

**REGULAR MEETING
DESTIN CITY COUNCIL
NOVEMBER 2, 2020
ANNEX COUNCIL CHAMBERS
6:00 PM**

*****Core Value of the Month - Teamwork*****

CALL TO ORDER

INVOCATION (Pastor David J. Butler of Faith Assembly Christian Church)

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 October 19, 2020 Regular City Council Meeting
- B. Approval of minutes of October 19, 2020 Council Executive Session

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

- A. Presentation of Cross Town Connector Approach and Timeline

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. Update on Main Street/Kelly Intersection
- B. Code Compliance End of Fiscal Year Review Snap Shot
- C. Complaint Policy Status & Updates
- D. Findings of Geotechnical Investigation, Direction from Council
- E. Announcements

5. PUBLIC HEARINGS

- A. Second reading of Ordinance 20-30-CC - Amending Section 13-149 of the Code of Ordinances on renewals and expiration of permits for livery vessels
- B. Second reading of Ordinance 109.10 - Providing for amendment to Section 35.1, *Scheduling of Vacation Leave*, and providing for amendment to Section 35.3, *Carryover of Annual Leave*, of Ordinance 109.

C. First reading of Ordinance 20-33-CN - Providing for a twelve month extension of Ordinance 19-30-CN (Temporary Moratorium on Livery Vessel Permits)

6. *CONSENT AGENDA (No public comments)

A. Adopt-A-Street Program Update

7. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY (No public comments)

A. Councilmember Braden

Request for Mutual Decision From City Council and Fire District to Terminate Consideration of Fire District Lease at Clement E. Taylor Park Based on Public Input Received

B. Councilmember Ramswell

- 1) Norriego Point Property Line Review
- 2) Norriego Point Survey
- 3) Communications Issues
- 4) Completion of Council-directed Tasks
- 5) Status of Kelly/Main Street signage and related traffic study
- 6) Norriego Point Project Status Update

C. Councilmember Menchel

- 1) Archaeological Dig - Clement Taylor Park
- 2) Submerged Land Lease Norriego Point - Review and Status
Survey area tasking to include: The 2010 Norriego Point deed, and the 1998 Gulf Shore Drive City of Destin deed
- 3) Deed and Dedication - Title Search
 - A) Staff to outline the steps that will be taken by the City to enforce its property lines
 - B) Staff to discuss the actions the City will take to rectify any and all property encroachments relating to the property identified in the Deed

4) City Council Recap - Part 2

5) City Manager

D. Councilmember Overdier

E. Councilmember Marler

F. Councilmember Destin

G. Councilmember Morgan

H. Mayor Gary Jarvis

I. Land Use Attorney

J. City Attorney

8. PUBLIC COMMENTS

ADJOURNMENT

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 necesiten 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
OCTOBER 19, 2020
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 Pro Tem Prebble Ramswell
Councilmember Parker Destin
Councilmember Cyron Marler
Councilmember Chatham Morgan

Councilmember Rodney Braden
Councilmember Steven Menchel
Councilmember Skip Overdier (Virtual)

Destin City Staff

City Manager Lance Johnson
Deputy City Manager Webb Warren (Virtual)
Public Info Manager Catherine Card (Virtual)
Finance Director Krystal Strickland (Virtual)
Parks/Recreation Director Lisa Firth (Virtual)
HR Manager Karen Jankowski (Virtual)
Community Dev. Director Louis Zunguze
IT Manager Matthew Pace (Virtual)

City Clerk Rey Bailey
Public Services Director Michael Burgess
Grants/Project Manager Jeffrey Cozadd
Library Director Wen Livingston
City Engineer Assistant II Joe Bodi
IT Technician James Lauria
City Attorney Kyle Bauman
City Land Use Attorney Kimberly Kopp

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Prebble Ramswell called the meeting to order at 6:00 PM. Pastor Logan Landes of Grace Lutheran Church gave the invocation, which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Menchel requested that “*Florida Board of Professional Engineer*” be added to the agenda as agenda item 7C(6).

Mayor Pro Tem Ramswell asked for “*Stop light/Stop Sign for Kelly and Main Street Intersection*” to be added as agenda item 7B(2).

Motion by Councilmember Marler, seconded by Councilmember Menchel, to approve the agenda, as amended, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

1. APPROVAL OF MINUTES

A. Approval of minutes of October 5, 2020 Regular City Council Meeting

Councilmember Marler moved for approval of minutes of October 5, 2020 Regular City Council Meeting; seconded by Councilmember Destin. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

B. Approval of minutes of September 21, 2020 City Council Meeting

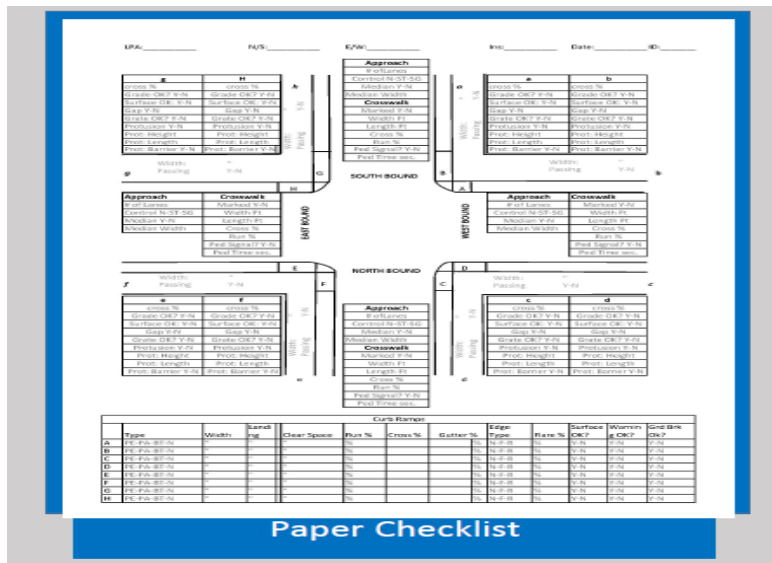
Motion by Councilmember Marler, seconded by Councilmember Destin, to approve minutes of September 21, 2020 City Council Meeting passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. ADA Transition Plan Update – Baskerville-Donovan Inc.


Mr. Michael Langston, Project Manager, and Mr. Jason Frick, Project Engineer, from Baskerville-Donovan provided the following update on their progress towards completing the City’s ADA Transition Plan Assessment of Pedestrian Facilities:

- Phase 1 – Scope of Work
 - ❖ Inventory of pedestrian facilities within the City rights-of-way including sidewalks, curb ramps, and ramps with railings
 - Data Collection
 - Paper files and manual checklists
 - Digital collection and capture
 - Paper Data Collection
 - Traditional paper files and manual checklists

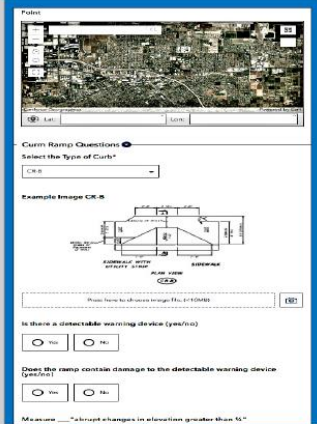


- Digital Data Collection
 - GPS coordinates for improved location accuracy
 - Data capture menus on smartphone for efficiency

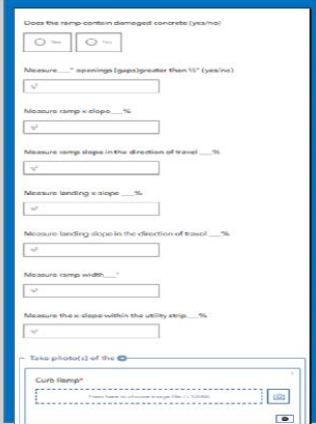
Curb Ramps Menu



Curb Ramp Photo



Curb Ramp Menu



Curb Ramp Menu

Sidewalk Detail

Destin ADA Transition Plan Field Data Collection

f t D

Overall Status: Sidewalk Curb Ramps Ramps with Railings

Sidewalks
3,671
Total Points Collected

Last 50 Points Collected in Descending Order


3/15/2020, 5:00 PM
[Location]

Cross Slope Measurement at 100' Interval	1.00
Slope in the direction of travel at 100' Interval	0.00
Measure ___' the abrupt change in elevation greater than 1/2"	0.00
Measurement the number of openings (gaps) greater than 1/2"	0.00
In any sidewalk area identify areas that have an obstructed walking width of less than 36"	
Are there any obstructed walking widths of 36" or less?	No
Notes on obstructions:	
Is the restricted width at least 24'?	
Notes on restricted width 24"	
Is the 32" minimum walked with obstruction(s) for a distance less than or equal to 24'?	
Notes on 32" minimum walked:	
Is the 32" restricted width section separated from another restricted width section by a distance of 40' or greater?	
Notes on separation:	
Is there a Curb Ramp?	No
Slope measurement in the direction of travel ___% on either side of curb ramps at the joint where the sidewalk ends and the curb ramp begins:	
X-Slope measurement ___% on either	

List: Obstructed


sidewalks_image_repeat: 2257

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Attachments

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Geodatabase Files

- 70 MILES OF SIDEWALK DATA
- 650 CURB RAMPS
- 8 RAMPS WITH RAILINGS



Destin Roads GIS Layer

- Real time data uploads to maintain scheduling
- Cloud based overview of the project



- Real-time progress of work

- ❖ Notice to proceed – April 27, 2020
- ❖ 180-day project schedule

➤ Next Steps

- ❖ Finalize Phase I Data Collection
- ❖ Phase II Problems and Priorities
 - Organize Phase I data into a priority matrix utilizing public participation and outreach. Develop improvements to those facilities identified as deficient
- ❖ Phase III Solutions and Development
 - Develop cost values for the deficient improvements to be used in the ADA Transition Plan. Develop an implementation plan and monitoring program

B. Destin Fire Control District Clement Taylor Park Lease Agreement – Mr. Mike Buckingham

Mr. Mike Buckingham, Destin Fire Control District (DFCD) Commissioner, addressed the DFCD proposed Clement Taylor Park lease agreement with the City. He stated that citizens who are in opposition of the lease agreement seem to think the fire station will be occupying a big portion of the park. For this reason, DFCD would be willing to reduce the lease down to just the actual square footage of the proposed building, which is 2400 square feet, as a compromise; adding there is approximately a total of 170,000 square feet of space at the park.

Councilmember Morgan asked if, by making this change, the proposed ordinance would have to go back to the Local Planning Agency for their review and recommendation; to which the Land Use Attorney replied affirmatively.

Councilmember Morgan noted this would be an issue to be decided by the new Council since four new Council members will be in place following the November 3rd General Election.

Mr. Buckingham noted that materials presented to the Council tonight included responses to previous questions from Council members, signed petition from citizens indicating support for bringing a fire station to the west end of Destin at Clement Taylor Park containing approximately 500 signatures, and maps showing coverage and the amount of calls DFCD is getting from different areas. He mentioned that it is the law for DFCD to respond to Crab Island emergencies and all the way to the County line, and not just within the City limits of Destin. To meet this obligation, they would need to establish a fire station on the west end of the City; and that he has not heard a comment from anyone stating otherwise.

Councilmember Destin moved to direct the City’s Land Use Attorney and staff to work to change the lease agreement to reflect the request of the Destin Fire Control District to reduce the lease down to just the square footage of the proposed building and bring forth a proposed ordinance and lease agreement to the Local Planning Agency at the earliest convenience. Councilmember Morgan provided a second to the motion.

Councilmember Overdier asked if there would still be parking spaces available for firehouse personnel if they reduce the footprint down to just the square footage of the firehouse building.

Mr. Buckingham stated it is one of the issues they would have to work out with the City if DFCD's latest proposal is approved by this Council.

Councilmember Overdier asked if there had been any discussions with the Destin Water Users (DWU) about their property by their water tower.

Mr. Buckingham noted he has had prior discussions with Mr. Richard Griswold, former DWU executive director; at which time DFCD was offered a 50-foot parcel on Forrest Drive, which is not large enough for a fire station. It was also located right in the middle of a residential area.

Councilmember Menchel noted that he has had a recent conversation with Lockwood Wernet, the current DWU executive director, about this issue. Mr. Wernet stated he is willing to discuss this matter with DFCD and show them the actual blueprints of the parcel to see if they would still be interested.

Councilmember Menchel inquired as to the status of several action items proposed by Councilmember Destin at a Council workshop held last month.

The Land Use Attorney noted that the list of recommendations/questions were responded to by DFCD for those items that were relevant to their proposal. With regards to holding a public meeting at the park, there is not a legal issue although the City Clerk expressed concerns about being able to take minutes, recording the meeting and allowing public participation. They will work closely with the City Clerk to find a solution to these concerns if the Council decides to move forward with the meeting.

Councilmember Menchel suggest they educate the public as to how placing a fire station on the west side of Destin could impact the Insurance Service Office (ISO) fire department rating for the community's insurance rates in a positive way.

Councilmember Ramswell pointed out that an item under the Public Hearing portion of the agenda, which is a proposed charter amendment prohibiting the conveyance, sale, lease or other transfer of interest of City parks, seems to conflict with the topic currently being discussed. She inquired as to the best way to handle both items.

According to the Land Use Attorney, it would depend on the timing for both items. If the Council should approve the proposed ordinance for the charter amendment in its current form, the ballot question will be placed in the ballot at the March 2021 election. If the proposed lease agreement is settled before March 2021, then it would not be affected; however, if the Council's decision is delayed until after March 2021 and the proposed charter amendment passes at the March 2021 election, the lease agreement cannot be executed.

Parks and Recreation Committee Chair Teresa Hebert recommends allowing the Committee to work with the DFCD Commissioners to try to come up with a viable solution to this issue.

Councilmember Destin noted that the passing of the current motion on the floor would allow that to happen as well as other committed discussions on this issue.

Councilmember Marler commented that he would not support the placement of a fire station on Indian Bayou because it floods after a severe storm event. No one can argue they need a fire station on the west side of town because it would reduce the response time from minutes to seconds which is critical especially in a life or death situation.

Councilmember Braden stated he has intended to bring up some items which are specific to this discussion during his portion on the agenda. He asked if he could go ahead and move those up and discuss them at this time.

The City Attorney stated that the Council could take a vote to amend the agenda and move up the items Councilmember Braden wish to discuss after a vote is taken on the motion; however, if they are similar enough to this item, Councilmember Braden could go ahead and discuss them.

Councilmember Braden stated that voting on the motion would not be a factor in what he intends to discuss.

Councilmember Destin asks to call the question on the pending motion.

The Mayor Pro Tem called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

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

Ms. Teresa Hebert addressed the recent traffic accident that happened at the intersection of Main and Kelly Streets that resulted in a serious injury to a young boy. She and many Destin residents that have contacted would like to ask the Council to immediately install 3-way stop signs at that intersection, and then possibly considering installing a traffic light as a permanent solution.

Ms. Marcie Bell, a Destin resident, presented some documentations which contain the following information which she outlined.

- Lot # 14-B of the Moreno Point Military Reservation (Clement Taylor Park) Transferred twice during its history – 1926 from the US Govt. to the Board of Public Instruction of Okaloosa County & March 13, 1990 from Okaloosa County to the City of Destin (Quit Claim Deeds)
- 1913 – Okaloosa County was formed from portions of Okaloosa County and Walton County. There was a department called Board of Public Instruction, which is now Okaloosa County School District
- Clement Taylor Park had a schoolhouse building on the property back in 1896 and which was also used as a church
- Building burned in 1926. It was rebuilt both as a schoolhouse and church in 1928

Ms. Bell stated “the City’s Land Development Code does not allow anything other than passive recreation specifically named at Clement Taylor Park.

Ms. Carrie Harbarger, a Destin resident, presented a copy of a report to Council entitled “Archeological Background Study of the Clement Taylor Public Park – Destin, Florida.” She then provided the following summary of its contents:

- The native village of the Destin site was first discovered in the 1940s. It was reported as consisting of a mound and village site. The mound, be it for burials or domiciliary purposes has been pushed down during the modern era
- The site is located in an appropriate area for habitation being at the bayside near the now relic entrance to Choctawhatchee Bay. Freshwater sources were likely located in the area though remnants of the water sources are not visible today
- Hundreds if not thousands of artifacts ha been found on the shoreline by local people The artifacts consist of ceramics and lithics dating to the Weeden Island and Mississippian periods
- According to the Florida Master Site Files, an entry was made in 1966 which stated that French Brown Sr. owned the property. The recorder of the site form was Jerry Godard
- A recent resident interview with 84-year old David Rojas of Destin also provides more data on the archeological site at the Destin public park The Florida Master Site Files also refers to the Destin site as possibly containing prehistoric human burials thus prohibiting construction on the property in accordance with Section 872.05 of the Florida Statutes

Councilmember Ramswell noted that the agenda packet for the September 21, 2020 Council meeting included a report that states there were prior reports of human remains being found and on file. She then contacted Tallahassee’s Historical Records Department and they provided her with a file that has additional information. It was a burial site, and that they are looking more deeply into it to file the actual documentation of the human remains and their locations.

Ms. Myra Williams, a Destin resident, stated that a lot of people are passionate about Clement Taylor Park and its history. Early on, one of the Council’s goals was to preserve the history and character of Destin and yet they are now willing to compromise that goal. During a previous workshop on this subject, Councilmember Destin presented several questions/recommendations which have not been answered. She also was not aware this item will be discussed tonight until she read it on Facebook that it was on the agenda. She added that as a member of a City committee, they need to make sure they are made aware if an item her committee is interested in will be discussed at a Council meeting.

Ms. Danielle Piper, a Destin resident, noted she is part of the group which uncovered important information about Clement Taylor Park . They believe there have been at least two occasions where remains were found and documented – 1950s and 1970s. She stated that she was able to speak to a member of the Muscogee Creek Nation who stated that “If Native American remains/artifacts were located on any piece of property where federal fund is used to construct any type of structure, or make any improvements to the property, the agency providing

the funds must consult with the tribe before the construction as the site could qualify as a significant, historical and cultural site.” She added that they need to preserve this parcel for its historical value.

Mr. John Green, a Destin resident, stated that he is a practicing Civil Engineer for about 40 years, and that 90 percent of the traffic at the intersection of Main Street and Kelly Street goes south and turns west. He agrees to installing 3-way signs at that intersection. He also recommends moving the crosswalk and having a traffic study done for a round-a-bout instead of a traffic signal.

Ms. Debby Brunson, a Destin resident, noted that Clement Taylor Park was named after one of the teachers at the schoolhouse that was located at that place. She urged the City to publish the reports presented by previous speakers out to the public to make them aware of the park’s history.

4. CITY MANAGER REPORTS

A. Interlocal Agreement with Okaloosa County relating to Phase 1 of the Beach Acquisition Project

The City Attorney pointed out that the agenda item report included some bulletized statements with some key terms of the agreement. The actual interlocal agreement was not part of the agenda packet when it was published because they did not receive it from the County until after the agenda publication deadline, and it was then forwarded to the Council via email.

Councilmember Menchel moved to approve the Interlocal Agreement with Okaloosa County relating to Phase 1 of the Public Beach Acquisition Project and direct the Mayor to execute the agreement. Councilmember Marler provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

B. Resolution 20-28 Establishing a Policy for Use of Communications Media Technology at City Meetings

The City Attorney explained that the in-person quorum requirement for local government meetings was initially suspended by Governor DeSantis through Executive Order 20-69. The Governor has extended the Executive Order through the end of October 2020, but has cautioned local governments that it is unlikely to be extended further due to the ongoing pandemic and the success the City has had conducting its meetings using communications media technology, the Council may want to consider adopting a resolution specifying that Council members and other board and committee members may continue appearing at meetings virtually if certain conditions are met. These conditions include:

- At all times that the meeting is conducted, a physical quorum of the board is present at the noticed meeting location
- “Extraordinary Circumstances” exist. These circumstances are defined as circumstances which are unforeseeable or beyond a person’s control.

- Board members intending to appear virtually provide notice of their intent to the City Manager so that the City Manager and City staff can adequately prepare to conduct the meeting virtually

Motion by Councilmember Destin, seconded by Councilmember Menchel, to adopt Resolution 20-28 passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

C. Announcements

The City Manager made the following announcements:

- October 20, 2020, 5:30 – 6:30 PM, Virtual Workshop on Stahlman Avenue Intersection
- Shred truck will be in placed between noon and 3:00 PM at the Community Center
- October 26, 6-8 PM at the Destin Community Center Parking Lot – Drive - thru Trick or Treat
- Early voting at the Destin Community Center, 7 AM to 7 PM, October 19th thru 25th. Parking fees are waived
- Oct. 28th beginning at 10 AM, “Halloween Hike” (5 years old and under) at the Destin Library

5. PUBLIC HEARINGS

- ### A. Second reading of Ordinance 20-28-CC – Amending Sections 47 and 48 of the Code of Ordinances to regulate roosters

The City Attorney read proposed Ordinance 20-28-CC by title, and then presented it to the City Council on second reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING SECTIONS 4-7 AND 4-8 OF THE CODE OF ORDINANCES TO REGULATE ROOSTERS; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor Pro Tem opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor Pro Tem closed the public hearing portion of this item and turned the matter over to the City Council for discussion and consideration.

Councilmember Destin moved to adopt Ordinance 20-28-CC on second reading; seconded by Councilmember Menchel. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

- ### B. First reading of Ordinance 20-30-CC – Amending Section 13-149 of the Code of Ordinances on renewals and expiration of permits for livery vessels

The City Attorney read proposed Ordinance 20-30-CC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 13 OF THE CODE OF ORDINANCES RELATING TO LIVERY VESSELS; AMENDING SECTION 13-149 "RENEWALS AND EXPIRATION OF PERMIT"; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF **ORDINANCES**; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Ms. Peggy Matthews, Florida Representative from Tallahassee for the American Watercraft Association, a national organization that advocates for personal watercraft rented and privately owned, stated that Florida Statutes do not prevent the adoption of any ordinance or local regulation relating to operations of vessels; however, counties or municipalities may not enact, continue to affect, or enforce an ordinance or regulation discriminating against personal watercraft. She noted that the City's livery vessel ordinance is in violation of Florida Statute Chapters 327-60(2)(d) and 328 as it is obvious that the intent of this ordinance is to ban personal watercraft out of the harbor. Also, the ordinance does not allow business owners to expand or relocate their business. It also does not allow new businesses in the harbor or livery vessel owners to sell their business, which is wrong in every level.

The Land Use Attorney pointed out that the proposed ordinance that is before the Council tonight only deals with an amendment to the livery vessel ordinance expanding the time to apply for a permit from the current schedule of January to March to November to March. The previous speaker was referring to the entire ordinance which is larger issue that staff would look at and come back with some recommendations to Council.

Ms. Maya Shulder, a resident of Fort Walton Beach and a livery vessel owner in Destin, recommends City staff and legal staff clarify some things before bringing ordinance back for second reading because the current ordinance is extremely vague and contains contradictory language that could cause significant financial impact on the owners of the businesses. She stated that the Harbor Capacity Study Committee has not met and yet the continuation of a temporary moratorium on livery vessel is based on the Harbor Capacity Study. The Council continues to only limit the watersport livery in Destin the ability to grow and prosper while allowing the rest of the community businesses to do as they please. Members of the industry has offered multiple times to work directly with City staff to advise them on a business model that they really do not comprehend but they have not accepted that offer.

John Stephens, a Destin resident and livery business owner, requests amendment to the following sections of the Code of Ordinances:

- 13-149 – Request removal of “All permits issued under the provisions of this article shall be valid for a period no longer than twelve (12) months and shall expire on the last day of February of each calendar year.”
- 13-148 – Requests more language changes to the section. It only addresses permit being revoked, but not about transferring the permit. It also states if they sell the

business, they have to notify the City within 10 days. He asked extending the deadline to 30 days.

Mr. Greg Fisher, boat tours and rental business owner in Okaloosa County, addressed the moratorium on boat rentals. He stated though he understands that the reason of putting the moratorium in place is that the waterways are starting to get more congested every year, the moratorium itself is very discriminatory towards boat rental operators as it is unfairly targeting this business. The moratorium in place only seems to be a means to reduce or eliminate rental companies. If this is truly about traffic in the harbor, it should address all vessels including out-of-state and local vessels. By limiting rental vessels in the harbor, they are only solving a small part of the problem as it is not the rental vessels that are causing the high demand in rentals. The fact that they are the best boating destination in the country, boaters all the way from Pensacola and beyond are coming to their waterways. He also mentioned that if rental companies want to sell their business, there is no clear language in the ordinance on how they could transfer ownership of the business. The ordinance also does not allow business owners to expand or relocate their business. Some of the business owners have spent several years building up their businesses only to find out their equity is gone through the ambiguous language of the ordinance.

Mr. Kevin O'Neil, a Navarre resident and business owner, stated that the City's livery vessel ordinance has a wide ramification as it limits free enterprise; adding that if quality of life and safety are the main concerns for creating these regulations, industry leaders should have been consulted when it was being written. He urged Council to take everything they heard today into account as the current livery vessel moratorium expires November 1st this year.

Ms. Marcie Bell, a Destin resident, pointed out there was an opinion rendered by Florida Attorney General regarding this matter. It refers to an Alachua County issue. The question asked was "*Does Section 327-60(2)(e), as amended by Chapter 209-86 allow local government to adopt an ordinance imposing an airboat curfew for reasons other than public safety by 2/3 vote by the governing body?*" The opinion was Florida Statutes authorize counties to adopt ordinances governing the operation of vessels which may discriminate against airboats when such ordinances are adopted by 2/3 vote of the governing body enacting such an ordinance. In any such ordinance, the county must balance its concern for the public health, safety and welfare with constitutional consideration and recognition that any such regulation must not be in violation of constitutional protection afforded to the public for the use of and access to state sovereignty lands.

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

Councilmember Destin noted that information and arguments brought forth tonight by previous speakers are outside the scope of the proposed amendment. However, he feels they have merit and that the City's legal staff should investigate this matter and bring information back to Council for discussion at a future meeting or workshop.

Councilmember Destin moved to approve Ordinance 20-30-CC on first reading and direct staff to advertise for second reading; seconded by Councilmember Menchel.

The Mayor Pro Tem inquired as to the status of the Harbor Capacity Study.

Community Development Director Louis Zunguze noted that the City is in partnership with the federal government, and so they are just waiting for the federal funding portion of the resources. Also, the City has prepared a study questionnaire to be administered, and which is also needs to be approved by the Army Corps of Engineers.

The Mayor Pro Tem called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

C. First reading of Ordinance 20-31-CN – Amending Article VII "General Provisions" of the City Charter to create a new section prohibiting the conveyance, sale, lease or other transfer of interest of City parks. Providing for a referendum on the City charter amendment and a ballot question for a vote at the March 9, 2021 special election.

The City Attorney read proposed Ordinance 20-31-CN by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE VII "GENERAL PROVISIONS" OF THE CITY CHARTER TO CREATE A NEW SECTION PROHIBITING THE CONVEYANCE, SALE, LEASE OR OTHER TRANSFER OF INTEREST OF CITY PARKS; PROVIDING FOR A REFERENDUM ON THE CHARTER AMENDMENT; PROVIDING FOR A BALLOT QUESTION; PROVIDING FOR A VOTE AT THE MARCH 9, 2021 SPECIAL ELECTION ON WHETHER TO PROHIBIT THE CONVEYANCE, SALE, LEASE OR OTHER TRANSFER OF INTEREST OF CITY PARKS, SUBJECT TO CERTAIN EXCEPTIONS AS PROVIDED IN THE CHARTER; PROVIDING FOR COORDINATION WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR CONFLICTS; SEVERABILITY; AND AN EFFECTIVE DATE.

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

Ms. Marcie Bell stated it is important than the City Council and staff as well as the public recognize the importance of finding out the status of their shoreline, especially in park areas that are shoreline areas, for artifacts. She continued that it is well-known around the Choctawhatchee Basin that this is a large indigenous area, and that it is important to take this into consideration going forward.

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

Councilmember Braden moved to approve Ordinance 20-31-CN on first reading and direct the City Clerk to advertise it for second reading; seconded by Councilmember Menchel.

Councilmember Overdier opined they are taking too many issues out of the responsibility of the Council and placing them on the citizens; adding they are elected by the citizens to make

such decisions as long as they do it in good faith and take into consideration the desire of the citizens.

Councilmember Destin stated that while he supported the building height and rights-of-way issues going to a referendum, he is concern they would be restraining the City's ability to conduct their own business and make their decisions if they send this issue to a referendum without considering other options that have been provided by City staff. One of the options is to consider a charter amendment that would require either a super-majority or unanimous vote of the City Council to transfer an interest in a City park, rather than a non-binding referendum. The initial charter amendment that prohibit conveyances of City parks without a unanimous or super-majority vote would still be required to go to the voters for approval like all amendments to the City Charter.

Councilmember Menchel stated he could support requiring a unanimous vote of Council to transfer an interest in a City park rather than conducting a special election to have the people vote on the matter.

Councilmember Morgan would prefer a super-majority because it would be very difficult, if not impossible, to pass a controversial issue such as this by a unanimous vote of Council. However, he would support requiring a unanimous vote of Council over the ordinance that is currently before them.

Councilmember Braden amended his motion to direct staff and the City's attorneys to prepare a revised ordinance that would ask voters of the City of Destin to consider a charter amendment that would prohibit the conveyance of City parks without a unanimous decision of the City Council; seconded by Councilmember Menchel.

The Land Use Attorney noted that if the amended motion passes, the ordinance would have to be amended and go back to first reading.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

- D. First reading of Ordinance 109.10 – Providing for amendment to Section 35.1, *Scheduling of Vacation Leave*, and providing for amendment to Section 35.3, *Carryover of Annual Leave*, of Ordinance 109.

The City Attorney read proposed Ordinance 109.10 by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENT OF ORDINANCE 109, AS AMENDED, PERSONNEL RULES AND REGULATIONS, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO SECTION 35.1, SCHEDULING OF VACATION LEAVE; PROVIDING FOR AMENDMENT TO SECTION 35.3, CARRY-OVER OF ANNUAL LEAVE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor Pro Tem opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor Pro Tem closed the public hearing portion of this item and turned the matter over to the City Council for discussion and consideration.

