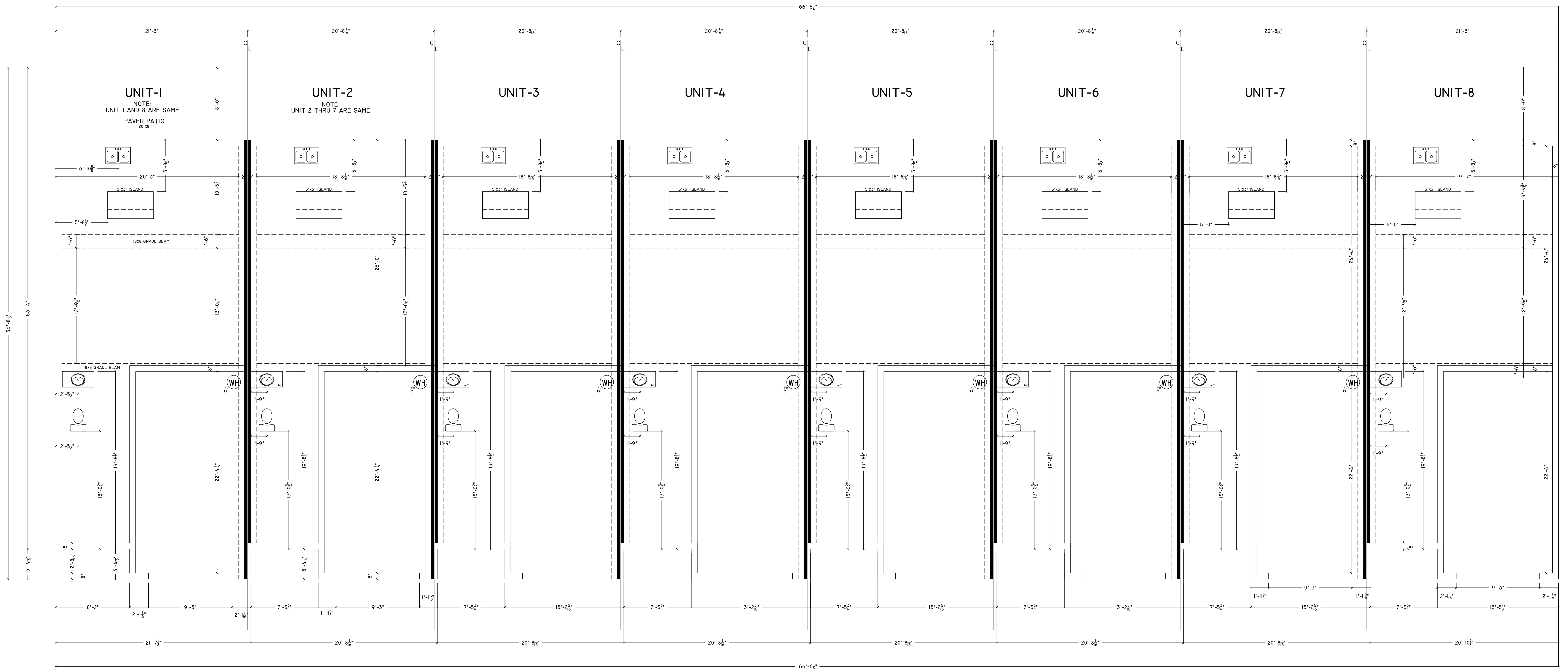
Richard Miles
2001 Fairway Vista Drive
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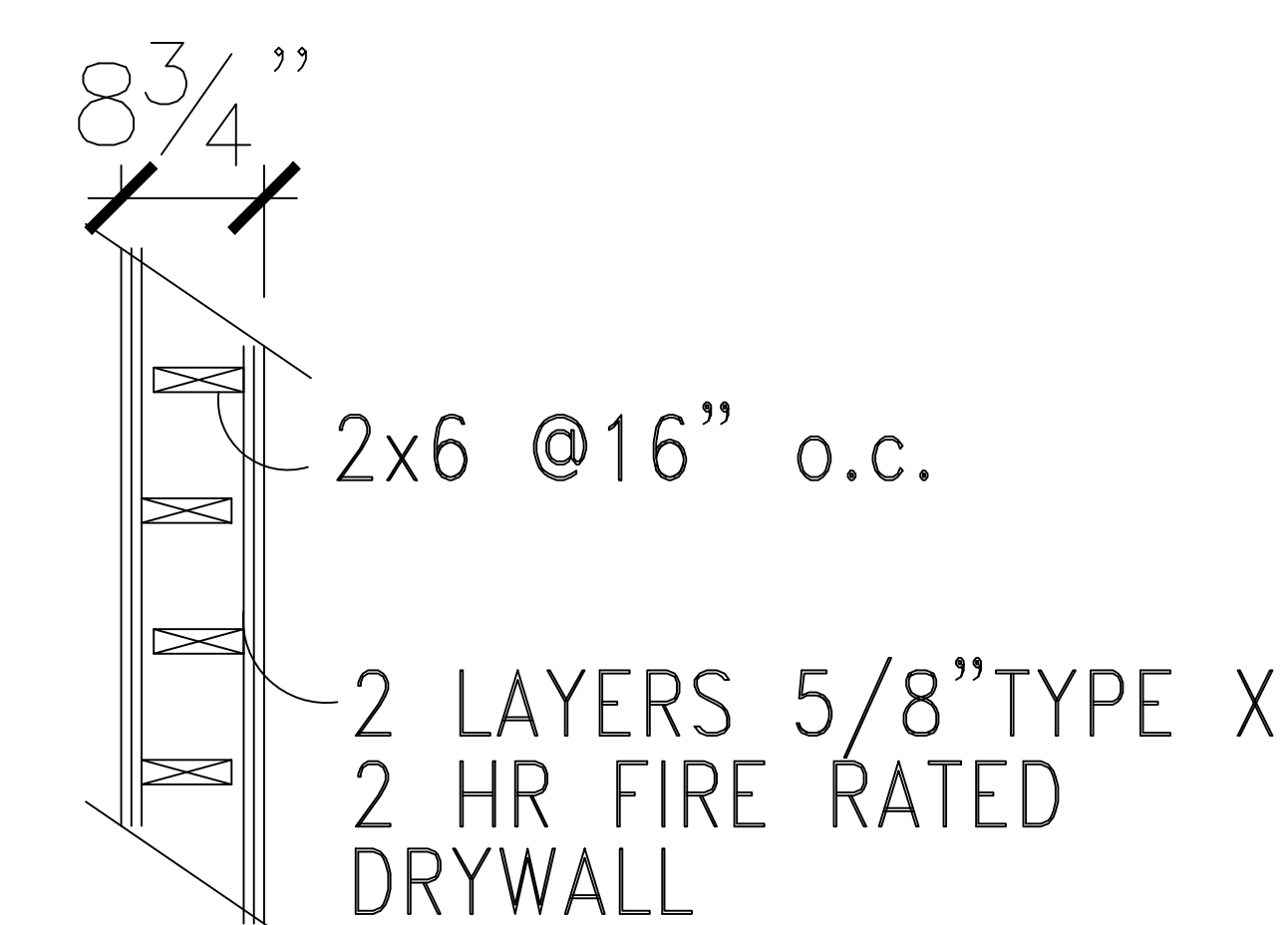
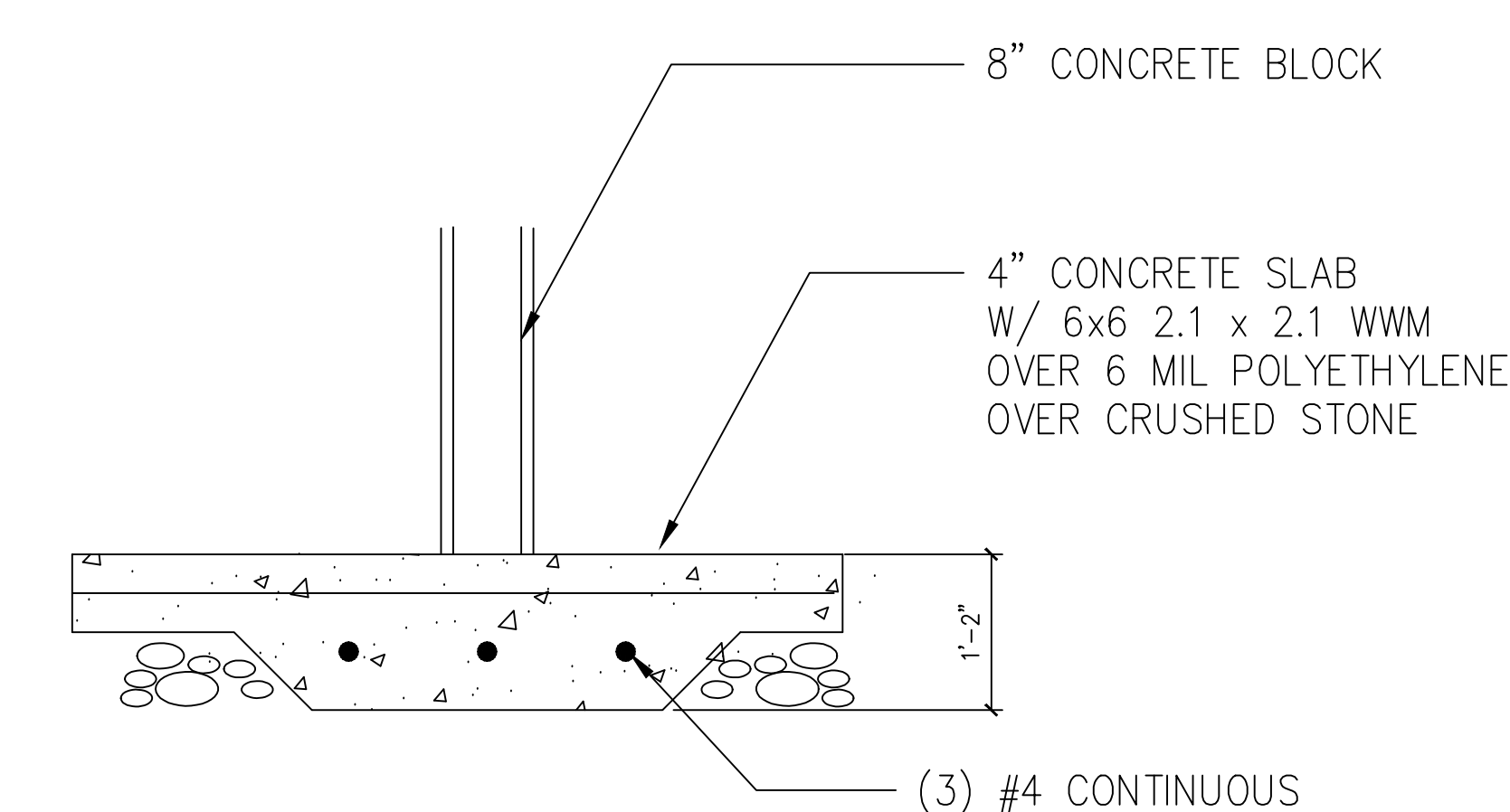
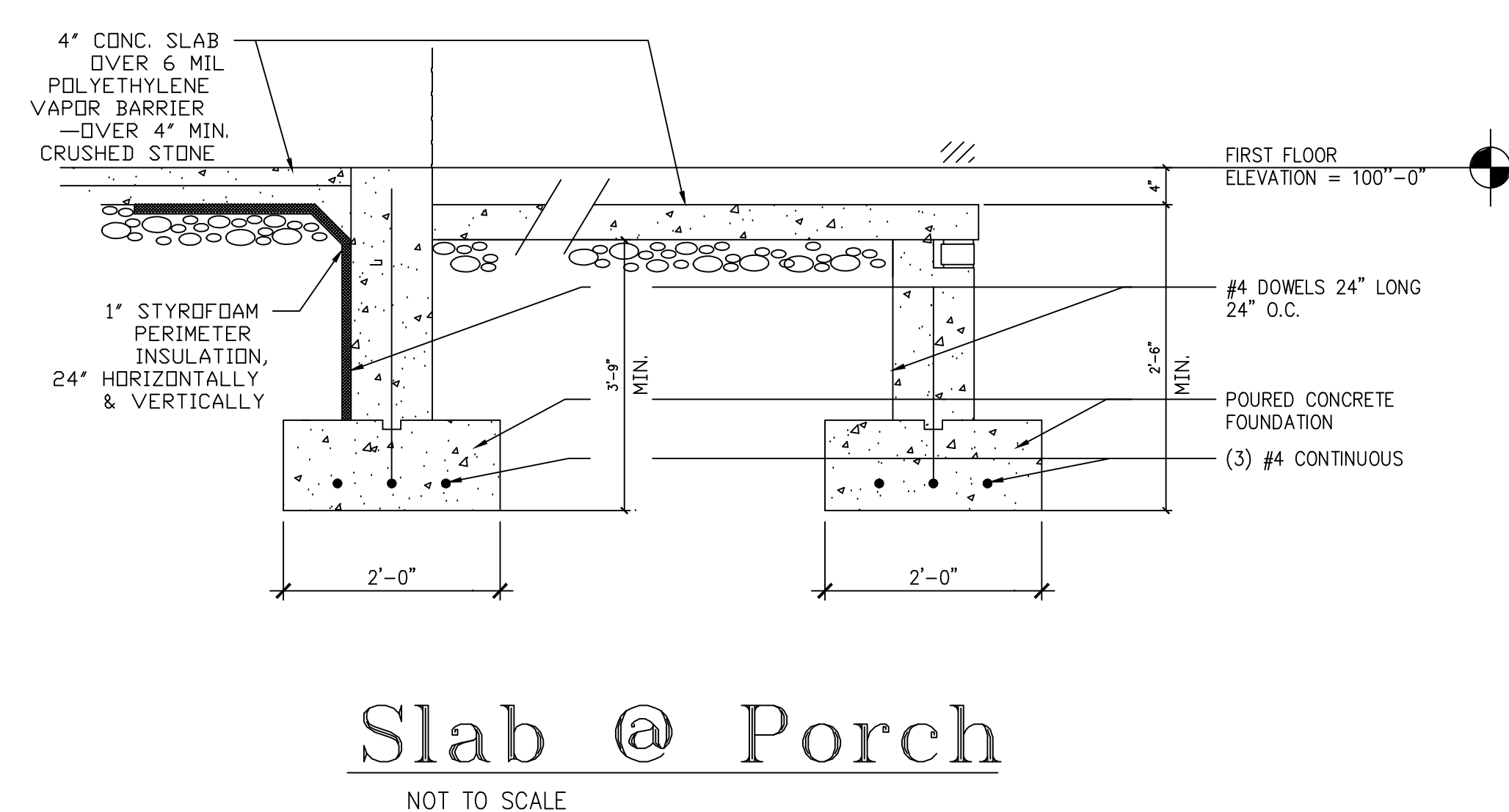
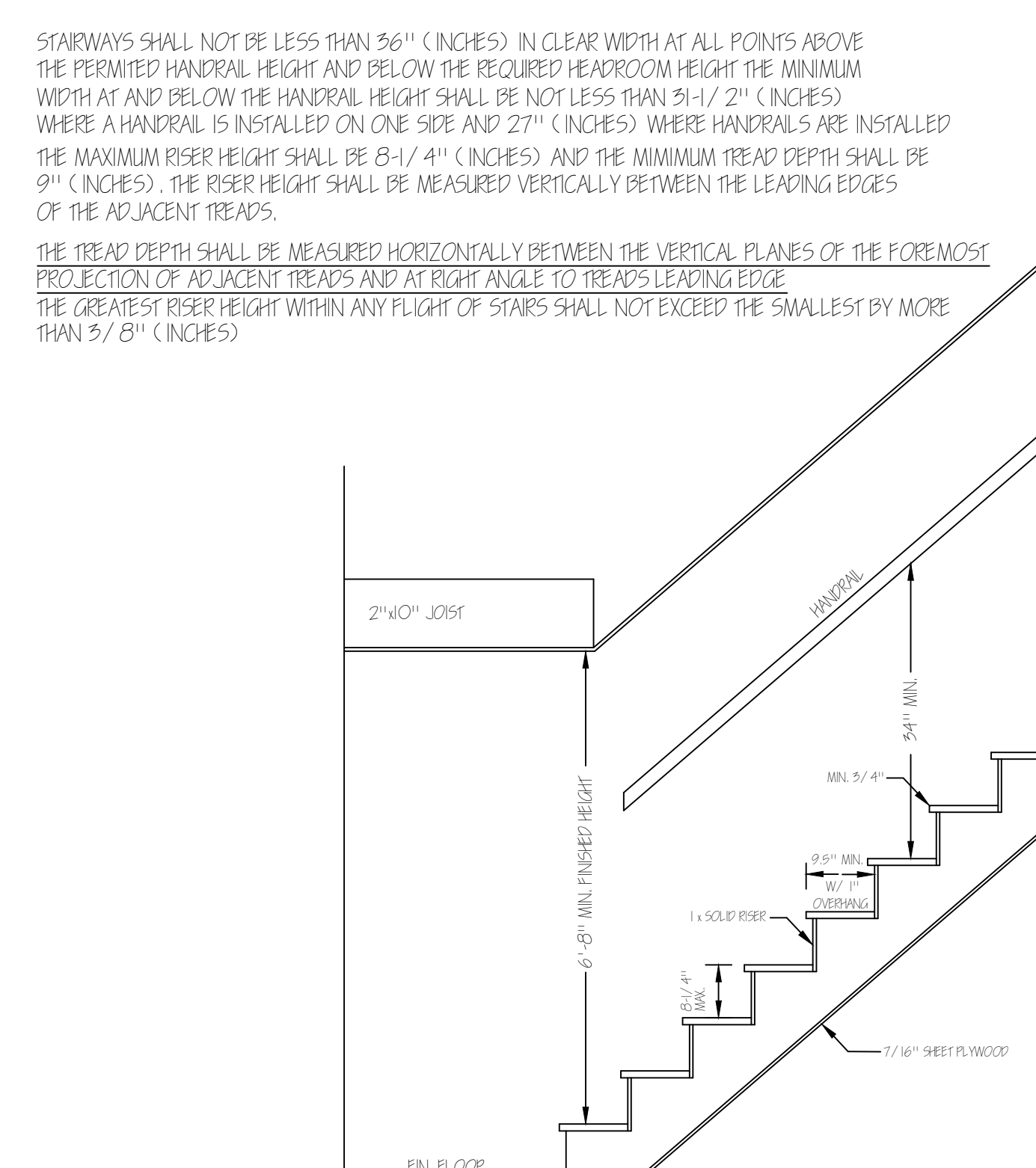
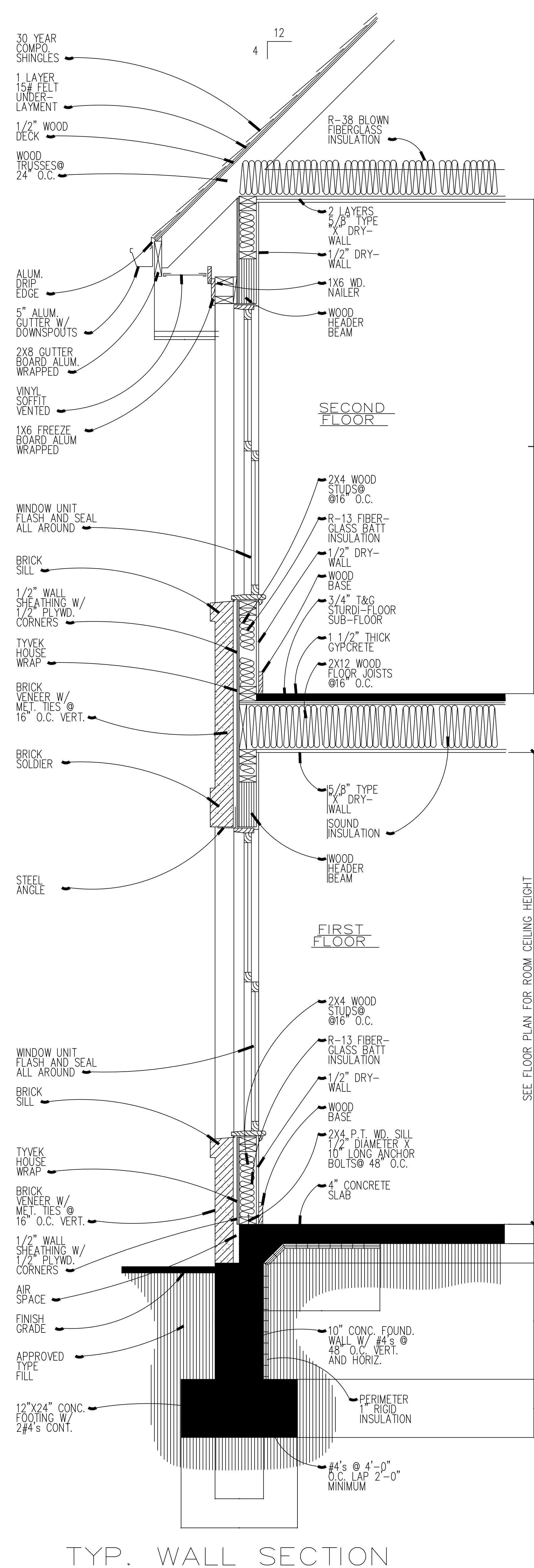
07.25.18