Motion by Councilmember Menchel, seconded by Councilmember Braden, to approve Ordinance 109.10 on first reading and direct staff to advertise for second reading passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

6. CONSENT AGENDA

- A. FY2021 Okaloosa County Public Library Cooperative Interlocal Agreement
- B. Resolution 20-27: Request FDOT for temporary closing of US Hwy 98 for the December 12, 2020 Destin Christmas Parade
- C. Community Development and Code Compliance (EnerGov) Continuing Services/Licensing and Support Renewal for 2021

Councilmember Menchel moved for approval of Consent Agenda items 6A thru 6C, as printed above; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

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

- A. Councilmember Braden

Councilmember Braden asked for prayers for both families involved in the unfortunate accident that occurred at the intersection of Main and Kelly Streets.

- B. Councilmember Ramswell

- 1) Stop light/Stop sign for Kelly Street and Main Street intersection

Councilmember Ramswell discussed the tragedy that happened at the Kelly Street and Main Street intersection. She recommends placing 3-way solar powered stop signs – similar to those at Holiday Isle and Gulf Shore Drive – immediately at that intersection bypassing any required traffic study. She also recommends they consider installing a traffic light as a long-term solution and conducting the necessary study for a traffic light.

At this time, the Mayor Pro Tem announced she would allow members of the public to express their thoughts about the accident.

State Representative Mel Ponder and Mona Ponder walked up to the podium and share their views of the accident. They inform the Council they live at Kell-Aire Subdivision, and that Mrs. Ponder was home when the accident happened and witnessed the aftermath of the accident.

They spoke of the many children that live around their neighborhood that traverse through that heavily used intersection daily and that something needs to be done to make it safe for them. They agree that the quickest short-term solution is to install 3 way stop signs at that intersection; adding it is a local road and so this Council is empowered to make that decision. They urge everyone to slow down as they go through that intersection; and that taking an extra minute to get home saves lives.

Ms. Teresa Hebert stated that she lives on Main Street and she is aware of the speed of traffic on that road and the congestion at Main and Kelly Street intersection. She recommends moving the crosswalk further down on Main Street and not have it at the intersection itself, and that she also supports the installation of 3 ways stop signs.

Mr. John Stevens recommends placing a speed hump past the stop sign to really slow traffic down.

Ms. Carrie Harbarger suggests putting flashing yellow light at the intersection.

Ms. Jane Rappert, a Destin resident, recommends placing a flashing yellow light at the intersection, which then turns red when a pedestrian uses the crosswalk. She also stated that she lives around that neighborhood and there is nothing that slows down motorists coming from Airport Road and they speed up even more as they pass through that intersection.

Ms. Marcie Bell recommends placing speed bumps somewhere in that area like those they use at Okaloosa County Courthouse. It is made of plastic or rubber and not asphalt.

Mr. Louis Zunguze noted that staff discussed this issue with Capt Howell. One of the things that was discussed was placing a flashing beacon at the pedestrian crossing. They have also determined they need to conduct a warrant study and analysis of the traffic pattern on those roads to determine exactly what they need to install at that intersection in addition to 3 way stop signs. He added they could install the flashing beacon right away, but the warrant study could take a few days.

Capt. Howell of the Sheriff's Office noted they have had 7 crashes at that intersection over the last 3 years; 2 involved vehicles versus pedestrians, 2 involved vehicles and cyclists including the latest incident, and the remaining 3 were vehicles versus vehicles. Though the number of accidents is not alarming, the number of incidents involving pedestrians and bicyclist is quite high. He stated that a lot of vehicles speed through there and so 3 ways stop signs would be their recommendation.

Councilmember Marler noted he has recommended the placement of 3 way stops signs at that intersection several years ago. A warrant study was conducted, and it was determined it was not warranted. He recommends reducing the speed limit from 35 mph to 25 mph in that area. He also recommends they reconsider placing 3 way stops signs, regardless of the result of a warrant study, and a flashing beacon at that intersection.

Councilmember Menchel asked what they could place at that intersection immediately as a short-term solution to the problem without the benefit of a warrant study.

Mr. Michael Burgess stated that he would consult with the County's traffic engineer in the morning to get their input on the matter.

Councilmember Destin moved to instruct staff to coordinate with Capt. Howell of the Sheriff's Office to have at least one deputy car to monitor the intersection of Kelly Street and Main Street for the foreseeable future; for staff to coordinate with the County's traffic engineer for their expertise to be able to install 3-way stops signs and stop bar at that intersection within the next several days; and for the Council to tentatively earmark \$50,000 for a traffic safety study that will be conducted at some point, and staff to bring back at the next meeting a proposal for a traffic engineering and safety study consultants group. Councilmember Morgan provided a second to the motion.

Councilmember Morgan recommends installing the 3-way stop signs as soon as possible and regardless of whether the County is in favor of it. He also supports a traffic study to determine the feasibility of installing a traffic light at the intersection as a long-term solution.

Councilmember Menchel recommends the placement of a radar unit on Main Street.

Councilmember Ramswell suggests installing a flashing beacon immediately, if they are readily available.

Mr. Burgess stated they would need to be ordered if Council decides to go forward with it.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

- 2) Coordination with the County on Gulf Shore Drive Extension (1998 deed and Norriego dedication supporting documents)

Councilmember Ramswell noted that by deed and dedication, the County was responsible for installing and maintaining a suitable roadway for Norriego Point. The City is in the final phases of the Norriego Point project, and so they need to be looking at that roadway and making sure it is complete. She asked the City Attorney to coordinate with the County and determine their intentions in terms of the elements of the dedication.

Councilmember Menchel asked the City Attorney if the City has been able to verify whether the deed and dedication documents are good as they stand and not superseded by other documents.

The City Attorney replied that to his knowledge, the deed and dedication has not been superseded by other documents.

Councilmember Menchel asked what the City should do next if the deed and dedication are valid.

According to the City Attorney, the next logical step is for him to coordinate with the County as requested by Councilmember Ramswell; adding that a title abstract was ordered on this parcel. He just received the title work today and he has not had a chance to review it.

Mr. Zunguze commented that if the property is deeded to the City, they would typically go to the process of accepting that deed and assign the use of that property that has been deeded to the City.

Councilmember Menchel argues that if the deed is valid, in addition to contacting the County, the City should take immediate steps to clean up their deeded property lines. The City should also take the necessary steps to ensure the County fulfills its obligations in accordance to the deed.

Councilmember Ramswell noted she had come across a document dated back in 1998 that shows an abstract of title on the same piece of property was ordered by a previous City Council member; however, the City has not been able to find subsequent records that has been produced.

Councilmember Menchel requested that this item be placed at the next Council meeting agenda to discuss the feedback they receive from the County and any action the City will take as a result of the County's response.

3) Historical Markers

Councilmember Ramswell recommends the City starts some sort of historical markers program to assist the Destin Fishing Museum's historical committee to mark areas that need recognition and renew interest in the historical areas of the City (i.e., Indian mounds, first post office location, etc.).

C. Councilmember Menchel

1) PAWS

Councilmember Menchel introduced the new executive director of PAWS, Ms. Tracie Williams who was in attendance. Ms. Williams stated she is there to answer questions and address any misinformation the City has been receiving regarding PAWS.

Councilmember Menchel noted that in reviewing PAWS's monthly report, there appears to be some habitual offenders calling PAWS repeatedly after hours. The City has a contract with PAWS for \$45,000 a year. In addition, there is an after-hour charge of \$75 per call which the City cannot control. The City has a Code Compliance officer on duty till about midnight who could work with PAWS to do something about after-hours callout.

According to Ms. Williams, as the new executive director, she is currently reviewing all the PAWS contracts. The City's contract is the only one with a \$75 charge for after-hours calls. To her knowledge, PAWS has not been billing the City for after-hours calls. Also, the after-hours calls are only for emergencies like dog bites. They document it but they do not respond to

after-hours nuisance calls such as a barking dog. She added that some of the habitual offenders are people involved in neighborly disputes who continue to call on each other. They track that information to try to work with them to find some resolutions.

Councilmember Menchel asked Ms. Williams to continue to coordinate matters with the City of Destin staff.

2) Airport Road Construction Schedule Status

Councilmember Menchel noted that the Airport Road construction schedule is constantly changing. It is not City staff's fault because they receive the information from FDOT. He asked staff to report on the status of Airport Road construction schedule at every Council meeting.

Mr. Burgess explained there a lot of entities involved in this project, both with FDOT and private entities, which is complicating the coordination effort. He continued that the latest update on Airport Road safety improvement is that the plans are slated to be back to FDOT District 3 office in Chipley in about a week. They will forward the 100% or Phase 4 plans to their construction office for processing and transmission to the contractor. This process will take about a week or two to complete. It will include highway administration approval for federal safety funding. It will take the construction office about 30 days to get a notice to proceed. The same office will determine the number of days allowed for construction, including the mobilization for the project.

3) Submerged Land Lease Norriego Point & Surveys Status

Councilmember Menchel remarked that there still seems to be a tremendous amount of confusion in terms of what Councilmember Ramswell asked for regarding the survey. He feels the initial motion that was made on May 4, 2020 was very clear and yet they still do not have the correct survey.

Councilmember Ramswell pointed out the actual deeded property line was not used when the first survey was performed. They used the wrong property line for the southern border that borders the Pointe One property. They need to have the surveyor take another look. She explained that the dedication, the road right-of-way deed, the court case filed at the time, and the Norriego Point deed all showed the correct property boundaries, with the call out of 4419. The recent application that they received reflects the quit claim line which is 25 feet on the City's property. He asked Mr. Burgess if he feels he has all the information he needs to ensure the surveyor knows exactly what they are supposed to be doing.

Mr. Burgess stated that the Council is satisfied with the first two surveys that encapsulated Norriego Point Park except for the property line issue Councilmember Ramswell brought up. They want the third survey to look just like the Norriego Point Park survey.

Councilmember Ramswell stated they want the third survey to look just like the Norriego Point Park survey indicating the property line and the accreted sand that they talked about.

4) Deed and Dedication Title Searches

Councilmember Menchel requests that if the City finds the deed and dedication to be valid, that the City takes the proper steps to “clean up” the deeded property lines.

5) Florida Board of Professional Engineers

Councilmember Menchel noted that on September 28, 2020 an investigator from the Florida Board of Professional Engineers sent an email to the City inquiring about the complaint filed by Mr. Gene Earley. He stated that he filed a public records request with the City and determined that only he and Councilmember Ramswell have responded to that email. He feels the City Manager needs to respond to this email from the investigator.

The City Manager stated that he tried to reach the investigator via telephone. It appears they are still working remotely, and the investigator has not returned his call.

Councilmember Menchel requests that the City Manager responds to the investigator via email.

The City Manager stated he will respond with what he knows about the case.

6) City Council Recap Part 1

Councilmember Menchel read the following statement for the record:

“On January 7, 2019 I was honored to receive a unanimous vote by the Destin City Council to fill former Destin City Councilman Tuffy Dixon’s vacant City Council position until the March 12, 2019 special election.

On March 12, 2019, I received 60.48% of the votes in the special election and it has been an honor and a privilege to serve the citizens of Destin.

Tonight, and at the next council meeting I intend to provide a recap and overview of the observations I noted while serving as a Destin City Councilman.

The purpose of this recap is not meant to be meanspirited or as the Mayor has said frequently me playing gotcha – it is intended to identify first and foremost the many accomplishments that have taken place by the hardworking men and women who work for the City and secondly to identify some of the cities shortcomings in hopes of identifying best practices and other solutions to resolve the weaknesses that are clearly present.

It is my hope that the three Council Members not up for re-election and the four soon to be elected Council Members will benefit from the information provided and follow up as required.

I want to make one point very clear - when I make a statement of fact - I have the supporting information to support my comments - if you have any doubt about the information I am providing - please contact me directly and I will be more than happy to review the evidence with you that supports my statements.

I have made the following statements countless times that are just as valid right now as they were when previously stated.

First – *the purpose of any investigation is to prove or disprove an allegation – just because a person is under investigation does not make them guilty of anything period.*

Secondly – *In reference to Sins of The Past – no Council Member presently sitting here nor most members of the staff – can be held accountable for the Sins of The Past – but what each and every one of us should be held accountable for and judged by is how we resolved problems once they were brought to our attention. Sadly, many times this was not done and the only thing that was done was to turn a blind eye to the problem.*

Third – *I have previously stated that the City of Destin falls short in some basic Government Best Practices and procedures and needs to work with the Fla League of Cities or any other source that can provide a check list or go by to help the City move forward.*

This is akin to the Sheriff's Office getting accreditation – in that example the Sheriff's Office utilizes best practices used by other law enforcement agencies and gets inspected in all areas to ensure they are in compliance with those best practices which results in a more effective organization.

*I don't know how many of you are familiar with the term **DELPHI Technique** but a simple definition is - A Delphi Technique is a plan to control a meeting to achieve the outcome that the Facilitator and Planned Stakeholders want.*

I have seen this technique applied far too many times at City meetings and special workshops.

One of the best examples to highlight this was the Envision Special Workshops the City put on years ago.

As we sat at the tables as a group and collectively arrived at an answer let's say as an example the group decided the answer was red - the facilitator argued with the group and then posted blue – which was the color the facilitator wanted to achieve all along.

Future councils should be aware of this technique moving forward and not allow themselves to be manipulated.

Let's now take a few minutes to highlight some of the great accomplishments that have taken place, and share a few thoughts on COVID-19.

On September 8, 2020 staff presented to council a 2020 Strategic Plan Update which identified all of the progress made by each and every one of our hard-working staff.

It cannot go unnoticed – to say the least – that for most 2020 has been a year unlike anything any of us have ever lived through.

Our staff were also faced with unrepresented challenges never before seen, and did a stellar job.

Many new processes and procedures were born out of the COVID-19 pandemic, and the challenges posed by the pandemic were addressed and continue to be each and every day.

*One procedure that was put into place is our **REMOTE MEETINGS** - I want to express my thanks and offer a **JOB WELL** done to all of the Staff who have made the remote*

meeting process that I have utilized for the better part of this – due to COVID-19 available.

We also must not forget that sadly, many of our staff & council members were infected by the COVID-19 virus and thank God although each of them endured their own individual issues with the virus they are all well at this time. My thoughts and prayers continue for all.

We are not out of the woods yet with this pandemic, and I know staff will continue working to keep each and every one healthy and safe.

Each and every council member if asked - what are the most significant accomplishments that have been achieved this year – would certainly have his or her own list but for me here is a partial list which is not in any particular order of importance.

Purchase of property for additional public beach access

Underground Utilities

Hiring of critical staff positions

Cross Town Connector plans

Updates to Comp Plan, Future Land Use Map and Zoning Map

Establish new and improved Code Compliance Division

Norriego Point Enhancements

Continued to fight for the Airport Road Enhancements

Gulf Power Itemized Billing

Resolve the plethora of contract issues

Create a city complaint process

And finally, and most importantly drafted and passed a Rooster Ordinance

Each and every person sitting up here – my fellow council members - all have skill sets they bring to the table and at times each of those skillsets have been of value, and have been called upon.

I have a skillset that at times appears not to be a welcomed commodity and certainly has not been utilized. With 38 years' experience as an investigator I have stated as I said earlier in this report - that the purpose of any investigation is to prove or disprove any allegation. Just because a person is under investigation does not mean they are guilty.

Being a law and order follow the rules individual I have been amazed at the statements that I have heard when it comes to trying to do the right thing for the Citizens of Destin.

+ Let's now examine one of those issues;

As everyone knows last year - we had continuing service contracts on the agenda for approval and I made numerous inquiries about them over and over with virtually no answers being provided. In an email from the Deputy Public Works Director – at the time – dated October 31, 2019 Mr. Tim Pietenpol stated in part

Attached is the most updated version of Mr. Menchel's request. The items in blue are scheduled for completion in the next few months. Items in yellow were missed in previous years

AND

We need to amend the contract to clear up some verbiage and amend the requirements to some of the facilities. For example, the City Hall Annex **does not have a sprinkler system** so it needs to be amended on the contract.

Please let that sink in – the City paid for a sprinkler system inspection in a building that does not have a sprinkler system.

After receiving that email that validated my concerns over the city overpaying for services, and after numerous meetings with the City Manager that did not result in any corrective actions taking place - I made a motion at the Council meeting that the City ask the State Auditor General to do an audit and my motion was defeated.

At that time the comment was made that an audit by the state would **GIVE THE CITY A BLACK EYE**.

Instead, a substitute motion was made to conduct an internal audit which passed.

Upon completion of the internal audit over 244 errors were identified.

My question is how many errors does it take for us to have a black eye – Is 244 not enough?

Remember what I have said – we all should be judged by how we handle a problem once it is identified and not judged simply because we have a problem.

Well sadly the story does not end there.

Having verified that the city had paid for services that they have not received it took from October 2019 until July 2020 to resolve this.

Folks that's NINE months and that should not be acceptable to any of us.

Even after this issue was identified I had to push and push to get staff to request a refund of monies the City overpaid, and was owed.

With that came more ridiculous statements – and the big picture was clearly overlooked!

It does not matter if it was 5 cents or 5 hundred thousand dollars – the fact is the **failure of the process and procedures** allowed this to take place and in some cases some folks did not care and only wanted me to shut up and move on.

As if that was not bad enough fast forward earlier this year where the Council were once again presented with continuing service contracts to approve and yes more errors that had to be corrected. This lack of attention to detail should be a cause for concern for all but again most just turned a blind eye.

As a result of the **failure of the City Manager to properly manage this contract**, and the fact that after numerous close door meetings and email correspondence the were unanswered by the City Manager - I looked into the options available to a Councilmember to document performance issues and was told by our labor attorney that a Council Member could not use the City of Destin Counseling Report which is used by the City to document employee issues.

As a Senior Manager with years of experience I know the proper methods and protocols one utilizes and I felt the inability to utilize a Counseling Report by a Council Member was another City weakness that needed attention.

First line supervisors and managers are taught early on the proper methods to handle employee performance issues. The first step would be to have a one on one sit down meeting with the employee to discuss the issues. If after a one on one the desired employee performance was not achieved the next step would be to document the performance deficiencies on a Counseling report or other form utilized by the organization.

The City Manager – regardless of who it is – is in a very unusual position when it comes to his/her boss. Our City Manager answers to all 7 council members and as a matter of fact the only three employees that the council has direct hiring/firing management oversight responsibility is the City Manager, our City Attorney, and Land use Attorney.

It is important to understand that utilizing the Counseling report by a Council Member would be a single person's document that would only be placed in the employees file to document a performance issue and that document alone would not be a cause for any actions - but only serve to document a performance issue if those actions were ever called into question.

Council – think about the past when some of you in a Council Meeting called for the resignation several times of former City Manager's.

Was there any documentation or warning issued to those City Manager's?

This type of documentation is certainly necessary to support any actions taken by the City Manager against a city employee - so why would we not want the ability for the City Council to use the same Counseling Form when needed?

With that said – I made a motion at a Council Meeting to allow Council Members the ability to utilize the Official City of Destin Counseling form and the motion did not pass.

Council Members as a result of that Motion not passing and the labor attorney advising that this is something that should be presented to the Council, I am left with no alternative but to discuss this - in this meeting.

I can't stress enough how much this goes against all of my management experience – simply put a Council Member should have the ability to privately meet and then if needed document performance issues instead of discussing this publicly, and I hope that future Council Members will readdress this issue.

At a recent Council meeting Council Member Braden when referring to the Mayor said – his issues with the Mayor were only job related/professional issues and he has no personnel issue with the Mayor. I want to be very clear – Similar to what Councilman Braden said – in reference to my issues with the City Manager they are only professional work-related dealing with job deficiencies and weaknesses and are not personnel in nature. Again, I wish this could have been handled differently.

As previously stated, the continuing service contract issues were confirmed by city staff on October 31, 2019 and were not resolved until July 2020 – 9 months.

The City Managers Supervisory Duties Responsibilities #4

states in part that ***the City Manager Monitors performance*** of all City franchisees, including water and sewer and electric utilities, ***and all contractors***, including Okaloosa County Sheriff's Department, garbage/waste disposal and other governmental agencies that provide services to the citizens of Destin, ***to ensure that all obligations and commitments are fulfilled***. Also ensures that all necessary City staff interfaces with franchisees and contractors are ***properly managed***.”

The City Managers Contract Section N states in part. “***The City Manager shall perform all his duties within a reasonable period of time***. City Manager shall make every effort to perform his duties within the time frames and deadlines set by the City Council, or imposed by law, applicable policy, or rule.”

Based on the City Manager's Job Description and Contract ***I feel he failed in his management responsibilities to properly manage this contract***, and ensure that the necessary City Staff take appropriate corrective actions.

It is my hope that this performance deficiency will be corrected in the future.”

- D. Councilmember Overdier
- E. Councilmember Marler
- F. Councilmember Destin

- 1) Direct the City Land Use Attorney and City Manager to provide educational information to the public on proposed land use charter amendments on the November ballot.

Councilmember Destin moved to direct the City Land Use Attorney and City Manager to provide educational information to the public on proposed land use charter amendments, questions 1 and 2, on the November ballot; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

- G. Councilmember Morgan
- H. Mayor Gary Jarvis
- I. Land Use Attorney

- 1) Request that the City Council Authorize the City Manager to Sign a Conflict Waiver to Allow the City Land Use Attorney to Finalize Legal Terms of Contract with PAWS

The Land Use Attorney requested Council's approval of the conflict waiver because she has recently taken on PAWS as a client as their general counsel. Although she does not expect any conflicts to come up but since the City is having a contract negotiation with PAWS, she would only be able to participate in representing an informed waiver to both clients. She continued that the waiver that is part of the agenda packet is broader than the title that is on the agenda. She could limit the waiver to match the agenda title, or the Council could move to approve the waiver that is included in the agenda packet.

Councilmember Ramswell noted that she does not see a copy of the waiver in the agenda packet.

At this time, a copy of the waiver was shown on the screen.

Councilmember Destin moved to authorize the City Manager to sign the Conflict Waiver that is included in the agenda packet and authorize the City Manager to sign it; seconded by Councilmember Marler.

Councilmember Menchel asked if a conflict also exists with the City Attorney.

The City Attorney noted that he is totally conflicted and that he cannot provide the City any advice on matters relating to PAWS. He is not asking the Council to approve a conflict waiver on his behalf as those matters would be handled by the Land Use Attorney.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

J. City Attorney

8. PUBLIC COMMENTS

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 10:05 PM.

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

**MINUTES
EXECUTIVE SESSION
CITY COUNCIL
OCTOBER 19, 2020
5:30 PM
ANNEX COUNCIL CHAMBERS**

The Destin City Council met in an executive session with the following members and staff present:

Council Present

Mayor Pro Tem Prebble Ramswell
Councilmember Chatham Morgan
Councilmember Cyron Marler
Councilmember Parker Destin

Councilmember Steven Menchel
Councilmember Rodney Braden
Councilmember Skip Overdier (Virtual)

Staff Present

City Manager Lance Johnson
City Clerk Rey Bailey
City Land Use Attorney Kimberly Kopp
City Attorney Kyle Bauman
Special Counsel Eric Krebs

Others Present

Liz Klein, Court Reporter (Virtual)

1. EXECUTIVE ATTORNEY-CLIENT SESSION: Pursuant to Section 286.011(8), Florida Statutes, the City's Special Counsel will be seeking the advice of the City Council regarding settlement negotiations and/or strategy related to litigation expenditures concerning the pending litigation:

William C. Carter v. City of Destin, Florida, et al., Case Number 2016-CA-3085, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County Florida.

Mayor Pro Tem Prebble Ramswell convenes the meeting by stating that:

"This session of the Destin City Council is hereby convened as noticed by publication in a newspaper of general circulation, The Daily News on Sunday, October 18, 2020.

The City Attorney states as follows:

Pursuant to §286.011(8), Florida Statutes, I would like to request that we adjourn to executive session so that I, the attorney of record for the City of Destin in:

William C. Carter v. City of Destin, Florida, et al., Case Number 2016-CA-3085, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County Florida.

may receive the Council's advice regarding the strategy to be used in this case and the type of expenses to be incurred.

The entire session would be recorded by a court reporter, the transcript would be filed with the City Clerk, and available to the public at the conclusion of the litigation discussed today. A copy of the published notice of this executive session is hereby identified as Exhibit A and will be attached to the transcript of this executive session.

In addition to the Mayor and City Council members in attendance tonight the following persons will be in attendance at the session:

***Attorneys for the City: Eric A. Krebs, Esq.
Warner Law Firm, P.A.
P.O. Box 1820
Panama City, FL 32402***

***Kimberly Romano Kopp, Esq., LEED AP
Romano Kopp Law, PA.
P.O. Box 445
Destin, Florida 32541-0445***

***Kyle S. Bauman, Esq.
Anchors Smith Grimsley
909 Mar Walt Drive, Ste. 1014
Fort Walton Beach, Florida 32547***

"At this time, will the Mayor and Council members in attendance please identify yourselves for the record?"

The following individuals identified themselves for the record:

- Mayor Pro Tem Prebble Ramswell
- Councilmember Chatham Morgan
- Councilmember Parker Destin
- Councilmember Cyron Marler
- Councilmember Skip Overdier
- Councilmember Steven Menchel
- Councilmember Rodney Braden

The City Attorney continued by stating that:

“I estimate that this executive session will take approximately 30 minutes. At the conclusion of the executive session, the Council will reconvene the public hearing, accept any motions if applicable, and the Mayor will end the session.”

Mayor Pro Tem Ramswell stated that:

“At this time, we will recess the public portion of tonight’s meeting and convene the executive session.”

The Mayor Pro Tem and Council proceeded with discussion of the lawsuit (closed session)

The public portion of the executive session resumed at 6:50 PM.

Upon conclusion of the closed portion of the executive session, and once the City Clerk has returned and turned on the recording, the Mayor Pro Tem states:

“We will now reconvene the public portion of this meeting and I will accept any motions from Council.”

Councilmember Destin moved to approve the settlement agreement and direct the City Manager to execute the document. Councilmember Marler provided a second to the motion. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

2. ADJOURN

Having no further business at this time, the Mayor Pro Tem adjourned the meeting at 5:54PM.

ADOPTED THIS 2ND DAY OF NOVEMBER 2020

By:

Gary Jarvis, Mayor

ATTEST:

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Presentation

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney
Jeffrey Cozadd, Grants Manager

DATE: October 26, 2020

SUBJECT: Presentation of Cross Town Connector Approach and Timeline

I. BACKGROUND: On June 1, 2020, City Council discussed the reduction of the current proposed Cross Town Connector from a four-lane to a two-lane road section.

At the conclusion of the Council discussion, Staff was directed to proceed to obtain the redesign, new Scope of Work and quote for a two-lane road. Specifically, the two-lane roadway design will encompass the following elements:

- 71' wide right-of-way
- A two -11' wide lane separated (median) section with 4' wide bike lanes and two -10' wide multi-use trails
- ROW acquisition of remaining parcels.
- Major Development and Subdivision Applications to declare right-of-way and modify property lines.

II. DISCUSSION: Following the direction of City Council, at the September 8, 2020 City Council meeting, City Administration entered into contract with Atkins North America, Inc. to undertake the redesign.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION: Atkins will make presentation to City Council and provide Approach and Timeline.