3 OF 5

NOTE:
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EIGHT PLEX FRONT ENTRY
FOUNDATION PLAN



SMOKE DETECTORS	
INSTALL SMOKE ALARMS IN ALL SLEEPING ROOMS AND OUTSIDE OF EACH SEPARATE SLEEPING ROOM AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS. INSTALL AT LEAST ONE SMOKE DETECTORS ON EACH ADDITIONAL STORY INCLUDING BASEMENT. ALL SMOKE ALARMS SHALL BE INTERCONNECTED AND HARD WIRED WITH BATTERY BACK UP.	
STAIR REQUIREMENTS	
STAIR WIDTH MIN.	36" CLEAR AT ALL POINTS
RISERS	8 1/4" MAX.
TREADS	9" MIN.
HEADROOM	6'8" MIN.
HANDRAILS	34" MIN. - 38" MAX.
GUARDRAILS	36" MIN.
HANDRAIL GRIP SIZE	1 1/4" Ø MIN. - 2 5/8" Ø MAX.
STAIR LANDING	36" MIN.
NOTES: RAILING SPINDLES/PICKETS SHALL BE CONSTRUCTED AND SPACED IN A WAY THAT A 4" DIAMETER SPHERE CAN NOT PASS THRU.	
WINDOW NOTES	
ALL WINDOWS MUST BE OPENED FROM THE INSIDE AND WITHOUT THE USE OF A SEPERATE TOOL. AT LEAST ONE WINDOW IN A SLEEPING ROOM SHALL BE CONSIDERED EMERGENCY RESCUE ACCESS AND HAVE A MINIMUM NET CLEAR OPENING AREA OF 5.7 SQUARE FEET AND THE WINDOW SILL SHALL NOT EXCEED 44" IN HEIGHT. THE WINDOW THAT IS CONSIDERED EMERGENCY RESCUE ACCESS SHALL HAVE A MINIMUM NET CLEAR OPENING WIDTH OF 20" AND A MINIMUM NET CLEAR OPENING HEIGHT OF 24".	

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CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Consent Agenda

TO: City Council

THRU: Lance Johnson, City Manager
Bragg Farmer, Finance Director

FROM: Louis Zunguze, Community Development Director

DATE: 04/30/2019

SUBJECT: Annual Adjustment to Professional Rates for 3TP Ventures, Inc

I. BACKGROUND: The City has a current contract with 3TP Ventures, Inc. for planning consulting services, which was approved by the City Council in May 2018 and further approved in January 2019. A copy of the contract is attached as Exhibit B.

II. DISCUSSION: This request is to update the fee schedule for ongoing services provided by 3TP Ventures, Inc. The Principal Agreement allows for annual adjustments to the hourly rates used by the consultant. A copy of the proposed fee schedule is attached as Addendum # 3.

A. Link to Strategic Goals / Objectives: Goal #5: Economic Development and Revitalization.

Goal #6: Effective, efficient, and aesthetically-pleasing infrastructure.

B. Effect on Budget (EOB): An increase of fees for services rendered, not to exceed the yearly contractual agreed amount.

C. Level of Service (LOS): No anticipated change in the Level of Service for planning review.

III. CONCLUSION: Council is requested is for the review and approve the proposed fee schedule so that it can be added as an Addendum to the existing contract with 3TP Ventures, Inc.

IV. RECOMMENDED MOTION: I move that Council authorize the City Manager Lance A. Johnson to execute Addendum #3 (annual adjustment to fees) of the Professional Services Agreement with 3TP Ventures, Inc. for payment of services rendered, not to exceed the yearly contractual agreed amount.

Attachments:

1. 3TP Ventures, Inc. Contract
2. Addendum #3, Annual adjustments to fees

**AGREEMENT TO FURNISH PROFESSIONAL PLANNING SERVICES
TO THE CITY OF DESTIN**

This AGREEMENT made on the 8th day of May, 2018, ("AGREEMENT") between the City of Destin, a Florida municipal corporation, (hereinafter referred to as "CITY"), located at 4200 Indian Bayou Trail, Destin, Florida 32541, and 3TP Ventures, Inc., a North Carolina corporation authorized to do business within the State of Florida (hereinafter referred to as "CONSULTANT"), located at 2460 Sedgefield Drive, Chapel Hill, North Carolina 27514.

RECITALS:

WHEREAS, the CITY desires to retain the CONSULTANT to furnish certain professional planning services presented herein in connection with the provision of municipal development order review and other planning processes; and

WHEREAS, the CONSULTANT, having examined the scope of the services required and, expressed its desire and willingness to provide such services, and presented its qualifications to the CITY in support of its expressed desires; and

WHEREAS, as a result of the aforementioned mutual understanding, the CITY desires to enter into this Agreement with the CONSULTANT; and

WHEREAS, the CONSULTANT has agreed to provide professional planning services to the CITY upon the terms and conditions hereinafter set forth; and

WHEREAS, it is intended that funds will be provided in the CITY's budget as needed to pay the costs of the services involved.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, and subject to availability of funding, the CITY agrees to retain the CONSULTANT and the CONSULTANT agrees to perform all work as described herein, and upon the following terms and conditions:

ARTICLE 1 – SCOPE OF WORK

A. SERVICES

The parties agree that the CONSULTANTS's primary responsibility under this contract is to provide consulting and professional planning services in connection with the CITY's development order review process. The CONSULTANT will act as the CITY's representative for select reviews as assigned by the CITY on an as-needed basis. The CONSULTANT will organize, review, and document all assignments during the review process. The CONSULTANT will be the point of contact for each assigned application and will provide a schedule of milestones and meetings needed to complete the review steps within the required parameters of the CITY. The CONSULTANT will also prepare, document and deliver comments to applicants on the substantive nature of the reviews. The CONSULTANT will work with each applicant to identify measures to comply with the CITY's Land Development Code prior to recommending issuance by the CITY of the development order for each project. For each assigned review, the CONSULTANT will anticipate needing to schedule, attend, and document the CITY's Technical Review Team meetings. The CONSULTANT will meet as necessary with CITY staff to review progress on the services delivered under this Agreement. On a periodic basis defined by the CITY, the CONSULTANT will meet with the CITY to discuss improvements to the process used to schedule, track and document development order reviews. Services associated with the development order review process are authorized under this Agreement and do not require a negotiated Addendum to proceed.

On an as-needed basis, the CITY may assign specific planning projects and/or studies to the CONSULTANT through an Addendum to this Agreement. These include:

1. Land Development Code maintenance: including the review, study, and proposed modification of LDC sections.
2. Comprehensive Plan support: including data collection; analysis and preparation of map and text amendments to the Comprehensive Plan; preparation of Evaluation and Appraisal Reports (EAR); organizing and leading community engagement activities for Comprehensive Plan updates and amendments; conducting planning studies supporting the Comprehensive Plan.
3. Transportation planning services: conducting multimodal transportation studies; supporting the development or review of existing transportation related fees including, but not limited to, a transportation impact fee or mobility fee; review and preparation of comments on traffic studies submitted with site development applications.
4. Data collection and analysis: including providing collection, research, reporting and presentation of data and analytical findings

to support planning processes, economic and community development, grants, finance, and project/program delivery.

ARTICLE 2 – COMPENSATION

A. FEES

As consideration for providing the services enumerated in Article 1, the CITY shall pay the CONSULTANT based on one of the following as requested by the CITY:

1. Standard Hourly Rate Method - Wherein the CITY shall pay the CONSULTANT the agreed upon hourly rates, included and attached hereto as Exhibit "A", for time actually engaged on the work covered by this Agreement. The CONSULTANT will not charge the CITY for travel time up to 2.0 hours per day when engaged in work covered by this Agreement.
2. Lump Sum Method – Wherein the CITY shall pay the CONSULTANT an agreed upon amount for the provision of services and deliverables, based on the rates in Exhibit "A". Work will be authorized through Addenda to this contract.

The CONSULTANT shall not charge the CITY for scoping and negotiating services or renewal/maintenance of this contract.

The parties agree that the rates set forth in Exhibit A to this Agreement are locked in through April 30, 2019. Exhibit "A" may be updated annually to take effect on May 1 of each contract year, beginning in 2019. The updated rates will be based on reasonable adjustments relative to increases in cost of living. The CONSULTANT and CITY shall prepare an Addendum by March 31 of each contract year for the purpose of updating Exhibit "A".

B. REIMBURSABLE EXPENSES

The CONSULTANT's out-of-pocket and direct project expenses including, but not limited to, local travel and postage charges will be charged to CITY based on the schedule of reimbursable costs shown in Exhibit "A". The cost of CONSULTANT's assigned local staff traveling to and from the City will not be reimbursed by the CITY.

ARTICLE 3 – TERMS OF PAYMENT

A. MONTHLY INVOICES

The CONSULTANT shall submit invoices once each month to the CITY for the services performed and the expenses and other charges accounted for under this Agreement during the preceding month.

B. PAYMENT OF EXPENSES

Payments on account of expenses shall be made within thirty (30) days of receipt of invoice.

ARTICLE 4 – TERMS OF PERFORMANCE

It is further mutually agreed by the parties hereto that:

A. STARTING AND CONDUCTING WORK

The CONSULTANT will not begin work on any of the services listed in Article 1 until authorized to proceed by the CITY via electronic communication. The CONSULTANT will assign a Project Manager to serve as the primary point of contact for the professional services performed under this Agreement and any work assigned through Addenda.

B. PERIOD OF PERFORMANCE

The period of performance ends on April 30, 2020. The CITY has the option of up to three (3) one year renewal periods after the initial period of performance. These renewals can be initiated through a letter form contract extension or as an Addendum. This Agreement will remain in effect for the period of performance of tasks assigned through an Addendum.

C. TERMINATION

The CITY or the CONSULTANT may terminate this Agreement for any reason by giving at least thirty (30) days written notice to the other party of their intent to terminate. In the event the Agreement is terminated by the CITY for reasons unrelated to the quality of work provided by the CONSULTANT, the CITY shall forthwith pay the CONSULTANT in full for all work previously authorized and actually performed prior to the Notice of Termination. This payment shall be the sole financial obligation or responsibility of the CITY for compensation hereunder in the event of termination in accordance with the provisions of this paragraph. This

Agreement shall continue in effect until a Notice of Termination is given by either party as set forth above. Upon termination, at the CITY's request, the CONSULTANT shall turn over to the CITY all deliverables completed or partially completed up to the date of termination.

ARTICLE 5 – CITY'S RESPONSIBILITIES

A. AVAILABLE INFORMATION

Assist the CONSULTANT by placing at their disposal all pertinent available information including submittals and data relevant to the CONSULTANT's services.

B. EXAMINE WORK OF THE CONSULTANT

Examine all documents presented by the CONSULTANT, obtain advice of an attorney, insurance counselor and other consultants as CITY deems appropriate for such examination, and render, in writing, decisions pertaining thereto within a reasonable time so as not to delay the services of the CONSULTANT.

C. COSTS

Bear all costs incidental to compliance with the requirements of this Article.

ARTICLE 6 – INSURANCE

A. CONSULTANT'S INSURANCE

The CONSULTANT shall maintain, at its own expense, during the life of the Agreement, such insurance as shall protect it and any subcontractor(s) performing work under this Agreement, from claims for damages from bodily injury, including death, or property damage, which may arise from operations under this Agreement. The CONSULTANT shall also provide the CITY with a certificate of insurance. The CONSULTANT shall furnish a Certificate of Insurance verifying the existence of any insurance coverage required by this Agreement. The Certificate will name the CITY as an additional insured and will provide for thirty (30) days advance notice in the event of termination or cancellation of coverage. Minimum Scope and Limits of Insurance shall be as follows:

Commercial General Liability: \$1,000,000 combined single limit per occurrence and \$2,000,000 annual aggregate for bodily injury, personal injury and property damage.

Professional Liability: \$1,000,000 limit each claim and \$2,000,000 yearly aggregate of claims.

Auto Liability: \$1,000,000 combined single limit per occurrence and \$1,000,000 annual aggregate for bodily injury and property damage arising from the operations of all owned automobiles, non-owned automobiles and hired automobiles.

Workers Compensation: Workers' Compensation Insurance as required by the State of Florida. Employer's Liability to include \$1,000,000 limit per occurrence, \$1,000,000 annual aggregate for disease and \$1,000,000 limit for disease of an individual employee.

ARTICLE 7 – REMEDIES

A. CLAIMS, COUNTERCLAIMS, DISPUTES, ETC.

All claims, counterclaims, disputes, and other matters in question between the CONSULTANT and the CITY will be first reviewed by authorized representatives of both parties for a recommended solution. If no solution or resolution is forthcoming, such disputes will be decided by a court of competent jurisdiction convened in the State of Florida.

B. GOVERNING LAWS AND VENUE

The agreement shall be governed by and construed and interpreted in accordance with the laws of the State of Florida. Venue for any disputes under this contract shall be in Okaloosa County.

ARTICLE 8 – MISCELLANEOUS

A. VALIDITY, SEVERABILITY AND REFORMATION

The validity, interpretation, construction, and effect of this Agreement shall be in accordance with and be governed by the laws of the State of Florida. Any provision or part of this Agreement held to be void or unenforceable under any law shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties. The parties agree that this Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

B. HEADINGS

The headings of the sections of this Agreement and capitalizations are for the purpose of convenience only and shall not be deemed to expand or limit the provisions contained in such sections.

C. PUBLIC RECORDS

IF CONSULTANT 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 AT (850) 837-4242, 4200 INDIAN BAYOU TRAIL, DESTIN, FLORIDA 32541, RBAILY@CITYOFDESTIN.COM. Specifically CONSULTANT 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 Chapter 119, Florida Statutes, 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 and following completion of the contract if CONSULTANT does not transfer the records to the City.

iii. Upon completion of the contract, transfer, at no cost to the City, all public records in possession of CONSULTANT 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.

D. ENTIRE AGREEMENT

This Agreement, including the exhibits hereto constitutes the entire Agreement between the parties hereto and supersedes any prior negotiations, representations, and understandings, either written or oral.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the day and year first written above.

CONSULTANT:

CITY:

[Signature]
(Signature)

Carrie LeJeune
(Signature)

ALAN K. STEINBECK, PRESIDENT
(Printed Name and Title)

Carisse LeJeune
(Printed Name & Title)

05/08/18
Date

May 8, 2018
Date

[Signature]
Witness to signature:

[Signature]
Attest to Signature:

Jim Lynn Presto
Witness to signature:

Ray Lacey
City Clerk

SEAL

EXHIBIT "A"

PROFESSIONAL RATES

Alan Steinbeck	President	\$87.60
Tim Whaler	Project Manager	\$79.52
Support Staff	Senior Planner	\$72.42
Support Staff	Planner/Administrative	\$63.90

REIMBURSABLE EXPENSES

Expense Item	Amount	Unit
Mileage	\$0.545	per mile ¹
Color copies	\$0	not charged
B/W copies	\$0	not charged
Overnight delivery	\$30.00	per delivery
Air fare	\$325.00	estimated per trip
Rental car	\$50.00	estimated per day
Rental car fuel	at cost	for contract-related travel
Hotel	\$120.00	estimated per night
Meals	\$64.00	per diem

¹ Local mileage for day trips is not reimbursable under the contract.



3TPVE-1

OP ID: DC

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/08/2018

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 WESTER INSURANCE AGENCY 1020 S. GARNETT STREET P.O. BOX 789 HENDERSON, NC 27538-769 W David Carver		252-438-8165		CONTACT W David Carver PHONE (A/C, No, Ext): 252-438-8165 FAX (A/C, No): 252-438-6640 E-MAIL: david@westerninsurance.com ADDRESS:	
INSURED 3TP Ventures, Inc. Alan Steinbeck 2460 Sedgewick Dr. Chapel Hill, NC 27514		INSURER (B) AFFORDING COVERAGE INSURER A: United States Liability Ins INSURER B: Hartford Insurance Co INSURER C: INSURER D: INSURER E: INSURER F:		NAIC # 22357	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADOL SUBR OVER NOV2	POLICY NUMBER	POLICY EXP (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY ☐ PRO ☐ LOC OTHER:	Y	PPP1553011	02/01/2018	02/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA occurrence) \$ 300,000 MED EXP (Arw one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY		PPP1553011	02/01/2018	02/01/2019	COMBINED SINGLE LIMIT (EA accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ EXCESS LIAB ☐ OCCUR ☐ CLAIMS-MADE DED ☐ RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mechanics in NJ) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	22WBCAB3AXT	03/02/2018	03/02/2019	☒ PER STATUTE ☐ OTHER B.L. EACH ACCIDENT \$ 1,000,000 B.L. DISEASE - EA EMPLOYEE \$ 1,000,000 B.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	PROFESSIONAL		PPP1553011	02/01/2018	02/01/2019	Ea. Claim \$ 1,000,000 Aggregate \$ 2,000,000

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

City of Destin is an additional insured with respect to General Liability as required in a written contract.

CERTIFICATE HOLDER

CITYDE1

City Of Destin
Building Division
4200 Bayou Trail
Destin, FL 32541

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

EXHIBIT "A"

PROFESSIONAL RATES

Alan Steinbeck	President	\$90.20
Tim Whaler	Project Manager	\$81.88
Jeremy Goldstein	Project Manager/Analyst	\$86.93
Support Staff	Senior Planner	\$74.57
Support Staff	Planner/Administrative	\$65.80
PSG, Inc.		
Joce Pritchett, PE	Civil Engineer	\$151.45
Cynthia Grizzle	Environmental Planner	\$100.80
Support Staff	Senior Planner	\$96.00
Support Staff	Planner	\$67.20
Roark Engineering		
Drew Roark, PE	Traffic Engineer	\$148.75

REIMBURSABLE EXPENSES

Expense Item	Amount	Unit
Mileage	\$0.58	per mile ¹
Color copies	\$0	not charged
B/W copies	\$0	not charged
Report printing	at cost	job specific
Overnight delivery	\$30.00	per delivery
Air fare	\$325.00	estimated per trip
Rental car	\$50.00	estimated per day
Rental car fuel	at cost	for contract-related travel
Hotel	\$120.00	estimated per night
Meals	\$66.00	per diem

¹ Local mileage for day trips is not reimbursable under the contract.

**AGREEMENT TO FURNISH PROFESSIONAL PLANNING SERVICES TO THE
CITY OF DESTIN**

ADDENDUM #3

This **ADDENDUM** made to the Principal Agreement dated May 8, 2018 is made and entered into on this ____ day of April, 2019 between the City of Destin (hereinafter referred to as " **CITY**"), 4200 Indian Bayou Trail , Destin, Florida 32541, and 3TP Ventures, Inc. (hereinafter referred to as "**CONSULTANT** "), 2460 Sedgefield Drive, Chapel Hill, NC 27514.