IV. RECOMMENDED MOTION: None- Informational

Attachments:

1. Crosstown Connector - Presentation
2. CTC Timeline

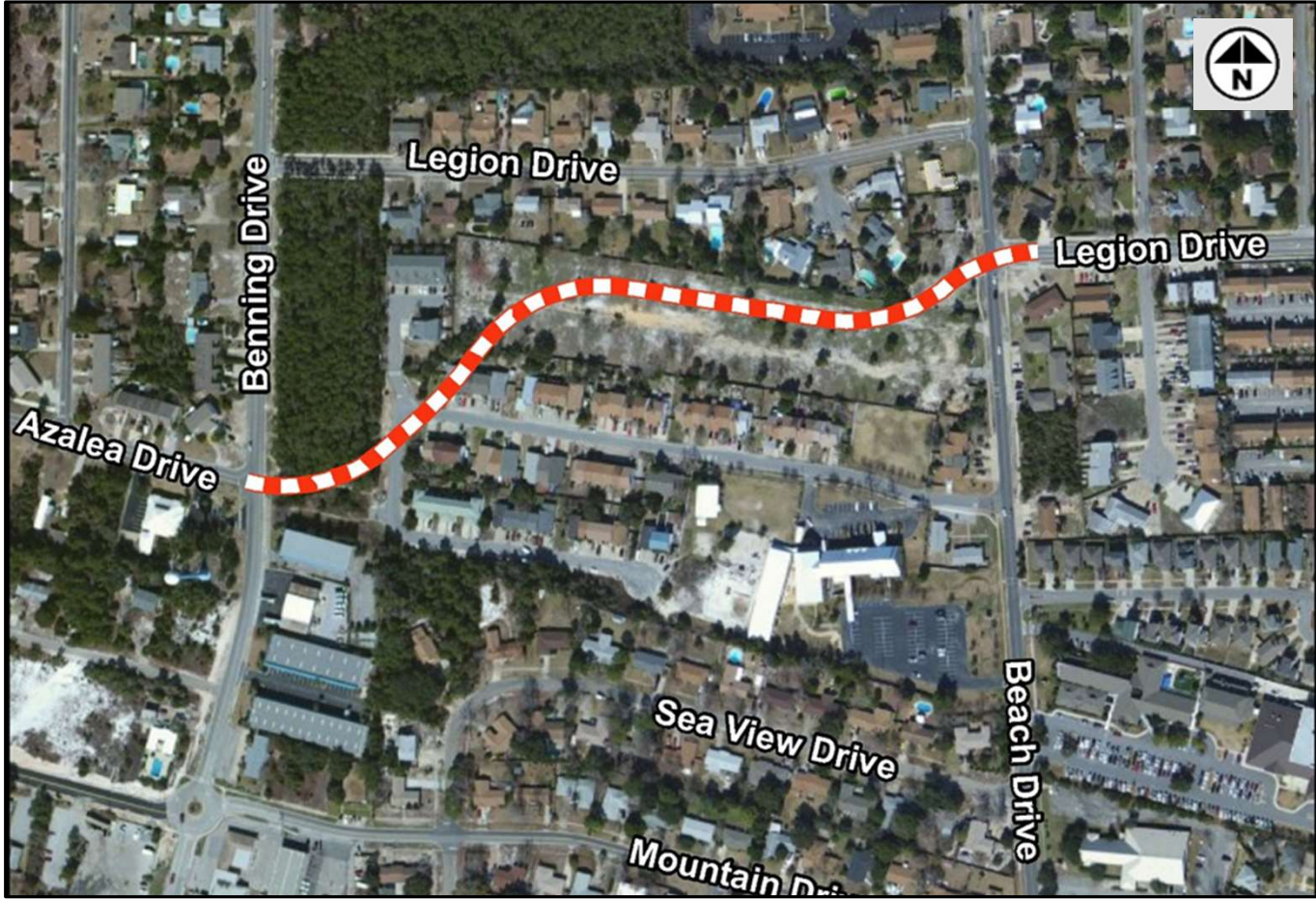
Cross Town Connector

Re-design



2-LANE ALIGNMENT

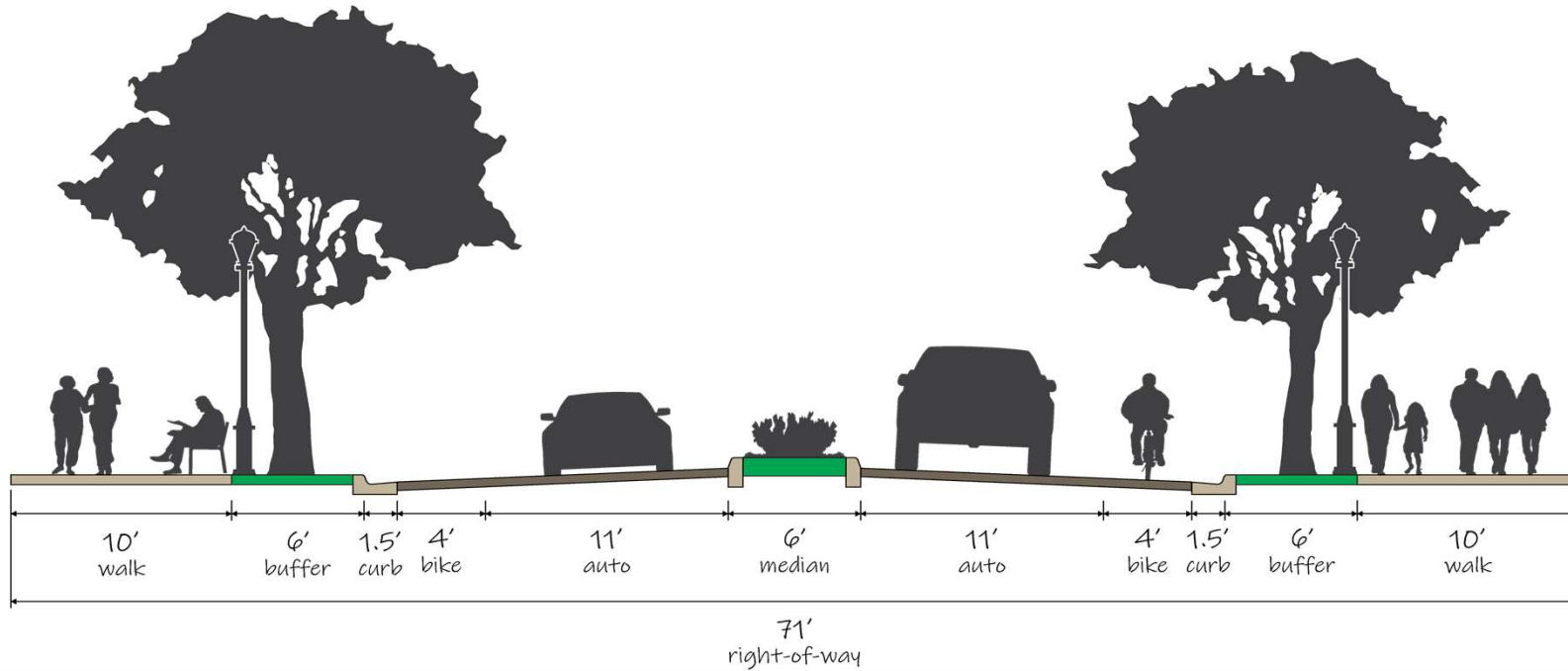
From Benning Drive to Beach Drive





Cross Town Connector

the missing link for a continuous alternative to US 98



Proposed 2-Lane Typical Section

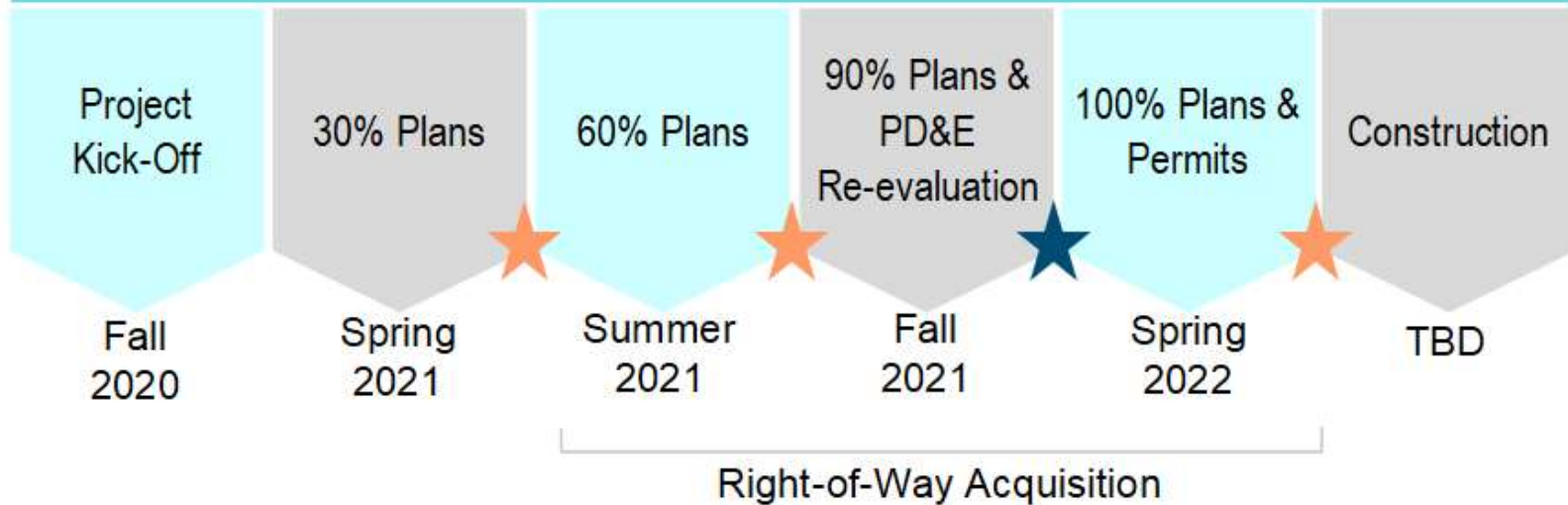
71' Right-of-Way




71' ROW Possible Alignment (Beach Drive to Benning Drive)

We are here

PROJECT SCHEDULE



 LPA followed by City Council Update

 Public Workshop

Destin Cross Town Connector, from Benning Drive to Beach Drive ReDesign

ID	Task Name	Duration	Start	Finish	Predecessors	Task Mode	Calendar																											
							July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October
1	Destin Cross Town Connector Project Timeline	590 days	Fri 10/23/20	Thu 2/2/23																														
2	Notice to Proceed	0 days	Fri 10/23/20	Fri 10/23/20																														
3	Surveying	10 days	Fri 10/23/20	Thu 11/5/20	2																													
4	Design Phase I (30%)	78 days	Fri 10/23/20	Fri 2/12/21																														
5	Typical Section Analysis	10 days	Fri 10/23/20	Thu 11/5/20	2																													
6	Typical Section submittal to City	1 day	Fri 11/6/20	Fri 11/6/20	5																													
7	Review/Update Traffic Information	20 days	Fri 10/23/20	Thu 11/19/20	2																													
8	Project Kick-Off for City Council	0 days	Mon 11/2/20	Mon 11/2/20																														
9	30% Construction Plan Development	40 days	Mon 11/9/20	Wed 1/6/21	6																													
10	Utility Coordination (Information Gathering)	12 days	Fri 10/23/20	Mon 11/9/20	2																													
11	Internal QA/QC	10 days	Thu 1/7/21	Wed 1/20/21	9																													
12	30% Construction Plan Submittal (City & Utilities)	1 day	Thu 1/21/21	Thu 1/21/21	11																													
13	City Review	10 days	Fri 1/22/21	Thu 2/4/21	12																													
14	Address 30% Comments	5 days	Fri 2/5/21	Thu 2/11/21	13																													
15	30% Construction Plans Approval	1 day	Fri 2/12/21	Fri 2/12/21	14																													
16	Status Update for City Council	0 days	Thu 2/4/21	Thu 2/4/21	13																													
17	Design Phase II (60%)	87 days	Fri 2/5/21	Tue 6/8/21																														
18	60% Construction Plan Development	50 days	Fri 2/5/21	Thu 4/15/21	14SS																													
19	Establish Right-of-Way Requirements	14 days	Mon 3/29/21	Thu 4/15/21	18FF																													
20	Internal QA/QC	10 days	Fri 4/16/21	Thu 4/29/21	18																													
21	Geotechnical Plan Review	10 days	Fri 4/16/21	Thu 4/29/21	20FF																													
22	60% Construction Plans / Utilities / Cost Estimate Submittal	1 day	Fri 4/30/21	Fri 4/30/21	20																													
23	City Review	10 days	Mon 5/3/21	Fri 5/14/21	22																													
24	Address 60% Comments	5 days	Mon 5/17/21	Fri 5/21/21	23																													
25	Utility Meeting	1 day	Mon 5/24/21	Mon 5/24/21	23FS+5 days																													
26	Subsurface Utility Engineering	5 days	Wed 6/2/21	Tue 6/8/21	25FS+5 days																													
27	Status Update for City Council	0 days	Fri 5/14/21	Fri 5/14/21	23																													
28	Design PH III (90%)	86 days	Mon 5/17/21	Wed 9/15/21																														
29	90% Construction Plan Development	60 days	Mon 5/17/21	Mon 8/9/21	24SS																													
30	Submit Final Right-of-Way Requirements to City	1 day	Mon 5/24/21	Mon 5/24/21	29SS+5 days																													
31	City Review of Final Right-of-Way Requirements	10 days	Tue 5/25/21	Tue 6/8/21	30																													
32	Pre Permits Application Meeting	1 day	Tue 6/8/21	Tue 6/8/21	29SS+15 days																													
33	Design / Re-Evaluation Public Meeting	0 days	Tue 6/22/21	Tue 6/22/21	31FS+10 days																													
34	Update Legal Descriptions & Sketches	20 days	Wed 6/9/21	Tue 7/6/21	31																													
35	Submit Legals & Sketches to City	1 day	Wed 7/7/21	Wed 7/7/21	34																													
36	Internal QA/QC	10 days	Tue 8/10/21	Mon 8/23/21	29																													
37	90% Construction Plans / Utilities / Cost Estimate Submittal	1 day	Tue 8/24/21	Tue 8/24/21	36																													
38	City Review	10 days	Wed 8/25/21	Wed 9/8/21	37																													
39	Address 90% Comments	5 days	Thu 9/9/21	Wed 9/15/21	38																													
40	Utility Meeting	1 day	Thu 9/9/21	Thu 9/9/21	37FS+10 days																													
41	Design PH IV (100%)	142 days	Thu 9/9/21	Fri 3/25/22																														
42	100% Construction Plans Development	50 days	Thu 9/9/21	Wed 11/17/21	39SS																													
43	Permit Preparation	20 days	Thu 9/9/21	Wed 10/6/21	38																													
44	Permit Submittal to City	1 day	Thu 10/7/21	Thu 10/7/21	43																													
45	City Permit Review	5 days	Fri 10/8/21	Thu 10/14/21	44																													
46	Permit Submittal to NFWFMD	1 day	Thu 10/21/21	Thu 10/21/21	45FS+4 days																													
47	Permit Agency Review (Time Depends on Impacts)	90 days	Fri 10/22/21	Thu 2/24/22	46																													
48	Internal QA/QC	10 days	Thu 11/18/21	Wed 12/1/21	42																													
49	100% Construction Plan / Utilities / Bid Tab and Cost Estimate submittal	1 day	Thu 12/2/21	Thu 12/2/21	48																													
50	City Review	10 days	Fri 12/3/21	Thu 12/16/21	49																													
51	Utility Coordination	1 day	Wed 12/15/21	Wed 12/15/21	49FS+8 days																													
52	Status Update for City Council	0 days	Thu 12/16/21	Thu 12/16/21	50																													
53	Receive Permit Approval	1 day	Fri 2/25/22	Fri 2/25/22	47																													
54	Final Construction Plan Development	20 days	Mon 2/28/22	Fri 3/25/22	50,53																													
55	Final Construction Specifications Bid Tab and Cost Estimate Submittal	20 days	Mon 2/28/22	Fri 3/25/22	50,53																													
56	Design Re-Evaluation	72 days	Mon 5/3/21	Wed 8/11/21	22																													
57	Re-Evaluation	40 days	Mon 5/3/21	Mon 6/28/21	22																													
58	Internal QA/QC	10 days	Tue 6/29/21	Mon 7/12/21	57																													
59	Design Re-Evaluation Submittal to City/FDOT	1 day	Tue 7/13/21	Tue 7/13/21	58																													
60	City/FDOT Review	15 days	Wed 7/14/21	Tue 8/3/21	59																													
61	Final Re-Evaluation Submittal to City/FDOT	1 day	Wed 8/11/21	Wed 8/11/21	60FS+5 days																													
62	Right-of-Way Acquisition Process	385 days	Thu 8/12/21	Thu 2/2/23	35,56																													

Project: Destin Schedule July 20
Date: Thu 10/22/20

Task	Milestone	Project Summary	Inactive Milestone	Manual Task	Manual Summary Rollup	Start-only	External Tasks	Deadline	Manual Progress
Split	Summary	Inactive Task	Inactive Summary	Duration-only	Manual Summary	Finish-only	External Milestone	Progress	

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020
TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Michael Burgess, Public Services Director
Kimberly Kopp, Land Use Attorney

DATE: October 29, 2020

SUBJECT: Update on Main Street/Kelly Intersection

I. BACKGROUND: Following the recent tragedy at the intersection of Main Street and Kelly Street on October 17, 2020, City Council directed the City Administration to address the pedestrian/ vehicle traffic concerns at this intersection.

II. DISCUSSION: In response to the Council direction, City Administration has begun to take initial steps to address the safety concerns at this intersection. At the same time, staff recommends a formal study of the intersection be done before additional permanent changes to the intersection are made.

- 1.) Public Services has installed 3 Pedestrian Crossing ahead signs, 2 on Main Street, 1 on Kelly St.
- 2.) Staff met with Scott Bitterman, County Engineer, for his *initial* appraisal of the intersection.
 - a. His *initial* recommendation is to place Pedestrian Crosswalk signs (with back to back signage) at the crosswalks. The signage has been ordered.
 - b. Scott's other initial recommendation was to consider moving the crosswalk on Main Street to the north side of the intersection and to remove the crosswalk on the south side. In addition, to reconfigure the middle area approaching the intersection from the north, adding a raised concrete curbing to create a respite area in the middle of the road. This will also provide a sense of constriction for both north and southbound traffic slowing vehicles.
- 3.) The Community Development Director has reached out to Dewberry Engineering firm to complete a warrant study and intersection design

recommendations to make the intersection function safely and efficiently as an All-Way Stop controlled intersection. It has been requested that the study be completed within two weeks.

4.) A donation has been offered by the public to potentially help pay for potential stop sign improvements. Finance is working with Public Services to potentially accommodate this monetary donation.

5.) Public Works has ordered a pair of rapid rectangular flashing beacons. They are push-button activated, communicate via radio, and will strobe on both sides of the road both ways to alert traffic that a pedestrian is at the crosswalk.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): There were no funds budgeted in FY2021 for improvements to the Main/Kelly crosswalk area. Staff completed an internal transfer from 30558500-565000-TR618 General Fund-Capital Project-Zerbe-Calhoun Pedestrian Pathway in the amount of \$4080 to purchase solar led flashing push-button cross-walk signs.

C. Level of Service (LOS): Increased level of service and safety for residents and visitors at the intersection of Man Street and Kelly Street.

III. CONCLUSION:

IV. RECOMMENDED MOTION: None- Informational

Attachments:

1. Picture of cross walk signs-lights



CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020
TYPE OF AGENDA ITEM: City Manager Report

TO: City Council
THRU: Lance Johnson, City Manager
FROM: Joey Forgione, Code Compliance Manager
DATE:
SUBJECT: Code Compliance End of Fiscal Year Review Snap Shot

I. BACKGROUND: Code Compliance End of Fiscal Year Review Snap Shot 10/01/2019 thru 09/30/20

II. DISCUSSION: End of Year Compliance Activities Review

- A. Link to Strategic Goals / Objectives:** Over all Code Compliance
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**

III. CONCLUSION: This is an Council Update for the Code Compliance Activities Review.

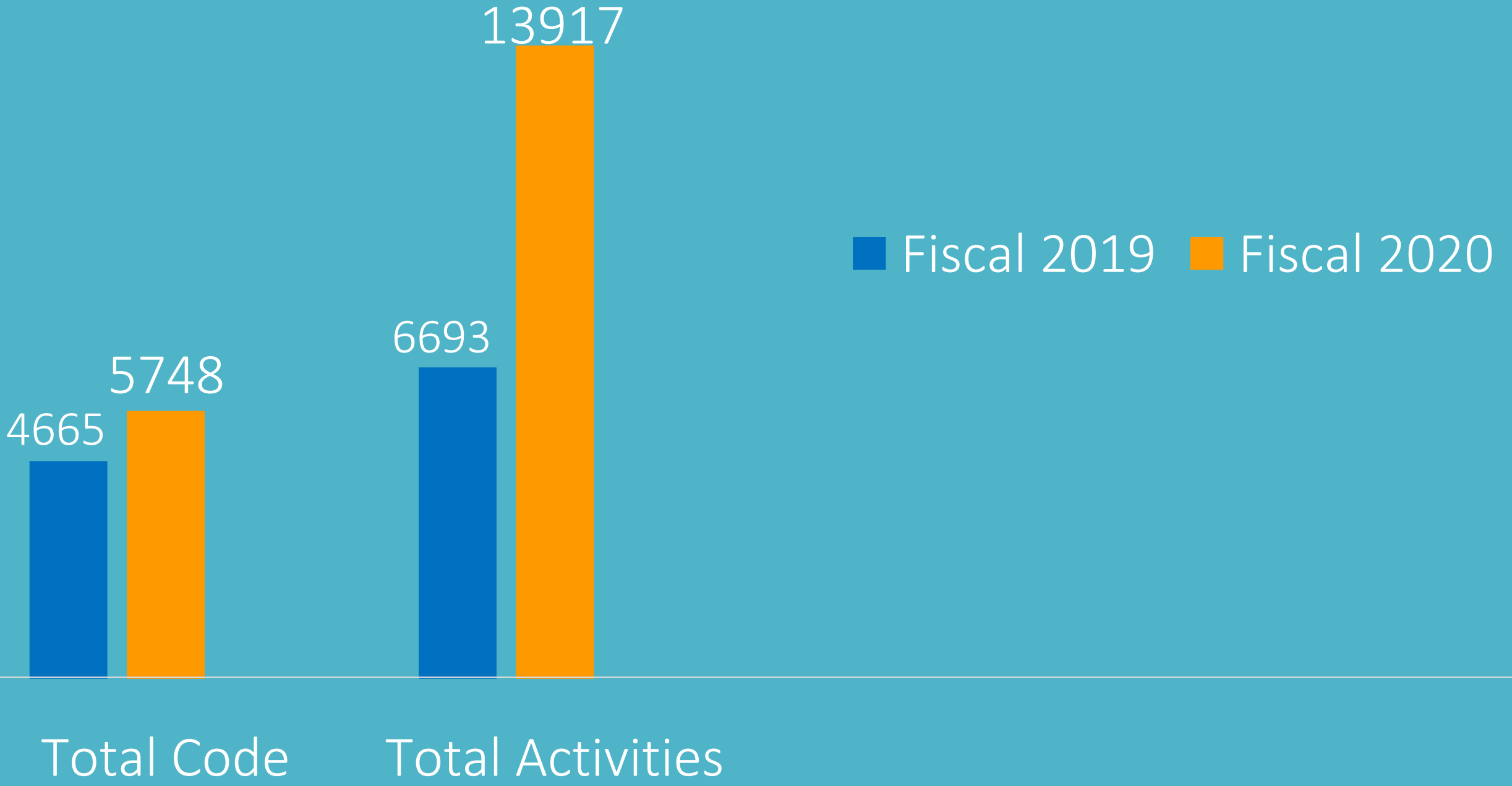
IV. RECOMMENDED MOTION:

Attachments:

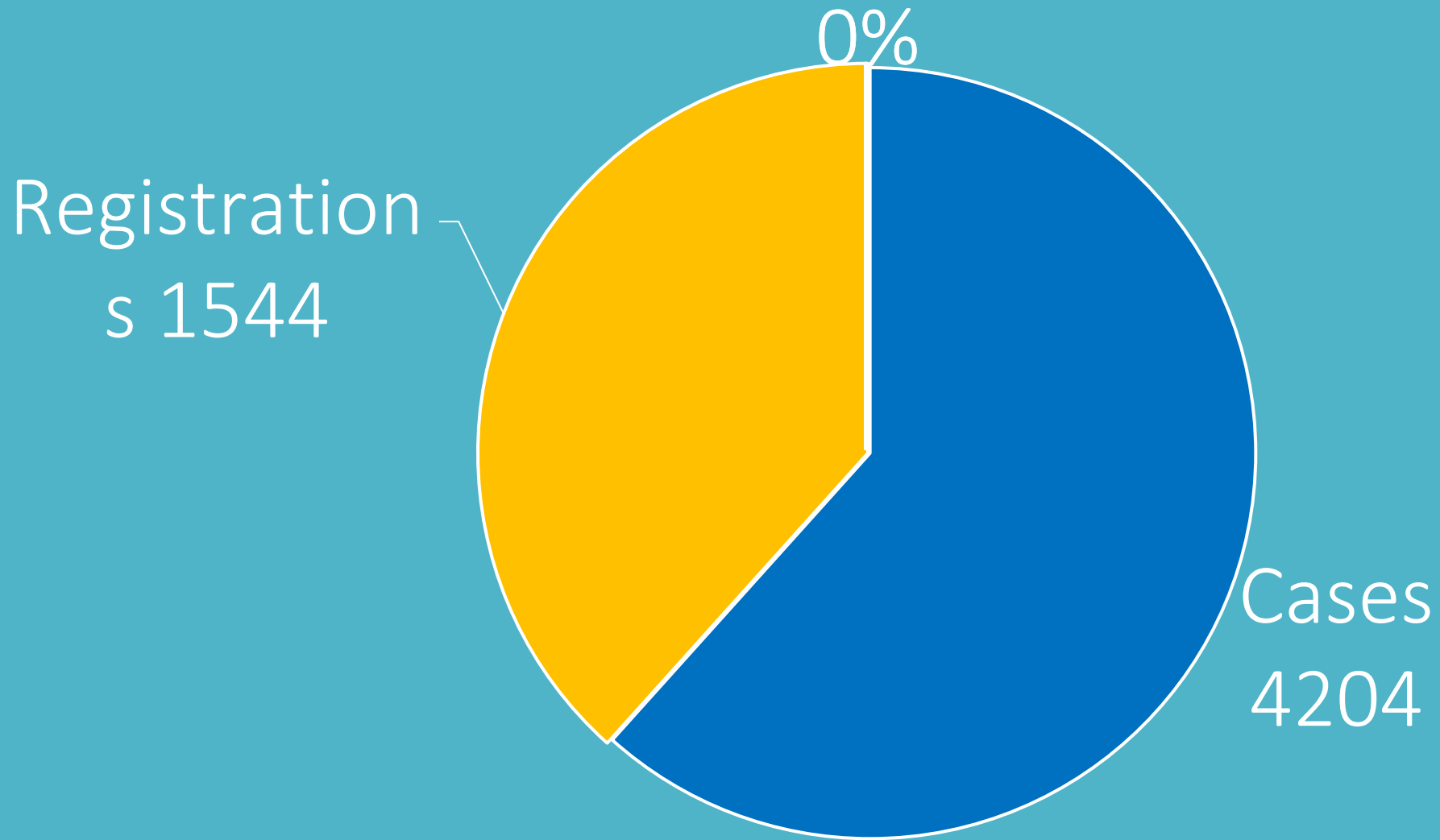
1. 2020 Yearly Final PP

Code Compliance 2020 Review

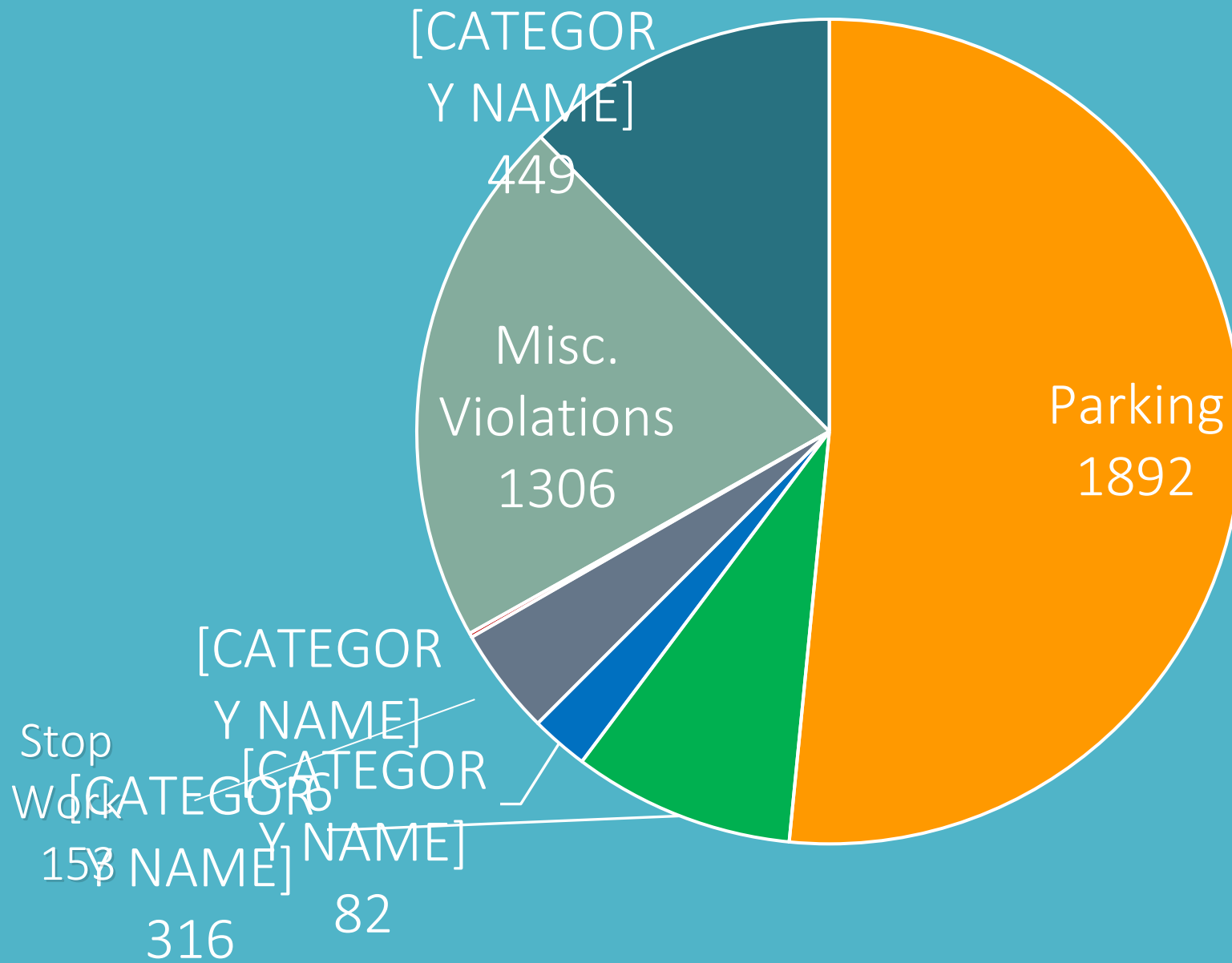




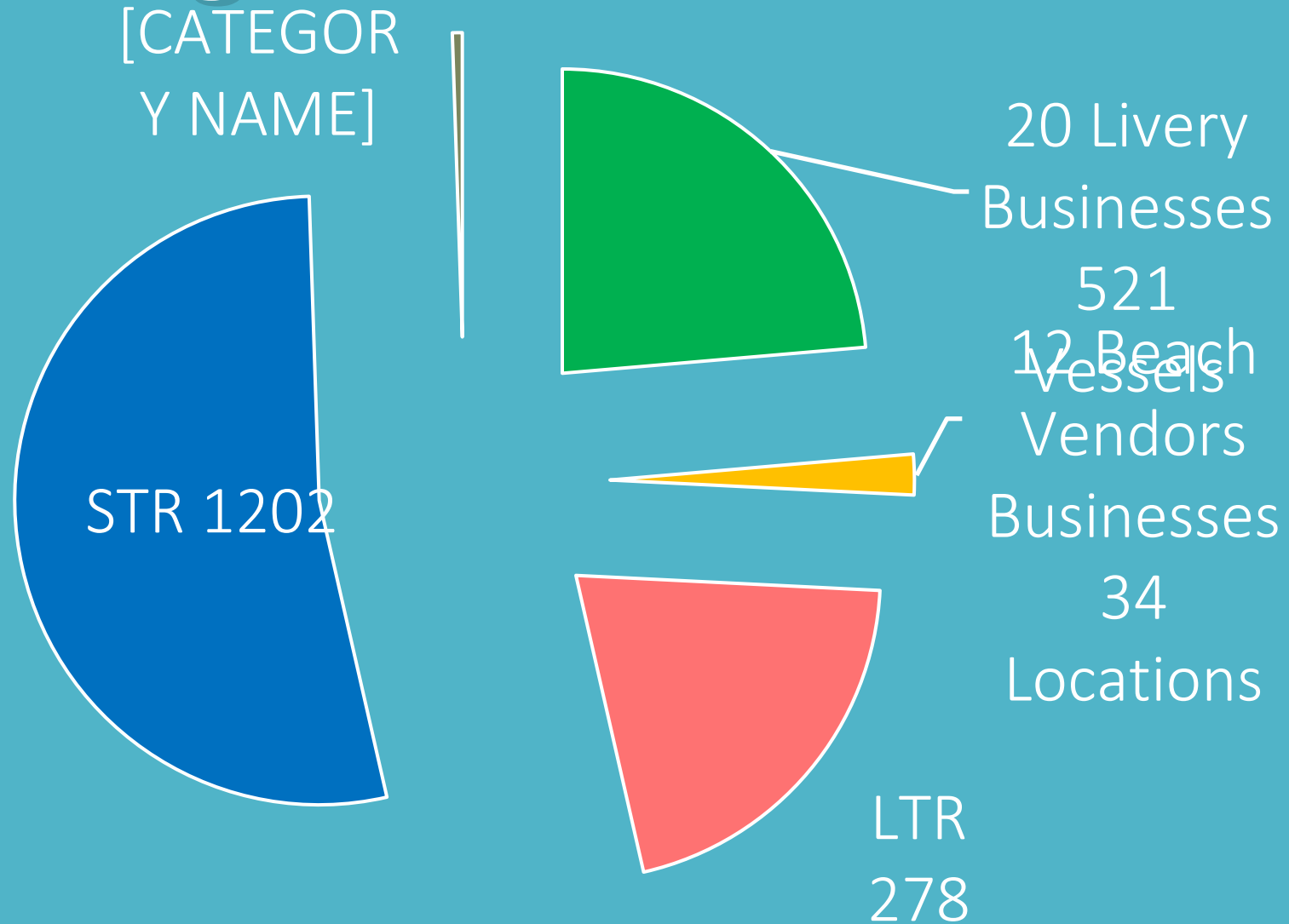
Code Stats 5748



Case Types- 4204



1544 Registrations-Total-2045



Code NOV Stats

Notices of Violation

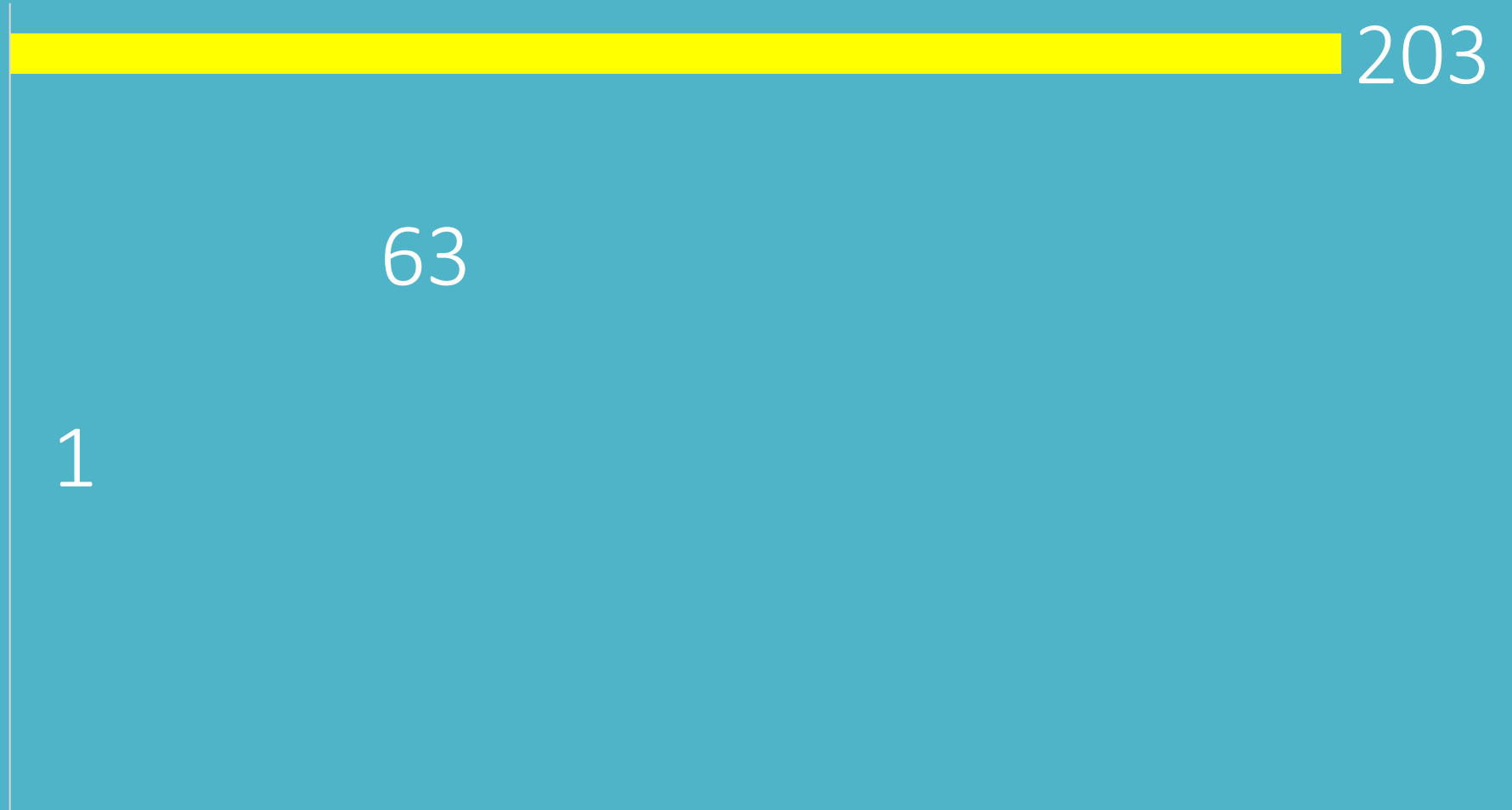
203

Notices of Hearing

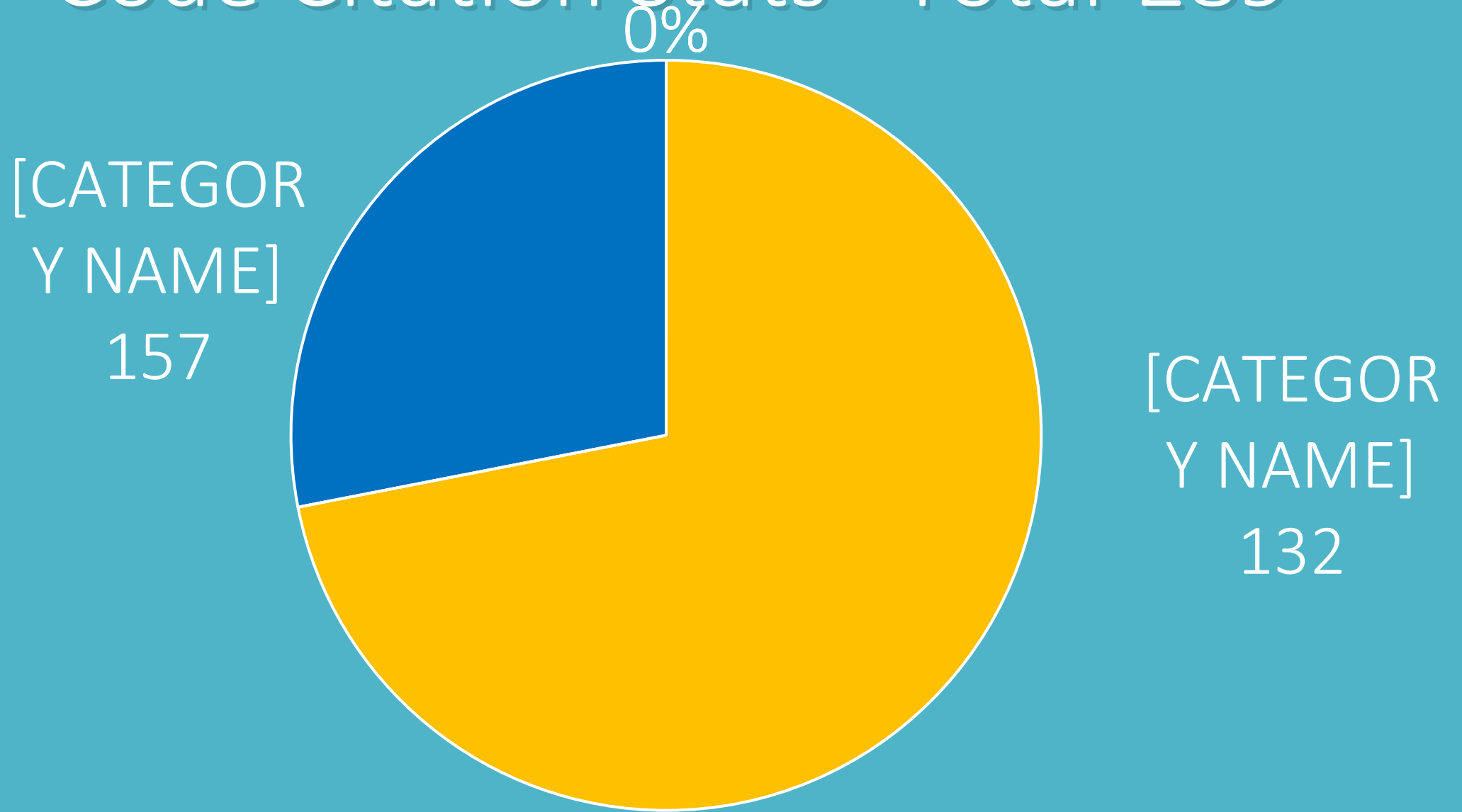
63

Orders Imposing
Fine/Lien

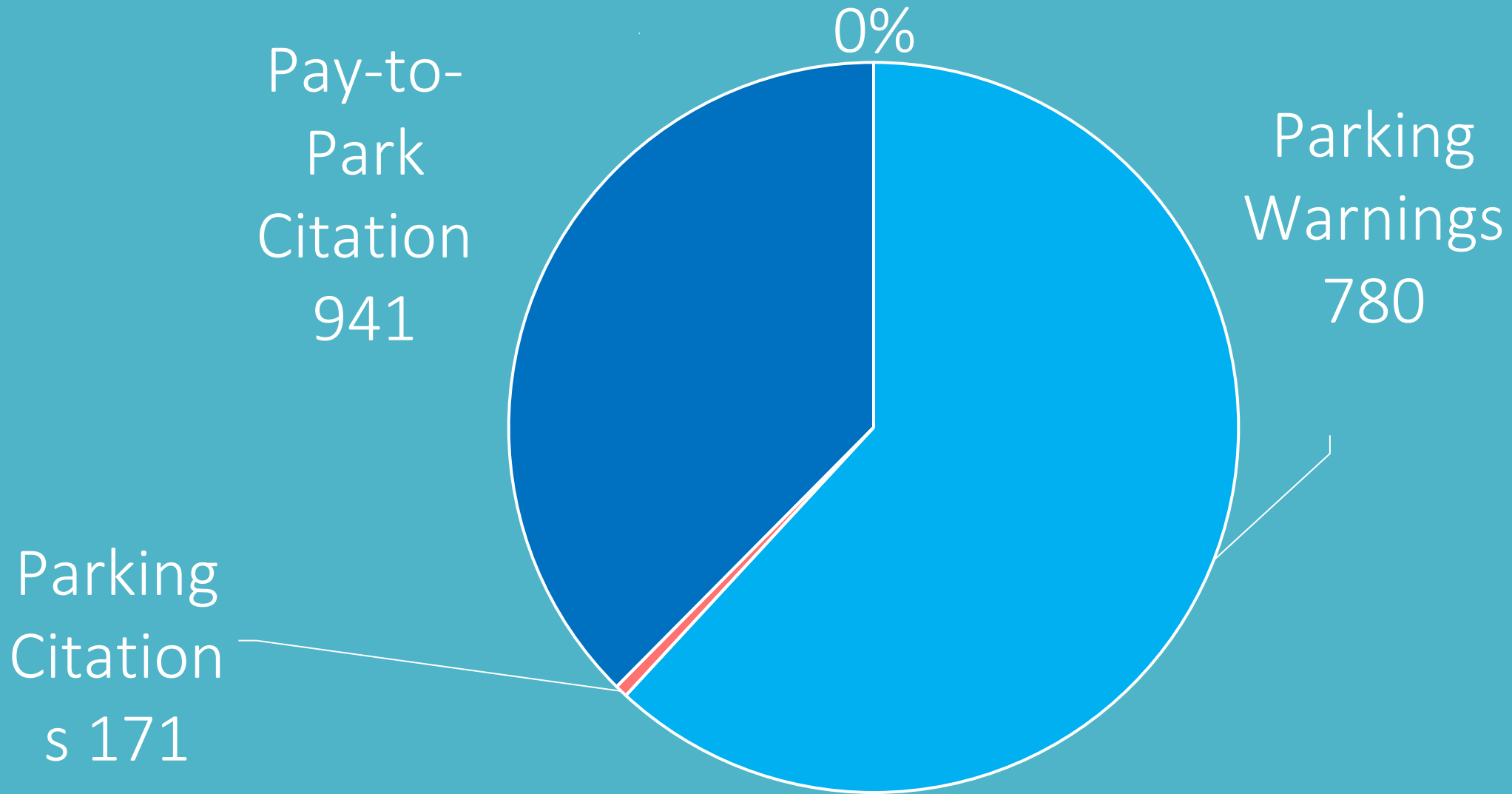
1



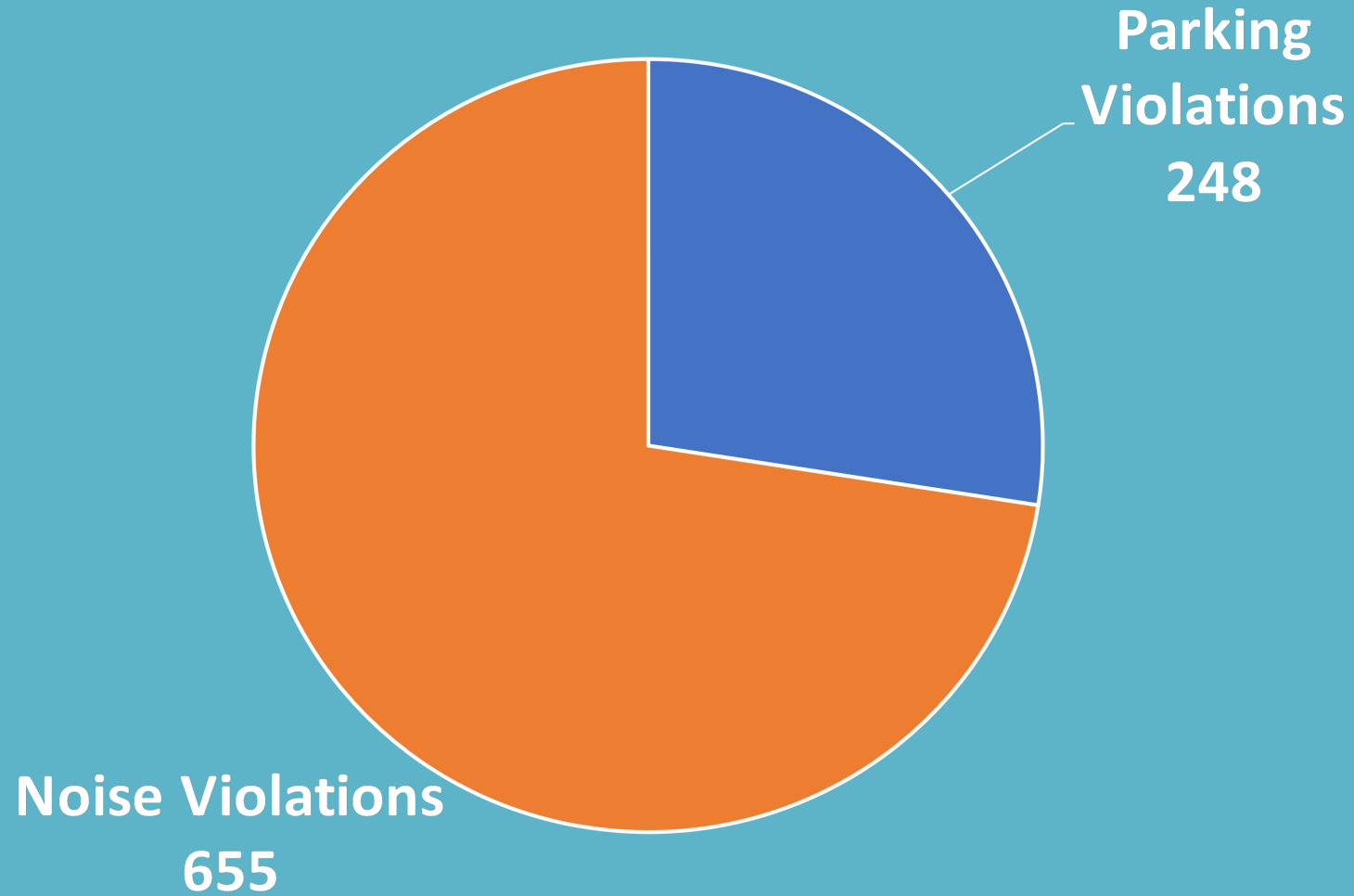
Code Citation Stats Total-289



Parking Violations Total- 1892



Sheriff's Office Totals- 903



Beach Compliance 2020



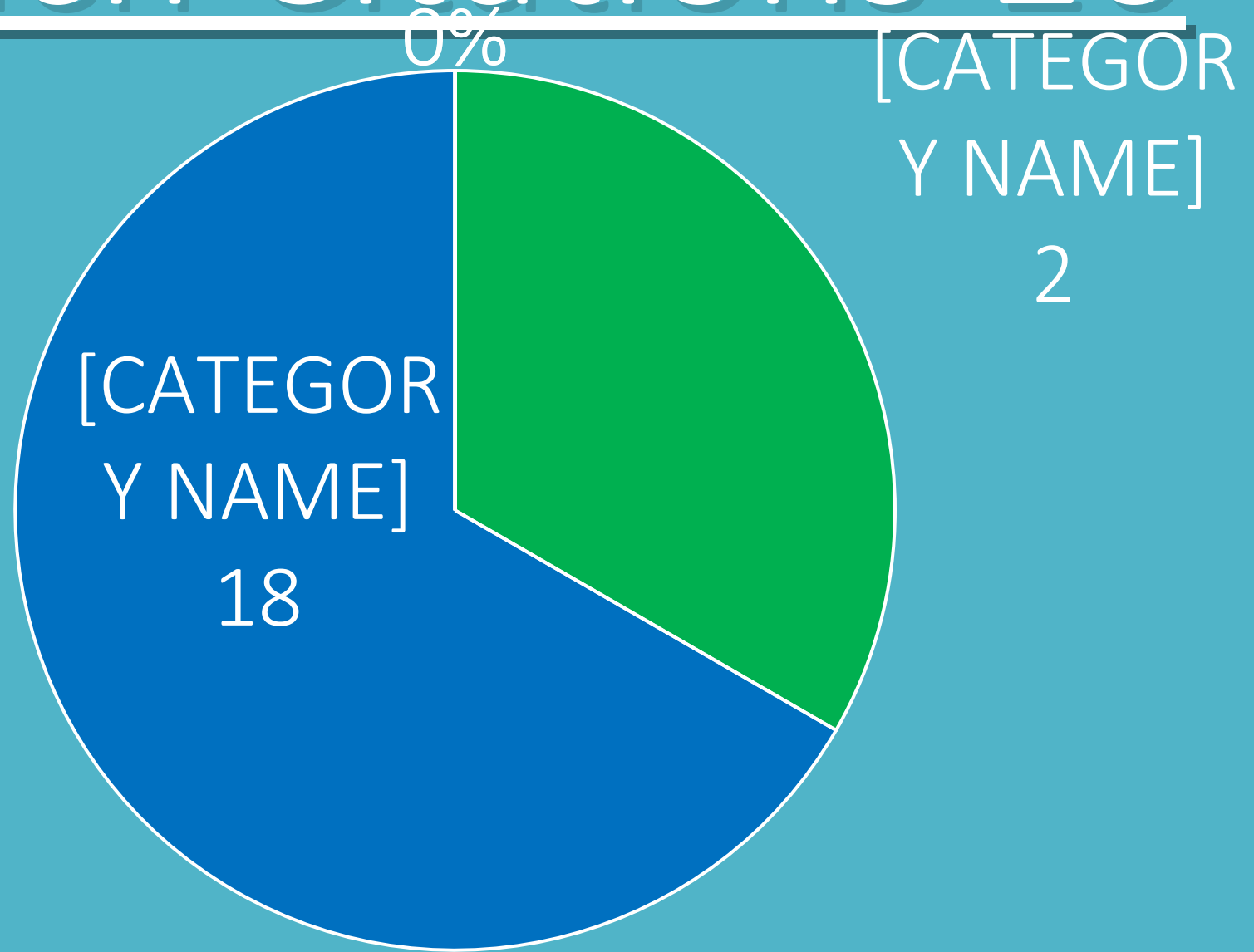
Beach Vendor Registrations

12 Businesses

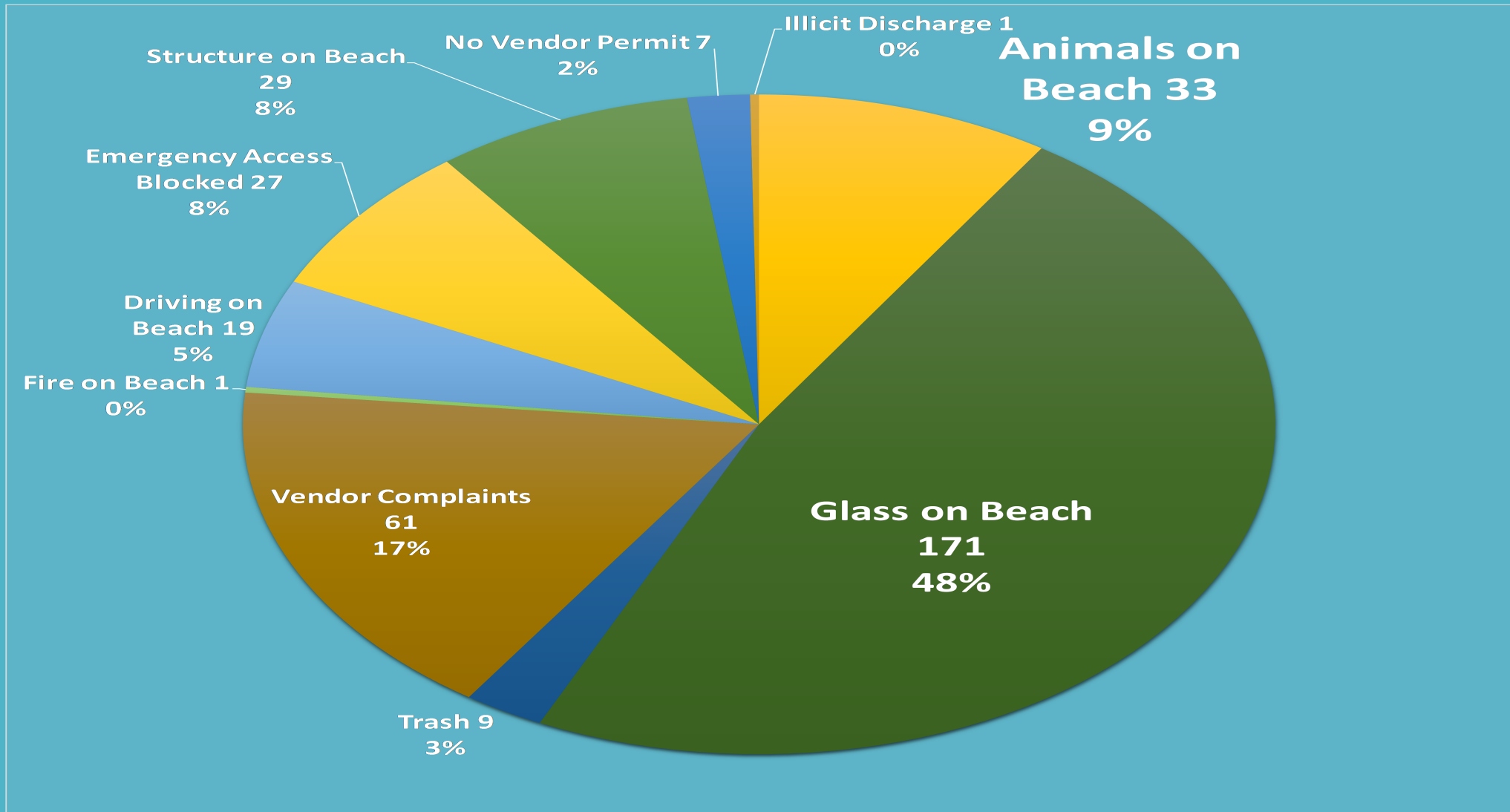
34 Locations

10 Wheeled Vehicles

Beach Citations-20



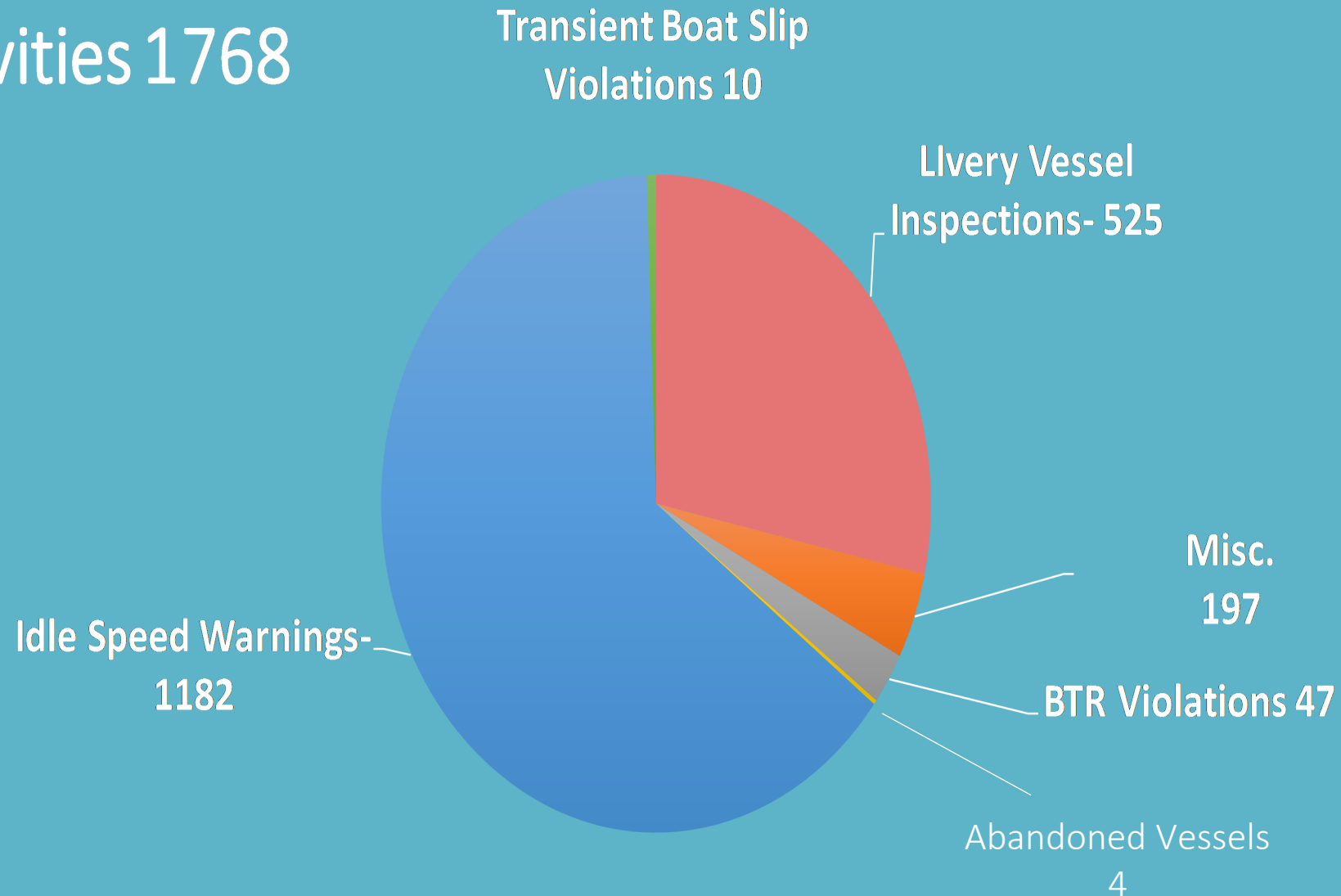
Beach Compliance Total- 438



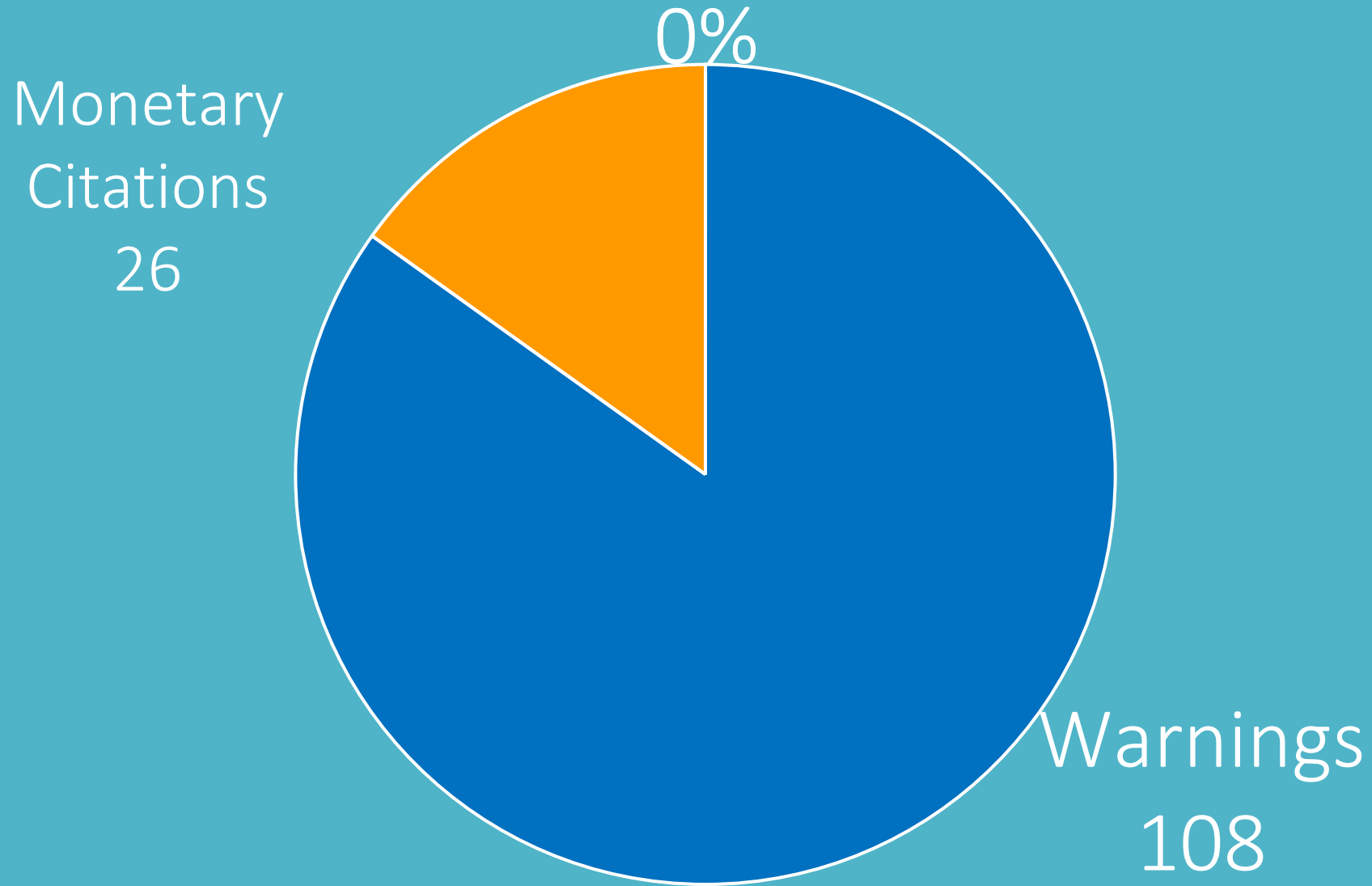
City of Destin Code Compliance Harbor Review