RECITALS:

WHEREAS, CITY has retained the CONSULTANT to furnish professional planning services to the City; and

WHEREAS, the CONSULTANT has agreed to provide professional planning services to the CITY upon the terms and conditions of the Principal Agreement; and

WHEREAS, the Principal Agreement allows for annual adjustments to the hourly rates used by the CONSULTANT; and

WHEREAS, as a result of the aforementioned mutual understanding, the CITY desires to amend the Principal Agreement per this ADDENDUM.

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained in the Principal Agreement, and subject to availability of funding, the CITY agrees to retain the CONSULTANT and the CONSULTANT agrees to perform work upon the following terms and conditions:

ANNUAL ADJUSTMENT TO PROFESSIONAL RATES

The CONSULTANT will apply the hourly rates set forth in Exhibit "A", included and attached hereto, beginning May 1, 2019.

(Signature Continue on Next Page)

IN WITNESS WHEREOF, the parties hereto have made and executed this Addendum on the day and year first written above.

CONSULTANT:

CITY:

(Signature)

(Signature)

(Printed Name and Title)

(Printed Name and Title)

(Date)

(Date)

(Witness to Signature)

(Attest to Signature)

(Printed Name)

(Printed Name and Title)

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Consent Agenda

TO: City Council

THRU: Lance Johnson, City Manager
Bragg Farmer, Finance Director
Michael Burgess, Public Services Director

FROM: Michael Burgess, Public Services Director

DATE: 05/13/2019

SUBJECT: Request for Council Approval to Purchase FY 19 Additional Vehicle

I. BACKGROUND: Staff contacted the TDC to request they fund a vehicle to be used for maintaining the City's beach accesses. The TDC agreed and allocated \$30,000 towards that purchase.

II. DISCUSSION: Staff is requesting Council approve the purchase of a Chevrolet Silverado 1500 4WD, Crew Cab utilizing Florida State Contract pricing.

A. Link to Strategic Goals / Objectives: I. Enhanced Quality of Life, I.C.2., I.C.3, I.C.4, I.C.5 and III. Organizational Excellence, III.A.1

B. Effect on Budget (EOB): \$27,188.00 from TDC funds

C. Level of Service (LOS): The new equipment allows for continued servicing of City beach accesses, parks and facilities.

III. CONCLUSION: The vehicle allows for the maintenance of trash removal, beach access structures and facility repairs.

IV. RECOMMENDED MOTION: I move that Council approve the purchase of the vehicle and authorize the City Manager to purchase the items under the Florida State Purchasing Contract in an amount not to exceed \$27,188.00.

Attachments:

1. 2019 Chevy Silverado 1500 quote

ALAN JAY FLEET SALES

Call Us first, for all of your Fleet Automotive, & Light Truck needs.

PHONE (800) ALANJAY (252-6529)		DIRECT 863-385-9610	WWW.ALANJAY.COM	Quote 19939-1
Corporate Office	2003 U.S. 27 South Sebring, FL 33870	MOBILE 904-838-4999	Mailing Address P.O. BOX 9200 Sebring, FL 33871-9200	
		FAX 863-402-4221		

ORIGINAL QUOTE DATE
5/9/2019

QUICK QUOTE SHEET

REVISED QUOTE DATE
5/9/2019

REQUESTING AGENCY	DESTIN, CITY OF	EMAIL	tpietenpol@cityofdestin.com
CONTACT PERSON	TIM PIETENPOL	PHONE	850-685-6099
		MOBILE	
		FAX	

Florida State Term Contract No. 25100000-18-1 Motor Vehicles www.myfloridamarketplace.com

CUSTOMER ID

MODEL	CK10543	SPECIFICATION #	25101507	Line	84
	2019 Chevrolet Silverado 1500 4WD Crew Cab 143.5" Work Truck (CK10543)	BED LENGTH	5.5	BASE PRICE	
				\$26,214.00	
				MSRP	COST

** All vehicles will be ordered white w/ darkest interior unless clearly stated otherwise on purchase ord

FACTORY OPTIONS

DESCRIPTION

GAZ H2G	EXTERIOR COLOR SUMMIT WHITE WITH JET BLACK VINYL INTERIOR.		\$0.00	\$0.00
LV3 MYC	4.3L ECOTEC V6 WITH 6-SPD AUTO TRANS		\$0.00	\$0.00
G80	LOCKING REAR DIFFERENTIAL		\$0.00	\$0.00
Z82	FACTORY RECEIVER HITCH WITH 7 WIRE HARNESS CONNECTOR		\$395.00	\$395.00
VK3	FRONT LICENSE PLATE BRACKET FACTORY ORDERED		\$0.00	\$0.00
CAMERA	BACK UP CAMERA STANDARD		\$0.00	\$0.00

FACTORY OPTIONS

\$395.00 \$395.00

MSRP DISCOUNT

0.00%

\$0.00

ADJUSTED FACTORY OPTIONS

\$395.00 \$395.00

CONTRACT OPTIONS

DESCRIPTION

TEMP	TEMPORARY TAG		\$0.00	\$0.00
------	---------------	--	--------	--------

CONTRACT OPTIONS

\$0.00 \$0.00

NON-IDENTIFIED CONTRACT OPTIONS

DESCRIPTION

SOB	Scorpion HD dealer installed spray on bedliner		\$579.00	\$579.00
-----	--	--	----------	----------

NON-IDENTIFIED CONTRACT OPTIONS

\$579.00 \$579.00

MSRP DISCOUNT

0.00%

\$0.00

ADJUSTED NON-IDENTIFIED CONTRACT OPTIONS

\$579.00 \$579.00

TRADE IN

TOTAL COST

\$27,188.00

YES WE TAKE TRADE INS ~~~ ASK ABOUT MUNICIPAL FINANCING ~~~

\$0.00

TOTAL COST LESS TRADE IN(S)

QTY 1

\$27,188.00

Estimated Annual payments for 60 months paid in advance: \$5,980.71

Municipal finance for any essential use vehicle, requires lender approval, WAC.

Comments

VEHICLE QUOTED BY

CHRISTY SELF

GOVERNMENT ACCOUNT MANAGER christy.self@AlanJay.com

"I Want to be Your Fleet Provider"

I appreciate the opportunity to submit this quotation. Please review it carefully. If there are any errors or changes, please feel free to contact me at any time. I am always happy to be of assistance.



[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" (111)



Note:Photo may not represent exact vehicle or selected equipment.

Window Sticker

SUMMARY

[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" Work Truck

MSRP:\$37,900.00

Interior:Jet Black, Vinyl seat trim

Exterior 1:Summit White

Exterior 2:No color has been selected.

Engine, 4.3L EcoTec3 V6

Transmission, 6-speed automatic, electronically controlled

OPTIONS

CODE	MODEL	MSRP
CK10543	[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" Work Truck	\$37,900.00
OPTIONS		
1WT	Work Truck Preferred Equipment Group	\$0.00
A52	Seats, front 40/20/40 split-bench	\$0.00
C5W	GVWR, 7000 lbs. (3175 kg)	\$0.00
CTT	Hitch Guidance	Inc.
FE9	Emissions, Federal requirements	\$0.00

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Data Version: 8279. Data Updated: May 6, 2019 10:00:00 PM PDT.



[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" (111)

G80	Differential, heavy-duty locking rear	\$395.00
GAZ	Summit White	\$0.00
GU6	Rear axle, 3.42 ratio	\$0.00
H2G	Jet Black, Vinyl seat trim	\$0.00
IOR	Audio system, Chevrolet Infotainment 3 system	\$0.00
LV3	Engine, 4.3L EcoTec3 V6	\$0.00
MYC	Transmission, 6-speed automatic, electronically controlled	\$0.00
QBN	Tires, 255/70R17 all-season, blackwall	\$0.00
R9Y	Fleet Free Maintenance Credit	(\$45.00)
RD6	Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel	\$0.00
VK3	License plate kit, front	\$0.00
VQ2	Fleet Processing Option	\$0.00
Z82	Trailer Package	\$395.00

SUBTOTAL	\$38,645.00
Adjustments Total	\$0.00
Destination Charge	\$1,595.00
TOTAL PRICE	\$40,240.00

FUEL ECONOMY

Est City:15 MPG

Est Highway:20 MPG

Est Highway Cruising Range:480.00 mi

Standard Equipment

Mechanical

Durabed, pickup bed

Engine, 4.3L EcoTec3 V6 (285 hp [212 kW] @ 5300 rpm, 305 lb-ft of torque [413 Nm] @ 3900 rpm) (STD)

Transmission, 6-speed automatic, electronically controlled (STD)

Rear axle, 3.42 ratio

GVWR, 7000 lbs. (3175 kg) (STD) (Requires Crew Cab or Double Cab 4WD model and (LV3) 4.3L EcoTec3 V6 engine.)

Transfer case, single speed electronic Autotrac with rotary dial control (4WD models only)

Four wheel drive

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[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" (111)

Mechanical

Cooling, external engine oil cooler

Battery, heavy-duty 730 cold-cranking amps/70 Amp-hr, maintenance-free with rundown protection and retained accessory power (Included and only available with (LV3) 4.3L EcoTec3 V6 engine.)

Alternator, 170 amps

Frame, fully-boxed, hydroformed front section

Steering, Electric Power Steering (EPS) assist, rack-and-pinion

Brakes, 4-wheel antilock, 4-wheel disc with DURALIFE rotors

Brake lining wear indicator

Capless Fuel Fill

Exhaust, single outlet

Exterior

Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel (STD)

Tires, 255/70R17 all-season, blackwall (STD)

Tire, spare 255/70R17 all-season, blackwall (Included with (QBN) 255/70R17 all-season, blackwall tires.)

Tire carrier lock, keyed cylinder lock that utilizes same key as ignition and door

Bumpers, front, Black (semi-gloss)

Bumpers, rear, Black (semi-gloss)

CornerStep, rear bumper

Recovery hooks, front, frame-mounted, black (Included with 4WD models or on 2WD models with (PQA) WT Safety Package. Available free flow on 2WD models.)

Cargo tie downs (12), fixed rated at 500 lbs per corner

Grille (Black bars and mesh inserts.)

Headlamps, halogen reflector with halogen Daytime Running Lamps

Lamps, cargo area, cab mounted integrated with center high mount stop lamp, with switch in bank on left side of steering wheel

Taillamps, with incandescent tail, stop and reverse lights

Mirrors, outside manual, Black

Glass, solar absorbing, tinted

Door handles, Black

Tailgate and bed rail protection cap, top

Tailgate, locking utilizes same key as ignition and door (Upgraded to (QT5) EZ Lift power lock and release tailgate when (ZLQ) WT Fleet Convenience Package or (PCV) WT Convenience Package is ordered.)

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[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" (111)

Exterior

Tailgate, gate function manual, no lift assist

Entertainment

Audio system, Chevrolet Infotainment 3 system 7" diagonal color touchscreen, AM/FM stereo. Additional features for compatible phones include: Bluetooth audio streaming for 2 active devices, voice command pass-through to phone, Apple CarPlay and Android Auto capable. (STD)

Audio system feature, 6-speaker system (Requires Crew Cab or Double Cab model.)

Bluetooth for phone, connectivity to vehicle infotainment system

USB port, located on instrument panel

Interior

Seats, front 40/20/40 split-bench (STD)

Seat trim, Vinyl

Seat adjuster, driver 4-way manual

Seat adjuster, passenger 4-way manual

Seat, rear 60/40 folding bench (folds up), 3-passenger (includes child seat top tether anchor) (Requires Crew Cab or Double Cab model.)

Floor covering, rubberized-vinyl (Not available with LPO floor liners.)

Steering wheel, urethane

Steering column, Tilt-Wheel, manual with wheel locking security feature

Instrument cluster, 6-gauge cluster featuring speedometer, fuel level, engine temperature, tachometer, voltage and oil pressure

Driver Information Center, 3.5" diagonal monochromatic display

Exterior Temperature Display located in radio display

Rear Seat Reminder (Requires Crew Cab or Double Cab model.)

Window, power front, drivers express up/down (Standard on Crew Cab and Double Cab models.)

Window, power front, passenger express down (Standard on Crew Cab and Double Cab models.)

Windows, power rear, express down (Not available with Regular Cab models.)

Door locks, power (Standard on Crew Cab and Double Cab models.)

Air conditioning, single-zone

Air vents, rear, heating/cooling (Not available on Regular Cab models.)

Power outlet, front auxiliary, 12-volt

Mirror, inside rearview, manual tilt

Assist handles front A-pillar mounted for driver and passenger, rear B-pillar mounted

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[Fleet] 2019 Chevrolet Silverado 1500 (CK10543) 4WD Crew Cab 147" (111)

Safety-Mechanical

StabiliTrak, stability control system with Proactive Roll Avoidance and traction control, includes electronic trailer sway control and hill start assist

Safety-Exterior

Daytime Running Lamps with automatic exterior lamp control

Safety-Interior

Airbags, dual-stage frontal airbags for driver and front outboard passenger; Seat-mounted side-impact airbags for driver and front outboard passenger; Head-curtain airbags for front and rear outboard seating positions; Includes front outboard Passenger Sensing System for frontal outboard passenger airbag (Always use seat belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

Rear Vision Camera

Teen Driver configurable feature that lets you activate customizable vehicle settings associated with a key fob, to encourage safe driving behavior. It can limit certain vehicle features, and it prevents certain safety systems from being turned off. An in-vehicle report card gives you information on your teen's driving habits and helps you to continue to coach your new driver

Tire Pressure Monitoring System with Tire Fill Alert (does not apply to spare tire)

WARRANTY

Basic Years: 3

Basic Miles/km: 36,000

Drivetrain Years: 5

Drivetrain Miles/km: 60,000

Drivetrain Note: Qualified Fleet Purchases: 5 Years/100,000 Miles

Corrosion Years (Rust-Through): 6

Corrosion Years: 3

Corrosion Miles/km (Rust-Through): 100,000

Corrosion Miles/km: 36,000

Roadside Assistance Years: 5

Roadside Assistance Miles/km: 60,000

Roadside Assistance Note: Qualified Fleet Purchases: 5 Years/100,000 Miles

Maintenance Note: 1 Year/1 Visit

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Data Version: 8279. Data Updated: May 6, 2019 10:00:00 PM PDT.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019**TYPE OF AGENDA ITEM:** Consent Agenda

TO: City Council**THRU:** Lance Johnson, City Manager**FROM:** Kyle Bauman, City Attorney**DATE:** May 15, 2019**SUBJECT:** Agreement with Wet N Wild Water Sports, LLC and TW Calhoun, LLC, pursuant to section 4(b) of Ordinance # 19-08-CN.

I. BACKGROUND:

On March 15, 2019, the City Council, by unanimous vote, adopted, on second reading, Ordinance Number 19-08-CN (the "Ordinance"). The Ordinance generally institutes a moratorium on the permitting of livery vessels which prevents the City from issuing more permits to any livery vessel vendor than were issued by the City in the previous year ending December 31, 2018. However, section 4(b) of the Ordinance allows the City to issue permits in excess of the number issued to a livery vessel vendor in the previous year ending December 31, 2018, if the City and the livery vessel vendor enter into an agreement to that effect, provided that the agreement is authorized by the Council.

Also on March 15, 2019, the City Council directed the City Attorney to draft an agreement pursuant to section 4(b) of the Ordinance with Wet N Wild Water Sports, LLC, and TW Calhoun, LLC, and bring the draft agreement to Council for consideration at their next regular meeting. The attached agreement is the product of that direction and discussion with Wet N Wild Water Sports, LLC, and TW Calhoun, LLC.

II. DISCUSSION:

The attached Agreement complies with the Ordinance and City Council direction by allowing Wet N Wild Water Sports, LLC, and TW Calhoun, LLC to receive livery vessel permits in accordance with Chapter 13, Article VIII of the City's Code of Ordinances, assuming the entities achieve compliance with all local, state, and federal laws and regulations. The Agreement also protects the City's interests and manages some of the risk inherent in passing the Ordinance.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

The attached Agreement is legally sound and before the Council for review.

IV. RECOMMENDED MOTION:

I move to approve the agreement with Wet N Wild Water Sports, LLC, and TW Calhoun, LLC, pursuant to section 4(b) of Ordinance 19-08-CN, and authorize the City Manager and/or Mayor to execute this agreement.

Attachments:

1. Agreement with Wet N Wild Water Sports LLC

LIVERY VESSEL PERMIT AGREEMENT

This Livery Vessel Permit Agreement (the “Agreement”) is entered into on the dates below written by and between the City of Destin, Florida (the “City” or “Destin”) and Wet N Wild Water Sports, LLC (“Wet N Wild”) and TW Calhoun, LLC (“TW”), and the parties agree as follows:

W I T N E S S E T H:

WHEREFORE, on March 15, 2019, the Destin City Council (the “Council”) by unanimous vote, adopted, on second reading, Ordinance Number 19-08-CN (the “Ordinance”); and

WHEREFORE, the Ordinance institutes a moratorium on the permitting of livery vessels which prevents the City from issuing more permits to any livery vessel vendor than were issued by the City in the previous year ending December 31, 2018; and

WHEREFORE, section 4(b) of the Ordinance allows the City to issue permits in excess of the number issued to a livery vessel vendor in the previous year ending December 31, 2018, if the City and the livery vessel vendor enter into an agreement to that effect provided that the agreement is authorized by the Council; and

WHEREFORE, before the passage of the Ordinance, TW, in good faith, purchased property located at 119 Calhoun Avenue, Destin, Florida 32541, with the intention of operating Wet N Wild thereon; and

WHEREFORE, the owners of TW, share common owners and intend to jointly operate Wet N Wild’s livery vessel rental business at 119 Calhoun Drive, Destin, Florida 32541; and

WHEREFORE, absent this agreement between the City and Wet N Wild and TW pursuant to 4(b) of the Ordinance, the City would be prohibited from issuing Wet N Wild and TW any livery vessel permits; and

WHEREFORE, at the March 15, 2019, Council meeting, the Council directed the City Attorney to draft an agreement with Wet N Wild and TW pursuant to 4(b) of the Ordinance and to bring it before the Council for consideration at the Council’s first meeting in April; and

NOW, THEREFORE, in consideration of the recitals set forth above, all of which are incorporated by reference herein, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged by the parties, the parties agree as follows:

1. This Agreement is entered into by and between the City and Wet N Wild and TW pursuant to paragraph 4(b) of the Ordinance.
2. Wet N Wild and TW hereby represent and warrant that they are in full compliance with all local, state, and federal laws, regulations, rules, and ordinances.

3. Prior to issuance of any livery vessel permits to Wet N Wild or TW, Wet N Wild or TW shall permit the City and its authorized agents to enter into and inspect the premises at 119 Calhoun Avenue, Destin, Florida 3254, to determine whether Wet N Wild and TW are in compliance with all City laws, rules, and regulations. If the City determines that Wet N Wild or TW is not in compliance with all City laws, rules, and regulations, then no livery vessel permits shall be issued to Wet N Wild or TW until Wet N Wild and TW achieve complete compliance with all applicable laws, rules, and regulations to the City's full satisfaction.

4. Provided Wet N Wild and TW achieve complete compliance with paragraph 3 above, and fully paid all applicable fees, including permit fees, the City hereby agrees to issue to Wet N Wild or TW livery vessel permit(s) in an amount not to exceed the limitations set forth in Chapter 13, Article VIII of the City's Code of Ordinances.

5. Wet N Wild and TW, their respective agents, servants, survivors, heirs, assigns, and successors in interest hereby relinquish and forever waive, release, and cancel any claims it may have against the City relating to the issuance or non-issuance of livery vessel permits or any legal challenge it may have to the Ordinance.

6. This Agreement shall not prevent, restrict, or in any way inhibit the City from enforcing any City laws, regulation, or codes against Wet N Wild and TW through the special magistrate process, code enforcement, or otherwise.

7. Absent written consent from the City, Wet N Wild and TW agrees to never sell, assign, convey or otherwise transfer any livery vessel permits issued to it by the City to any third party.

8. This Agreement was prepared by the combined efforts of the parties. The parties acknowledge that this is a negotiated agreement, and that in no event shall the terms hereof be construed against any party on the basis that such party, or its counsel drafted this Agreement or any part of it.

9. Wet N Wild and TW acknowledge that the City's attorneys do not represent Wet N Wild or TW, have not provided Wet N Wild or TW with any legal advice, and have specifically advised Wet N Wild and TW to seek independent legal counsel prior to executing this Agreement.

10. This Agreement contains the entire Agreement of the parties. It may not be changed verbally, but only by an Agreement in writing signed by the parties, and shall not be changed or amended verbally or by the parties' course of conduct.

11. This Agreement may be executed in more than one counterpart, and each counterpart shall be considered an original.

12. THE PARTIES AGREE THAT ANY CONTROVERSY WHICH MAY ARISE UNDER THIS AGREEMENT WOULD INVOLVE COMPLICATED AND DIFFICULT FACTUAL AND LEGAL ISSUES. THEREFORE, ANY ACTION BROUGHT BY ONE PARTY, ALONE OR IN COMBINATION WITH OTHERS AGAINST THE OTHER PARTY, WHETHER ARISING OUT OF THIS AGREEMENT OR OTHERWISE, SHALL BE DETERMINED BY A JUDGE SITTING WITHOUT A JURY AND THE PARTIES HEREBY KNOWINGLY AND VOLUNTARILY WAIVE ANY RIGHT TO TRIAL BY JURY THAT THEY MAY HAVE IN REGARD TO THIS AGREEMENT AND ANY COURSE OF DEALING BETWEEN THEM.

IN WITNESS WHEREOF, the City Council of the City of Destin, Florida has caused this Agreement to be signed and executed on its behalf by either the Mayor, or Mayor Pro-Tem and City Manager; and Wet N Wild executes this Agreement through its managing member, Travis Glaze. This Agreement is effective on the date last executed.

**WET N WILD
WATERSPORTS, LLC**

**By: Travis Glaze
Its: Managing Member**

Dated: _____

TW CALHOUN, LLC

**By: Travis Glaze
Its: Managing Member**

Dated: _____

**CITY COUNCIL
CITY OF DESTIN**

**Gary Jarvis, Mayor, or
Prebble Ramswell, Mayor Pro Tem**

Dated: _____

Lance Johnson, City Manager

Dated: _____

APPROVED AS TO FORM:

**Kyle S. Bauman, Esq.
City Attorney**

Dated: _____

ATTEST:

**Rey Bailey,
City Clerk**

Dated: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Consent Agenda

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Bragg Farmer, Finance Director

DATE: May 16, 2019

SUBJECT: Modification of TDD Operation and Maintenance Agreement

I. BACKGROUND: The Okaloosa County Commission and TDD approved an interlocal agreement with the City of Destin for Waterfront access Maintenance and Capital improvements for FY2019.

II. DISCUSSION: Due to changes in the responsibility of the City Staff who perform under this interlocal agreement, it has been determined that an additional vehicle is needed to perform their duties. A modification to the interlocal agreement has been proposed and approved by the TDD. The attached Amendment No. 1 is the official approval of the change in purchasing for FY2019.

A. Link to Strategic Goals / Objectives: III.A.2. Develop sustainable Operating and Capital budgets ensuring the City is managed in a fiscally sound manner and complies with legislative mandates.

B. Effect on Budget (EOB): There is no change in the Operation and Maintenance budget for FY2019. This only reclasses funding to allow for the purchase of a vehicle.

C. Level of Service (LOS): Continued maintenance of Beach access properties.

III. CONCLUSION: The attached Amendment #1 allows for the change in budgeted spending items.

IV. RECOMMENDED MOTION: I move that council approve the budget changes outlined in Amendment #1 and direct the Mayor to sign the document.

Attachments:

1. TDD Amend 1 FY2019 Page 1 only
2. TDD Exhibit A

**AMENDMENT NO. 1 TO
INTERLOCAL AGREEMENT FOR WATERFRONT ACCESS MAINTENANCE
AND CAPITAL IMPROVEMENTS
(CONTRACT # C19-2737-TDD)**

This AMENDMENT NO. 1 hereby amends the Interlocal Agreement for Waterfront Access Maintenance and Capital Improvements (Contract # C19-2737-TDD) by and between Okaloosa County, Florida ("County") and the City of Destin ("the City").

WHEREAS, Section 3 of the Interlocal Agreement provides for reimbursement of maintenance and capital outlay costs rendered as set forth in Exhibit A; and

WHEREAS, the parties find it necessary to amend Exhibit A to provide for the purchase of a truck.

NOW THEREFORE, in consideration of the mutual covenants herein and other good and valuable consideration, the parties hereby agree to amend the Interlocal Agreement as follows:

(~~stricken~~ words indicate deletions, underlined words indicate additions).

1. Exhibit A, Scope of Services, Operational & Capital Funding Request Budget Detail shall be amended as attached hereto.
2. This AMENDMENT NO. 1 shall be effective upon execution by the County.
3. All other provisions of the Interlocal Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year last herein below written.

CITY OF DESTIN

**BOARD OF COUNTY COMMISSIONERS OF
OKALOOSA COUNTY, FLORIDA**

Gary Jarvis, Mayor

Charles K. Windes, Jr., Chairman

Date: _____

Date: _____

ATTEST:

J.D. Peacock II, Clerk of Circuit Court

Describe other funding methods pursued and why Tourist Development Tax funding is necessary.

Whenever available, the City pursues both State and Federal grants to cover these expenditures.

Dates during which expenses will be incurred: Start Month/Year: 10/1/2018

End Month/Year: 9/30/2019

Itemize expenses requested for reimbursement. Denote what portion of the expense, if any, is funded by another source. Attach quotes or any other supporting documentation.

Expenditure Type	Detailed Description	Amount funded by tourist development tax	Amount funded by other sources
Wages	Employee Wages	\$ 150,853.00	
Benefits	Employee Benefits	\$ 83,289.00	
Contractual Services	Contracted repairs and maintenance on tourist related parks	\$ 21,500.00	
Operating Supplies	General operating supplies for all tourist related parks	\$ 61,967.00	
Promotions/Advertising	Printing and Binding	\$ 1,345.00	
Travel	Training and Certification	\$ 0.00	
Utilities	Utilities at the tourist related parks	\$ 13,666.00	
<select one>	Equipment Rent and Leases	\$ 950.00	
Facility Maintenance	General repairs and maintenance on tourist related parks by City employees	\$ 64,956.00	
<select one>	Road Material and Supplies	\$ 2,000.00	
Capital Vehicle	Ford F-150 4x4 Truck	\$ 30,000.00	
Capital Vehicle	Utility vehicle for maintenance of the boardwalk/beach	\$ 0.00	
<select one>	Insurance Premiums	\$ 24,000.00	
<select one>	Beach Access Infrastructure	\$ 0.00	
<select one>			
TOTAL		\$ 454,526.00	\$ 0.00
			\$ 454,526.00

Note: Item(s) may be disqualified individually without impacting other items listed.

Upon completing this funding request in its entirety, please read the following statement and affix your signature.

I am submitting this funding request on behalf of my organization and am aware that this request will be reviewed for final approval. I have completed this funding request fully and accurately, understand that all information submitted will be used to determine funding eligibility, and have not misrepresented any information contained herein.

I understand that if the funding request is approved, payment will be made on a reimbursement basis based on actual expenses incurred. While actual expenses may vary from the amounts noted on this funding request, the total dollar amount reimbursed will not exceed the total dollar amount approved. Copies of vendor invoices, proof of payment, and an invoice from my organization to the County will be required for payment.

Signature of Applicant

Date

Bragg Farmer, Finance Director

Printed Name of Applicant

Okaloosa-Walton TPO 2040 Cost Feasible Plan Non SIS Project Listing - Amendment 4 Changes (highlighted)

Project	From	To	Improvement	U/R	Phase	2015-2020	2021-2025	2026-2030	2031-2040	Totals	Beyond 2040
Transportation Improvement Program (TIP) Projects											
SR20	SR293 (Mid Bay Bridge Connector)	Walton County Line	Widen to 4 lanes	Rural	PD&E	\$ 56,250				\$ 56,250	
SR20	Walton County Line	US331 (SR83)	Widen to 4 lanes	Rural	PD&E	\$ 3,731,250				\$ 3,731,250	
SR20	US331 (SR83)	Washington County Line	Widen to 4 lanes	Rural	PD&E	\$ 1,905,371				\$ 1,905,371	
US98 (SR30)	Santa Rosa County Line	SR393 (Mary Esther Boulevard)	Widen to 6 lanes	Urban	PE	\$ 8,027,910				\$ 8,027,910	
Okaloosa County	Countywide		Traffic Signal Update Program	NA	OPS	\$ 300,000				\$ 300,000	
Anticoh Road	Bel Aire Drive	South of Garrett Pit Road	Widen to 4 lanes	Rural	PD&E	\$ 262,500				\$ 262,500	
Okaloosa County	Countywide		Traffic Control Devices	NA	OPS	\$ 1,900,000				\$ 1,900,000	
Walton County	Countywide		Traffic Control Devices	NA	OPS	\$ 900,000				\$ 900,000	
PJ Adams Parkway	Key Lime Place	SR85 (South Ferdon Boulevard)	Widen to 4 lanes	Rural	CST	\$ 2,900,000				\$ 2,900,000	
PJ Adams Parkway	Ashley Drive	Key Lime Place	Widen to 4 lanes	Rural	CST	\$ 2,824,000				\$ 2,824,000	
PJ Adams Parkway	Wild Horse Drive	Ashley Drive	Widen to 4 lanes	Rural	ROW	\$ 1,500,000				\$ 1,500,000	
					CST	\$ 3,800,000				\$ 3,800,000	
PJ Adams Parkway	Wild Horse Drive	I-10	Widen to 4 lanes	Rural	ROW	\$ 3,400,000				\$ 3,400,000	
SR189 (Beal Parkway)	US98 (SR30)	SR393 (Mary Esther Boulevard)	Multi-modal study	NA	PLN	\$ 150,000				\$ 150,000	
Crestview Bypass	US90 (SR10)	SR85 (South Ferdon Boulevard)	Widen/Construct 4 lane facility	Rural	PD&E	\$ 1,500,392				\$ 1,500,392	
Mobility Programs											
Areawide Signal System Operations	Okaloosa County	\$400,000 Annually for Operations and Maintenance	Traffic Control/Traffic Device Operations	NA	NA	-	\$ 2,000,000	\$ 2,000,000	\$ 4,000,000	\$ 8,000,000	
Areawide Signal System Operations	Walton County	\$200,000 Annually for Operations and Maintenance	Traffic Control/Traffic Device Operations	NA	NA	-	\$ 1,000,000	\$ 1,000,000	\$ 2,000,000	\$ 4,000,000	
Advanced Traffic Management Systems Enhancements	Okaloosa & Walton Counties	\$600,000 Annually	Traffic Control/Traffic Device Upgrades	NA	NA	-	\$ 3,000,000	\$ 3,000,000	\$ 6,000,000	\$ 12,000,000	
Bicycle and Pedestrian Program	Okaloosa & Walton Counties	\$500,000 Annually	Plan and implement bicycle and pedestrian projects	NA	NA	-	\$ 2,500,000	\$ 2,500,000	\$ 5,000,000	\$ 10,000,000	
Corridor Management Program	Okaloosa & Walton Counties	\$120,000 Annually	Conduct corridor management studies	NA	NA	-	\$ 600,000	\$ 600,000	\$ 1,200,000	\$ 2,400,000	
Corridor Management Improvement Projects	Okaloosa & Walton Counties	\$1,500,000 Annually	Implement corridor management projects identified though the corridor management studies	NA	NA	-	\$ 7,500,000	\$ 7,500,000	\$ 15,000,000	\$ 30,000,000	
Public Transportation Capital Improvements Program	Okaloosa County	\$300,000 Annually	Purchase replacement buses and/or bus stop amenities	NA	NA	-	\$ 1,500,000	\$ 1,500,000	\$ 3,000,000	\$ 6,000,000	
Alternative Fuel Filling Stations	Okaloosa & Walton Counties	\$50,000 Annually	Development and implementation of alternative fuel filling stations	NA	NA	-	\$ 250,000	\$ 250,000	\$ 500,000	\$ 1,000,000	
Connected/Autonomous Vehicle Program	Okaloosa & Walton Counties	\$50,000 Annually	Program to monitor and participate in the development of an autonomous/connected vehicle program.	NA	NA	-	\$ 250,000	\$ 250,000	\$ 500,000	\$ 1,000,000	
CR30a Mobility Program	Walton County	TBD	Program to develop multi-modal/autonomous vehicle/alternative fuel transportation options along CR30A.	NA	NA	-					
Regional ITS Program	Okaloosa & Walton Counties	\$750,000 for TMC	Plan and Implement a Regional ITS system including construction of a traffic management center.	NA	NA	-	\$ 750,000			\$ 750,000	
Roadway Projects											
Destin Cross-Town Connector	Beach Drive	Benning Drive	Construction of new facility	Urban	ROW		\$ 895,109			\$ 895,109	
					CST		\$ 895,109			\$ 895,109	
					CEI		\$ 134,226			\$ 134,226	

Okaloosa-Walton TPO 2040 Cost Feasible Plan Non SIS Project Listing - Amendment 4 Changes (highlighted)

Project	From	To	Improvement	U/R	Phase	2015-2020	2021-2025	2026-2030	2031-2040	Totals	Beyond 2040
Crestview Bypass - PJ Adams/Antioch Road	Wild Horse Drive	I-10 (SR8)	Construction of new 4 lane facility	Urban	CST				\$ 18,648,377	\$ 18,648,377	
					CEI				\$ 2,797,257	\$ 2,797,257	
Crestview Bypass - PJ Adams/Antioch Road	I-10 (SR8)	US90 (SR10)	Construction of new 4 lane facility	Urban	Design		\$ 7,619,993			\$ 7,619,993	
					ROW			\$ 38,099,964			
					CST						\$ 38,099,964
					CEI						\$ 5,714,995
Crestview Bypass - PJ Adams/Antioch Road	US90 (SR10)	SR85 North	Construction of new 4 lane facility	Urban	PD&E		\$ 1,134,330			\$ 1,134,330	
					Design		\$ 4,537,318			\$ 4,537,318	
					ROW						\$ 22,686,590
					CST						\$ 22,686,590
US98 (SR30)	SR87 (Santa Rosa County)	Mary Esther Boulevard	Widen to 6 lanes	Urban	CEI						\$ 3,402,989
					ROW						\$ 46,119,978
					CST						\$ 46,119,978
					CEI						\$ 6,917,997
US98 (SR30)	at Stahlman Avenue		Major intersection improvement	Urban	PD&E		\$ 120,000				
					Design		\$ 240,000				
					ROW			\$ 1,200,000			
					CST				\$ 1,200,000		
Hollywood Boulevard Extension	US98 (SR30)	Hill Avenue	Construct new 2 lane facility	Urban	CEI				\$ 180,000		
					PD&E		\$ 592,601			\$ 592,601	
					Design			\$ 888,902		\$ 888,902	
					ROW			\$ 2,963,006		\$ 2,963,006	
SR20	SR293 (Mid Bay Bridge Connector)	Walton County Line	Widen to 4 lanes	Rural	CST						
					CEI						\$ 4,600,000
					Design			\$ 6,192,333			
					ROW						\$ 30,600,000
SR20	Walton County Line	US331 (SR83)	Widen to 4 lanes	Rural	CST						\$ 30,000,000
					CEI						\$ 4,600,000
					Design			\$ 6,200,000			
					ROW						\$ 31,000,000
SR20	US331 (SR83)	Washington County Line	Widen to 4 lanes	Rural	CST						\$ 30,000,000
					CEI						\$ 4,600,000
					Design			\$ 6,195,000			
					ROW						\$ 30,650,000
US 98 Pedestrian Underpass	at CR 30A East		Grade separated pedestrian crossing		CST						\$ 30,000,000
					CEI						\$ 4,600,000
					PD&E				\$ 176,700		
					Design				\$ 353,400		
Crestview Bypass (East)	SR 85 (south of Crestview)	I-10 (SR 8)	Provide 4 lanes of capacity		ROW						\$ 950,000
					CST						\$ 950,000
					CEI						\$ 142,500
					PD&E				\$ 3,601,940		
Crestview Bypass (East)	I-10 (SR 8)	SR 85 (north of Crestview)	Provide 4 lanes of capacity		Design				\$ 7,718,444		
					ROW						\$ 27,664,676
					CST						\$ 27,664,676
					CEI						\$ 4,149,701
Crestview Bypass (East)	I-10 (SR 8)	SR 85 (north of Crestview)	Provide 4 lanes of capacity		PD&E				\$ 5,474,315		
					Design				\$ 11,730,676		
					ROW						\$ 42,045,433
					CST						\$ 42,045,433

Okaloosa-Walton TPO 2040 Cost Feasible Plan Non SIS Project Listing - Amendment 4 Changes (highlighted)

Project	From	To	Improvement	U/R	Phase	2015-2020	2021-2025	2026-2030	2031-2040	Totals	Beyond 2040
					CEI						\$ 6,306,815
SR 388 (Bay County) Extension / West Bay Parkway	US 98 (Walton County)	Walton/Bay County Line	Provide 4 lanes of capacity		PD&E						
					Design		\$ 1,500,000.00				
					ROW		\$ 200,000.00				
					CST						\$ 99,304,348
					CEI						\$ 14,895,652
Non Roadway Projects											
Dedicated Transit Funds							\$ 21,451,613	\$ 19,109,589	\$ 31,451,613	\$ 72,012,815	
Express Transit Service	Niceville	Destin	Provide express transit service		FS		\$ 100,000			\$ 100,000	
					Design		\$ 280,000			\$ 280,000	
					Park-N-Ride		\$ 200,000			\$ 200,000	
					Capital		\$ 350,000			\$ 350,000	
Park-and-Ride Lot	SR85 at Commerce Drive		Construct park and ride lot		Design		\$ 15,000			\$ 15,000	
					ROW					\$ -	
					CST		\$ 150,000			\$ 150,000	
					CEI		\$ 22,500			\$ 22,500	
Park-and-Ride Lot	SR20 at East Bay Loop Road		Construct park and ride lot		Design		\$ 15,000			\$ 15,000	
					ROW					\$ -	
					CST		\$ 150,000			\$ 150,000	
					CEI		\$ 22,500			\$ 22,500	

Color Code:
\$0,000.00 = State and Federal Funds
\$0,000.00 = PE Funds
\$0,000.00 = Local Funds

10-May-19

Grand Totals\$ 53,437,981\$ 101,986,112\$ 123,260,222\$ 196,301,543\$ 653,918,315

ROW & CST\$ 27,738,111\$ 88,859,936\$ 124,160,829

Available Revenue (Other Arterial Funds)\$ 59,940,000\$ 88,971,889\$ 124,191,953\$ 273,103,843

Balance\$ 32,201,889\$ 111,953\$ 31,124

Local Funds
PE Funds\$ 11,336,924\$ 24,013,553\$ 29,055,474.78
Transit Funds\$ 22,281,613\$ 19,109,589\$ 31,451,613

1.241.461.84

\$ 12,561,368\$ 47,689,190\$ 29,553,134\$ 89,803,692
6911175270968874208373419348454045
\$ 438,257,737

\$ 586,725,552

Okaloosa-Walton TPO 2040 Cost Feasible Plan SIS Project Listing - Amendment 4 Changes (highlighted)