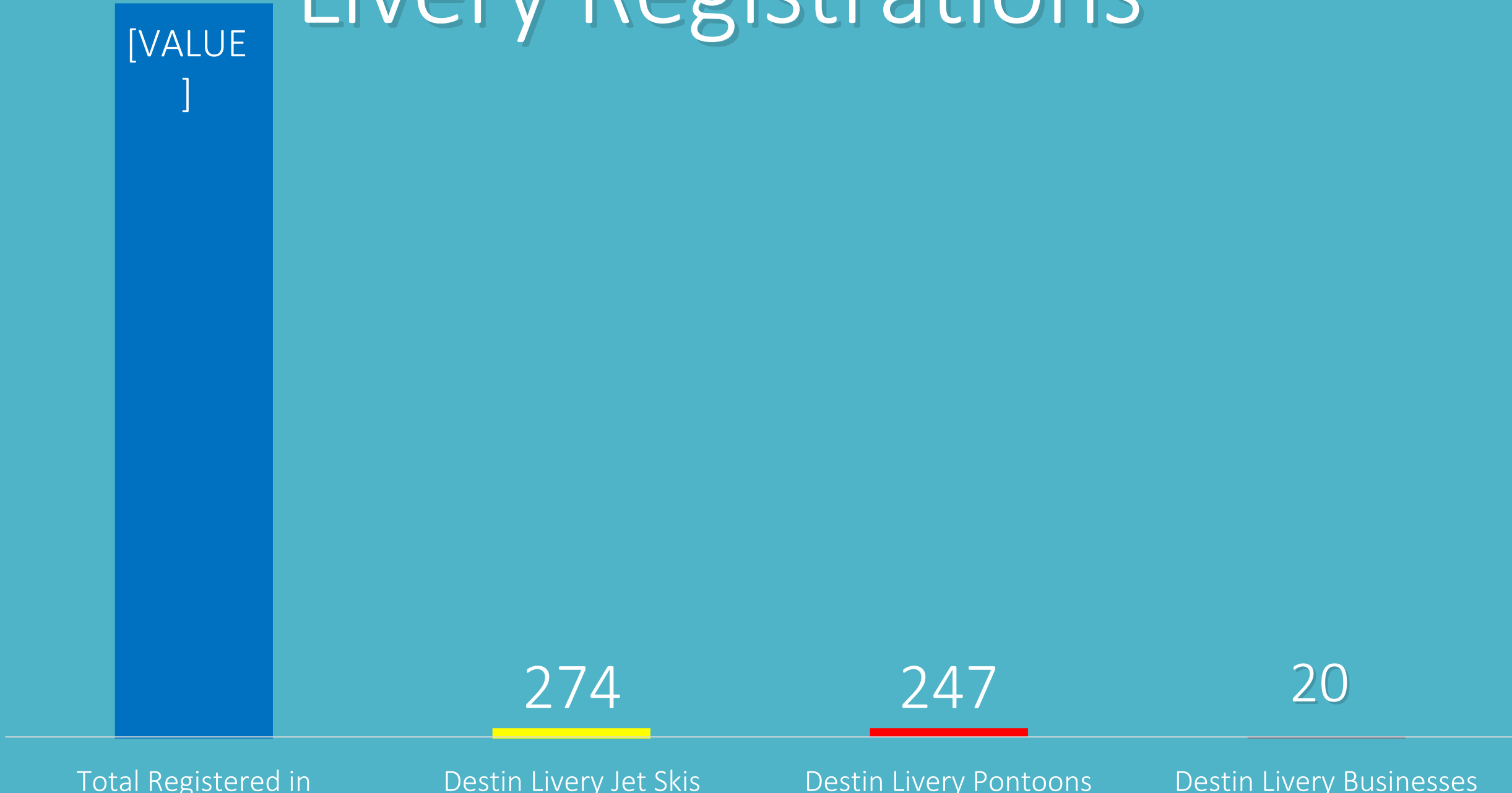
2020 Enforcement Harbor Water Ways Total Activities 1768



Harbor Citations-134



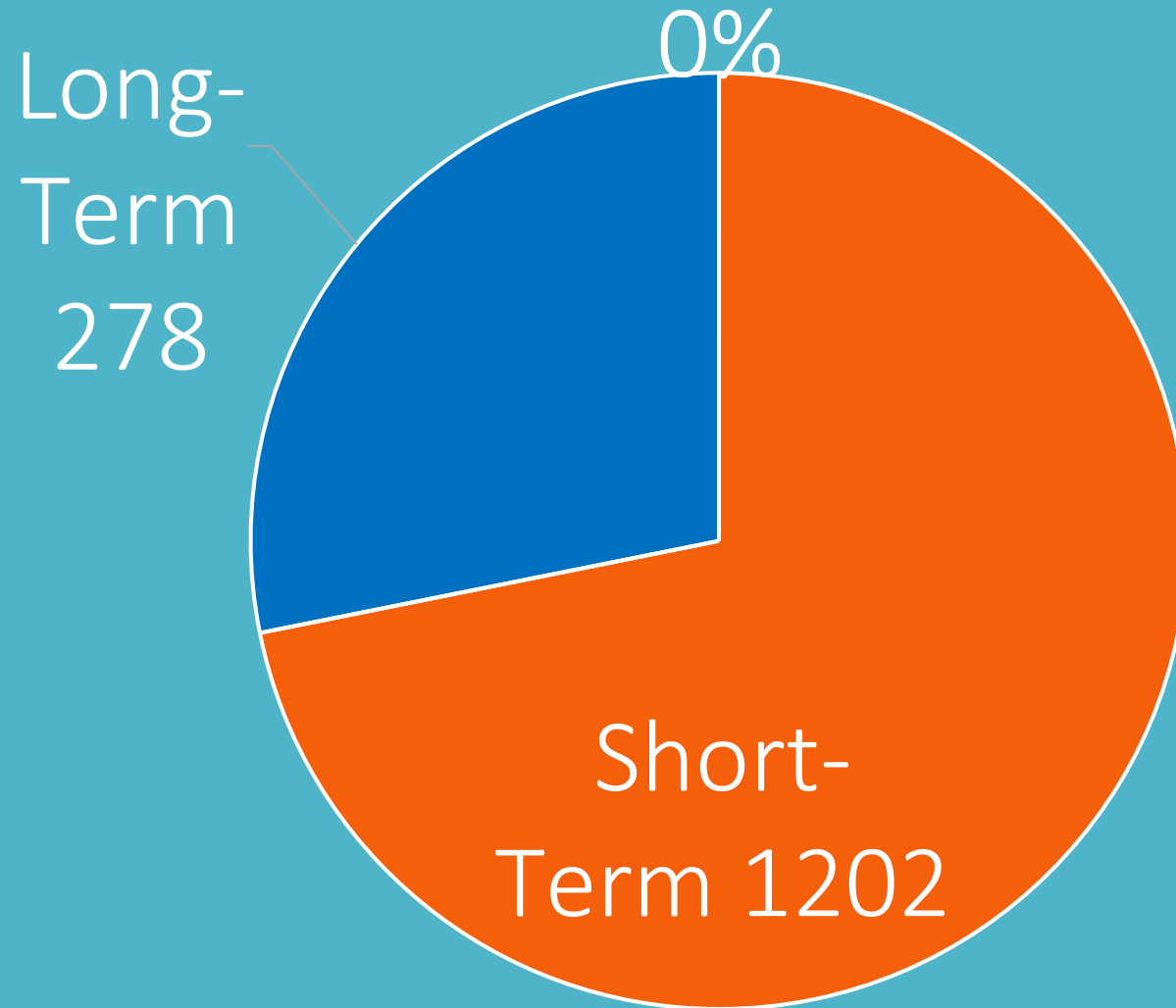
Livery Registrations



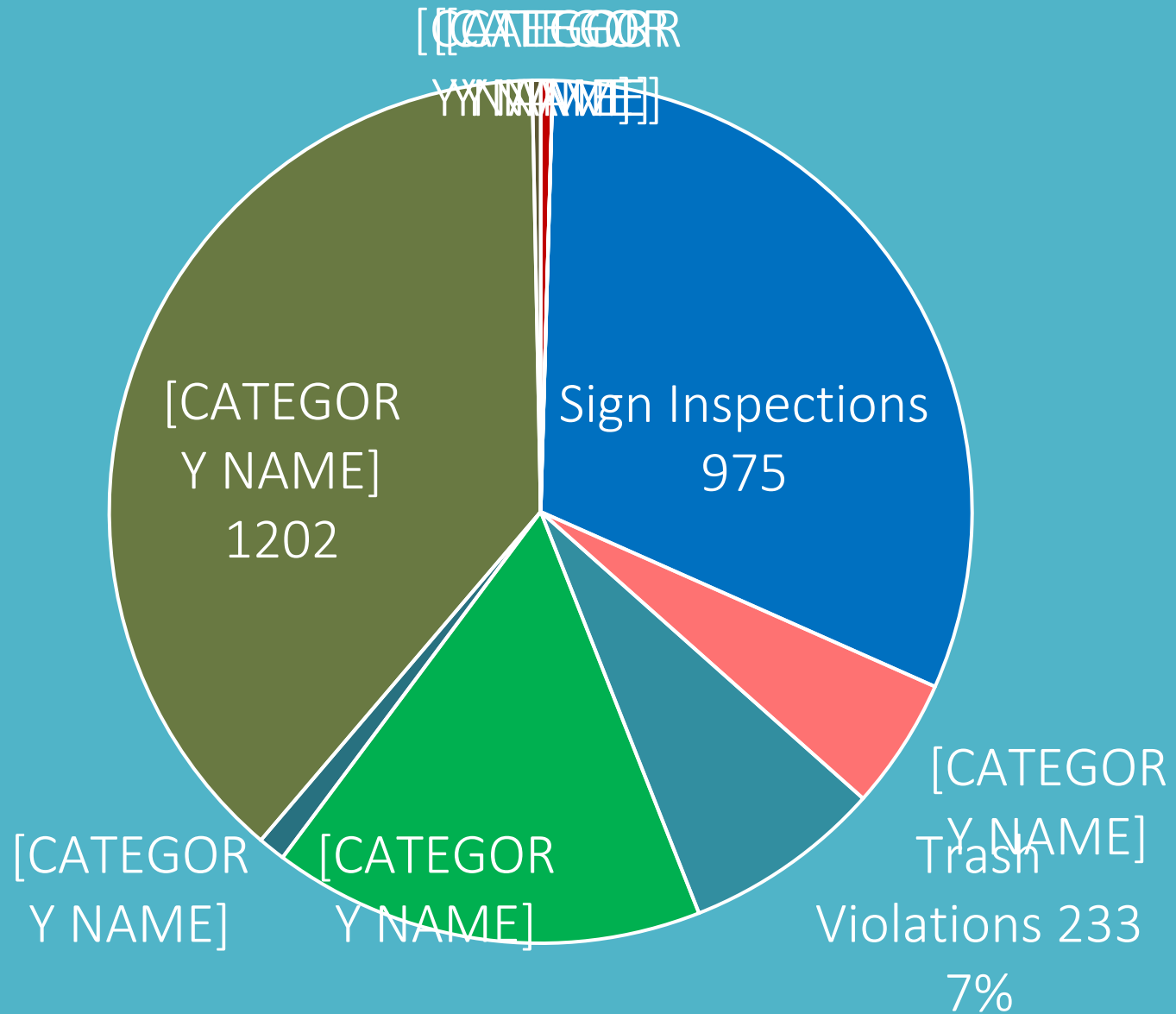
City of Destin Rental Review 2020



Rental Registrations -1480



STR Activities Total-3126



COVID-19 SHUT DOWN

03/01/20 thru 05/31/20

Total Activities 5271

655 STR Registrations

120 LTR Registrations

13 Livery Registrations

1 Beach Vendor Registrations

394 Code Cases

3642 Persons Removed From Beach

446 Vessels Removed From Beach

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020
TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

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

FROM: Karen Jankowski, HR Manager

DATE: July 20, 2020

SUBJECT: Complaint Policy Status & Updates

I. BACKGROUND: July 20, 2020 Council Meeting - Motion to direct the City Attorney and/or staff members contact Mr. Jeff McInnis, Okaloosa County School Board Attorney, and work with him to immediately update the City's policy and procedures regarding external complaints received and investigative procedures.

It was also requested that an update be provided at every council meeting as staff moves forward with this document.

II. DISCUSSION: Human Resources (HR) contacted the City Attorney on July 21st requesting for a copy of the School Boards complaint policy. July 22nd, HR received a copy of the policy which was provided to the City Manager and Deputy City Manager. Scheduled virtual meeting is set for Friday, July 31st to discuss both the City policy and the provided School Board policy. Recommendations will be requested at that meeting.

Updates:

8/7/20: HR Manager followed up with City Attorney on status of policy changes.
8/7/20 - 8/11/20: HR contacted partner agencies on the investigative needs as it pertains to the policy; Okaloosa County Sheriff's office & Florida Department of Law Enforcement agency. Staff and the attorneys continue drafting the City's new Complaint Policy using the School District's Policy as a template.

Updates:

8/26/20 Update: HR final draft sent (8/20/20) to Sr Leaders for their input. Also, conflicts were found when comparing our Personnel Rules and Regulations to the newly drafted policy; under legal review for clarification.

8/28/20 Update: Final day for Sr Leaders to review and provide comments.

9/2/20 Update: HR compiled the input and provided an updated draft to CM and City Attorney.

Updates:

10/26/20 Update: additional feedback received from the City's Labor Attorney.

Working on an additional policy to cover whistleblower laws and rights.

A. **Link to Strategic Goals / Objectives:** Transparent and Equitable Governance

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

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

III. **CONCLUSION:** Staff continues to work on this project and will continue to provide updates at Council Meetings as requested.

IV. **RECOMMENDED MOTION:** No motion necessary

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: City Manager Report

TO: City Council

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

FROM: Michael Burgess, Public Services Director

DATE: 10/29/2020

SUBJECT: Findings of Geotechnical Investigation, Direction from Council

I. BACKGROUND: As part of the Stahlman Ave./US98 Traffic Assessment, Council asked that alternative paths for pedestrians be explored to include an overpass or tunnel.

Preliminary data (geotechnical queries) collected by Volkert Engineering indicated that the water table was too high to consider a tunnel at this location.

At Council's request, staff asked that a geotechnical investigation be performed in this area to determine the elevation of the water table in the field.

II. DISCUSSION: Preliminary findings by NOVA (the geotechnical firm that performed the field work) are that the water table is at least 14' below the surface, deep enough that Volkert believes a tunnel is possible.

Staff requests direction from Council whether or not to direct Volkert Engineering to prepare conceptual layouts for possible tunnel locations and footprints. The Scope of Work and Cost Estimate are included as ATT1.

Staff is awaiting a final geotechnical report from NOVA and Volkert that will be included in the Final Project Technical Memorandum.

A. Link to Strategic Goals / Objectives: from Strategic Focus 2025:
Improved Mobility and Connectivity

from FY20-24 Strategic Goal Table:

Objective 3B. Construct roadways as alternatives to Highway 98

Objective 5A4. Implement streetscape/roadway improvements in the Harbor District

B. Effect on Budget (EOB): The estimate for the conceptual Plans is \$4500 (Optional Services). The \$1650 "Base Services" for the geotechnical investigation has already been commissioned and completed. To date, the City has obligated \$64,696 in PO#20041 to Volkert related to the EN617 Stahlman intersection safety engineering. This agenda item proposes to increase the PO by \$4500. No funds were budgeted in FY2021. Staff propose an internal budget transfer from project TR618 Zerbe-Calhoun Pedestrian Pathway.

Budget Impact

31554500-565000-EN617	
Multi-Modal/Capital Project/Stahlman Safety	\$ 64,696
Life to Date Budget	\$64,696

31554500-565000-EN617	
Multi-Modal/Capital Project/Stahlman Safety	\$ 64,696
Previous Expenses/Encumbrances	\$64,696

Available Program Budget-

31554500-565000-EN617	
Multi-Modal/Capital Project/Stahlman Safety	\$4,500
This Agreement	\$4,500
Internal Transfer Required	\$4,500

FY 21 Remaining Program Budget \$ -

C. Level of Service (LOS): Possible sub-grade pedestrian alternative for north-south pedestrian movement across Harbor Blvd/US98 as a means of improving pedestrian safety.

III. CONCLUSION: Approving the recommended motion will provide the City with conceptual designs for a sub-grade pedestrian tunnel under Harbor Blvd./US98.

IV. RECOMMENDED MOTION: I move that the City Manager be authorized to execute a Task Order with Volkert Engineering as described in the attached Scope of work for the conceptual design of a pedestrian tunnel under US98 in an amount not to exceed \$4500.

Attachments:

1. ATT1: City of Destin Stahlman Ave Traffic Assessment Additional Services Scope and Fee Proposal tunnel
2. 2020 1102 Budget Transfer TR618 to EN617

September 23, 2020

Mr. Michael Burgess
Director
City of Destin
Public Services Department
4200 Indian Bayou Boulevard
Destin, Fl. 32541

**Re: City of Destin- Stahlman Avenue Traffic Assessment Project-
Additional Services for Geotech and Underpass Conceptual Design**

Dear Mr. Burgess,

As requested, Volkert is pleased to provide the following scope and fee proposal for the geotechnical services and underpass conceptual design as part of the Stahlman Avenue Traffic Assessment Project. Volkert understands that the City of Destin would like us to perform these services in coordination of the ongoing Traffic Assessment of the existing Highway 98 and Stahlman Avenue intersection.

Scope of Work- See included Exhibit A- Geotechnical Investigation and Conceptual Design for Pedestrian Underpass Scope of Work

Fees:

Base Services (geotechnical services): \$1,650.00

Optional Services- \$4,500.00 (Underpass Conceptual Layout)

Total with Optional Services- \$6,150.00

Schedule- Concurrent with existing scheduled activities.

Sincerely,



Mike Warnke, P.E.
NWF Lead / Assistant Vice President
Volkert, Inc.

Exhibit A

City of Destin

Geotechnical Investigation and Conceptual Design for Pedestrian Underpass Scope of Work

PROJECT BACKGROUND AND DESCRIPTION

The City of Destin (CITY) would like Volkert to conduct a conceptual evaluation of a pedestrian underpass adjacent to the US98 at Stahlman Avenue Intersection. US 98 serves as the primary east-west corridor through the City of Destin from the Marler Bridge on its west end to the Okaloosa-Walton County line on its east. Traffic congestion and the popularity of this area with tourists have resulted in several vehicular accidents each year which include vehicular accidents with pedestrians.

SCOPE OF WORK

TASK 1 – Geotechnical Investigation and Determination

- a. Geotechnical Services (Mobilize field crew to project site to perform two (2) 15-foot deep (or 2 feet below groundwater) auger borings at the client specified locations, site cleanup (backfilling the borehole with soil cuttings)
- b. Summary of Findings with measured and estimated seasonal high groundwater tables.

TASK 2 – Conceptual Underpass Design

- a. Will be completed if seasonal highwater tables allow for design of underpass. Seasonal Highwater table is required a minimum of 12' to 14' below existing grade of roadway in order to move forward with this optional service.
- b. CONSULTANT will prepare one build alternative to address the issues identified in the Virtual City Council meeting and from information determined from TASK 1. CONSULTANT will include this alternative in documents prepared for the Virtual Public Meeting and the final report/recommendation.

Deliverable: Conceptual Exhibit

Task 2- Alternative Analysis	Principle	Supervisor	Project Manager	Staff 2 Prof.	Staff 1 Prof.	Senior Designer	Designer/CAD Tech
1. Development of Build Alternatives	0	0	4	2	25	0	0
2. Build Alternatives Cost Estimates	0	0	3	0	0	0	0
3. Q/C	0	1	0	0	0	0	0
Total	0	1	7	2	25	0	0

CITY OF DESTIN Budget Internal Transfer Form

Fiscal Year 2021
 Period 1
 Ref 1 BUA
 Ref 2 ADJ

Short Description CHANGE ORDER 1 TO PO20041
 Effective Date 11/2/2020
 Budget Year Code 1

Entity Code 1
 Amendment Type* 2
 Budget Projection Inclusion One Time

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

ORG	OBJECT	PROJECT	LINE DESCRIPTION	(I)increase (D)ecrease	AMOUNT	CURRENT AVAILABLE BUDGET*	REVISED AVAILABLE BUDGET
31554500 MULTI-MODAL IMPACT FEES	565000 CAPITAL PROJECT	EN617 STAHLMAN SAFER XING	TXFR FROM TR618 FOR GEOTECH STUDY	I	\$ 4,500.00	\$ -	\$ 4,500.00
31554500 MULTI-MODAL IMPACT FEES	565000 CAPITAL PROJECT	TR618 ZERBE-CALHOUN PATHWAY	TXFR TO EN617 FOR GEOTECH STUDY	D	\$ 4,500.00	\$ 252,000.00	\$ 247,500.00

Created by: _____
 Entered by: _____
 Approved by: _____

Initials

Date

Note
 INTERNAL TXFR FOR GEOTECHNICAL
 STUDY AT STALHMAN INTERSECTION

*Current Available budget includes open PO balances rolled forward from FY2020

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Action Item

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: Announcements

I. BACKGROUND:

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:

None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Public Hearing

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Joey Forgione, Code Compliance Manager
Louis Zunguze, Community Development Director
Kimberly Kopp, Land Use Attorney

DATE: October 28, 2020

SUBJECT: Second reading of Ordinance 20-30-CC - Amending Section 13-149 of the Code of Ordinances on renewals and expiration of permits for livery vessels

I. BACKGROUND: Code compliance staff is requesting to streamline its review process for livery vessels by modifying the dates for registration permit applications to coincide with seasonal workloads.

There are no other proposed changes to the Code for livery vessels included with this ordinance at this time.

II. DISCUSSION: Currently, the Code of Ordinances provides that renewals an expiration of livery vessel permits are valid for a period of no longer than twelve months, and will expire on the last day of February of each calendar year. Permits applications are currently accepted and reviewed between January 1 and March 1 of each year. Any permit applications received after March 1st are subject to late fees.

Code compliance staff is requesting to change the timeline such that applications may be renewed between November 1st and March 1st. Late fees remain unchanged. Staff's intent is to coincide with seasonal workloads and to help ensure livery vessels companies are not operating during the season without approved registration in place.

- A. **Link to Strategic Goals / Objectives:**
- B. **Effect on Budget (EOB):**
- C. **Level of Service (LOS):**

III. CONCLUSION: Staff finds that the proposed Ordinance is consistent with the Harbor CRA and City Council directives related to livery vessel registrations within the City of Destin.

IV. RECOMMENDED MOTION: I move to adopt Ordinance 20-30-CC.

Attachments:

1. Ordinance 20-30-CC Registration Dates

ORDINANCE NO. 20-30-CC

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AMENDING ARTICLE 13 OF THE CODE OF ORDINANCES RELATING TO LIVERY VESSELS; AMENDING SECTION 13-149 "RENEWALS AND EXPIRATION OF PERMIT"; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for enactment of this Ordinance is Article 1, Section 1.01 (b) of the City Charter, Section 166.021, Florida Statutes and Chapter 163, Part II, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council in providing for the health, safety and welfare of its citizens finds that the City should amend Article 13 of the Code of Ordinances, and amend permit application dates for livery vessel rentals; and

WHEREAS, currently the Code of Ordinances provides that livery vessel permits expire on the last day of February of each calendar year, and may be renewed between January 1 and March 1 of each year; and

WHEREAS, the City Council has determined that renewals should occur between November 1 and the last day of February of each year, in order to ease burdens on livery vessel stakeholders and City staff during the high tourist season; and

WHEREAS, the City Council has determined that this ordinance is in the best interests of the City and its citizens; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

NOTE: Language in all sections of this ordinance that is ~~strike-thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in strike-thru or underlined is not to be changed. The symbol * represents sections of the Land Development Code that have been skipped and remain unchanged.**

SECTION 3. AMENDMENT OF ARTICLE 13 OF THE CODE OF ORDINANCES.

Article 13 of the Code of Ordinances is hereby amended as follows:

Sec. 13-149. - Renewals and expiration of permit.

All permits issued under the provisions of this article shall be valid for a period no longer than twelve (12) months, and shall expire on the last day of February of each calendar year. Permits may be renewed between ~~January~~ November 1 and March 1 of each year. Livery vessel permits are due March 1 of each year; owners who do not renew their valid permits before March 1 of each year shall pay the appropriate late renewal fee as established, from time to time, by the city council of the City of Destin.

SECTION 4. INCORPORATION INTO LAND DEVELOPMENT CODE. This ordinance shall be incorporated into the City of Destin's Land Development Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

SECTION 5. CONFLICTING PROVISIONS. Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY. If any section, phase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

(Signature Page Follows)

ADOPTED THIS _____ DAY OF _____, 2020.

By: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Rey Bailey, City Clerk

Kimberly Kopp, City Land Use Attorney

First Reading: _____
Second Reading: _____

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Public Hearing

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Karen Jankowski, HR Manager
 Kyle Bauman, City Attorney
 Krystal Strickland, Finance Director

DATE: October 12, 2020

SUBJECT: Second reading of Ordinance 109.10 - Providing for amendment to Section 35.1, *Scheduling of Vacation Leave*, and providing for amendment to Section 35.3, *Carryover of Annual Leave*, of Ordinance 109.

I. BACKGROUND: Ordinance 109 Personnel Rules & Regulations, Section 35 - Vacation Leave

Each year, all employees with Vacation Leave balances over 160 hours must use the excess hours by December 31st, or the excess hours are forfeited. To be competitive with the surrounding municipalities and sympathetic to the effects of the pandemic, Human Resources (HR) staff surveyed seven neighboring organizations.

II. DISCUSSION: To be competitive with the surrounding municipalities and sympathetic to the effects of the pandemic, Human Resources (HR) staff surveyed seven neighboring organizations. The survey data ranged from 240 hours to no vacation leave caps.

Upon further review of Section 35, vacation leave, HR staff also found conflicts with advance notice of leave requirements.

The Personnel Rules and Regulations were originally implemented through the adoption of Ordinance 109 and have been subsequently amended through a series of Ordinances. Staff propose to again modify the Personnel Policy and Procedures through an ordinance specifying that:

- Any requests for four (4) consecutive days or longer of vacation leave shall be

made at least two (2) weeks in advance of actual use. Currently, only one (1) week advance notice is required.

- In the event that extenuating circumstances exist preventing the employee from providing the requisite two (2) weeks notice, the City Manager has discretion to grant or deny the request due to those extenuating circumstances.
- The maximum amount of annual leave which can be carried over from one calendar year to the next be increased from twenty (20) days to thirty (30) days. Currently, 6 out of 82 (7.3%) of employees have balances exceeding twenty (20) days and will be positively impacted by this policy.