Project	From	To	Improvement	U/R	Phase	2015-2020	2021-2025	2026-2030	2031-2040	Totals	Beyond 2040
Transportation Improvement Program (TIP) Projects											
US331 (SR83)	Edgewood Circle	I-10 (SR8)	Widen to 4 lanes	Rural	ROW	\$ 1,845,544				\$ 1,845,544	
I-10 (SR8)	at Antioch Road		Construction of new interchange	Rural	PD&E	\$ 1,020,000				\$ 1,020,000	
US98 (SR30)	Airport Road	Walton County Line	Widen to 6 lanes	Urban	ROW	\$ 125,080				\$ 125,080	
					CST	\$ 23,792,436				\$ 23,792,436	
					CEI	\$ 3,038,395				\$ 3,038,395	
US98 (SR30)	Emerald Bay Drive	Tang-o-Mar Drive	Widen to 6 lanes	Urban	CST	\$ 32,620,150				\$ 32,620,150	
					CEI	\$ 4,115,346				\$ 4,115,346	
					ROW	\$ 7,420,000				\$ 7,420,000	
US331 (SR187)	US90 (SR10)	South of Holley King Road	Widen to 4 lanes	Rural	PE	\$ 3,455,760				\$ 3,455,760	
US331 (SR187)	South of Holley King Road	North of Middle Creek Bridge	Widen to 4 lanes	Rural	PE	\$ 3,022,425				\$ 3,022,425	
US331 (SR187)	North of Middle Creek Bridge	South of CR2	Widen to 4 lanes	Rural	PE	\$ 3,175,043				\$ 3,175,043	
Roadway Projects											
US98 (SR30)	Mack Bayou Road	CR30A	Widen to 6 Lanes	Urban	CST		\$ 7,092,191			\$ 7,092,191	
					CEI		\$ 1,063,829			\$ 1,063,829	
US98 (SR30)	SR87 (Santa Rosa County)	Mary Esther Boulevard	Widen to 6 lanes	Urban	ROW		\$ 46,119,978			\$ 46,119,978	\$ 46,119,978
					CST			\$ 46,119,978		\$ 46,119,978	\$ 46,119,978
					CEI			\$ 6,917,997		\$ 6,917,997	\$ 6,917,997
US98 (SR30)	at Stahlman Avenue		Major intersection improvement	Urban	PD&E	\$ 120,000				\$ 120,000	
					Design	\$ 240,000				\$ 240,000	
					ROW		\$ 1,200,000			\$ 1,200,000	
					CST			\$ 1,200,000		\$ 1,200,000	
					CEI			\$ 180,000		\$ 180,000	
US98 (SR30)	at Danny Wuerffel Way (SR292)		Major intersection improvement	Urban	PD&E	\$ 200,000				\$ 200,000	
					Design	\$ 400,000				\$ 400,000	
					ROW		\$ 2,000,000			\$ 2,000,000	
					CST		\$ 2,000,000			\$ 2,000,000	
					CEI		\$ 300,000			\$ 300,000	
US98 (SR30)	at CR30A (west)		Major intersection improvement	Urban	PD&E	\$ 95,000				\$ 95,000	
					Design	\$ 190,000				\$ 190,000	
					ROW	\$ 950,000				\$ 950,000	
					CST	\$ 950,000				\$ 950,000	
					CEI	\$ 142,500				\$ 142,500	
US98 (SR30)	CR30A (west)	US331 (SR83)	Widen to 6 Lanes	Urban	PD&E	\$ 1,963,556				\$ 1,963,556	
					Design	\$ 2,945,335				\$ 2,945,335	
					ROW			\$ 19,635,564		\$ 19,635,564	
					CST			\$ 19,635,564		\$ 19,635,564	
					CEI			\$ 2,945,335		\$ 2,945,335	
US331 (SR187)	US90 (SR10)	Alabama State Line	Widen to 4 Lanes	Urban	ROW	\$ -				\$ -	
					CST			\$ -		\$ -	
					CEI			\$ -		\$ -	
US331 (SR83)	Coy Burgess Road	US90 (SR10)	Widen to 4 Lanes	Urban	Design	\$ 6,639,363				\$ 6,639,363	
					ROW			\$ 44,262,423		\$ 44,262,423	
					CST			\$ 44,262,423		\$ 44,262,423	
					CEI			\$ 6,639,363		\$ 6,639,363	
SR85	SR123	I-10	Widen to 6 lanes	Rural	PD&E		\$ 4,972,390				
					Design		\$ 7,458,509				
					ROW			\$ 12,430,848			
					CST			\$ 49,723,390			
					CEI			\$ 7,458,509			
I-10 (SR8)	at Antioch Road		Construction of new interchange	Urban	Design	\$ 3,600,000				\$ 3,600,000	
US 98 (SR 30) Flyover	at US 331 (SR 83)		Flyover Interchange		ROW		\$ 7,000,000			\$ 7,000,000	
					CST					\$ -	\$ 93,000,000
					CEI					\$ -	\$ 13,950,000
					PD&E				\$ 8,370,000		
Crestview Bypass (east)		Interchange @ I-10	Construction of New Interchange		Design				\$ 16,740,000		
					ROW						\$ 22,500,000
					CST						\$ 45,000,000
					CEI						\$ 6,750,000
					PD&E				\$ 6,062,064		
US 98 (SR30) Realignment (Fort Walton Beach Around the N	Beal Parkway	Brooks Bridge	Realign US 98		Design				\$ 12,124,127		
					ROW						\$ 32,591,741
					CST						\$ 32,591,741
					CEI						\$ 4,888,761
					PD&E				\$ 1,246,293		
I-10 (SR 8)	Santa Rosa/Okaloosa County Line	State Road 85	Widen to 6 lanes		Design				\$ 3,323,448		
					ROW						\$ 8,934,000
					CST						\$ 8,934,000
					CEI						\$ 893,400
					PD&E	\$ 2,500,000					
					Design	\$ 14,700,000					
					ROW						
					CST						\$ 226,000,000
					CEI						\$ 33,900,000

Okaloosa-Walton TPO 2040 Cost Feasible Plan SIS Project Listing - Amendment 4 Changes (highlighted)

Project	From	To	Improvement	U/R	Phase	2015-2020	2021-2025	2026-2030	2031-2040	Totals	Beyond 2040				
Color Code:						Grand Totals									
\$0,000.00 = State and Federal Funds						\$	76,111,752	\$	70,968,874	\$	256,239,351	\$	277,010,399	\$	629,091,596
\$0,000.00 = PE Funds						ROW & CST									
\$0,000.00 = Local Funds						\$	78,514,938	\$	85,465,444	\$	208,373,421	\$	372,353,802		
8-Feb-18						Available Revenue (SIS Funds)									
						\$97,850,000	\$	166,635,062	\$	350,929,619					
						Balance									
						\$	19,335,062.48	\$	81,169,619	\$	142,556,198				
						PE Funds									
						\$	12,793,254	\$	12,430,899	\$	47,865,932				
						Transit Funds									
						\$	-	\$	-	\$	-				

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Presentation

TO: City Council

THRU:

FROM:

DATE: May 20, 2019

SUBJECT: 1. City of Destin Election

I. BACKGROUND: Discussion on Attorney Memo and Request for City Council Direction/Vote on Holding Elections in November to Encourage Increase in Voter Turnout

II. DISCUSSION:

- A. Link to Strategic Goals / Objectives:**
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**

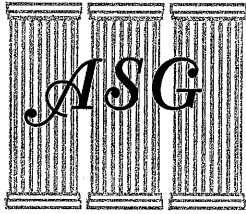
III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

- 1. ASG Memo May 15 2019
- 2. Applicable Statutes_ Exhibit A
- 3. City Charter --
Section_3.03___Election_and_terms_
Exhibit B
- 4. City Code --
Sec. 9_4. ___Election_day_ Exhibit C
- 5. AGO 2007-34 Exhibit D
- 6. AGO 2009-47 Exhibit E
- 7. AGO 2013-05 Exhibit F
- 8. Jackson v Leon County Elections
Canvassing Bd 571 So. 3d 574
Exhibit G

9. HB2141 Transmission letter Exhibit H



ANCHORS ♦ SMITH ♦ GRIMSLEY

A PROFESSIONAL LIMITED COMPANY

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KYLE S. BAUMAN
MATTHEW J. AUSLEY
JAY PATEL

* ALSO ADMITTED IN ALABAMA

+ ALSO ADMITTED IN WYOMING

May 15, 2019

**City of Destin, Florida, City Council and Mayor
4200 Indian Bayou Trail
Destin, Florida 32541**

RE: Time for Holding the City of Destin's Municipal Elections

Dear City Council and Mayor,

At the April 1, 2019, City Council Meeting, the City Council directed City Attorney Kyle Bauman and City Land Use Attorney Kimberly Kopp to conduct legal research and analyze certain issues relating to the timing of the Destin's municipal elections. This memorandum is jointly drafted by Kyle Bauman of the law firm Anchors Smith Grimsley, P.L.C. and Kimberly Kopp of the law firm Romano Kopp Law, P.A., in response to the City Council's direction.

To more clearly elucidate this complex matter, this memorandum is broken into four sections. Section I identifies the issues and scope of this memorandum. Section II identifies and discusses applicable legal authority as identified by the attorneys. Further, Section II is broken down into several subsections categorizing the various legal authorities. Section III applies the legal authority to the specific facts presented. Section IV presents the conclusion in summary format.

I. The Issues and Scope of this Memorandum

The City Council essentially directed the attorneys to look at several separate but related matters. First, the attorneys must determine whether the City Council has the power to change its municipal election day from the second Tuesday in March of even years, to the first Tuesday after the first Monday in November of even years. Second, if the City Council has this power to change the municipal election day, what is the procedure that must be employed for the City Council to exercise this power? Third, if the City Council has this power to change the municipal election day, may it also extend the terms of the sitting municipal officers incidentally resulting from said date change?

Accordingly, the attorneys conducted legal research relating solely to these topics and any analysis and conclusions of the attorneys relate only to these specifically identified issues. Any questions outside the scope of these questions as presented above are also beyond the scope of this memorandum and require further research and analysis. Additionally, courts and the law are often unpredictable and the attorneys cannot guarantee any specific result.

II. The Applicable Legal Authority

Several sources of law govern the timing of municipal elections. This section identifies and discusses that legal authority. True and correct copies of all legal authorities are enclosed with this memorandum.

A. Florida Laws

Three statutes and one special act¹ are pertinent to this analysis. First, the special act is Chapter 92-270, Laws of Florida, which originated as House Bill 2141. It provides for uniform

¹ Special acts are also commonly called “local bills.” Special acts effect only a portion of the state.

filing and election dates for the seven municipalities located in Okaloosa County, Florida. In particular, Chapter 92-270, sets “[a]ny election relating to a municipal officer” for the “second Tuesday in March.”

Section 100.3605, Florida Statutes (2018), governs the “conduct of municipal elections.”

In its pertinent part, § 100.3605, Fla Stat. provides:

- (1) The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality’s election in the absence of an applicable special act, charter, or ordinance provision....
- (2) The governing body of the municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such change.

Section, 101.75, Florida Statutes (2018), relates to “[m]unicipal elections; change of dates for cause.” In its pertinent part, § 101.75, Fla. Stat., provides:

- ...
- (2) The date of the municipal election shall be set by the municipality by ordinance.
 - (3) Notwithstanding any provision of local law or municipal charter, the governing body of a municipality may, by ordinance, move the date of any municipal election to a date concurrent with any statewide or countywide election.

Finally, § 166.021, Florida Statutes (2018), relates to the “powers” of municipalities and is part of the Municipal Home Rule Powers Act. In pertinent part, § 166.021(4), Fla. Stat., provides:

nothing in this act shall be construed to permit...any changes in a special law or municipal charter which affect...the terms of elected officers and the manner of their election *except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates*...without approval by referendum of the electors as provided in s. 166.031.

(Emphasis added). The legal authority cited above forms the general framework for municipal elections in Okaloosa County. This framework is somewhat flexible and influenced by legislative actions taken by each individual municipality. Therefore, this memorandum next focuses on the City’s own Charter and applicable ordinances.

B. City Charter and City Ordinances

Any analysis of the City's laws must begin with the City's Charter, which serves as the ultimate governing authority of the City. *Jackson v. Leon County Elections Canvassing Bd.*, 204 So. 3d 571, 574-75 (Fla. 1st DCA 2016). Section 3.03, Destin City Charter is entitled "[e]lection and terms." It provides that "[t]he regular election of the mayor and city council members shall be held *on the day of the State General Election* in even-numbered years in the manner provided in Article V of this charter." (emphasis added). We have not located any authority directly amending Section 3.03.

The ordinance most recently enacted by the City effecting the timing of municipal elections is Ordinance Number 06-03-CC. Pursuant to Ordinance Number 06-03-CC, the City's designated "election day" for members of the city council and the office of mayor is the "second Tuesday in March" in each even-numbered year. Ordinance Number 06-03-CC, accomplishes this election day designation by amending Section 9-4 of the City's Code of Ordinances (the "Code"). Prior to Ordinance Number 06-03-CC's enactment, the Code designated "election day" as the "first Tuesday following the first Monday in November." The first Tuesday following the first Monday is the same date as the State General Election.²

C. Attorney General Opinions

Florida Attorney General Opinions ("AGOs") are considered non-binding legal authority on Florida courts. Nevertheless, AGOs carry some weight as "persuasive" legal authority, and

² The City has also enacted a series of Ordinances aligning the City's municipal election day with the State of Florida's Presidential Primary election day, when the two elections occur in the same year and would otherwise fall on separate days. These Ordinances are Ordinance numbers 07-48-CN, 11-22-CN, and 15-13-CN. Each of these ordinances specifically supersedes any "Special Act of the Florida Legislature applicable to the incorporated areas of the City of Destin[.]"

often contain well-reasoned analysis, logical conclusions, and an idea of how the judiciary may react if a legal challenge is raised. Three AGOs are particularly important to this analysis: AGOs 2007-34, 2009-47, and 2013-05.

In AGO 2007-34, the Naples City Attorney presented the following question:

(1) May the Naples City Council, by ordinance, amend the Naples City Charter to change the date of the regular municipal election date from the first Tuesday in February of each even numbered year to a date that corresponds with the State of Florida Presidential Primary every four (4) years?

In its analysis, the attorney general focused on the three statutes identified in Section II(A) of this memorandum. First, the attorney general considered the plain text of § 101.75, Fla. Stat., which was slightly different in 2007 than it is today. The attorney general ultimately concluded that the language of § 101.75, Fla. Stat., in 2007 was inapplicable to its analysis.

Next, the attorney general considered the plain text of §§ 100.3605(2) & 166.021(4), Fla. Stat., as the statutes are quoted above in Section II(A). The above-quoted provisions were added by Chapter 95-178, Laws of Florida. Prior to the statutes' amendments in 1995, the attorney general had considered a similar question and determined that "a municipality was not authorized to amend its charter to provide for a change in the date of which municipal elections would be held without approval by the electorate."

To determine how Chapter 95-178, Laws of Florida, affected its previous interpretation, the attorney general investigated the legislature's intent. In particular, the attorney general considered the title of the law, which "reflects an intent of the Legislature to permit municipalities to amend their charter to change the election dates and qualifying periods for candidates, including any changes in terms of office necessitated thereby, without referendum." Ultimately, this legislative intent, coupled with the statutes' plain language, led the attorney general to conclude that

sections 100.3605(2) and 166.021(4), Florida Statutes, provide sufficient authority to permit the city council, by ordinance, to amend the charter to change the date for the regular municipal election date from the first Tuesday in February of each even numbered year to a date that corresponds with the State of Florida Presidential Primary every four years.

Similarly, in AGO 2009-47, the City of Springfield presented the attorney general with the following question:

In proposing to amend its charter by referendum from an annual municipal general election requirement with staggered two-year terms to a new election cycle with elections to occur every other year with staggered four-year terms, may the City of Springfield, by that same referendum, extend the terms of the currently elected mayor and two of the commissioners by one additional year?

The attorney general noted that the general rule of city charter amendment, which allows amendment only by following the specific procedures set forth in § 166.031, Fla. Stat. This includes a referendum. However, the legislature has carved out certain exceptions to this requirement which are specifically identified in §§ 166.021(4) & 100.3605(2), Fla. Stat. The plain language of these statutory exceptions coupled with the legislative history, “reflects an intent that municipalities would be authorized to amend their charters to change the election dates and qualifying periods for candidates, including any changes in terms of office *necessitated by the amendment*, without a referendum.” (emphasis in original).

Finally, in AGO 2013-05, the question presented was whether the Arcadia City Council could amend their charter by ordinance from a date in September of each odd year to a date in November in each even year to coincide with federal, state, and county elections, and to extend the terms of the sitting municipal officers resulting from said date change. Arcadia was considering such a change “to avoid the expense of a special election and to take advantage of increased voter turnout for those elections.”

AGO 2013-05, traces the history of this issue in detail, focusing both on its own prior AGOs and the legislature's various laws relating to amending municipal election timing. Ultimately, AGO 2013-05, is consistent with the prior AGOs in its conclusion that, pursuant to §§ 166.021(4) & 100.3605(2), Fla. Stat., the Arcadia City Council may amend its charter by ordinance to move its city election day and extend the terms of its sitting municipal officers as a result of this change.

Again, while not binding, the AGOs cited above reflect clear and consistent results and Florida courts consider such authority persuasive in their own analyses. With the applicable laws set forth, it is now time to shift attention to application of that law to the material facts presented.

III. Application of the Legal Authority to the Material Facts Presented and Discussion of the Questions Presented

Since the City's incorporation in 1984, the City held the election³ of its governing board on dates in November for the years 1986, 1988, 1990, and 1992. In 1994 and all subsequent years, the City has held the election of its governing board on a date in March. This change occurred as a result of Chapter 92-270, Laws of Florida, which designated the City's municipal election day as occurring on the "second Tuesday in March" in each even-numbered year.

Despite this change in practices, the City's Code was not amended to align with Chapter 92-270, Laws of Florida, until 2006 by the enactment of Ordinance Number 06-03-CC. Also, attorneys for the City have found no document that changed the municipal election date set by Article III, § 3.03, of the City's Charter. This memorandum assumes that the City has carried out its previous elections in accordance with the applicable laws.

³ This excludes special elections of City Council members and Mayors, which have occurred on occasion when vacancies exist, but are inapplicable to this analysis.

The first question presented is whether the City Council has the power to change its municipal election day from the second Tuesday in March of even years, to the first Tuesday after the first Monday of November of each even year, which aligns with the State's general election. In short, yes, the City Council does possess the power to change its municipal election day to the November date. The reasoning compelling this answer is largely the same as the reasoning presented in the AGOs discussed in Section II(C).

Specifically, the legislature, through the implementation of various statutes, grants the City absolute home rule power on matters relating to the date of its municipal election. § 100.3605(2), Fla. Stat. (2018) ("The governing board of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing board of the municipality and provide for the orderly transition of office resulting from such date changes."); § 101.75(3), Fla. Stat. (2018) ("Notwithstanding any provision of local law or municipal charter, the governing board of a municipality may, by ordinance, move the date of any municipal election to a date concurrent with any statewide or countywide election."); § 166.021(4), Fla. Stat. (2018) ("[N]othing in this act shall be construed to permit...any changes in special law or municipal charter which affect...the terms of elected officers and the manner of their election *except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates....*") (emphasis added); House of Representative Committee on Ethics and Elections Final Bill Analysis & Economic Impact State on HB 2209 (May 10, 1995) ("HB 2209 authorizes amendment of a municipal charter or special act without referendum for the purpose of changing municipal election dates and qualifying period for candidates and for the adjustment of terms of office necessitated by such date changes."); *see also* AGO 2007-34; AGO 2009-45; and AGO 2013-05.

Therefore, the existence of Chapter 92-270, Laws of Florida, which is a *special* act as opposed to a *general* act, provides no impediment to the City's home rule powers relating to the setting of its own municipal election dates. *See* § 100.3605(1), Fla. Stat. (2018). In other words, the passage of Chapter 92-270, Laws of Florida, does not operate to prospectively limit the City's home rule powers on matters relating to the setting of the City's own municipal election day. Indeed, such a prospective limitation by the legislature would potentially run contrary to the very broad home rule authority extended to municipalities by Article VIII, Section 2(b), of the Florida Constitution, and Chapter 166, Florida Statutes.

The second question presented relates to the procedure the City must utilize in order to exercise its broad home rule powers relating to the date of its municipal election. This, too, is specifically set forth by the legislature in sections 100.3605(2) and 101.75(2) & (3), Florida Statutes. If the Council wishes to change its municipal election day and align it with the State general election in November, then the Council must pass an ordinance. The ordinance should amend the City's Code and align it with the City Charter. While typically charter amendments must comply with the strictures of § 166.031, Fla. Stat., the legislature specifically exempts charter amendments relating to the date of the municipal election from the more onerous provisions of § 166.031, Fla. Stat. *See* § 166.021(4), Fla. Stat. (2018); § 100.3605(2), Fla. Stat. (2018). Therefore, the Council may amend and move the date of the City's municipal election from a date in March to the date in November that aligns with the State's general election, by the adoption of an ordinance without the need for a referendum as contemplated by § 166.031, Fla. Stat.

The third question presented seeks guidance on whether the Council may, by ordinance and without referendum, also extend the terms of the sitting Council members as an incidental result of the change in the municipal election date. The answer to this is found primarily in §

166.021(4), Fla. Stat., which states that a municipality's home rule power extends to both the ability to change its municipal election date "*and for changes in terms of office necessitated by such changes in election dates.*" (emphasis added).

AGO 2013-05 also proves instructive. AGO 2013-05 addresses a near identical question presented by the City of Arcadia. AGO 2013-05 reasons that such an extension of sitting Council members is necessarily incidental to the exercise of the City's home rule powers relating to setting of the municipal election date. Because the legislature contemplates obvious incidental results from the passage of its legislation, specifically contemplated the "orderly transition of office," in § 100.3605(2), Fla. Stat., and failed to include any language limiting the incidental extension of Council members' terms, the legislature clearly intended to allow such incidental extension. *See also*, AGO 2007-34 ("[T]he legislative history of the 1995 legislation indicated an intent that municipalities would be authorized to amend their charters to change the election dates and qualifying periods for candidates, *including any changes in terms of office necessitated by such amendment, without referendum.*" (emphasis added)).

IV. Conclusion

In sum, the City Council's broad home rule powers are contemplated by the statutory scheme described above. This home rule power includes the ability to enact an ordinance, without referendum, changing the municipal election day from its current date in March to the first Tuesday following the first Monday in November on even years, which aligns with the state's general election. Chapter 92-270, Laws of Florida, is a special act of little consequence to this analysis, and the City Council is not constrained by that special act. Moreover, the legislature recognizes that certain Council members' terms may be extended by the changing of the election day and, if the City Council chooses, it may also extend the terms of those Council members so affected.

As always, it was a pleasure performing this research and drafting this memorandum for the City Council and Mayor. Please do not hesitate to contact us if we can be of any further assistance on this matter.

Sincerely,



Kyle S. Bauman, Esq.
City Attorney

&



Kimberly Romano Kopp, Esq.
City Land Use Attorney

Enclosures: as stated

Cc: Lance Johnson
Webb Warren
Rey Bailey

166.021 Powers.—

...

(4) The provisions of this section shall be so construed as to secure for municipalities the broad exercise of home rule powers granted by the constitution. It is the further intent of the Legislature to extend to municipalities the exercise of powers for municipal governmental, corporate, or proprietary purposes not expressly prohibited by the constitution, general or special law, or county charter and to remove any limitations, judicially imposed or otherwise, on the exercise of home rule powers other than those so expressly prohibited. However, nothing in this act shall be construed to permit any changes in a special law or municipal charter which affect the exercise of extraterritorial powers or which affect an area which includes lands within and without a municipality or any changes in a special law or municipal charter which affect the creation or existence of a municipality, the terms of elected officers and the manner of their election except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates, the distribution of powers among elected officers, matters prescribed by the charter relating to appointive boards, any change in the form of government, or any rights of municipal employees, without approval by referendum of the electors as provided in s. 166.031. Any other limitation of power upon any municipality contained in any municipal charter enacted or adopted prior to July 1, 1973, is hereby nullified and repealed.

...

100.3605 Conduct of municipal elections.—

(1) The Florida Election Code, chapters 97-106, shall govern the conduct of a municipality's election in the absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

(2) The governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.

History.—s. 2, ch. 95-178.

101.75 Municipal elections; change of dates for cause.—

(1) In any municipality, when the date of the municipal election falls on the same date as any statewide or county election and the voting devices of the voting system used in the county are not available for both elections, the municipality may provide that the municipal election may be held within 30 days prior to or subsequent to the statewide or county election.

(2) The date of the municipal election shall be set by the municipality by ordinance.

(3) Notwithstanding any provision of local law or municipal charter, the governing body of a municipality may, by ordinance, move the date of any municipal election to a date concurrent with any statewide or countywide election. The dates for qualifying for the election moved by the passage of such ordinance shall be specifically provided for in the ordinance. The term of office for any elected municipal official shall commence as provided by the relevant municipal charter or ordinance.

History.—ss. 1, 2, ch. 59-493; s. 1, ch. 76-68; s. 24, ch. 77-175; s. 5, ch. 92-16; s. 26, ch. 2001-40; s. 4, ch. 2007-30; s. 23, ch. 2008-95; s. 42, ch. 2011-40.

Note.—Former s. 104.451.

Section 3.03 - Election and terms.

The regular election of the mayor and city council members shall be held on the day of the State General Election in even-numbered years in the manner provided in Article V of this charter. No mayor or council member shall serve more than 2 terms consecutively.

(Res. No. 90-31, 9-6-90, Ref. of 11-6-90)

Sec. 9-4. - Election day.

Elections for members of the city council and for the office of mayor shall be held on the second Tuesday in March in each even-numbered year.

(Ord. No. 050, § 5, 5-19-86; Ord. No. 06-03-CC, § 2, 2-21-06)

Fla. AGO 2007-34 (Fla.A.G.), 2007 WL 2156536

Office of the Attorney General

State of Florida

AGO 2007-34

July 24, 2007

RE: MUNICIPALITIES-CHARTERS-ELECTIONS-ORDINANCES-amendment of charter by ordinance to change date of municipal elections every four years to coincide with presidential preference primary. ss. 100.3605, 101.75, 166.021, Fla. Stat.

*1 Mr. Robert D. Pritt
Naples City Attorney
735 Eighth Street South
Naples, Florida 34102-6796

Dear Mr. Pritt:

On behalf of the Naples City Council, you ask substantially the following questions:

- 1) May the Naples City Council, by ordinance, amend the Naples City Charter to change the date of the regular municipal election date from the first Tuesday in February of each even numbered year to a date that corresponds with the State of Florida Presidential Primary every four (4) years?
- 2) May the Naples City Council, by ordinance, amend the Naples City Charter to provide for a special candidate qualification date in years in which there is a State of Florida Presidential Preference Primary?

As your questions are interrelated, they will be answered together.

You note that during the 2007 Regular Session, the Legislature enacted Chapter 07-30, Laws of Florida. Section 4 of the act added subsection (3) to section 101.75, Florida Statutes, to provide:

“Notwithstanding any provision of local law, for any municipality whose election is scheduled to be held in March 2008, the governing body of the municipality, notwithstanding any municipal charter provision, may, by ordinance, move the date of the general municipal election in 2008 and in each subsequent year that is a multiple of 4 to the date concurrent with the presidential preference primary. The dates for qualifying for the general municipal election moved by the passage of such an ordinance shall be specifically provided for in the ordinance and shall run for no less than 14 days. The term of office for any elected municipal official shall commence as provided by the relevant municipal charter or ordinance, and the term of office for any elected municipal official whose term was due to expire in March 2008 shall expire as provided by the relevant municipal charter or ordinance.”¹

The above provision applies only to municipalities with elections scheduled for March. You have advised this office that the Naples city elections are held in February. Accordingly, the above provision would be inapplicable.

You state, however, the provisions of sections 100.3605 and 166.021, Florida Statutes, may provide the authority for the city to change its election date, and corresponding qualifying date. Section 100.3605(2), Florida Statutes, provides:

“The governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.”²

Section 166.021(4), Florida Statutes, provides in pertinent part:

*2 “[N]othing in this act shall be construed to permit... any changes in a special law or municipal charter which affect.. the terms of elected officers and the manner of their election except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates....”

The above provisions were added by Chapter 95-178, Laws of Florida. Prior to the amendment, this office had stated that a municipality was not authorized to amend its charter to provide for a change in the date on which municipal elections would be held without approval by the electorate.³

In Attorney General Opinion 00-61, this office stated that an examination of the legislative history of the 1995 legislation indicated an intent that municipalities would be authorized to amend their charters to change the election dates and qualifying periods for candidates, including any changes in terms of office necessitated by such amendment, without a referendum.⁴ The title for Chapter 95-178, Laws of Florida, states in pertinent part:

“An act relating to municipal elections; amending s. 166.021, F.S.; authorizing amendment of a special law or municipal charter for the purpose of changing election dates and qualifying periods for candidates, including any changes in terms of office necessitated thereby, without referendum; creating s. 100.3605, F.S.;... providing for change of qualifying periods and election dates by ordinance and for the orderly transition of office; providing an effective date.”⁵

The title reflects an intent of the Legislature to permit municipalities to amend their charter to change the election dates and qualifying periods for candidates, including any changes in terms of office necessitated thereby, without referendum. It is not, however, as clear whether the Legislature contemplated that these statutes would be used by a municipality to amend a municipal charter by ordinance to create varying election dates within the charter. If sections 100.3605(2) and 166.021(4), Florida Statutes, already authorize a municipality to adopt such a charter change by ordinance, the amendment to section 101.75(3) by Chapter 07-39, Laws of Florida, would be unnecessary. It is a general rule of statutory construction that provisions enacted by the Legislature must be assumed to have some useful purpose as the Legislature is not presumed to have enacted useless or meaningless legislation.⁶

Notwithstanding, the language in sections 100.3605(2) and 166.021(4), Florida Statutes, is broad and does not expressly prohibit the type of action contemplated by the City of Naples.⁷ Normally, when the language of the statute is clear and unambiguous and conveys a clear and definite meaning, there is no occasion for resorting to the rules of statutory interpretation and construction; the statute must be given its plain and obvious meaning.⁸ Clearly under the above statutes, the governing body of a municipality could by ordinance change the dates for qualifying and for the election of municipal officers every four years and then subsequently change back the date of municipal elections by ordinance. What the city proposes to do is effectively carry out such changes in a single ordinance.

*3 Rather than require the city to continually amend its charter to permit the election of municipal officers at the same time as a presidential preference primary every four years, I am of the opinion that sections 100.3605(2) and 166.021(4), Florida Statutes, provide sufficient authority to permit the city council, by ordinance, to amend the charter to change the date for the regular municipal election date from the first Tuesday in February of each even numbered year to a date that corresponds with the State of Florida Presidential Primary every four years. Similarly, these statutes in my opinion

provide sufficient authority for the city council to amend by ordinance the city charter to provide for a special candidate qualification date in years in which there is a State of Florida Presidential Preference Primary.

Sincerely,

Bill McCollum
Attorney General

Footnotes

- 1 The Florida Senate Professional Staff Analysis and Economic Impact Statement for CS/CS/SB's 960 & 1010, which contained a similar provision to CS/HB 537, dated April 24, 2007, states that
“The bill also authorizes municipalities, by ordinance, to move municipal elections currently scheduled for March 2008 and thereafter to coincide with the new presidential preference primary date. This should provide some relief for cities with a municipal election date governed by special law or charter provision, that seek to take advantage of the cost savings associated with scheduling the municipal election to coincide with the presidential preference primary.”
- 2 *And see* s. 100.3605(1), Fla. Stat., stating that the Florida Election Code, Chapters 97-106, Florida Statutes, govern the conduct of a municipality's election in the absence of an applicable special act, charter, or ordinance provision and that “[n]o charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.”
- 3 *See* Op. Att'y Gen. Fla. 94-31 (1994), stating that the City of Tallahassee could not amend its charter by ordinance to provide for a change in the date on which municipal elections will occur and extend the terms of the sitting officers affected by the change. This conclusion was based on the language of section 166.021(4), Florida Statutes (1993), which then provided that nothing in Chapter 166, Florida Statutes, the Municipal Home Rule Powers Act, was to be construed as permitting any changes in a special law or municipal charter that affect certain subject matters set forth therein, including “the terms of elected officers,” without referendum approval as provided in section 166.031, Florida Statutes.
- 4 *See* House of Representatives Committee on Ethics and Elections Final Bill Analysis & Economic Impact Statement on HB 2209 (passed by the Legislature as Ch. 95-178, Laws of Florida), dated May 10, 1995, stating:
“HB 2209 authorizes amendment of a municipal charter or special act without referendum for the purpose of changing municipal election dates and qualifying period for candidates and for the adjustment of terms of office necessitated by such date changes....”
- 5 *See, e.g., Parker v. State*, 406 So. 2d 1089 (Fla. 1981) (one indicator of legislature's intent is the title of the law enacting the statute); *Carlile v. Game and Fresh Water Commission*, 354 So. 2d 362, 365 (Fla. 1977) (reference to the title of a legislative act is appropriate in determining legislative intent); *Long v. State*, 622 So. 2d 536 (Fla. 1st DCA 1993); *State, Department of Environmental Regulation v. SCM Glidco Organics Corporation*, 606 So. 2d 722 (Fla. 1st DCA 1992) (to determine legislative intent, court must consider act as whole, *i.e.*, evil to be corrected, language of act, including its title, history of its enactment, and state of law already in existence).
- 6 *See, e.g., Smith v. Piezo Technology and Professional Administrators*, 427 So. 2d 182 (Fla. 1983); *Arnold v. Shumpert*, 217 So. 2d 116 (Fla. 1968); *Neu v. Miami Herald Publishing Company*, 462 So. 2d 821 (Fla. 1985) (in construing legislation, courts should not assume Legislature acted pointlessly); *Sharer v. Hotel Corporation of America*, 144 So. 2d 813 (Fla. 1962) (“[i]t should never be presumed that the legislature intended to enact purposeless and therefore useless, legislation. Legislators are not children who build block playhouses for the purpose, and with the gleeful anticipation, of knocking them down”).
- 7 *See generally In re McCollam*, 612 So. 2d 572 (Fla. 1993) (when language of statute is clear and unambiguous and conveys a clear meaning, statute must be given its plain and ordinary meaning); Op. Att'y Gen. Fla. 93-47 (1993) (in construing statute which is clear and unambiguous, the plain meaning of statute must first be considered).
- 8 *See, e.g., M.W. v. Davis*, 756 So. 2d 90 (Fla. 2000) (when language of statute is clear and unambiguous and conveys a clear and definite meaning, there is no occasion for resorting to rules of statutory interpretation and construction as statute must be given its plain and obvious meaning); *McLaughlin v. State*, 721 So. 2d 1170 (Fla. 1998); *Holly v. Auld*, 450 So. 2d 217, 219 (Fla. 1984); *Osborne v. Simpson*, 114 So. 543 (Fla. 1927) (where statute's language is plain, without ambiguity, it fixes legislative intention and interpretation and construction are not needed).

Fla. AGO 2007-34 (Fla.A.G.), 2007 WL 2156536

Fla. AGO 2009-47 (Fla.A.G.), 2009 WL 3302031

Office of the Attorney General

State of Florida

AGO 2009-47

October 14, 2009

RE: MUNICIPALITIES - ELECTIONS - CHARTERS - REFERENDA - TERMS OF OFFICE - OFFICERS - referendum requirement for charter amendment changing two-year terms to four-year terms. ss. 100.3605, 166.021, and 166.031, Fla. Stat.

*1 Mr. Kevin D. Obos
Springfield City Attorney
Harrison, Sale, McCloy, Duncan & Jackson
Post Office Drawer 1579
Panama City, Florida 32402-1579

Dear Mr. Obos:

On behalf of the City of Springfield, you have asked for my opinion on substantially the following question:

In proposing to amend its charter by referendum from an annual municipal general election requirement with staggered two-year terms to a new election cycle with elections to occur every other year with staggered four-year terms, may the City of Springfield, by that same referendum, extend the terms of the currently elected mayor and two of the commissioners by one additional year?

In sum:

The City of Springfield may, by the same referendum, amend its charter to change the terms of elected officers from two years to four years and extend the terms of the currently elected mayor and two of the commissioners by one additional year.

The City of Springfield (the city) currently holds elections for municipal officers who serve two-year terms. These elections are held annually and you advise that this is costly for the city. The city proposes to extend the terms of its officers to four years and to hold elections biennially. Your letter states that the most efficient manner for the city to change its election cycle and extend terms of elected officials is to do so by referendum in its April 2010 election. The passage of the proposed referendum would result in the two city commissioners to be elected in 2010 serving four-year terms. The proposed referendum would extend the terms of the currently seated mayor and two other commissioners by one additional year and change their next election date from 2011 to 2012.

You acknowledge that this office has done several Attorney General Opinions relating to referenda requirements for purposes of changing election dates that also result in the “hold over” of current commissioners, but note that none of these opinions address a change in election cycle (not the election date) coupled with an extension of term of office for elected officials.

The Florida Constitution, in Article VIII, section 2(a), provides that municipal charters may be amended pursuant to general or special law. The Florida Legislature, with the adoption of the Municipal Home Rule Powers Act, Chapter 166, Florida Statutes, granted municipalities broad home rule powers. Section 166.031, Florida Statutes, implementing the

constitutional provision provides procedures for amending municipal charters, including a requirement that a proposed amendment shall be subject to approval by referendum of the voters.

It has been the position of this office, expressed in a number of Attorney General Opinions, that charters or charter provisions adopted or readopted subsequent to the adoption of the Municipal Home Rule Powers Act in 1973 must comply with the procedures set forth in section 166.031, Florida Statutes.¹ The statute sets forth the procedures to be followed in amending municipal charters, including a requirement that a proposed amendment shall be subject to approval by referendum of the voters.²

*2 This office, in Attorney General Opinion 75-223, specifically advised the City of Tamarac that its charter, readopted after 1973, could not be amended except as provided in section 166.031. Likewise, in Attorney General Opinion 79-80, this office stated that the Lake Wales City Commission could not unilaterally amend its municipal charter, but could only propose an amendment that would be submitted to the municipal electors for their approval at a referendum held for that purpose. More recently, this office, in Attorney General Opinion 01-15, stated that a city commission may amend its city charter, adopted in 1977, to remove a requirement that the city manager reside within the city only if such an amendment was approved by a referendum of the qualified electors of the municipality.

However, section 166.021(4), Florida Statutes, states in part:

“[N]othing in this act shall be construed to permit any changes in a special law or municipal charter which affect the exercise of extraterritorial powers or which affect an area which includes lands within and without a municipality or any changes in a special law or municipal charter which affect . . . the terms of elected officers and the manner of their election *except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates* . . . without approval by referendum of the electors as provided in s. 166.031.” (e.s.)

Further, section 100.3605(2), Florida Statutes, provides that the governing body of a municipality may, by ordinance, “change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.”³ Both the language in section 166.012(4), Florida Statutes, and section 100.3605(2), Florida Statutes, were added by Chapter 95-178, Laws of Florida.

In considering the 1995 legislation, this office has stated that an examination of the legislative history reflects an intent that municipalities would be authorized to amend their charters to change the election dates and qualifying periods for candidates, including any changes in terms of office *necessitated by the amendment*, without a referendum.⁴

However, the purpose of the charter amendment for the City of Springfield is not a change in election dates, for example from a spring election to one conducted at the general election in the fall, but to change the terms of office for elected officers from a two-year to a four-year term and to modify the election cycle to reflect staggered terms for those elected officers. Thus, the change contemplated by the city would fall within the general requirement in section 166.021(4), Florida Statutes, that changes in a municipal charter which affect “the terms of elected officers and the manner of their election” must be undertaken pursuant to a referendum. The exception for selecting election dates and accommodating changes in terms of office “necessitated by such changes in election dates” would not appear to apply to the changes proposed by the City of Springfield.