Vacation hours are paid out to employees when they leave employment of the City in good standing. The time required to recruit a replacement most often takes 30 days or more, so the net effect on budget is negligible.

A. Link to Strategic Goals / Objectives: FINANCIALLY SOUND CITY PROVIDING SERVICE VALUE

B. Effect on Budget (EOB): There is no effect on budget during the career of the employee. When an employee departs in good standing, the net effect on the budget would depend on the timing of recruiting a replacement, and most often the effect on budget of departures is positive.

C. Level of Service (LOS): By Council's approval of the increase of annual carry over vacation leave, the City will be in line with peer organizations as well as show support to our dedicated staff during this pandemic.

III. CONCLUSION: At the October 5 City Council meeting, the Council approved scheduling the draft Ordinance amending the City's Personnel Rules and Regulations for first reading.

IV. RECOMMENDED MOTION: I move to approve Ordinance 109.10 on second reading.

Attachments:

1. Ordinance No 109.10 - Amended Personnel Rules and Regulations
2. oct5 Action Agenda

ORDINANCE NO. 109.10

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENT OF ORDINANCE 109, AS AMENDED, PERSONNEL RULES AND REGULATIONS, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO SECTION 35.1, SCHEDULING OF VACATION LEAVE; PROVIDING FOR AMENDMENT TO SECTION 35.3, CARRY-OVER OF ANNUAL LEAVE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for the enactment of this ordinance is Article I, Section 1.01 of the City Charter and Section 166.021, Florida Statutes.

SECTION 2. FINDINGS OF FACT.

WHEREAS, the City Council has previously adopted Ordinance Number 109, providing for the City of Destin’s Personnel Rules and Regulations; and

WHEREAS, the City Council has subsequently amended Ordinance Number 109 and the City’s Personnel Rules and Regulations through the passage of Ordinances 129, 109.1, 109.2, 109.3, 109.4, 109.5, 109.6, 358, 109.7, 120, 109.8, and 109.9; and

WHEREAS, the City Council has determined that to optimally provide for the health, safety, and welfare of its citizens, it must ensure that the City of Destin’s Personnel Rules and Regulation is competitive with surrounding and similar governmental agencies; and

WHEREAS, the City Council has determined that extended leave of staff members for vacation leave requires at least two weeks of advance notice so that department heads and other personnel may plan for that staff member’s absence; and

WHEREAS, the City Council recognizes that certain situations may preclude an employee from providing the requisite two weeks of advance notice and that in those situations the City Manager should have discretion to approve or deny the request; and

WHEREAS, the City Council has determined that, to remain competitive with surrounding and similar governmental agencies, it should increase the maximum annual leave which may be carried over from one calendar year to the next from twenty (20) days to thirty (30) days; and

WHEREAS, a public hearing has been conducted by the City Council after due public notice.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AS FOLLOWS:

Note: Language in all sections of this ordinance that is ~~strike thru~~ is language proposed to be deleted, underline language is language to be added, language that is not in ~~strike thru~~ or underlined is not to be changed. The symbol * represents sections of the City of Destin's Ordinance 109, As Amended, Personnel Rules and Regulations, that have been skipped and remain unchanged.**

SECTION 3. AMENDMENT TO ORDINANCE 109, AS AMENDED, PERSONNEL RULES AND REGULATIONS, SECTION 35.1 ENTITLED "SCHEDULING."

Section 35.1 of Ordinance 109, as amended, is hereby amended as follows:

SECTION 35 Vacation Leave

SECTION 35.1 Scheduling

Request for four (4) consecutive days or longer of vacation leave shall be made at least ~~one (1) week~~ two (2) weeks in advance of actual use. An employee wishing to use vacation leave shall submit Request for Leave to his/her Department Head for approval. Without prior approval, the leave may be charged as unauthorized absence at the discretion of the supervisor and may be subject to disciplinary action against the employee. If two (2) employees within the same department request vacation coinciding and it is determined to be a burden upon the department, seniority may be used.

If an employee provides less than two (2) weeks' notice of that employee's intention to request four (4) or more consecutive days of vacation leave, then the City Manager shall consult with the employee's Department Head and shall have discretion, but is not required, to grant the request upon finding that extenuating circumstances exist that precluded the employee from providing the requisite two weeks' notice.

To avoid scheduling conflict within the same department, employees are encouraged to follow the guidelines as set forth above.

Vacations shall be scheduled with as much consideration as possible for the desire of the employee. However, maintenance of service, adherence to schedules and approved leave for co-workers may restrict the scheduling of vacations. Holidays occurring while an employee is on vacation shall not be charged against vacation time.

SECTION 4. AMENDMENT TO ORDINANCE 109, AS AMENDED, PERSONNEL RULES AND REGULATIONS, SECTION 35.3 ENTITLED “CARRY-OVER OF ANNUAL LEAVE.”

Section 35.3 of Ordinance 109, as amended, is hereby amended as follows:

SECTION 35 Vacation Leave

SECTION 35.3 Carry-Over of Annual Leave

It is the intent of these policies that all employees take their vacations yearly. Department Heads should make every effort to ensure that his/her employees receive a vacation, if earned.

If a Department Head or an employee is not afforded the opportunity to use annual leave or is refused the time for leave, the excess shall be carried in the employee’s annual leave account.

An employee shall not be paid for earned annual leave in lieu of taking such leave during any calendar year unless it is demonstrated that it is in the best interest of the City and must be recommended by the Department Head or City Manager and approved in advance by the City Council.

The maximum amount of annual leave which can be carried over from one calendar year to the next is ~~twenty (20)~~ thirty (30) days.

SECTION 5. CONFLICTING PROVISIONS.

Special Acts of the Florida Legislature applicable to the incorporated area of the City of Destin, City Ordinances and City Resolutions, or parts, thereof, in conflict with the provisions of this ordinance are hereby superseded by this Ordinance to the extent of such conflict.

SECTION 6. SEVERABILITY.

If any section, phrase, sentence, provision or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provisions, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption by the City Council and the signature of the Mayor.

ADOPTED THIS ____ DAY OF _____ 2020.

BY: _____
Gary Jarvis, Mayor

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Attorney for the City of Destin, only.

Rey Bailey, City Clerk

Kyle S. Bauman, City Attorney

First Reading: _____

Second Reading: _____

**ACTION AGENDA
REGULAR MEETING
DESTIN CITY COUNCIL
OCTOBER 5, 2020
ANNEX COUNCIL CHAMBERS**

AGENDA APPROVAL

Councilmember Marler requested the following item be listed under his name on the agenda: *DFCD Lease at Clement Taylor Park – update.*

Councilmember Ramswell requested the following item be listed under her name on the agenda: *Phase 3 Norriego Point Project Boundary.*

Motion to approve the agenda, as amended, passed 7-0.

1. APPROVAL OF MINUTES

- A. Approval of minutes of September 8, 2020 Regular City Council Meeting

Motion to approve minutes of September 8, 2020 Regular City Council Meeting passed 7-0.

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

- A. Waste Management Update Ronnie Bell
- B. Certificate of Achievement William Ellison, Code Compliance Officer

The Mayor read the Certificate of Achievement, and then presented it to Code Compliance Officer William Ellison. Way to go William!!

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

A. Discussion Updates to Ordinance 109, Section 35, Vacation Leave

Motion to direct staff to bring back a proposed ordinance amending the City's Personnel Rules and Regulation for first reading passed 7-0.

B. IMLS Cares Act Grant Destin Library

Motion to accept the IMLS Cares Act grant award for the City of Destin Library and adopt Resolution 20-26, amending the budget accordingly, passed 7-0.

C. COMPASS (Energov) Update

D. Purchase Agreement with Trust for Public Land, Inc. for Shore at Crystal Beach East Expansion #1

Motion to authorize and direct the City Manager to enter into a purchase agreement for the property identified as Crystal Beach East Expansion #1 and enter into minor addendums thereto if necessary, passed 7-0.

E. Purchase Agreement with Trust for Public Land, Inc. for Shore at Crystal Beach East Expansion #2

Motion to authorize and direct the City Manager to enter into a purchase agreement for the property identified as Crystal Beach East Expansion #2 and enter into minor addendums thereto if necessary passed 7-0.

F. New Flood Insurance Rate Maps

Councilmember Menchel recommends placing a link to the revised Flood Insurance Rate Maps on the City's website to allow people to review the map and call City staff if they have questions to prevent City staff from being inundated with phone calls when people realize the revised map impacted them negatively.

G. Announcements

Staff is following Tropical Storm Delta and working closely with the County and is ready to implement whatever is necessary to prepare for the storm.

4. PUBLIC HEARINGS

- A. Second reading of Ordinance 20-14-LC – Relating to right-of-way protection, providing for the amendment to Article 8, Transportation of the Land Development Code by creating Section 8.01.00G, Right-of-way protection, trenchless technologies

Motion to approve Ordinance 20-14-LC on second reading passed 7-0.

- B. First reading of Ordinance 20-28-CC Amending Sections 47 and 48 of the Code of Ordinances to regulate roosters

Motion to approve Ordinance 20-28-CC on first reading passed 7-0.

5. CONSENT AGENDA

- A. Amendment No. 1 to Contract By and Between City of Destin, Florida and J. Miller Construction, Inc; and Change Order No. 1 for Project RFB 20-09-PS - NFWF Drainage improvements 825 Cross St. and 445 Calhoun Ave.

Motion to approve Consent Agenda item 5A, as printed above, passed 7-0.

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

A. Councilmember Braden

1) City Parks

Motion to direct the City Attorneys to prepare a referendum language for a charter amendment for a vote at the March 2021 special election prohibiting the conveyance, sale, lease or other transfer of interest of City parks, passed 5-2 (Morgan/Marler/Menchel/Ramswell/Braden voted “yes”; Overdier/Destin – “no”).

B. Councilmember Ramswell

1) Linear Trail Discussion

The Town Center CRA Advisory Committee has this project as one of their top priorities for this year. They will formally recommend at their next meeting to enter into a design phase of the project. The City has money set aside for this project if Council approves moving forward with it (Zunguze).

- 2) Shopping carts in rights-of-way along Commons Drive
- 3) Post Hurricane Sally Report

Has a post Hurricane Sally report been compiled in terms of financial damage to the beach and the beachfront?

Staff to bring back some information from the County.

4) Phase 3 Norriego Point Boundary

The property line that is showing up on the surveys and preliminary drawings that have been provided for the project does not match the actual deeded property line. There is a difference of 25-30 feet. It was the consensus of the Council to have City staff or the Land Use Attorney investigate this matter before they start the phase 3 improvements to include the ROW extension.

C. Councilmember Menchel

Recommends they give serious consideration to the suggestion to move the fire department at the cement plant.

- 1) Submerged Land Lease - Norriego Point survey - update

The Land Use Attorney will finalize the draft of the submerged land lease application and survey and bring it to Council on October 19th for review and approval before submitting to FDEP.

- 2) Update on the Attorney General's opinion by the City Attorney

D. Councilmember Overdier

E. Councilmember Marler

- 1) Clement Taylor Park - Update

Requests staff informs the Council at the October 19th meeting whether they could bring the ordinance authorizing the DFCD lease at Clement Taylor Park for a second reading on November 2nd.

F. Councilmember Destin

G. Councilmember Morgan

H. Mayor Gary Jarvis

I. Land Use Attorney

J. City Attorney

- 1) Request to schedule an executive session pursuant to section 286.011(8), *Florida Statutes*, in the case of *William C. Carter v. City of Destin, Florida, et al.*, Case Number 2016CA3085, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County Florida.

Motion to schedule an executive session on Monday, October 19, 2020 at 5:30 PM passed 7-0.

8. PUBLIC COMMENTS

ADJOURNMENT: 7:55 PM

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Public Hearing

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Louis Zunguze, Community Development Director
Joey Forgione, Code Compliance Manager
Kimberly Kopp, Land Use Attorney

DATE: October 28, 2020

SUBJECT: First reading of Ordinance 20-33-CN - Providing for a twelve month extension of Ordinance 19-30-CN (Temporary Moratorium on Livery Vessel Permits)

I. BACKGROUND: This Ordinance is an extension of the existing moratorium affecting livery vessels.

II. DISCUSSION:

On September 16, 2019, the City Council passed Resolution 19-21, authorizing an agreement with the Army Corps of Engineers for assistance with funding and contracting service for a Harbor Carrying Capacity Study and directing a 12 month extension of Ordinance 19-08-CN (the existing temporary moratorium on livery vessel permits). Subsequently, Ordinance 19-08-CN was extended until November 1, 2020 by Ordinance 19-30-CN.

The proposed Ordinance 20-33-CN is a second 12-month extension, through November 1, 2021, to allow the Army Corps of Engineers to complete the referenced capacity study.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION: I move to approve Ordinance 20-33-CN on first reading and direct staff to advertise for second reading.

Attachments:

1. Ordinance 20-33-CN Moratorium
Extension

ORDINANCE 20-33-CN

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO LIVERY VESSELS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A TWELVE MONTH EXTENSION OF ORDINANCE 19-30-CN (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.

WHEREAS, the City of Destin City Council approved ordinance number 17-02-CC on Second Reading at its regular meeting on February 21, 2017, creating Code of Ordinances Article VIII, Permitting of Livery Vessels; and

WHEREAS, the City of Destin City Council adopted ordinance number 17-07-CC on Second Reading at its regular meeting on March 20, 2017, which amended Code of Ordinances Article VIII, Permitting of Livery Vessels; and

WHEREAS, the waterways adjacent to the landward municipal limits of the City of Destin, particularly Destin Harbor, are severely overcrowded resulting in a dangerous congestion of Vessels; and

WHEREAS, Livery Vessel rental businesses significantly contribute to the above-described congestion by renting livery vessels to an abnormally high number of inexperienced and ineffective Livery Vessel operators, which severely increases the danger to the public's health, safety, and welfare; and

WHEREAS, Livery Vessel rental businesses significantly contribute to the deterioration of water quality in the waterways of the City of Destin and the waterways immediately adjacent to the City of Destin; and

WHEREAS, the City of Destin City Council has determined that the above-recited facts have resulted in significant danger to the health, safety, and welfare of the public; and

WHEREAS, the City Council has directed City staff to procure a qualified expert capable of performing a study and producing a report quantifying the uses, congestion, overcrowding, and resulting water quality of Destin Harbor and other waterways adjacent to the City of Destin; and

WHEREAS, on September 16, 2019, the City Council passed Resolution 19-21, authorizing an agreement with the Army Corps of Engineers for assistance with funding and contracting service for a Harbor Carrying Capacity Study and directing a 12 month extension of Ordinance 19-08-CN (the existing temporary moratorium on livery vessel permits); and

WHEREAS, the City of Destin currently lacks adequate regulations to reduce, mitigate, or eliminate the adverse effects of a proliferation of Livery Vessels in the Destin Harbor and other waterways adjacent to the City of Destin.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN AS FOLLOWS:

NOTE: Language in Sections 2 through 16 of this ordinance that is ~~struckthrough~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struckthrough~~ or underlined is not to be changed, and * * * represents sections of the Code of Ordinances that have been skipped and remain unchanged.

SECTION 1. FINDINGS. The above stated findings are hereby adopted.

SECTION 2. PURPOSE. Despite the City of Destin's reasonable efforts to control the number of Livery Vessels in the waterways adjacent to the municipal limits of the City of Destin through a permitting structure described in ordinance number 17-07-CC, an inordinately high number of Livery Vessels originating from the City of Destin remain in these adjacent waterways and pose a heightened risk to the public's health, safety, and welfare when compared to vessels that are not Livery Vessels. Without further regulation preventing the increased proliferation of Livery Vessels, the risk to the public's health, safety, and welfare will continue to increase. The moratorium described herein is meant to ensure that the risk to the public's health, safety, and welfare is not further exacerbated by the increased proliferation of Livery Vessels.

SECTION 3. DEFINITIONS. For the purpose of this ordinance, "substantial hardship" means a demonstrable, direct, financial detriment in excess of \$10,000.00 suffered by a Vendor as a result of capital investments purchased in reliance on the terms of ordinance number 17-07-CC. All other terms used herein shall have the same meanings as described in 13-141, City of Destin Code of Ordinances.

SECTION 4. TEMPORARY MORATORIUM.

- (a) There is hereby enacted a Temporary Moratorium on the permitting and operation of all Livery Vessels originating from within the municipal limits of the City of Destin and adjacent waterways. A Vendor shall not be issued a Permit unless the Vendor provides proof that the number of Livery Vessels for which the Vendor seeks permit(s) is equal to or less than the number of permits that the City of Destin issued to the Vendor in the previous year ending December 31, 2018 except as provided herein.
- (b) The City of Destin shall not issue any Permit or any other document which would have the effect of permitting or otherwise authorizing the operation of any Livery Vessels in excess of the number authorized by Section 4(a), of this Ordinance, unless either (1) the Vendor demonstrates a Substantial Hardship, as the term is defined herein, or (2) an agreement between the City of Destin and the Vendor exists, that has been authorized by the City Council.

SECTION 5. DIRECTION TO STAFF. City staff is directed to evaluate and develop such recommendations, as staff may deem appropriate, for adoption of appropriate regulations that consider, among other things, aesthetics, socioeconomic impact, quality of life for the public, tourism, and community character issues including population concentration, availability of open space, habitat diversity, and the diversity and health of existing species within the waterways adjacent to the City of Destin.

SECTION 6. EXPIRATION OF MORATORIUM. Unless extended by amendment of this Ordinance, this Temporary Moratorium shall expire on November 1, 2021 ~~2020~~.

SECTION 7. SEVERABILITY. If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

ADOPTED THIS __-DAY OF NOVEMBER, 2020.

ATTEST:

The form and legal sufficiency of the foregoing has been reviewed and approved by the City Land Use Attorney, for the City of Destin, only.

Kimberly Romano Kopp
City Land Use Attorney

Rey Bailey, City Clerk

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Consent Agenda

TO: City Council

THRU: Lance Johnson, City Manager
Webb Warren, Deputy City Manager

FROM: Michael Burgess, Public Services Director

DATE: 10/23/2020

SUBJECT: Adopt-A-Street Program Update

I. BACKGROUND: The Adopt-A-Street program has of late seen a lowered level of participation and communication from our volunteer groups. In an effort to rejuvenate the program, staff is re-imagining the program to peak new interest from first-time volunteers and to re-ignite enthusiasm from our existing list of volunteer groups.

II. DISCUSSION: Accomplishments to Date include:

1. Re-creating the initial Volunteer Application and Information Packet into an online fillable form (see ATT1).
2. Re-creating the Quarterly Reporting Form, again to an online fillable format (see ATT2).
3. Re-design of the City's Adopt-A-Street webpage for publication later on this year.
4. Placement of "THIS STREET AVAILABLE FOR ADOPTION" signage.
5. Order of 100 new Adopt-A-Street safety vests (FDOT Class2) in various sizes. Receipt of the initial order has been delayed due to the scarcity of large size vests. (ATT3)
6. New street signage layout with a large AAS sign on top (18x24) and the name of the volunteer group as a separate (12x24) sign.

To Do List:

1. Identify potential areas for an "Adopt-A-Spot" (intersection, transit stop, etc.) or Adopt-A-Park program.
2. Capture and advertise a new promotional spot on the City's website and Facebook page, along with a new safety video for volunteers.

3. Contact existing groups and have them fill out a renewal application for the program.

A. Link to Strategic Goals / Objectives: from Strategic Focus 2025:
High Quality of Life and Safety for Residents

from FY20-24 Strategic Goal Table:

Goal #6 - Effective, Efficient, and Aesthetically Pleasing Infrastructure

B. Effect on Budget (EOB): Funding for items purchased in support of this program are available in 0153951.552000 (Operating Materials) and 0153951.553 (Road Materials).

C. Level of Service (LOS): Revitalization and volunteer participation in this program will reduce the amount of litter found on the shoulders of City streets/parks. Building a sense of community amongst like-minded individuals and groups.

III. CONCLUSION: This is a monthly update to Council on Staff's efforts to revitalize the Adopt-a-Street Program.

IV. RECOMMENDED MOTION: none required

Attachments:

1. ATT1: AAS Application and Information Packet Oct2020
2. ATT2: Destin Adopt a Street Online Form October 2020
3. ATT3: New AAS vest



CITY OF DESTIN
PUBLIC WORKS DEPARTMENT
ADOPT-A-STREET PROGRAM
APPLICATION & INFORMATION PACKET
October 2020



Contents

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WELCOME TO THE ADOPT-A-STREET PROGRAM

The City of Destin's Adopt-A-Street Program allows local families, businesses and community groups to perform a valuable community service by adopting sections of a street to keep clear of litter and debris. Groups who participate in the Adopt-A-Street Program will have their name listed on the City's website and signage installed on their adopted street. Although accolades are nice, the real reward is taking pride in your community and knowing you are part of a team that keeps Destin beautiful.

Who can participate?

The program is open to local organizations, civic groups, churches, neighborhood associations, businesses, and individuals with a willingness to accept responsibility for adopting a street for two years. Participating youths must be at least (12) years of age and have parental permission. Adoption is renewable, given that program requirements are met.

What streets are eligible for adoption?

For updated information on which streets are currently available for adoption, contact the Adopt-A-Street Coordinator at (850) 837-6869 or at adoptastreet@cityofdestin.com.

How to participate?

To participate, an adopting group must:

- ✓ Discuss with the City's Adopt-A-Street Coordinator which segment of roadway they wish to adopt.
- ✓ Submit a completed Adopt-A-Street Application to the Public Works Department.
- ✓ Designate a Group Leader (21 years of age or older) who will serve as liaison between the Group and the City. This individual will also serve as safety coordinator for the Group.
- ✓ Submit a completed Adopt-A-Street Application to the Public Works Department at City Hall.
- ✓ Commit to pick up litter along a designated stretch of roadway at least four times per calendar year. You are encouraged to clean your street more often if needed.
- ✓ Perform litter removal in strict accordance with the City's Adopt-A-Street Safety Guidelines and obey all rules and safety requirements of the program.
- ✓ Provide City-issued safety items to all cleanup participants and require all participants to wear reflective safety vests during the cleanup.
- ✓ Require Group Leader to review safety guidelines with group volunteers prior to cleanups.

- ✓ Require all participants to sign a Volunteer Release of Liability prior to participating in all cleanup events.
- ✓ Schedule cleanup dates with the City and report the amount of litter and debris collected along your adopted street segment.

What will the City do?

- ✓ Assign the adopting group a street section to be cleaned.
- ✓ Provide safety vests and garbage bags.
- ✓ Review safety guidelines with designated Group Leader before first cleanup.
- ✓ Provide trash pickup and disposal after the events.
- ✓ After a successful clean up event, erect two City owned Adopt-a-Street signs (one in each direction of travel) identifying the adopting group. The content, time and placement of the signs are at the discretion of the City.

If you are interested in participating in this rewarding program, please complete the attached application and return to:

City of Destin

Adopt-A-Street Program

4200 Indian Bayou Trail

Destin, Florida 32541

Email: adoptastreet@cityofdestin.com

Only fully completed applications will be reviewed and processed. The Group Leader identified on the application will be required to execute a Group Leader Acknowledgement Form and Adopt-A-Street Litter Removal Agreement (on behalf of the group). Sample copies of all required documents are included in this application package.

The City reserves the right to cancel any agreement due to failure to meet provisions of the program or for safety reasons. If the City determines at any time that an adopting group does not have sufficient participants or cleanup events, the city may assign the adopting group a different street or terminate the adopting group's participation in the program.

The Adopt-A-Street Program operates at the City's discretion and may be discontinued, changed or altered at any time.



ADOPT-A-STREET SAFETY GUIDELINES

Prior to litter cleanup event:

- Group Leader shall review safety guidelines and participate in safety training (as determined by the City) prior to the initial cleanup event.
- Group Leader, prior to commencing cleanup events, shall hold a safety briefing with all participants and ensure that all participants and/or guardians have signed the Volunteer Release of Liability Form.
- Group Leader should have a first aid kit available.
- Group Leader should know the route to the nearest emergency center and always have a phone available.
- Group Leader shall obtain safety vests and garbage bags from the City.

Arriving to the site:

- Be sure to carpool when you travel to your section of street. It is important to keep the number of cars at the site to a minimum and always park them clear of the roadway.
- Use parking lots and wide spots whenever possible.
- Do not bring small children or pets along on cleanups.

Dress for safety:

- Wear your City issued safety vest at all times.
- Wear light or brightly colored protective clothing and dress appropriately for the weather conditions.
- Do not wear clothing that will hinder the sight of participants.
- Heavy gloves and closed toed shoes or boots are recommended.
- Wear a hat, sunglasses, sunscreen or a long sleeve shirt to protect against the sun.
- Do not use headphones or other accessories that may restrict your vision or hearing.

The day of the cleanup event:

- The recommended litter pickup time is between the hours of 8:00 a.m. and 12:00 p.m.
- Avoid working during hours and days that are peak travel times.
- Avoid working on high traffic volume days such as holidays or the day before holiday weekends.
- Avoid working in the fog, rain and dark or low light conditions.
- Stay clear of any construction or maintenance sites.
- Work on one side of the street at a time and face on-coming traffic.
- Only pick up litter from the edge of the right-of-way to curb.
- Refrain from picking up trash on the pavement, in the median, in tunnels bridges or overpasses.
- Be sure of your footing on slopes, uneven ground and potential tripping hazards.
- Do not touch possible hazardous materials. If a participant encounters any buckets, barrels, jugs, boxes, or anything that is not identifiable, do not pick it up. Notify the Public Works Department on the next business day at (850) 837-6869. If Police/Fire emergency response is needed for hazardous substances, dangerous weapons, or other emergency reasons, please call 911.
- Avoid contact with noxious weeds and areas that contain poisonous or thorny plants.
- Be alert for snakes, rodents or other wild animals; do not touch or approach.
- Avoid overexertion and make attempts to keep the time to remove litter on both sides of the street to 2 hours maximum.
- Provide an adequate amount of drinking water or other refreshment for all participants in the event.
- All trash should be bagged with tops tied shut. Larger items such as hubcaps, wood, tires, etc. can be piled on top of bags.
- Leave trash bags near your Group's Adopt-A-Street Sign so they are visible for pickup.
- Most importantly, use good judgment and be aware of your surroundings.



ADOPT-A-STREET PROGRAM

GROUP LEADER ACKNOWLEDGEMENT		
Group Name:		Date:
Group Leader:		

The Group Leader, on behalf of the Group, will be responsible for:

- Serving as the Group’s point of contact with the City of Destin.
- Completing the City provided safety training prior to the initial cleanup event.
- Ensuring the Group holds a minimum of four cleanup events per calendar year.
- Recruiting and supervising volunteers to participate in cleanup events.
- All safety equipment provided by the City.
- Returning City issued safety equipment when the group is no longer participating in the program.
- Notifying the City of planned cleanup events at least two weeks prior to the event.
- Holding a safety briefing with all volunteer participants before each cleanup event.
- Abiding by all City policies and procedures including, but not limited, to the Adopt-A-Street Safety Guidelines.
- Ensuring that all cleanup event participants meeting the minimum age requirement (12 years old).
- Obtaining each participant’s (or parent/guardian’s) signature on the City of Destin Volunteer Release of Liability Form prior to each cleanup event commencing and returning said forms to the Adopt-A-Street Coordinator.
- Providing the City the Cleanup Event form after the completion of each cleanup event.

By signing below, I acknowledge and agree to the aforementioned responsibilities of the Group.

Furthermore, I understand and agree that the City of Destin may amend or alter program procedures at any time.

Group Leader _____



Form Center

By [signing in](#) or [creating an account](#), some fields will auto-populate with your information and your submitted forms will be saved and accessible to you.



Adopt-A-Street: Clean-Up Report

Date of Clean-Up*

Group Name*

Contact Name*

Contact Phone*

Contact Email*

Requested Street to Adopt*

EVENT DETAILS

Location(s) Cleaned:

Number of Volunteers

Number of Hours

Number of Bags

Approximate Weight of Material Collected (lbs)

Location of Bags (if Pick-up is required)

Materials Collected (check all applicable):

- | | |
|---------------------------------------|------------------------------------------|
| <input type="checkbox"/> Glass | <input type="checkbox"/> Wood |
| <input type="checkbox"/> Aluminum | <input type="checkbox"/> Plastics |
| <input type="checkbox"/> Other Metals | <input type="checkbox"/> Cigarette Butts |

Other (list)

Photos of Clean-Up

Photo 1

No file chosen

Photo 2

No file chosen

Photo 3

No file chosen

Photo 4

No file chosen

Photo 5

No file chosen

Photo 6

No file chosen

By checking the electronic signature verification box below, I affirm that I am authorized to represent the adopting group listed on this form in regard to cleanup.



Signature*

Electronic Signature Verification

Name Verification*

Date*

protected by reCAPTCHA

[Privacy](#) - [Terms](#)

Receive an email copy of this form.

Email address

This field is not part of the form submission.

* indicates a required field





CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Council Discussion Item

TO: City Council

THRU:

FROM:

DATE: October 29, 2020

SUBJECT: Request for Mutual Decision From City Council and Fire District to Terminate Consideration of Fire District Lease at Clement E. Taylor Park Based on Public Input Received

I. BACKGROUND:

II. DISCUSSION:

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB):

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION:

Attachments:
None

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: November 2, 2020

TYPE OF AGENDA ITEM: Council Discussion Item

TO: City Council

THRU:

FROM:

DATE:

SUBJECT: 6) Norriego Point Project Status Update

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

ARCHAEOLOGICAL MONITORING FOR THE NEW CLEMENT TAYLOR PARK SEAWALL INSTALLATION, OKALOOSA COUNTY, FLORIDA

PREPARED BY
TERRAXPLORATIONS, INC.

PREPARED FOR
CITY OF DESTIN



TerraXplorations, Inc.
1001 Hampton Gate
Mobile, Alabama 36609
www.terraxplorations.com

SEPTEMBER 2020

City of Destin
4200 Indian Bayou Trail
Destin, Florida 32541

ARCHAEOLOGICAL MONITORING FOR THE NEW
CLEMENT TAYLOR PARK SEAWALL INSTALLATION,
OKALOOSA COUNTY, FLORIDA

BY
AMY CARRUTH

PREPARED FOR:

CITY OF DESTIN
4200 INDIAN BAYOU TRAIL
DESTIN, FLORIDA 32541

PREPARED BY:

TERRAXPLORATIONS, INC.
1001 HAMPTON GATE
MOBILE, ALABAMA 36609

PRINCIPAL INVESTIGATOR



EMILY WARNER

TERRAX REPORT NO. 2020.214
FEMA NO. PA-04-FL-4399-PW-00637
USACE JACKSONVILLE DISTRICT NO. SAJ-2007-04305 (NWP-MDZ)
DHR PROJECT FILE NO. 2020-0847-B

SEPTEMBER 1, 2020

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ABSTRACT

TerraXplorations, Inc. (TerraX) of Mobile, Alabama was contracted by the City of Destin, Florida to conduct archaeological monitoring for the installation and replacement of the Clement Taylor Park Seawall in Destin, Okaloosa County, Florida. The project area totals approximately 0.14 acres and is located north of U.S. Highway 98 on the south shore of Choctawhatchee Bay, just east of East Pass on Moreno Point. The existing seawall was damaged by Hurricane Michael and the replacement seawall is being funded by the Federal Emergency Management Agency (FEMA), who is the lead federal agency (FEMA No. PA-04-FL-4399-PW-00637), along with the United States Army Corps of Engineers (USACE), Jacksonville District (USACE No. SAJ-2007-04305 [NWP-MDZ]). The initial Phase I investigation was performed on November 25, 2019 by TerraX archaeologists. Previously recorded archaeological site 8OK00007, a described shell midden that is mapped as being partially within the project area, was revisited. While two prehistoric ceramics were found, no trace of a shell midden or any scattered shell or bone was noted. It was surmised that the core of this almost 1.5-km-long site is well northeast of the project area, which is just within the site's southwestern edge. While the NRHP eligibility of this site remains unknown, the portion of the site within the project area was considered to lack research potential. The Florida Division of Historical Resources (DHR) reviewed the report in a letter dated March 4, 2020, in which they concurred that the project was completed in compliance with requirements for a FEMA Public Assistance (PA) Program application and would have no adverse effect on Site 8OK00007 (DHR Project File No. 2020-0847-B). However, since human remains were reported in connection with this site, DHR requested monitoring of the installation of the new seawall (see Appendix A).

Monitoring activities took place from June 24 to July 27, 2020 by Emily Warner (Principal Investigator) and Joshua Shiers. Two prehistoric ceramics were found on the surface during monitoring, one outside previously mapped site boundaries. FEMA archaeologist John W. Lawrence was notified of the finds and visited the site for consultation. Shovel testing around the surface finds encountered one additional sherd in a disturbed context outside the previously mapped boundary. No intact deposits, no shell midden or shell concentration, and no human remains were encountered. TerraX proposes extending the boundary of Site 8OK00007 approximately 10-m to the southwest in order to encompass the two sherds found outside the previous boundary.

ARCHAEOLOGICAL MONITORING FOR THE NEW CLEMENT TAYLOR PARK SEAWALL INSTALLATION, OKALOOSA COUNTY, FLORIDA

INTRODUCTION

TerraXplorations, Inc. (TerraX) of Mobile, Alabama was contracted by the City of Destin, Florida to conduct archaeological monitoring for the replacement of the Clement Taylor Park seawall in Destin, Okaloosa County, Florida. This was performed from June 24 to July 27, 2020. Emily Warner served as Principal Investigator, and was assisted by Joshua Shiers. This was conducted in accordance with Chapter 267 Florida Statutes and conformed to Chapter 1A-46, Florida Administrative Code and the Cultural Resource Management Standards and Operation Manual (FDHR 2002). The lead agency is the Federal Emergency Management Agency (FEMA) (No. PA-04-FL-4399-PW-00637), along with the United States Army Corps of Engineers (USACE), Jacksonville District (USACE No. SAJ-2007-04305 [NWP-MDZ]). Previously recorded archaeological site 8OK00007, a described shell midden that is mapped as being partially within the project area, was revisited on November 25, 2019 by TerraX archaeologists during a Phase I survey (Carruth 2019). The portion of the site within the project area was considered to lack research potential. The Florida Division of Historical Resources (DHR) reviewed the report in a letter dated March 4, 2020, in which they concurred that the project was completed in compliance with requirements for a FEMA Public Assistance (PA) Program application and would have no adverse effect on Site 8OK00007 (DHR Project File No. 2020-0847-B). They did, however, request monitoring for the project due to the possible presence of human remains at Site 8OK00007 as reported in the original site recordation.

The project area consists of approximately 0.14 acres (0.05 hectares) north of U.S. Highway 98, on the south shore of Choctawhatchee Bay, just east of East Pass on Moreno Point. This is located in fractional Township 2 South, Range 22 West as seen on the 1994 Fort Walton Beach, Florida USGS 7.5' topographic quadrangle (Figure 1) and an aerial image (Figure 2). Plans call for the damaged seawall to be replaced with 12 ft high vinyl sheet panels/corrugated aluminum to a depth of 5 to 6 ft, with an additional 15 linear ft added to the southwestern end in an effort to keep water from flowing behind the seawall. This will include 77 deadman anchors, 2 ft wide x 5 ft high, with aluminum tie rods (stringers).

PROJECT AREA ENVIRONMENT

The Florida Panhandle is within the Western Highlands physiographic region of the Coastal Plain province. This region contains gently sloping highland plateaus separated by large stream valleys with steep cut creeks. Okaloosa County has a warm, humid-temperate climate. Summers are long, warm and humid and winters are short and mild, moderated near the coast by effects of the Gulf of Mexico. Summer temperatures average about 80 degrees Fahrenheit (F) and winter temperatures average about 64 degrees F. Annual rainfall averages about 62 inches with about 44 percent of the total annual rainfall occurring from June to September. Most summer rainfall usually comes from afternoon to evening local thundershowers, but over nine inches of rainfall within a 24-hour period may occur; such heavy rainfall events are typically associated with tropical storms (Overing et al. 1995).

The project area is within Kureb sand, 0 to 8 percent slopes (Web Soil Survey 2019). This excessively drained soil is found on nearly undulating ridges and short side slopes on upland sandhills and dunelike ridges. This sandy soil is not well suited for most uses (Overing et al. 1995). The project area is sparsely vegetated with beach grasses.

2 - Clement Taylor Park Seawall Monitoring

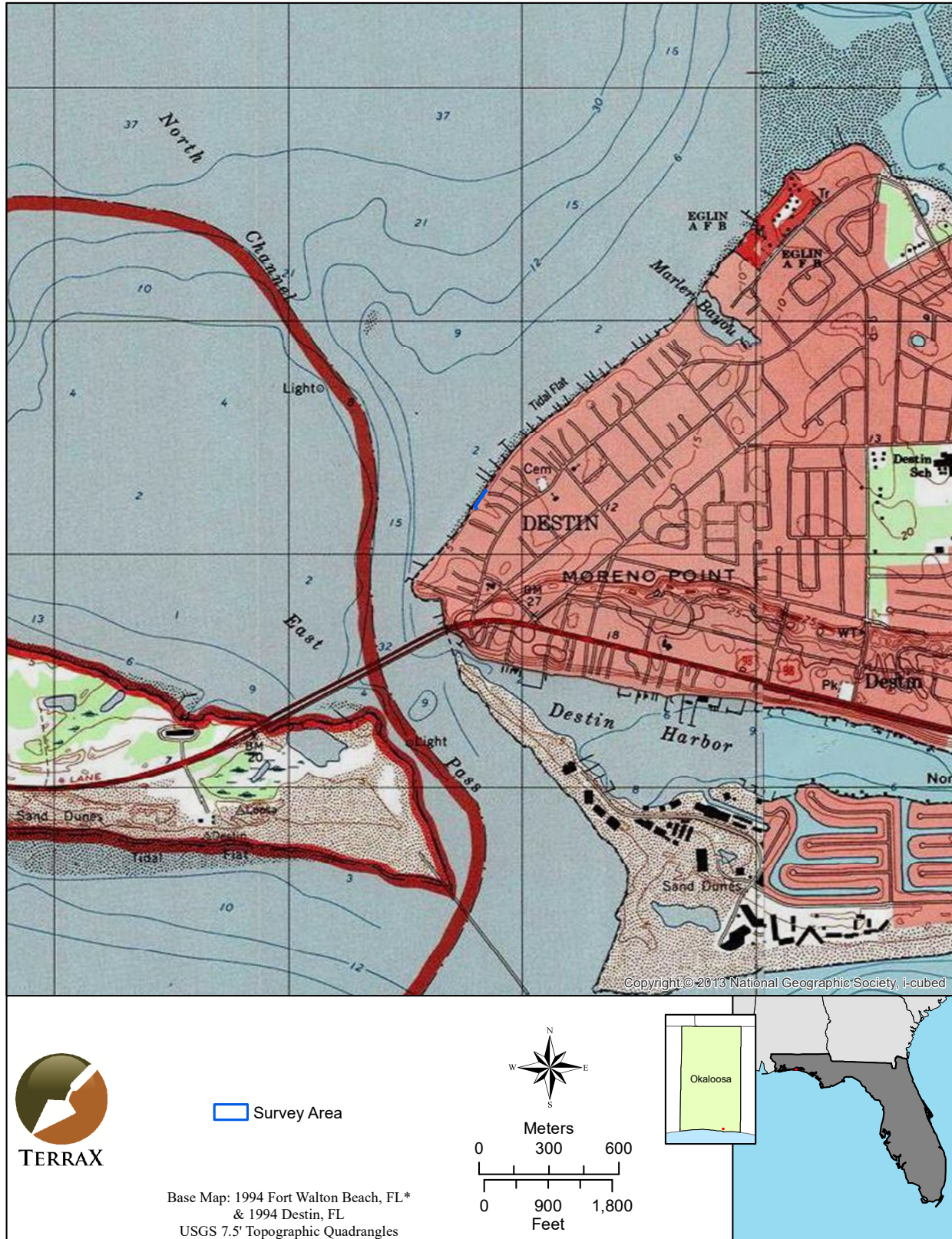


Figure 1. Topographic map showing the project area.

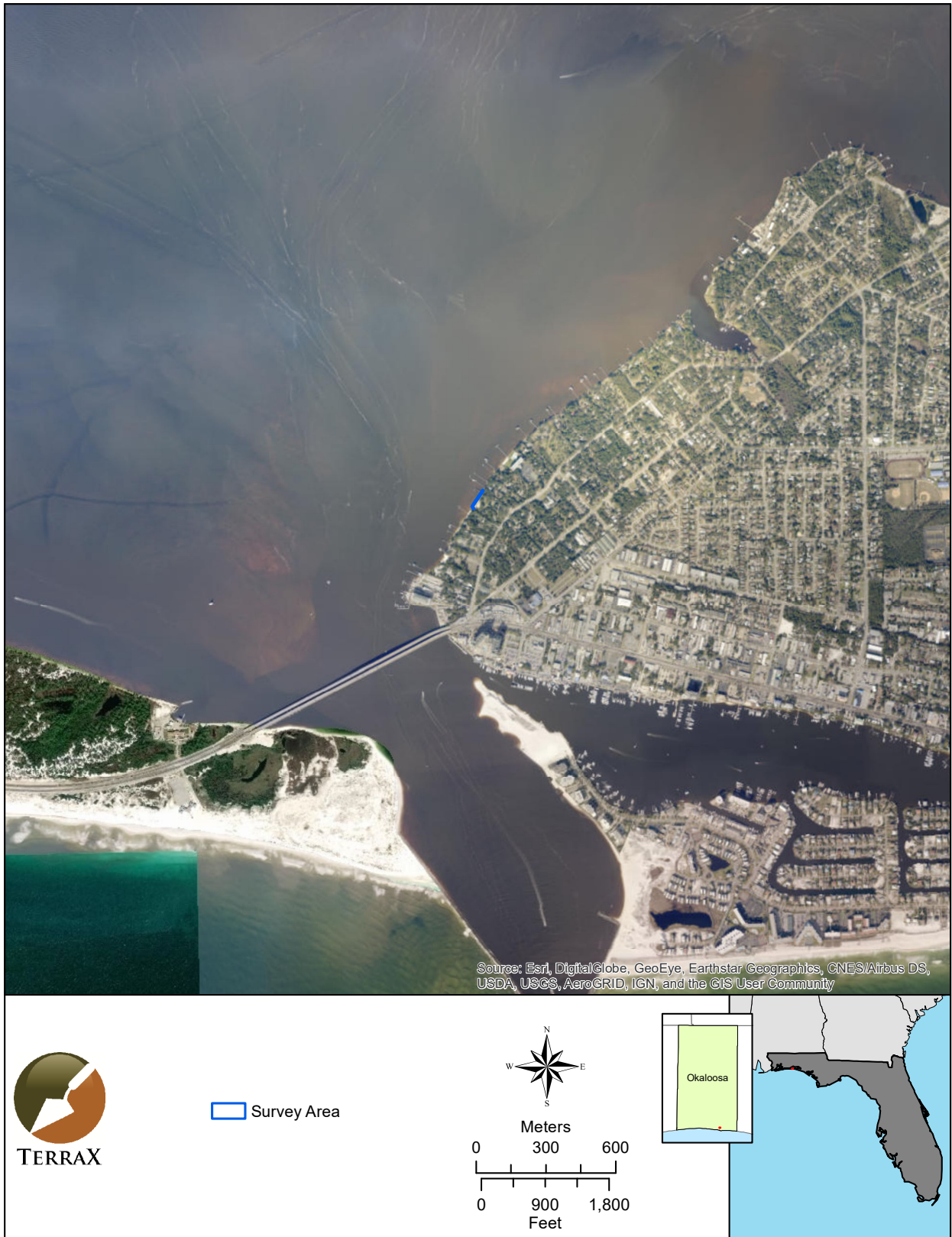


Figure 2. Aerial image showing the project area.

CULTURAL OVERVIEW

PREHISTORIC

Florida's earliest known cultural era is the PaleoIndian, dating to over 9,900 years ago. Lanceolate lithic artifacts with concave bases diagnostic of PaleoIndian cultures have been found primarily in tertiary karst areas of Florida, near springs, sinks, and lithic outcroppings. Some examples exhibit overshot flaking, basal grinding, and waisted sides. Microliths, unifacial scrapers, bifacial knives, spokeshaves, and bola stones are sometimes found in PaleoIndian contexts. The perspective of PaleoIndian lifeways as nomadic hunting and gathering has been amended by archaeological evidence from Florida sites including Harney Flats (Daniel and Wisenbaker 1987), Little Salt Spring (Clausen et al. 1979) and St. George Point (Thulman 2009). Evidence from these sites indicate that rather than strict reliance on extinct megafauna for food, Florida's earliest known people also subsisted on a wide variety of flora and fauna typical of subsequent precontact cultural eras.

The relatively wet Early Archaic cultural era 10,000 to 8,000 years ago is represented archaeologically by carryovers from their PaleoIndian predecessors and artifacts diagnostic of the Early Archaic such as smaller stemmed projectile points/knives (PPKs) than those utilized by the preceding PaleoIndians. These PPKs, some with side- or corner-notching, in addition to an increase in the proportion of grinding stones found in Early Archaic sites, imply a greater reliance on smaller animals and more botanicals than by their predecessors. Windover Pond is an Early to Middle Archaic site whose wet conditions provided excellent preservation of such fragile materials as basketry, woven mats, cordage, fabrics, and wooden artifacts. Materials recovered from Windover Pond demonstrate that material technologies indicative of cultural organization were well-advanced by the end of the Early Archaic (Doran and Dickel 1988).

The presence of stemmed PPKs defines the transition to the somewhat drier Middle Archaic 8,000 to 5,000 years ago. Diagnostic PPKs of the Middle Archaic include Newnan, Hillsborough, Alachua, Levy, and Marion types. The relatively larger proportions of large lithic hoes/adzes are considered evidence of increasing horticulture and woodworking. Increased use of heat-treated chert for lithic tool-making is indicative of greater use of local resources.

Dating from 5,000 to 3,000 years ago, Late Archaic sites in Florida typically include stemmed PPKs as well as lithic tools such as grinders, abraders, bannerstones, microliths, and other functional carryovers from earlier times. Diagnostic artifacts of Florida's Late Archaic cultures include basally notched PPKs, Elliotts Point cultural materials associated with the Lower Mississippi River Valley's Poverty Point culture, burnishing stones, and fiber-tempered pottery. Technical variations and decorative styles of ceramic materials are the primary archaeological basis for cultural differentiation within larger regions. Florida's earliest fiber-tempered pottery is believed to be in southwest Florida, then in portions of the St. Johns River Basin. Regional variations of these early ceramics include Norwood in northwest Florida and Satilla in south Georgia. Florida's Late Archaic and Woodland cultures may be differentiated into three broad cultural areas based on ceramic technologies and decorative styles that originated from Deptford, St. Johns, or Glades traditions (Brinkley 2006).

Deptford cultural assemblages dominate Early Woodland sites in Northwest Florida, the cultural region that spans the Panhandle east to the Aucilla River. The region is divided into eastern and western subregions, demarked by the Apalachicola River and subdivided into Coastal Lowlands and Interior Uplands. Deptford ceramics often display fabric impressed, stamped, or cordmarked treatments. The material culture in Late Deptford sites in northwest Florida are of the Yent Complex, with assemblages reflecting Adena-Hopewellian influences. Deptford persisted in northwest Florida until about A.D. 100, when Swift Creek culture developed

out of Deptford Yent. Deptford and early Swift Creek sites are found in similar locales, the respective peoples utilized similar stamping on their ceramic vessels, and continuing presence of Yent Complex artifacts are indications that Swift Creek is a transformation of Deptford. Sites in northwest Florida and in west central Georgia have yielded evidence that Swift Creek was well-established in the deep Southeast prior to the appearance of Santa Rosa cultural influences along the western Panhandle coast and inland riverine sites (Brinkley 2006).

From the Apalachicola River to the Escambia River, the Deptford-Swift Creek-Santa Rosa traditions persisted until Weeden Island influences appeared, beginning about A.D. 300. Diagnostic ceramic styles of the Weeden Island culture include an increase in punctate and incised treatments. Weeden Island I ceramics include decorative treatments typical of northwest Florida's Santa Rosa-Swift Creek, with the increase in Carrabelle types of ceramics that exhibit more Santa Rosa styles of manufacture and decoration defining differentiation between Weeden Island I and Weeden Island II.

Relative increases in the proportions of check marked as compared to stamped and incised ceramics define the Wakulla Weeden Island (Weeden Island II) phase beginning about A.D. 750, coincidental with the earliest Mississippian Fort Walton ceramic assemblages along the Apalachicola River; Pensacola shell-tempered ceramics are the Mississippian expression west of the Apalachicola River. Mississippian Fort Walton and Pensacola ceramics are diagnostics generally found in sites dating between A.D. 1000 and A.D. 1500. Recorded mound sites in the greater project vicinity near Choctawhatchee Bay include artifacts attributed to Spanish, Mississippian, and earlier manufacture.

HISTORIC

The earliest Europeans in Northwest Florida were the Spanish. It is possible that Don Diego Miruelo visited the area in 1516, followed by Alonzo Alvarez de Pineda in 1519. Survivors of the Narvaez entrada would have passed by or through the area. Francisco Maldonado spent time on Pensacola and Mobile bays between 1540 and 1543. Don Tristán de Luna led the earliest colonization attempt in the area in 1559, establishing a temporary settlement on Santa Rosa Island as an exploratory base. Within weeks after the arrival of De Luna's fleet of 13 ships carrying about 1500 people, a hurricane devastated the expedition on September 19, 1559. Spanish presence was established and maintained at Ochuse (Pensacola Bay) by about 50 soldiers until 1561 when they abandoned the area. In 1633, Old Spanish Trail was completed between Mexico City and St. Augustine, running for some 2,260 miles (Bakerblockmuseum.org 2018). There was subsequently little European presence in northwest Florida until Pensacola, named for the Pensacola Indians who inhabited the area, was founded in 1698 to provide defense from the French who had established a presence to the west. Florida was Spanish territory from the sixteenth century until it was ceded to Britain in 1763. Twenty years later, Florida was returned to Spain. The Second Spanish period ended with Florida's transfer to the United States in 1821.

OKALOOSA COUNTY

Okaloosa County did not exist until 1915. Prior to this, the project area was part of Escambia, Santa Rosa, and Walton counties. By 1824, Scottish immigrants were located on the Yellow River. Early settlers in the area created communities as they erected grist mills, grew corn, cotton, potatoes, peas, and rice, and raised free-roaming cattle and pigs (Overing et al. 1995). In the mid-1830s, Leonard Destin and other family members sailed from New London, Connecticut to Key West, Florida to extend the fishing season. When other family members returned to the north, Leonard stayed in Florida and wound up at Moreno Point where the McCullom family lived. He married their daughter, Martha, on May 25, 1851 and settled a fishing village on the shore (Klein 2019).

The BLM GLO plat map for T2S, R22W (surveyed in 1847 and approved in 1849) notes that “5958 20/100 Acres Reservation by order of the President of the United States, for military purposes; Commissioner’s letter of 14th February 1842 ‘so much of the point opposite to, and east of the east end of St. Rosas Island, as lies in Township 2 South of Range 22 West.’ In conformity to the above, The Deputy Surveyor was instructed to traverse but not to Section this Frac[tional] Township.” There is no indication the land was ever used by the military but it was set aside in case it was needed to guard East Pass and Choctawhatchee Bay. The government leased land to individuals before finally releasing it for ownership. In 1864, the Union Army at Pensacola drew maps of the area depicting landmarks and where families lived.

The families shown living on Moreno Point were the Lennin, McCullom, Lewis, Sanders, and Lewis families. According to Klein (2019), Lennin was the Leonard Destin family. His wife’s parents, the McCulloms, lived next door. Martha (McCullom) Destin’s two sisters, Nancy and Harriet, married the two Lewis boys. Sanders was believed to be William Anderson, a fisherman from Pensacola, who probably worked for Leonard Destin. Leonard died in 1884, followed by Martha in 1896, but their sons continued to fish the area. The fishing village had some permanent residents, but others only came in the spring and summer to exploit the natural resources before returning to their main homes and families elsewhere (Klein 2019). A postal application submitted in 1896 under the name East Pass was rejected by the postal service, who requested a one-word name. The name Destin was submitted and accepted. In 1926, the War Department declared the Moreno Point Military Reservation surplus property. The first tourist rental cabins appeared in 1932, owned by Mr. and Mrs. A.H. Green of Pensacola. U.S. Highway 98 was commissioned in 1934, followed by the completion of the bridge over East Pass in 1936 (nwfdailynews.com 2018).

The railroads kicked the timber industry into high gear. In 1881-83, W.D. Chipley helped bring the Pacific & Atlantic Railroad (P&A) to run between Holt and Argyle. This was a division of the Louisiana & Nashville Railroad (L&N), running between Pensacola and Jacksonville. This greatly boosted the naval stores industry and aided in getting products to market, such as cotton, blueberries, peanuts, tung oil, livestock, grapes, cork, and pecans (Bakerblockmuseum.org 2018; Okaloosa County 2018). The area became known as the “tung oil capital of America.” By 1887, the Yellow River Railroad ran from Crestview to Floral, Alabama. The Ewing Brothers Turpentine Company in Holt was the largest employer, primarily of black laborers to work the trees and turpentine stills (Bakerblockmuseum.org 2018; Bennett, Jr. 1992).

In 1915, Okaloosa (“black water” in Choctaw) County was created from portions of Santa Rosa and Walton counties. Milligan was the first county seat, but flooding on the Yellow River caused the seat to move to Crestview in 1917 (Overing et al. 1995). Around this time, the timber industry was dying out. When the Spanish arrived in the sixteenth century, long leaf yellow pine trees covered the land, rising over 100 ft tall and creating a canopy that pioneers described as having gothic beauty (Bennett, Jr. 1992). By 1800, lumbering of the pines had begun and in a little over 100 short years, the trees had been harvested to oblivion. By the 1920s, sawmills had ceased their operation and the few remaining trees supported small turpentine enterprises. This was the death knell for many small communities that depended on timber. Many turned to farming of vegetables, such as corn, peanuts, and velvet beans, and the raising of livestock, dairy cattle, hogs, poultry, and eggs.

During Prohibition in the 1920s, many illegal stills produced spirits that were purchased by Gulf Coast establishments. Cuban rum also entered the area at Destin. Coastal Destin remained a small fishing village until the construction of a bridge over East Pass in the 1930s. The beach community of Camp Walton became Fort Walton in 1932, and later Fort Walton Beach in 1953. Investors and developers such as Frank Perrine and James E. Plew promoted land sales in the area with the Valparaiso Development Company and the Port Dixie Harbor and Terminal Company. In the 1930s, the federal Works Progress Administration (WPA) built

U.S. Highway 98 from Pensacola to Panama City, paved state roads 85 and 189, established Blackwater State Forest, and built schools and airfields. Plew's development included an opulent inn, golf course, bank, and winery (Bennett, Jr. 1992). Pilots from Maxwell Field landed at Plew's golf course to enjoy the amenities and observed that the area would make a good gunnery and bombing range. Plew provided the government with 1,460 acres in 1934, and by 1937, Eglin Field was a reality. With the advent of World War II, Eglin annexed Choctawatchee National Forest to become the largest airfield in the world (Bennett, Jr. 1992).

The post-war 1950s-60s brought increased cars, roads, and development to the detriment of the natural beauty of the area. Fortunately, there are some large swaths in the county where there is little to no development. Eglin Air Force Base has 350,000 acres, mostly wooded, and Blackwater State Forest contains 125,000 acres (Bennett, Jr. 1992).

Clement Taylor Park was once the site of Destin's one-room school house until the 1950s. Following the demolition of the school building, the area has been used as a park (City of Destin 2020). While there is evidence of an older wooden seawall in addition to the seawall that was damaged and being replaced, it is unknown as to when either was put in place.

PREVIOUS INVESTIGATIONS AT SITE 8OK00007

Site 8OK00007 was identified by Gordon R. Willey in 1940 as a scattered and thin shell midden with no great depth. He stated he did not recommend excavation. Various site forms have been filled out and updated through the years concerning this site, all with limited information and most without dates or researcher names. Some note "exact location unknown; plotted per vague verbal description" and "this site cannot now be located." It was reported by Ed Krakule in 1960 or earlier (forms are vague) as a mound and village on school board property, but that "no such mound exists today." Collectors have hundreds of sherds (Weeden Island and Fort Walton types), including tetrapod bases. A dozen projectile points have been found. An oyster shell midden was reported that extended about 100 yards with many sherds along the shore. No mention is made of human remains or any bones in the site forms, although the Cultural Resource Roster from FMSF states "Human Remains May be Present." The site is currently mapped as extending almost 1.5 km along Choctawhatchee Bay and has not been evaluated for the NRHP.

TerraX archaeologists revisited Site 8OK00007 on November 25, 2019 during a Phase I survey. The seawall replacement Area of Potential Effects (APE) measured 317.3 ft (96.7 m) by 20 ft (6.1 m). Ten shovel and auger tests were excavated, two of which were positive and eight of which were negative for cultural material (Figure 3). Evidence of Site 8OK00007 was found deeply buried between 115-140 cmbs. Two shovel tests contained one sherd each, consisting of a sand/grit-tempered plain sherd and a sand-tempered unspecified sherd. No evidence of a shell midden or any scattered shell or bone was noted. The project area exhibited both erosion and fill events. It was postulated that the heart of the site was further northeast along the shore. TerraX recommended that the project be allowed to proceed as the portion of the site within the project area lacked research potential (Carruth 2019).

The Florida Division of Historical Resources (DHR) reviewed the report in a letter dated March 4, 2020, in which they concurred that the project was completed in compliance with requirements for a FEMA Public Assistance (PA) Program application and would have no adverse effect on Site 8OK00007 (DHR Project File No. 2020-0847-B). However, since human remains were reported in connection with this site, DHR requested monitoring of the installation of the new seawall (see Appendix A).



Figure 3. Aerial showing December 2019 Phase I APE/survey area and shovel test placement and results.

FIELD METHODS

Archaeological monitoring involved visual inspections of all ground disturbing activities. The monitors watched for any potential evidence of archaeological deposits such as discrete soil discolorations possibly indicative of archaeological features, artifact concentrations, or shell midden. All soil disturbing activities at the site were performed with at least one of the archaeological monitors present. The construction crew were of the understanding that any artifacts or objects unearthed needed to be immediately brought to the attention of the archaeologists. Each morning, prior to the beginning of construction activities, TerraX archaeologists checked the proposed route next to the seawall in the water for any artifacts, sometimes with the use of goggles. As the heavy equipment was moved on the land, the monitors checked for any artifacts that may possibly be exposed by any soil disturbance created by the equipment. Any movement of soil or sand made by the construction crew was checked by the archaeologists. While the APE of the monitoring project closely mirrored the December 2019 Phase I APE, the area of staging activities necessitated by the heavy equipment was greater than the direct excavation impacts.

Soil disturbing activities involved the removal of the old seawall that was damaged in Hurricane Michael and installation of corrugated aluminum sheet panel seawall, fiber reinforced plastic seawall cap, deadman anchors with tie rods, unclassified sand behind seawall, and reinforced concrete between pavilion and seawall. The seawall was extended along the northeast side of the boat ramp an additional 15 feet to prevent erosion and damages from a similar event in the future. The existing seawall, measuring 282 feet with a 25-foot return wall, was replaced in the same footprint. Remnants of an earlier wooden seawall were also observed in places. The new seawall extension measuring 15 feet was connected to the return wall. Clean backfill was placed immediately landward of the seawall. See Figures 4-13 for photographs of the construction activities and ground disturbance.



Figure 4. View of old seawall with floating barrier, facing southwest.



Figure 5. View of heavy equipment used by Live Flyers, Inc. during seawall construction.



Figure 6. Removal of old seawall, facing northeast.



Figure 7. View of dirt pulled back from seawall during seawall construction, facing northeast.



Figure 8. View of seawall installation, facing northeast.