*3 In sum, it is my opinion that the City of Springfield may, by the same referendum, amend its charter to change the terms of elected officers from two years to four years and extend the terms of the currently elected mayor and two of the commissioners by one additional year. Charter amendments designed to effectuate changes in the term of office of municipal officers such as changing from a two-year to a four-year term do not fall within the scope of the exception contained in sections 166.021(4) and 100.3605(2), Florida Statutes, and must be accomplished by referendum.

Sincerely,

Bill McCollum
Attorney General

Footnotes

- 1 *See* Ops. Att'y Gen. Fla. 03-52 (2003), 03-36 (2003), 01-43 (2001), and 75-223 (1975). *See also* Op. Att'y Gen. Fla. 88-30 (1988) (charter amendment provisions in s. 166.031, Fla. Stat., prevail over conflicting provisions in a municipal charter) and Op. Att'y Gen. Fla. 97-53 (1997) (city commission may not delegate its canvassing board duties to a consolidated municipal canvassing board, absent an existing charter provision authorizing such a transfer or an amendment to the city's charter approved in a referendum by the city's electorate).
- 2 *See* s. 166.031(1), Fla. Stat., providing that the governing body of the municipality "shall place the proposed amendment contained in the ordinance or petition to a vote of the electors at the next general election held within the municipality or at a special election called for such purpose." *But see* s. 166.031(5), Fla. Stat., stating that a municipality may, by unanimous vote of the governing body, abolish municipal departments provided for in the municipal charter and amend provisions or language out of the charter which has been judicially construed, either by judgment or by binding legal precedent from a decision of a court of last resort, to be contrary to either the State Constitution or Federal Constitution.
- 3 *And see* s. 100.3605(1), Fla. Stat., stating that the Florida Election Code, Chs. 97 - 106, Fla. Stat., governs the conduct of municipal elections in the absence of an applicable special act, charter, or ordinance provision and that "[n]o charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities."
- 4 *See* House of Representatives Committee on Ethics and Elections Final Bill Analysis & Economic Impact Statement on HB 2209 (passed by the Legislature as Ch. 95-178, Laws of Fla.), dated May 10, 1995, stating:
"HB 2209 authorizes amendment of a municipal charter or special act without referendum for the purpose of changing municipal election dates and qualifying period for candidates and for the adjustment of terms of office necessitated by such date changes. . . ."

Fla. AGO 2009-47 (Fla.A.G.), 2009 WL 3302031

Fla. AGO 2013-05 (Fla.A.G.), 2013 WL 1384295

Office of the Attorney General

State of Florida

AGO 2013-05

April 1, 2013

RE: MUNICIPALITIES — CHARTERS — ELECTIONS — TERMS OF OFFICE — QUALIFICATIONS — REFERENDUM — amendment of charter to change election dates and terms of office. ss. 100.3605 and 166.021(4), Fla. Stat.

*1 Mr. Thomas J. Wohl
Swaine & Harris, P.A.
425 South Commerce Avenue
Sebring, Florida 33870-3702

Dear Mr. Wohl:

As the City Attorney for the City of Arcadia, you have asked for my opinion on substantially the following questions:

1. May the Arcadia City Council, pursuant to sections 100.3605 and 166.021(4), Florida Statutes, amend the Arcadia City Charter by ordinance to move the dates of city elections from the first Tuesday after the third Monday of September of each odd year to the first Tuesday after the first Monday of November of each even year to coincide with federal, state, and county elections, and to extend the terms of the sitting municipal officers resulting from said date change?
2. May the Arcadia City Council, pursuant to section 166.021(4), Florida Statutes, amend the Arcadia City Charter by ordinance to include term limits to the qualifications to be eligible to hold office on the Arcadia City Council?

In sum:

- 1 The Arcadia City Council, acting pursuant to sections 100.3605 and 166.021(4), Florida Statutes, may amend the Arcadia City Charter by ordinance and without referendum for the purpose of changing municipal election dates and qualifying periods for candidates and for the adjustment of terms of office necessitated by such date changes.
- 2 The Arcadia City Council, may not, pursuant to section 166.021(4), Florida Statutes, amend the Arcadia City Charter by ordinance to include term limits to the qualifications for eligibility for holding office on the city council as such a change constitutes a change in the municipal charter which would affect “the terms of elected officers[,]” and, as provided in the statute, must be accomplished by approval by referendum pursuant to section 166.031, Florida Statutes.

Question One

According to your letter, the Charter of the City of Arcadia, Florida, was adopted by Chapter 5080, Laws of Florida 1901, and has not been readopted. The Arcadia City Council is considering amending the city charter by ordinance to move the dates of city elections from September of each odd year to November of each even year to coincide with federal, state, and county elections to avoid the expense of a special election and to take advantage of increased voter turnout for those elections. You are aware that this office has issued a number of opinions on sections 100.3605 and 166.021(4), Florida Statutes, advising that such a change is authorized, but are particularly concerned that the proposed change in the Arcadia City Charter would have the effect of extending the terms of sitting municipal officers by more than one year.

Section 166.031, Florida Statutes, sets forth the procedures to be followed in amending municipal charters and requires that a proposed amendment shall be subject to referendum approval by the voters. For charters adopted prior to July 1, 1973, and not subsequently readopted, section 166.021, Florida Statutes, repealed or changed into ordinances many of the limitations contained in such charters.¹ Subsection (4) of the statute, however, provided that nothing in Chapter 166, Florida Statutes, the Municipal Home Rule Powers Act, was to be construed as permitting any changes in a special law or municipal charter that affected certain subject matters set forth therein, including “the terms of elected officers,” without referendum approval as provided in section 166.031, Florida Statutes.

*2 Thus, for charters adopted after July 1, 1973, and for charter provisions relating to the terms of elected officers adopted prior to that date and not subsequently readopted, any amendment of those provisions would be subject to the procedures in section 166.031, Florida Statutes. Accordingly, this office concluded in Attorney General Opinion 94-31 that the city commission of the City of Tallahassee could not amend its charter by ordinance to provide for a change in the date on which municipal elections would occur and extend the terms of the sitting officers affected by the change.

However, in response to this opinion, the Florida Legislature, during the 1995 legislative session, introduced legislation to amend section 166.021, Florida Statutes. Section 1 of Chapter 95-178, Laws of Florida, amended section 166.021(4) to read in pertinent part:

“[N]othing in this act shall be construed to permit any changes in a special law or municipal charter which affect ... the terms of elected officers and the manner of their election *except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates*, ... without approval by referendum of the electors as provided in s. 166.031 ...” (e.s.)

In addition, Chapter 95-178, *supra*, created section 100.3605, Florida Statutes, relating to the conduct of municipal elections.² Subsection (2) of section 100.3605 provides:

“The governing body of a municipality may, by ordinance, change the dates for qualifying and for the election of members of the governing body of the municipality and provide for the orderly transition of office resulting from such date changes.”³

Accordingly, this office in Attorney General Opinion 2000-61 concluded that a city may amend its city charter by ordinance to move the dates of city elections from April to November to coincide with federal, state, and county elections, and to extend the terms of the sitting commissioners to November.⁴

Thus, as discussed above, prior to the 1995 amendment to section 166.021(4), Florida Statutes, and the creation of section 100.3605, Florida Statutes, a change in the charter prescribing the qualifying and election dates for municipal officers, and the resulting change in the term of office for sitting officers, required amendment according to the provisions of section 166.031, Florida Statutes, regardless of when such provisions were adopted. The legislative history of the 1995 legislation amending section 166.021(4) and creating section 100.3605, however, indicates an intent that municipalities are authorized to amend their charters, whether those charters were adopted before or after July 1, 1973, to change the election dates and qualifying periods for candidates, including any changes in terms of office necessitated by such amendment, without a referendum. Nothing in these statutes or in the legislative history related to their enactment places a restriction on this authority based on the increase in term required for the “orderly transition of office” affected by the ordinance.

*3 Accordingly, I am of the opinion that pursuant to sections 166.021(4) and 100.3605, Florida Statutes, the Arcadia City Council may amend its city charter by ordinance to move the dates of city elections from the first Tuesday after the third Monday of September of each odd year to the first Tuesday after the first Monday of November of each even year

to coincide with federal, state, and county elections, and to extend the terms of the sitting municipal officers resulting from this date change without voter approval by referendum. The date upon which the city charter was adopted or the length of the extension of terms of officers affected by the ordinance do not suggest a different conclusion.

Question Two

However, while the Arcadia City Council may amend its city charter by ordinance to move the dates of city elections and to extend the terms of the sitting municipal officers resulting from this date change, a charter amendment to impose term limits on the future officers serving on the Arcadia City Council would not come within the statutory exceptions discussed above and would require voter approval by referendum.

In Attorney General Opinion 2001-81, the City of Punta Gorda proposed to change the term of office for city council members from two years to three years. The opinion, construing sections 166.021(4) and 100.3605, Florida Statutes, relied on the exception for “orderly transition of office *resulting from such date changes*” to conclude that a provision relating to sitting officers falls within the exception.⁵ (e.s.) That opinion recognized, however, that a proposed charter amendment proposing to lengthen official terms of office and applying to future city council members would not come within the exception recognized in sections 166.021(4) and 100.3605, Florida Statutes, and would require referendum approval.

Likewise, I do not read the exception in sections 166.021(4) and 100.3605, Florida Statutes, to authorize a municipality by ordinance to adopt term limits applying to future city council members without a referendum. Section 166.021(4), Florida Statutes, requires that charter amendments outside the scope of the exception be submitted to voters for approval in accordance with section 166.031, Florida Statutes. In addition, section 166.021(4), Florida Statutes, requires referendum approval of any pre-1973 charter provisions affecting the terms of elected officers.⁶

Therefore, I am of the opinion that while voter approval by referendum is not required for the City of Arcadia to change the date of municipal elections and extend the terms of sitting officers resulting from this date change, the city must seek referendum approval for an amendment to the Arcadia City Charter to impose term limits on city council members in the future.

Sincerely,

Pam Bondi
Attorney General

Footnotes

- 1 And see Op. Att’y Gen. Fla. 03-52 (2003), in which this office concluded that the City of Lauderdale Lakes, with a charter possibly adopted prior to adoption of the Municipal Home Rule Powers Act and not readopted after the effective date of the act, was authorized by ss. 166.012(4) and 100.3605, Fla. Stat., to amend its city charter by ordinance to move the dates of city elections from March to November.
- 2 Section 2, Ch. 95-178, Laws of Fla.
- 3 See House of Representatives Committee on Ethics and Elections Final Bill Analysis & Economic Impact Statement on HB 2209 (passed by the Legislature as Ch. 95-178, Laws of Fla.), dated May 10, 1995, stating:
“HB 2209 authorizes amendment of a municipal charter or special act without referendum for the purpose of changing municipal election dates and qualifying period for candidates and for the adjustment of terms of office necessitated by such date changes”
And see the title for Ch. 95-178, Laws of Fla., stating in pertinent part:
“An act relating to municipal elections; amending s. 166.021, F.S.; authorizing amendment of a special law or municipal charter for the purpose of changing election dates and qualifying periods for candidates, including any changes in terms of office necessitated thereby, without referendum; creating s. 100.3605, F.S.; ... providing for change of qualifying periods and election dates by ordinance and for the orderly transition of office; providing an effective date.”

- 4 *Compare* Op. Att'y Gen. Fla. 01-81 (2001), in which this office was asked whether the exception afforded by ss. 166.021(4) and 100.3065, Fla. Stat., applied to a change in the dates of the qualifying period as well as the terms of office for council members from two years to three years. This office noted that in Op. Att'y Gen. Fla. 00-61 (2000), only the sitting officers' terms were extended due to the change in the date of the election; the term of office of future officers, however, remained the same; however, in Op. Att'y Gen. Fla. 01-81 (2001), the city was interested in changing the term of office for future council members. This office concluded that the change in term of city council members from two years to three years did not fall within the exception recognized in ss. 166.021(4) and 100.3605; thus, such a change would have to be submitted to the voters for approval.
- 5 *See* Op. Att'y Gen. Fla. 01-81 (2001), *and see* Op. Att'y Gen. Fla. 00-61 (2000).
- 6 Section 166.021(4), Fla. Stat., provides:
“The provisions of this section shall be so construed as to secure for municipalities the broad exercise of home rule powers granted by the constitution. It is the further intent of the Legislature to extend to municipalities the exercise of powers for municipal governmental, corporate, or proprietary purposes not expressly prohibited by the constitution, general or special law, or county charter and to remove any limitations, judicially imposed or otherwise, on the exercise of home rule powers other than those so expressly prohibited. However, nothing in this act shall be construed to permit any changes in a special law or municipal charter which affect the exercise of extraterritorial powers or which affect an area which includes lands within and without a municipality or any changes in a special law or municipal charter which affect the creation or existence of a municipality, the terms of elected officers and the manner of their election except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates, the distribution of powers among elected officers, matters prescribed by the charter relating to appointive boards, any change in the form of government, or any rights of municipal employees, without approval by referendum of the electors as provided in s. 166.031. Any other limitation of power upon any municipality contained in any municipal charter enacted or adopted prior to July 1, 1973, is hereby nullified and repealed.”

Fla. AGO 2013-05 (Fla.A.G.), 2013 WL 1384295

204 So.3d 571

District Court of Appeal of Florida,
First District.Dr. Erwin D. JACKSON, as an elector of the
City of Tallahassee, Petitioner/Appellant,
v.LEON COUNTY ELECTIONS CANVASSING
BOARD; Scott C. Maddox, as the successful
candidate for Tallahassee City Commission,
Seat 1; and City of Tallahassee, a Florida
municipal corporation, Respondents/Appellees.

Nos. 1D16-4870, 1D16-5090.

|
Nov. 22, 2016.**Synopsis**

Background: City resident filed petition for writ of mandamus, seeking to compel the Circuit Court, Leon County, Charles W. Dodson, J., to conduct an immediate hearing in resident's action challenging election of city commissioner. After petition was granted, the Circuit Court entered final order in favor of commissioner. Resident appealed. After petition was granted, the Circuit Court entered final order in favor of commissioner. Resident appealed.

Holdings: The District Court of Appeal held that:

[1] trial court was required to follow statutory election contest procedures;

[2] circuit court's decision to proceed with final evidentiary hearing violated resident's due-process rights; and

[3] circuit court violated resident's due-process rights by failing to address resident's pre-trial motions before issuing final order.

Petition granted; final order vacated.

West Headnotes (13)

[1] Public Employment

🔑 Elective office

To establish ineligibility of a candidate to hold office, a pleading must aver, and proof must show, constitutional ineligibility, that is, the failure to meet qualifications the constitution lays down.

Cases that cite this headnote

[2] Municipal Corporations

🔑 Construction of charters and statutory provisions

The paramount law of a municipality is its charter, which gives the municipality all the powers it possesses.

Cases that cite this headnote

[3] Election Law

🔑 Trial or Hearing

Municipal Corporations

🔑 Proceedings to determine validity of appointment or election

Trial court was required to follow statutory election contest procedures, including requirement to hold immediate hearing, in city resident's proceeding challenging certification of city commissioner's election; election statute expressly applied to municipal elections, and city charter section providing for city commission to judge qualifications of its own members either was not applicable to challenge a candidate's eligibility to hold office or, if applicable, impermissibly conflicted with statute's requirement that court hold immediate hearing once election challenge was filed. West's F.S.A. § 102.168.

1 Cases that cite this headnote

[4] Public Employment

🔑 Public Office in General

Eligibility of a candidate to hold office is determined solely by the constitutional requirement for holding the office sought.

Cases that cite this headnote

[5] Election Law

🔑 Declaration of candidacy; qualification as candidate

Qualification of a candidate to hold office refers to whether a constitutionally eligible candidate took the necessary steps to qualify to run for office.

Cases that cite this headnote

[6] Municipal Corporations

🔑 Conformity to constitutional and statutory provisions in general

The test of conflict between a local government enactment and state law is whether one must violate one provision in order to comply with the other.

Cases that cite this headnote

[7] Constitutional Law

🔑 Voters, candidates, and elections

Election Law

🔑 Trial or Hearing

Circuit court's decision to proceed with final evidentiary hearing less than four hours after issuing notice of hearing violated city resident's due-process rights in resident's action challenging election of city commissioner, where hearing was held one day after District Court of Appeal granted resident's mandamus petition seeking to compel circuit court to hold immediate hearing, resident requested hearing for purpose of addressing scheduling and discovery issues, notice did not specify that hearing was to be final evidentiary hearing, and it was not until beginning of hearing that commissioner requested circuit court to proceed with evidentiary hearing. U.S.C.A. Const.Amend. 14; West's F.S.A. § 102.168.

1 Cases that cite this headnote

[8] Constitutional Law

🔑 Notice and Hearing

Specific parameters of the notice and the opportunity to be heard required by procedural due process are not evaluated by fixed rules of law. U.S.C.A. Const.Amend. 14.

1 Cases that cite this headnote

[9] Constitutional Law

🔑 Notice and Hearing

Procedural due process requires both fair notice and a real opportunity to be heard. U.S.C.A. Const.Amend. 14.

2 Cases that cite this headnote

[10] Constitutional Law

🔑 Notice

Fair notice, as required by procedural due process, must be of such nature as reasonably to convey the required information. U.S.C.A. Const.Amend. 14.

Cases that cite this headnote

[11] Constitutional Law

🔑 Notice and Hearing

The opportunity to be heard at an evidentiary hearing, as required by procedural due process, requires time to secure the attendance of witnesses and to prepare for the presentation of evidence and argument. U.S.C.A. Const.Amend. 14.

2 Cases that cite this headnote

[12] Election Law

🔑 Trial or Hearing

In light of the time-sensitive nature of election challenges, the circuit court has broad discretion to control the scope and limitation of discovery. West's F.S.A. § 102.168.

Cases that cite this headnote

[13] Constitutional Law

🔑 Voters, candidates, and elections

Municipal Corporations

🔑 Proceedings to determine validity of appointment or election

Circuit court violated city resident's due-process rights by failing to address resident's pre-trial motions before issuing final order in resident's action challenging election of city commissioner; even though several of resident's discovery requests remained pending, circuit court refused to address them at the evidentiary hearing, and circuit court also refused to address resident's argument that he was entitled to judgment on the pleadings because commissioner failed to file his answer within statutorily required time period. U.S.C.A. Const.Amend. 14; West's F.S.A. § 102.168.

Cases that cite this headnote

***573** Petition for Writ of Mandamus—Original Jurisdiction. Appeal from an Order of the Circuit Court for Leon County. Charles W. Dodson, Judge.

Attorneys and Law Firms

Charles Burns Upton II of the Upton Law Firm, P.L., Tallahassee, for Petitioner/Appellant.

No appearance for Respondent/Appellee Leon County Elections Canvassing Board.

Dan R. Stengle of Dan R. Stengle, Attorney, LLC, Tallahassee, and Stephen Marc Slepkin of The Maddox Horne Law Firm, Tallahassee, for Respondent/Appellee Scott C. Maddox.

Louis C. Norvell, Assistant City Attorney, for Respondent/Appellee City of Tallahassee.

Opinion

PER CURIAM.

Petitioner/Appellant Dr. Erwin Jackson filed a petition for writ of mandamus in this Court seeking to compel the circuit court to hold the “immediate hearing” mandated by section 102.168(7), Florida Statutes (2016). We granted the petition by order and explained that an opinion would follow. The day after our order issued, the trial court held a hearing and entered a final order in favor of Respondent/Appellee Scott Maddox. Jackson immediately sought review of the order in this Court by a separate “emergency petition to invoke this court's constitutional-writs power.” We treated the petition as a notice of appeal and, after receiving expedited briefing, entered another order vacating the trial court's final order and remanding for further proceedings. We now write to further explain our actions in both cases, which we have consolidated for purposes of this opinion.

I. Procedural History

Maddox was elected as a city commissioner for the City of Tallahassee on August 30, 2016. The Leon County Elections Canvassing Board certified his election on ***574** September 6. Maddox was scheduled to assume office on November 21. However, on September 13, 2016, Jackson filed a challenge in the circuit court seeking to invalidate the Canvassing Board's certification of Scott Maddox's election. Jackson asserted that Maddox was ineligible for the office of city commissioner because he was not an elector of the City of Tallahassee. Jackson argued that because Maddox's legal residence was an expansive million-dollar estate he owns outside the city limits, not the property that he rents in a commercial district of downtown Tallahassee, he was not a city resident, and therefore, not eligible to hold the office of city commissioner.

The City of Tallahassee (the City) sought leave of the court and was permitted to intervene. Citing Subpart A, Section 13 of the City of Tallahassee's Charter (City Charter), which provides that “[t]he commission shall be the judge of the election and qualification of its own members subject to review by the courts,” the City argued that the circuit court was not the proper forum to hear Jackson's election contest, rather the City Commission provided the exclusive forum for resolving Maddox's eligibility to hold office. The City and Maddox then moved to dismiss the complaint or, in the alternative, to stay proceedings to

allow the City to conduct its own proceeding to determine Maddox's eligibility.

On October 27, the circuit court granted the City's motion to stay, and agreed with the City that the question of whether Maddox was eligible to hold the office of city commissioner was reserved to the City Commission. The circuit court ordered the City to address Maddox's eligibility for office in "a timely manner," directing it to submit, by 5:00 p.m. on November 22, a report on whether Maddox was a resident of the City at the time he took the oath of office on November 21. Thereafter, Jackson sought emergency mandamus relief in this Court to compel the circuit court to conduct an immediate hearing as required by section 102.168(7).

II. Mandamus Proceeding

Jackson challenged Maddox's election pursuant to section 102.168(1), Florida Statutes (2016), which provides that "the certification of election or nomination of any person to office ... may be contested in the circuit court ... by any elector qualified to vote in the election related to such candidacy...." Such a complaint must be filed within ten days after certification of the election results. § 102.168(2), Fla. Stat. (2016). Jackson filed a timely complaint, alleging one of the enumerated statutory grounds for contesting an election: "Ineligibility of the successful candidate for the nomination or office in dispute." § 102.168(3)(b), Fla. Stat. (2016).

[1] [2] [3] To establish ineligibility of a candidate to hold office, "a pleading must aver, and proof must show, constitutional ineligibility—the failure to meet qualifications the constitution lays down." *Norman v. Ambler*, 46 So.3d 178, 184 (Fla.2010). "In this case, the City is a municipality, and 'the paramount law of a municipality is its charter, (just as the state constitution is the charter of the State of Florida,) and gives the municipality all the powers it possesses....' " *Burns v. Tondreau*, 139 So.3d 481, 484 (Fla. 3d DCA 2014) (quoting *City of Miami Beach v. Fleetwood Hotel, Inc.*, 261 So.2d 801, 803 (Fla.1972)). The City of Tallahassee's charter establishes the minimum requirements for eligibility to serve as a city commissioner in Subpart A, Section 9, which provides that the city commission shall consist of "five (5) electors of the city elected at large." All of the parties agree that an

"elector" is a city resident. The contest of election statute further provides *575 that "[a]ny ... qualified elector ... presenting such a contest to a circuit judge is entitled to an immediate hearing." § 102.168(7), Fla. Stat. (2016). But rather than holding an immediate hearing to address Jackson's complaint that Maddox was not eligible to serve as a city commissioner, the trial court stayed the proceedings to allow the City Commission to first decide Maddox's eligibility to hold office. Thus, the question presented to this Court was whether Jackson had a clear legal right to an immediate hearing and whether the trial court had a clear legal duty to conduct an immediate hearing under the election contest statute in light of the City Charter provision providing for the City Commission to determine the qualifications of its members.

The City and Maddox argued that Jackson was not entitled to an immediate hearing because the City Charter established a "supplementary procedure" that operated in harmony with the Florida Elections Code and that designated the City Commission as the exclusive forum for the initial determination of the eligibility of a candidate to hold the office of city commissioner. The City and Maddox argued that the City Commission's determination would then be subject to certiorari review in circuit court. Jackson argued that he was entitled to an immediate hearing in circuit court to resolve his challenge.

Based on our review of the Florida Election Code and the City of Tallahassee's Charter, we hold that Jackson had a clear legal right to an immediate hearing under section 102.168, Florida Statutes, the trial court had a clear legal duty to conduct such hearing, and the trial court's stay of the statutory proceeding in favor of a proceeding before the City Commission was error.

The Legislature has expressly preempted to the state matters involving state and local elections, with a limited exception for municipal elections. § 97.0115, Fla. Stat. (2016) ("All matters set forth in chapters 97–105 are preempted to the state, except as otherwise specifically authorized by state or federal law. The conduct of municipal elections shall be governed by s. 100.3605."). Section 100.3605 provides:

The Florida Election Code, chapters 97–106, shall govern the conduct of a municipality's election in the

absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted which conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities.

§ 100.3605(1), Fla. Stat. (2016). The City and Maddox argue that section 102.168 does not expressly apply to municipal elections, and in the alternative, that if it does apply, the City of Tallahassee's charter does not conflict with any provision of the Election Code. We reject these arguments for two reasons.

First, the election contest statute, section 102.168, expressly applies to municipal elections. The plain language of the statute provides that, with the exception of challenges to the election of a member of either house of the Legislature, all challenges to the election of any person to office may be brought in circuit court. § 102.168(1), Fla. Stat. (2016) (“*Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the result on any question submitted by referendum, may be contested in the circuit court ... by any elector qualified to vote in the election related to such candidacy, or by any taxpayer, respectively.*”) (emphasis added). Further, by its express language, the statute applies to the election of local candidates. Section 102.168(4) provides that “[t]he canvassing *576 board responsible for canvassing the election is an indispensable party defendant in county and local elections.”

[4] [5] Second, the City of Tallahassee's charter provision providing for the City Commission to judge the qualifications of its own members either is not applicable to a challenge to a candidate's *eligibility* to hold office, or, if applicable, impermissibly conflicts with section 102.168(7)'s requirement that the circuit court hold an “immediate hearing” once an election challenge is filed. Contrary to the City's and Maddox's arguments, the City of Tallahassee's Charter contains no provision applicable to an election contest challenging the *eligibility* of a candidate for office. Rather, Section 13 states that the commission is the “judge of the election and *qualification* of its own members, subject to review by the courts.” (emphasis added). Florida courts have

long recognized the distinction between the eligibility of a candidate to hold office and the qualification of a candidate to stand for election to office. *See Norman*, 46 So.3d at 182. Eligibility “is determined solely by the constitutional requirement for holding the office sought.” *Burns*, 139 So.3d at 484. Qualification refers to whether the constitutionally eligible candidate took the necessary steps to qualify to run for office. *Id.* Section 13 of the City Charter does not discuss the *eligibility* of a person to hold the office of city commissioner; rather, it discusses the *qualifications* of a commissioner. Because the City's charter is silent as to the process to be followed in the case of a challenge to the eligibility of a candidate to hold the office of city commissioner, the circuit court was required to follow the election contest procedures outlined in section 102.168, including the requirement to hold an immediate hearing.

[6] Despite the plain language of the City Charter, the City urges this Court to construe the language in Section 13 referring to the City Commission's review of a candidate's “qualifications” to hold office to encompass challenges to a candidate's eligibility to hold office. If we were to so construe the City Charter, we would hold that the charter provision improperly conflicts with section 102.168 by delaying the immediate hearing required by the statute. “The test of conflict between a local government enactment and state law is ‘whether one must violate one provision in order to comply with the other. Putting it another way, a conflict exists when two legislative enactments “cannot co-exist.” ’” *Sarasota All. for Fair Elections, Inc. v. Browning*, 28 So.3d 880, 888 (Fla.2010) (quoting *Laborers' Int'l Union of N. Am., Local 478 v. Burroughs*, 541 So.2d 1160, 1161 (Fla.1989)). Here, if the City Charter authorizes the City Commission to adjudicate a complaint challenging the eligibility of a candidate to hold the office of city commissioner, subject only to certiorari review in the circuit court, the process contemplated under the charter clearly frustrates the Legislature's intent in section 102.168(7) requiring an “immediate hearing” of an elections challenge in the circuit court. A hearing in the circuit court cannot be considered immediate if it must await the completion of an open-ended municipal process that, as conceded by the City below, has no standards or time parameters.

Because Jackson had a clear legal right to an immediate hearing pursuant to section 102.168 and no other available legal remedies, we concluded that he was entitled to

mandamus relief. See *Plymel v. Moore*, 770 So.2d 242, 246 (Fla. 1st DCA 2000) (“One seeking a writ of mandamus must show that he has a clear legal right to the performance of a clear legal duty by a public officer, and that he has no other available legal remedies.”). Because the *577 circuit court was the proper forum for resolving this elections challenge, the trial court had no discretion to stay the proceedings for the City Commission to conduct its own proceeding. See *Martinez v. State*, 44 So.3d 1219, 1221 (Fla. 1st DCA 2010) (granting petition for writ of mandamus to compel trial court to hold evidentiary hearing required under the “Stand Your Ground” statute). Because of the time constraints surrounding this challenge, mandamus was Jackson's only viable legal remedy. We therefore granted the petition for writ of mandamus.

III. Appeal Proceeding

Our order granting Jackson's mandamus petition issued shortly before 5:00 p.m. on November 9, 2016. The following morning, Jackson requested a hearing in the circuit court for the purpose of addressing “several scheduling and discovery issues.” A hearing was scheduled for 1:15 p.m. that day. Maddox and the City did not object to the matters Jackson noticed for the hearing nor did they indicate that any other issues should be addressed by the court. At the hearing, however, Maddox argued that the hearing should proceed as a final evidentiary hearing. Jackson objected on several grounds: (1) the hearing had not been properly noticed as a final evidentiary hearing; (2) his discovery requests remained pending; and (3) the trial court had not ruled on several pending motions. In response, Maddox argued that discovery was not available under section 102.168. The trial court agreed and proceeded with a final evidentiary hearing. Because Jackson lacked notice, he was not prepared to offer any exhibits or testimony to support his allegations of Maddox's eligibility to hold office. After hearing testimony from Maddox and Jackson, and accepting exhibits from Maddox, the trial court entered a final order in favor of Maddox. The court also appeared to enter a default judgment against the Leon County Elections Canvassing Board, which had not entered an appearance. Jackson sought review of the final order by an emergency petition, arguing that the hearing failed to comport with the requirements of due process. We treated Jackson's

petition as a notice of appeal and, for the reasons that follow, vacated the trial court's final order in its entirety.

[7] [8] [9] [10] First, the trial court abused its discretion by conducting the final evidentiary hearing without proper notice, violating Jackson's right to due process of law. We recognize that “specific parameters of the notice and the opportunity to be heard required by procedural due process are not evaluated by fixed rules of law.” *Keys Citizens For Responsible Gov't, Inc. v. Fla. Keys Aqueduct Auth.*, 795 So.2d 940, 948 (Fla.2001). Nevertheless, “[p]rocedural due process requires both fair notice and a real opportunity to be heard.” *Id.* (citing *Dep't of Law Enf't v. Real Prop.*, 588 So.2d 957, 960 (Fla.1991)). “The notice must be of such nature as reasonably to convey the required information....” *Id.* (quoting *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314, 70 S.Ct. 652, 94 L.Ed. 865 (1950)).

[11] Here, Jackson requested a hearing to discuss scheduling and discovery issues in light of this Court's recent order granting his mandamus petition. In an email to opposing counsel, Jackson's counsel again set out his belief that the hearing should resolve outstanding motions relating to discovery and default, set a schedule for depositions, and determine a date for the final hearing. The notice of hearing did not specify that the hearing was to be the final evidentiary hearing, and it was not until the beginning of the hearing, after the trial court asked the parties if they had “talked about what we're doing today,” that Maddox requested that the trial court *578 proceed with an evidentiary hearing. Thus, Jackson was blindsided and had no earlier indication of Maddox's intent to seek a final evidentiary hearing that day. Jackson objected, but the trial court proceeded with an evidentiary hearing. This deprived Jackson of the opportunity to subpoena witnesses and prepare for the final hearing. “[T]he opportunity to be heard at an evidentiary hearing requires time to secure the attendance of witnesses and to prepare for the presentation of evidence and argument.” *Crepage v. City of Lauderhill*, 774 So.2d 61, 65 (Fla. 4th DCA 2000) (internal quotation and citation omitted). The trial court's decision to proceed with a final (and first) evidentiary hearing less than four hours after issuing an insufficient notice of hearing was a clear deprivation of due process and an abuse of discretion. *Dep't of Children & Families v. T.W.*, 124 So.3d 411, 411 (Fla. 5th DCA 2013) (“The lack of proper notice and the failure to conduct an evidentiary hearing where Petitioner had a fair

opportunity to present evidence deprived Petitioner of its due process rights.”).

[12] Further, the trial court's conclusion that discovery was not available under section 102.168 was clear legal error. Although the statute is silent with regard to the availability of discovery, the Florida Rules of Civil Procedure apply to all special statutory proceedings in the circuit courts. Fla. R. Civ. P. 1.010, ed. cmt. (“By being applicable to all suits of a civil nature, the civil rules cover not only law and equity, tort and contract, but also special statutory proceeding under the various extraordinary writs which have been classified as civil in nature.”). A review of reported decisions involving section 102.168 elections challenges reveals that discovery is routinely conducted under the supervision of a trial court in such cases. *See, e.g., Gore v. Harris*, 772 So.2d 1243, 1247 (Fla.2000) (noting that five days after an election contest was filed the trial court held a two-day evidentiary hearing), *rev'd on other grounds, Bush v. Gore*, 531 U.S. 98, 121 S.Ct. 525, 148 L.Ed.2d 388 (2000); *Howanitz v. Blair*, 394 So.2d 479 (Fla. 3d DCA 1981) (finding trial court prematurely entered summary judgment in an election contest); *Spradley v. Bailey*, 292 So.2d 27, 28–29 (Fla. 1st DCA 1974) (noting that thirty-one witnesses testified at the evidentiary hearing in an election contest, both in person and by depositions); *Barber v. Moody*, 229 So.2d 284, 287 (Fla. 1st DCA 1969) (construing predecessor statute section 102.161, and noting that “[o]ur statute does not specifically require that the complaint state only those facts which are within the personal knowledge of the contestant”). In light of the time-sensitive nature of challenges brought under section 102.168, the trial court has broad discretion to control the scope and limitation of discovery. *Friedman v. Heart Inst. of Port St. Lucie, Inc.*, 863 So.2d 189, 194 (Fla.2003). Indeed, the plain language of the statute emphasizes the trial court's authority to limit the amount of testimony heard during the immediate hearing. § 102.168(7), Fla. Stat. (2016) (“[T]he court in its discretion may limit the time to be consumed in taking testimony, with a view therein to the circumstances of the matter and to the proximity of any succeeding election.”). However, notwithstanding the trial court's broad discretion to govern discovery in this elections challenge, the trial court's decision here to block *all* discovery in this case was a clear abuse of discretion. *See Allstate Ins. v. Boecher*, 733 So.2d 993, 995 (Fla.1999) (holding the primary purpose of discovery is to prevent the use of legal gymnastics and to prevent trials from being

carried on in the dark); *955 N.E. 125th St. Corp. v. Cty. Nat'l Bank*, 349 So.2d 758, 760–61 (Fla. 3d DCA 1977) *579 (holding due process of law requires an adequate opportunity for discovery).

[13] Finally, the trial court abused its discretion and violated Jackson's due process rights by failing to address several pre-trial motions before issuing a final order. Though several of Jackson's discovery requests remained pending, the trial court improperly refused to address the outstanding discovery requests at the evidentiary hearing. *See Bldg. Educ. Corp. v. Ocean Bank*, 982 So.2d 37, 40 (Fla. 3d DCA 2008). Further, the trial court refused to address Jackson's argument that he was entitled to a judgment on the pleadings because Maddox failed to file an answer to the complaint within the statutorily required time period.

Based on the numerous violations of Jackson's due process rights, we vacated the trial court's final order and remanded for further proceedings in accordance with section 102.168, the Rules of Civil Procedure, and due process. We further directed the trial court to establish an expedited discovery schedule and to resolve unresolved discovery disputes, to rule on the outstanding motions, and, following discovery and proper notice to the parties, to conduct the hearing contemplated by section 102.168(7). Finally, we deferred to the trial court to hear argument from the parties and determine whether Maddox would be able to take the oath of office, and what effect if any that determination would have on Jackson's current cause of action.

IV. Conclusion

In conclusion, we held that Jackson was entitled mandamus relief because he had a clear legal right to an immediate hearing before the circuit court pursuant to section 102.168 to resolve his election contest and there were no other available legal remedies. After the trial court conducted a hearing and entered a final order, we vacated the trial court's order and remanded for further proceedings because the trial court denied due process by concluding that discovery was not available, by hearing the merits of Jackson's election contest without proper notice to the parties, by failing to resolve Jackson's pending discovery requests, and by failing to rule on a number of unresolved motions.

All Citations

ROWE, MAKAR, and KELSEY, JJ., concur.

204 So.3d 571, 41 Fla. L. Weekly D2623

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Patricia M. Hollarn
Okaloosa County Supervisor of Elections

May 8, 1992

Ms. Carolyn L. Garrett, City Clerk
Destin City Hall
P. O. Box 399
Destin, Florida 32540

Dear Lee,

I finally received a copy of HB 2141, our Uniform Municipal Election Day for the seven participating municipalities. According to Representative Harden's office, it was signed by Governor Chiles without any problem.

I am sending this letter and one copy to you so that you may distribute additional copies to your elected officials and your attorney.

For your information, the first election under this change will take place on Tuesday, March 9, 1993, and will include Crestview, Fort Walton Beach, Laurel Hill, and Shalimar. Qualifying will take place on Monday, January 18 (noon), through Friday, January 22 (noon). We will develop the full schedule later on in the year.

Any other city in Okaloosa County desiring a referendum election outside of their regular election may also participate in this election day at much reduced costs for sharing, rather than calling a special election by itself.

In 1994, on the second Tuesday in March, regular elections for Cinco Bayou, Destin, and Mary Esther will occur. In 1995, it will be Cinco Bayou, Crestview, Fort Walton Beach, Laurel Hill, and Shalimar. Again, the opportunity now exists for each city to participate in their "off year" if ever required or desired.

Sincerely,

A handwritten signature in dark ink, appearing to read "Pat", written over a horizontal line.

Patricia M. Hollarn

Enclosure

fb

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

TYPE OF AGENDA ITEM: Presentation

TO: City Council

THRU: Kimberly Kopp, Land Use Attorney

FROM: Louis Zunguze, Community Development Director

DATE: May 15, 2019

SUBJECT: 1. Update on TRC Status, as of May 15, 2019.
(Section 2.26.04(E), Land Development Code; Pursuant to Ordinance No. 18-06-LC).

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. April TRC Update



Community Development Department

4100 Indian Bayou Trail | Destin, FL 32541 | Phone: 850-654-1119 | Fax: 850-460-2171 | www.cityofdestin.com

TRC MEETING UPDATE

May 15, 2019

TRC MEETING DATE: April 16, 2019

PROJECTS: Review of an application for a Major Deviation to an existing Development Order for the proposed 7th Amendment of Henderson Beach Resort.

STATUS: Due to both technical & Code related deficiencies, the following reviewing entities- Planning, Public Services, Destin Water Users and Destin Fire Control District- were unable to approve the project as submitted in the first submittal. The applicant has 60 days from the April TRC meeting (deadline of June 14, 2019) to resubmit their revised plans. There is also a provision for a 15-day extension, if requested. As of May 15, staff has not received an updated submittal from the applicant.

A. Louis Zunguze

A. Louis Zunguze, MURP, RTP
Community Development Director

Cc: Lance Johnson, City Manager
Kim Kopp, City Land Use Attorney
Dawn McDonald, Planner
Lauren Witt, Planner
Sam Brisolaro, Planner
Kyle Bauman, City Attorney

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: May 20, 2019

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DATE:

SUBJECT: City Attorney

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