Figure 9. View of seawall installation, facing northeast.



Figure 10. Prepping surface for anchor installation, facing northwest.



Figure 11. View of anchor installation, facing northeast.



Figure 12. View of anchor installation, facing south.



Figure 13. View of new white sand being spread, facing north.

LABORATORY METHODS AND COLLECTION CURATION

All cultural materials recovered during field projects are delivered to TerraX's laboratory in Mobile, Alabama for processing. Here, materials are sorted by provenience, cleaned, and analyzed. Along with any cultural material, all project records, photographs, and maps produced while conducting the investigation are transported for curation at Troy University Archaeological Research Center in Troy, Alabama (Appendix B).

MONITORING RESULTS

On June 24, 2000, TerraX archaeologists met with City of Destin and Live Flyers, Inc. (seawall construction company) personnel for an on-site meeting. Floating barriers were installed about 15 m out in the bay, broken remnants of existing seawall were removed, and a template was put into place to guide the sheets of seawall. This template was moved as the work progressed.

A heavy downpour occurred on the afternoon of July 7, 2020, which halted work for the day. The following morning, while examining the area, a piece of prehistoric pottery (an eroded sand-tempered unspecified check-stamped sherd) was found sitting atop one of the piles of mixed sand next to the seawall (see Appendix C for an artifact inventory). These soils had been excavated and then refilled and graded to relieve soil pressure on the landward side of the seawall by Live Flyers, Inc. Work in this area was halted and FEMA archaeologist John Lawrence was notified.

Mr. Lawrence arrived on site on July 9, 2020 to determine the depositional integrity of the area in which the sherd had been found and formulate a course of action. The area impacted by relieving soil pressure on the seawall was approximately 11 m wide by 25 m long bordering the landward side of the seawall at the

southern end of the park. About 60 cm of surficial sand had been cut from this area and used to infill voids along the inside of the seawall. While most of this area fell within the archaeological APE, a portion was outside the previously tested APE. The location of the sherd was documented using a handheld GPS. It was decided to shovel test the portion of the contractor's disturbance that had not been previously tested.

Transect 1 was placed 10 m east of the seawall, parallel to the back edge of the construction cut, as this was believed to have the best chance of possessing intact soils (Figure 14). Eight shovel tests, measuring about 60 cm in diameter and 1-m deep, were placed at 2-m intervals. Several tests encountered the water table between 90 and 110 cm below surface (Figure 15). While there was some variance in stratigraphy, all exhibited multiple layers of sand and fill. A pale brown culturally sterile sand was encountered at the base of some of the shovel tests, which may be natural. A few fragments of modern plastic, corroded metal, and container glass were recovered from shovel testing. Shovel Test 2 in Transect 1 contained an oyster shell and a shell-tempered unspecified incised sherd (Figure 16a), along with a piece of plastic electrical tape. Mottled sand surrounded the material, which was found at about 15 cm below the top of the shovel test. Since about 60 cm of soil had already been removed by the construction firm, the sherd was actually about 75 cm below the ground surface. Transect 1, Shovel Test 2 stratigraphy consisted of 47 cm of pale brown (10YR 6/3) sand over dark brown (10YR 3/3) sand to about 70 cmbs before encountering dark brown hydric sand to 100 cmbs. Transect 2 was placed 4-m east of the surface find and west of Transect 1. Three shovel tests were excavated at 4-m intervals. Mixed sand and fill events were again noted, with the exception of even greater soil mottling and mixing. Only modern glass and plastic were noted. The location of the Surface Find 1 sherd and the sherd recovered from Transect 1, Shovel Test 2 fall just outside the recorded boundaries of Site 8OK00007 (Figure 17). It also appears that the two sherds recovered were not in situ. Based on this interpretation, the contractor was allowed to continue seawall construction, under the provisions and conditions of the existing archaeological monitoring plan.



Figure 14. View of Transects 1 and 2, facing northeast.



Figure 15. View of Transect 1, Shovel Test 1.

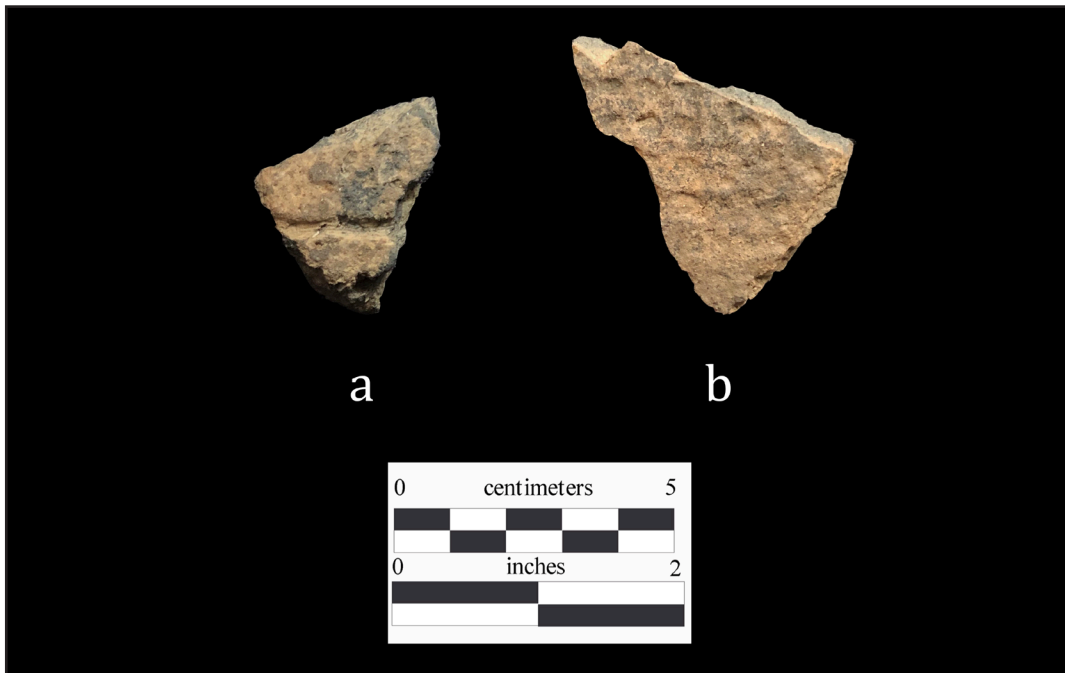


Figure 16. Pottery found at 8OK00007: a) shell-tempered unspecified incised found in Transect 1, ST 2; b) sand-tempered unspecified check-stamped (eroded) found on surface (Surface Find 1).

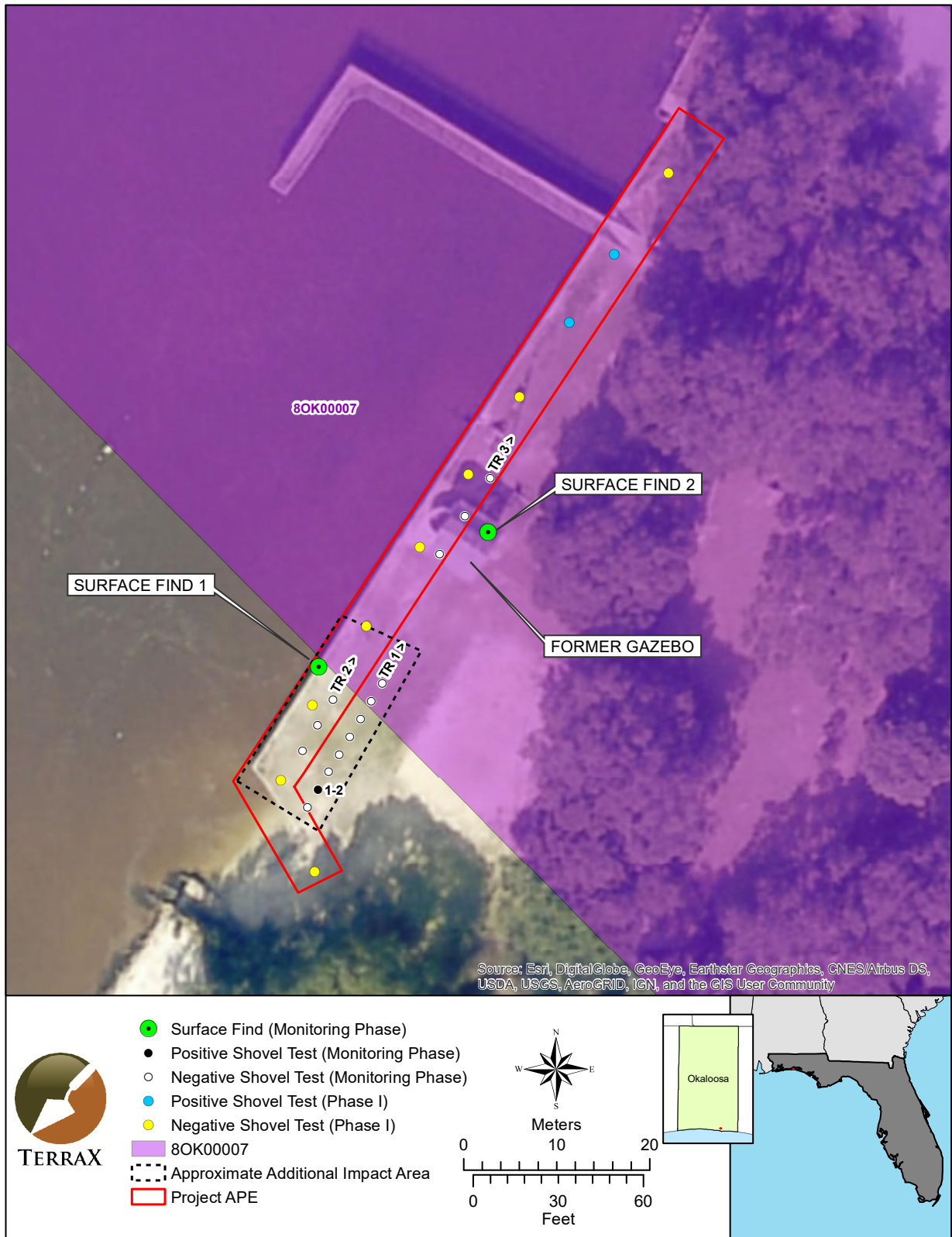


Figure 17. Aerial image showing location of surface finds and shovel tests in relation to the previously mapped boundaries for Site 8OK00007.

On July 17, 2020, the construction crew moved some sand around to relieve pressure on the old seawall which was pushing on the new seawall. This activity was monitored and no cultural material was noted. However, later a sand-tempered unspecified sherd (Figure 16b) was spotted on the surface about 4-5 m southeast of the flagpole in the location of the former gazebo (Figure 18). Mr. Lawrence again briefly visited the site on July 18, 2020 and established a 15-m buffer around the area, allowing the construction crew to continue working in the southern portion, which had been previously tested. The sherd was found in an area of exposed surface sand in an area where a gazebo had once stood in the park. Surface Find 2 is within the recorded boundaries of site 8OK00007, but approximately 2-3 m east of and outside the APE. Transect 3 was placed within the eastern edge of the seawall APE with shovel tests placed at 5-m intervals (Figure 19). Three shovel tests were excavated within this transect to an average of 1-m deep. All tests exhibited deep disturbance. Stratigraphy for Transect 3, Shovel Test 1 was 20 cm of yellowish brown (10YR 5/4) sand over strong brown (7.5YR 5/6) sand to 33 cm over mottled pale brown (10YR 6/3) and reddish yellow (7.5YR 6/6) sand to 52 cm over yellowish brown (5YR 5/6) sand (Figure 20). The two southernmost tests contained concrete fragments, nail fragments, plastic, glass, and roofing tar paper, probably remnants of the former gazebo. The northernmost test encountered a PVC water pipe at 30 cmbs (see Figure 18). However, the test continued to 1-m in depth through a series of mottled soil horizons without recovering any artifacts. The base of each of these three tests contained a uniform medium brown sand that was interpreted to be a natural soil horizon. Construction was allowed to continue under the existing monitoring protocol.

Seawall construction by Live Flyers, Inc. and archaeological monitoring by TerraX was completed on July 27, 2020. No further artifacts, nor any shell concentrations or bone, were encountered.



Figure 18. View of Surface Find 2 location (indicated by pink flagging), facing north.



Figure 19. View of Transect 3, facing southwest.



Figure 20. View of Transect 3, Shovel Test 1.

UNMARKED HUMAN BURIALS AND FORTUITOUS FINDS

Professional archaeological survey, testing or monitoring provides sampling of a project area but does not guarantee that any or all cultural materials or features present will be discovered by established sampling standards and guidelines. In the event that human remains, any concentration(s) of artifacts or any significant feature(s) are later discovered, all ground-disturbing activities in the immediate vicinity must cease, a professional archaeologist must be consulted and the archaeologist's recommendations, determined through the archaeologist's consultation with representatives of the State Historic Preservation Officer, must be followed before project activities in the vicinity of the unanticipated find(s) may resume.

Should additional cultural materials be inadvertently discovered during construction, the consulting archaeologist and FDHR should be notified. Furthermore, according to FS 872.05, when an unmarked human burial is discovered and the unmarked human burial represents the burial of an individual who has been dead less than 75 years, the archaeologist shall notify the district medical examiner, and all activity that may disturb the unmarked human burial shall cease until the district medical examiner authorizes work to resume. If such unmarked human burial represents the burial of an individual who has been dead 75 years or more, archaeological activities may not resume until the State Archaeologist has been notified of the unmarked human burial. Within 15 days after the discovery of an unmarked human burial, the archaeologist conducting the excavation shall report to the State Archaeologist his or her opinion regarding the cultural and biological characteristics of the unmarked human burial and where human skeletal remains and associated burial artifacts should be held prior to a final disposition. The division may assume jurisdiction over and responsibility for the unmarked human burial pursuant to subsection (6).

CONCLUSIONS AND RECOMMENDATIONS

TerraX performed the archaeological monitoring of the proposed Clement Taylor Park seawall in Okaloosa County, Florida from June 24 to July 27, 2020. Previously recorded Site 8OK00007, a described shell midden, is mapped as being partially within the project area. Two prehistoric ceramics were found during Phase I work in November of 2019, but no trace of a shell midden or any scattered shell or bone. It was postulated that the core of this almost 1.5-km-long site is well to the northeast of the project area. State and federal agencies requested monitoring during seawall construction due to the possibility of human remains being present.

Two prehistoric sherds were found on the surface, one within previously mapped site boundaries and one just outside the boundaries. Fourteen shovel tests were excavated adjacent to the two surface finds, with five of these falling within the previous site boundaries and nine outside the boundary to the southwest. One additional shovel test outside the boundary was positive, containing one sherd in a disturbed context. The shovel tests from this and the Phase I survey demonstrate multiple fill events, as well as possible storm deposition and/or erosion. Two seawalls were present at this site prior to the construction of this third seawall, adding to the disturbance.

Fill has undoubtedly been introduced to this site on several occasions to raise the ground level to meet that of the seawalls. In-filling and reworking of the landscape has also undoubtedly incorporated some of the native soils of the park, some of which contain prehistoric artifacts. While possibly natural soils were observed at the base of some shovel tests, they were culturally sterile. However, TerraX proposes extending the previous site boundary of 8OK00007 approximately 10 m to the southwest to include the subsurface sherd as well as Surface Find 1. Evidence indicates that these artifacts are not in situ and their archaeological context has been lost, which makes this portion of the site ineligible for the NRHP. NRHP eligibility for all portions of 8OK00007 beyond the footprint of this project area are suggested to remain undetermined. Appendix D contains an updated site revisit form.

REFERENCES

Bakerblockmuseum.org

- 2018 Timeline, Old Towns, and Info. Electronic document, bakerblockmuseum.org, accessed July 20, 2018.

Brinkley, William Gerald Lawson

- 2006 The Temporal and Geographic Distribution of Red-Filmed Ceramics in Northwest Florida: The Archaeological Significance of Red-Filmed Ceramics in the Lower Southeast. Master's thesis, Florida State University, Tallahassee.

Carruth, Amy

- 2019 *A Phase I Cultural Resources Survey for the Clement Taylor Park Seawall, Okaloosa County, Florida*. Prepared by TerraXplorations, Inc. for City of Destin.

City of Destin

- 2020 Clement Taylor Park Renovation. Electronic document, <https://www.cityofdestin.com/554/Clement-Taylor-Park-Renovation>, accessed August 2020.

Clausen, Carl J., A. D. Cohen, Cesare Emillani, J. A. Holman, and J. S. Stipp

- 1979 Little Salt Springs, Florida: A Unique Underwater Site. *Science* 203:609-614.

Daniel, I. Randolph, and Michael Wisenbaker

- 1987 *Harney Flats: A Florida Paleoindian Site*. Baywood, Farmingdale.

Doran, Glen H., and David N. Dickel

- 1988 Multidisciplinary Investigations at the Windover Site. In *Wet Site Archaeology*. Edited by Barbara Purdy, pp 263-289. Telford Press, Caldwell, New Jersey.

Florida Division of Historical Resources (FDHR)

- 2002 Cultural Resource Management Standards and Operational Manual. Florida Division of Historical Resources, Tallahassee.

Klein, H.C.

- 2019 Who were the earliest settlers at Destin? Electronic document, <https://www.waltonsun.com/news/20190615/history-mystery-who-were-earliest-settlers-at-destin/1>, accessed December 11, 2019.

nwfdailynews.com

- 2018 History of Destin: Interactive Timeline. Electronic document, <https://www.nwfdailynews.com/news/20180915/history-of-destin-interactive-timeline>, accessed December 11, 2019.

Okaloosa County

- 2018 History. Electronic document, www.co.okaloosa.fl.us/home/history, accessed July 20, 2018.

Thulman, David K.

- 2009 *Lake George Point Site (8PUI470) Survey, Report of Field Operations March 13-15, 2009*. Archaeological Research Cooperative, Inc., Tallahassee.

APPENDIX A
DHR LETTER



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Aaron Clark
DR4399 Environmental and Historic Preservation Advisor
FEMA Executive Center Circle West
Tallahassee, Florida 32301

March 04, 2020

RE: DHR Project File No.: 2020-0847-B, Received by DHR: February 03, 2020
A Phase I Cultural Resources Survey for the Clement Taylor Park Seawall, Okaloosa County, Florida

To Whom It May Concern,

Our office received and reviewed the above referenced project for possible effects on historic properties listed, or eligible for listing, on the National Register of Historic Places (NRHP). The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

In December 2019, TerraXplorations, Inc. conducted the above-referenced cultural resource assessment survey (CRAS) on behalf of the City of Destin in compliance with requirements for a Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program application.

TerraXplorations, Inc. relocated archaeological site 8OK7 within the 0.14-acre area of potential effect (APE) during their investigation. TerraXplorations, Inc. asserts that, while the NRHP eligibility of 8OK7 remains unknown, the portion of the site within the project area lacks research potential. TerraXplorations, Inc. concludes that no historic properties will be affected by the *Clement Taylor Park Seawall* project.

Our office finds the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*. As 8OK7 likely extends outside of the APE, our office has insufficient information with which to evaluate its overall NRHP eligibility. Based on the information provided, our office concurs that the *Clement Taylor Park Seawall* project should have no adverse effect on 8OK7 or historic properties listed, or eligible for listing, in the NRHP, or otherwise of historical, architectural or archaeological value within the APE. However, human remains were previously encountered at 8OK7 in 1972. Accordingly, our determination of no adverse effect is conditioned upon the monitoring of all project-related ground-disturbing activities in the vicinity of 8OK7 by a professional archaeologist. If any archaeological deposits are discovered, the monitor should be empowered to direct construction activities to other areas to enable recovery and recordation of the deposits before project activities resume in the area. The resultant report(s) of such discoveries should be forwarded to this office for review.

The Division of Historical Resources cannot endorse specific archaeological or historic preservation consultants. However, the American Cultural Resources Association maintains a listing of professional consultants at www.acra-crm.org, and the Register of Professional Archaeologists maintains a membership directory at www.rpanet.org. The Division encourages checking references and recent work history.

On September 23, 2019, our office reviewed the larger *Clement Taylor Park Restoration* project (DHR# 2019-5244; FL201908268732C) submitted to the Florida State Clearinghouse for funding under the US Department of Treasury

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



FEMA

03/04/2020

Pg. 2

RESTORE Act and recommended that the project area be surveyed for archaeological and historical resources. Should any project-related activities, including staging or other park improvements, be planned outside of the surveyed *Clement Taylor Park Seawall* project area, our office recommends that those areas be subjected to a cultural resource assessment survey. The resulting survey should be submitted to our office for review and comment prior to the commencement of ground-disturbing activities.

If you have any questions, please contact Kristen Hall, Historic Sites Specialist, by email at Kristen.Hall@dos.myflorida.com, or by telephone at 850.245.6342 or 800.847.7278.

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy A. Parsons".

Timothy A. Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer

APPENDIX B
CURATION AGREEMENT

TROY UNIVERSITY



**Archaeological
Research Center**

Date: December 9, 2019

Paul Jackson

TerraXplorations
3523 18th Ave NE
Tuscaloosa, Alabama 35406

Dear Paul,

As per your request, this letter is to confirm our standing agreement with you to provide curation services to Terra Explorations on an as-needed basis. As you know, we are recognized by a variety of Federal agencies as a repository meeting the standards in 36 CFR Part 79 and have formal agreements to provide curation under these guidelines to multiple federal agencies such as the Army National Guard and Natural Resources Conservation Service.

Please be advised that once a year we must be notified of all reports in which we were named as the repository. Project collections must be submitted within one calendar year of completion. Small projects may be complied for periodic submission. The AHC survey policy specifies which materials must be curated (Administrative Code of Alabama, Chapter 460-X-9). Renewal of this agreement is contingent upon compliance.

We appreciate this opportunity to be of assistance and look forward to working with you in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Mann', followed by a horizontal line extending to the right.

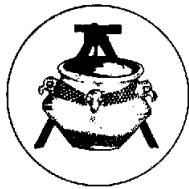
Jason Mann
Director
Archeological Research Center
Troy University

APPENDIX C
ARTIFACT INVENTORY

Artifact Inventory from 2020.214

<i>Site</i>	<i>Location</i>	<i>Type</i>	<i>Count</i>	<i>Weight (g)</i>	<i>Accession #</i>
8OK00007 (Revisit)					
	<i>Surface Find 2</i>				<i>Bag: 1</i>
		sand tempered unspecified sherd	1	4.0	2020.2141
		Location Totals	1	4.0	
	<i>Surface Find 1</i>				<i>Bag: 2</i>
		sand tempered unspecified check stamped sherd (eroded)	1	4.3	2020.2142
		Location Totals	1	4.3	
	<i>TR 1 ST 2/I/0-15 cmbs</i>				<i>Bag: 3</i>
		oyster shell	1	15.1	2020.2144
		shell tempered unspecified incised sherd	1	1.7	2020.2143
		Location Totals	2	16.8	
Site Totals			4	25.1	
Project Totals			4	25.1	

APPENDIX D
FLORIDA UPDATED SITE FORM



ARCHAEOLOGICAL SITE FORM
FLORIDA MASTER SITE FILE
Version 5.0 3/19

Site #8
Field Date
Form Date
Recorder #

Original
Update

Consult Guide to Archaeological Site Form for detailed instructions

Site Name(s)
Project Name
Ownership: private-profit private-nonprofit private-individual private-nonspecific city county state federal Native American foreign unknown

LOCATION & MAPPING

USGS 7.5 Map Name USGS Date Plat or Other Map
City/Town (within 3 miles) In City Limits? yes no unknown County
Township Range Section 1/4 section: NW SW SE NE Irregular-name:
Township Range Section 1/4 section: NW SW SE NE
Landgrant Tax Parcel #
UTM Coordinates: Zone 16 17 Easting Northing
Other Coordinates: X: Y: Coordinate System & Datum
Address / Vicinity / Route to:

Name of Public Tract (e.g., park)

TYPE OF SITE (select all that apply)

Table with 3 columns: SETTING, STRUCTURES OR FEATURES, FUNCTION. Includes categories like Land (terrestrial), Wetland (palustrine), log boat, fort, road segment, etc.

Other Features or Functions (Choose from the list or type a response.)

1. 2.

CULTURE PERIODS (select all that apply)

Table with 3 columns: ABORIGINAL, NON-ABORIGINAL, and a central column of culture periods like Englewood, Manasota, St. Johns (nonspecific), etc.

Other Cultures (Choose from the list or type a response. For historic sites, give specific dates.)

1. 2. 3. 4.

OPINION OF RESOURCE SIGNIFICANCE

Potentially eligible individually for National Register of Historic Places? yes no insufficient information
Potentially eligible as contributor to a National Register district? yes no insufficient information
Explanation of Evaluation (required if evaluated; use separate sheet if needed)

[Empty box for explanation of evaluation]

Recommendations for Owner or SHPO Action

[Empty box for recommendations]

DHR USE ONLY OFFICIAL EVALUATION DHR USE ONLY
NR List Date SHPO - Appears to meet criteria for NR listing: yes no insufficient info Date Init.
KEEPER - Determined eligible: yes no Date
NR Criteria for Evaluation: a b c d (see National Register Bulletin 15, p. 2)

FIELD METHODS (select all that apply)

SITE DETECTION

SITE BOUNDARY

Table with 3 columns: SITE DETECTION, FIELD METHODS, and SITE BOUNDARY. Includes items like 'no field check', 'exposed ground', 'screened shovel', 'remote sensing', etc.

Other methods; number, size, depth, pattern of units; screen size (attach site plan)

Empty box for additional field methods notes.

SITE DESCRIPTION

Extent/Size (m²) _____ Depth/stratigraphy of cultural deposit (describe below)

Empty box for site extent and stratigraphy description.

Temporal Interpretation - Components (check one): single component multiple component uncertain

Describe each occupation in plan (refer to attached large scale map) and stratigraphically. Discuss temporal and functional interpretations:

Empty box for temporal interpretation and occupation description.

Integrity - Overall disturbance: none seen minor substantial major redeposited destroyed-document! unknown

Disturbances / threats / protective measures

Empty box for disturbances and protective measures.

Surface collection: area collected _____ m² # collection units _____ Excavation: # noncontiguous blocks _____

ARTIFACTS

Total Artifacts # _____ count estimate Surface # _____ Subsurface # _____

COLLECTION SELECTIVITY

- unknown unselective (all artifacts)
selective (some artifacts)
mixed selectivity

SPATIAL CONTROL

- uncollected general (not by subarea)
unknown controlled (by subarea)
variable spatial control
other (describe in comments below)

ARTIFACT CATEGORIES and DISPOSITIONS

Grid for artifact categories and dispositions with lines for recording.

select a disposition from the list below for each artifact category selected at left
A - category always collected
S - some items in category collected
O - observed first hand, but not collected
R - collected and subsequently left at site
I - informant reported category present
U - unknown

Artifact Comments

Empty box for artifact comments.

DIAGNOSTICS (type or mode, and frequency: e.g., Suwanee ppk, heat-treated chert, Deptford Check-stamped, ironstone/whiteware)

- 1. _____ N= _____ 4. _____ N= _____ 7. _____ N= _____
2. _____ N= _____ 5. _____ N= _____ 8. _____ N= _____
3. _____ N= _____ 6. _____ N= _____ 9. _____ N= _____

ENVIRONMENT

Nearest fresh water: Type _____ Name _____ Distance from site (m) _____
Natural community _____ Topography _____ Elevation: Min _____ m Max _____ m
Local vegetation _____
Present land use _____
SCS soil series _____ Soil association _____

DOCUMENTATION

Accessible Documentation Not Filed with the Site File - including field notes, analysis notes, photos, plans and other important documents

- 1) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____
2) Document type _____ Maintaining organization _____
Document description _____ File or accession #'s _____

RECORDER & INFORMANT INFORMATION

Informant Information: Name _____
Address / Phone / E-mail _____
Recorder Information: Name _____ Affiliation _____
Address / Phone / E-mail _____

Required Attachments

PHOTOCOPY OF 7.5' USGS QUAD MAP WITH SITE BOUNDARIES MARKED and SITE PLAN
Plan at 1:3,600 or larger. Show boundaries, scale, north arrow, test/collection units, landmarks and date.

From: CARRIE HANBARGER

Archeological Background Study of the Clement Taylor Public Park Destin, Florida

**by: Caleb Curren
Contact Archeology Inc.**

October, 2020



Archeological Background Study of the Clement Taylor Public Park Destin, Florida

Contact Archeology Inc. (CAI) was contacted by a group of citizens in Destin, Florida to conduct a background study of archeological resources present in the Clement Taylor Public Park. The requested study was prompted by the fact that the local fire department proposed that a fire house be built in the park.

Many citizens of Destin objected to that proposal. CAI was contracted to provide archeological data that would prove the archeological importance of the property. CAI archeological field supervisor, Shawn Enfinger, conducted a pedestrian survey of the park, interviewed local people, and compiled a photographic record. Concerned citizens also provided information regarding numerous artifacts recovered from shoreline erosion at the park.

The following is a synopsis of the archeological study of the park based on interviews with local people, a site visit, and records from the Florida Master Site File. A general cultural chronology of northwest Florida is also included in the document along with data related to the research area.



Location map of the Clement Taylor Public Park.

The Background Research

by: Caleb Curren, CAI

The Native village of the Destin Site (8Ok7) was first discovered in the 1940s. It was reported as consisting of a mound and village site. The mound, be it for burials or domiciliary purpose's has been pushed down during the modern era.

The site is located in an appropriate area for habitation, being at the bayside near the now relic entrance to Choctawhatchee Bay. Freshwater sources were likely located in the area though remnants of the water sources are not visible today.

The formal description of the property is Township 2 South, Range 23 West, Section 13 as figured on the Ft. Walton Beach 7.5 minute USGS topographic map (1999).

Hundreds if not thousands of artifacts have been found on the shoreline by local people. The artifacts consist of ceramics and lithics dating to the Weeden Island and Mississippian Periods.

According to the Florida Master Site Files, an entry was made in 1966 which stated that French Brown Sr. owned the property. The recorder of the site form was Jerry Goddard. To quote the Goddard report:

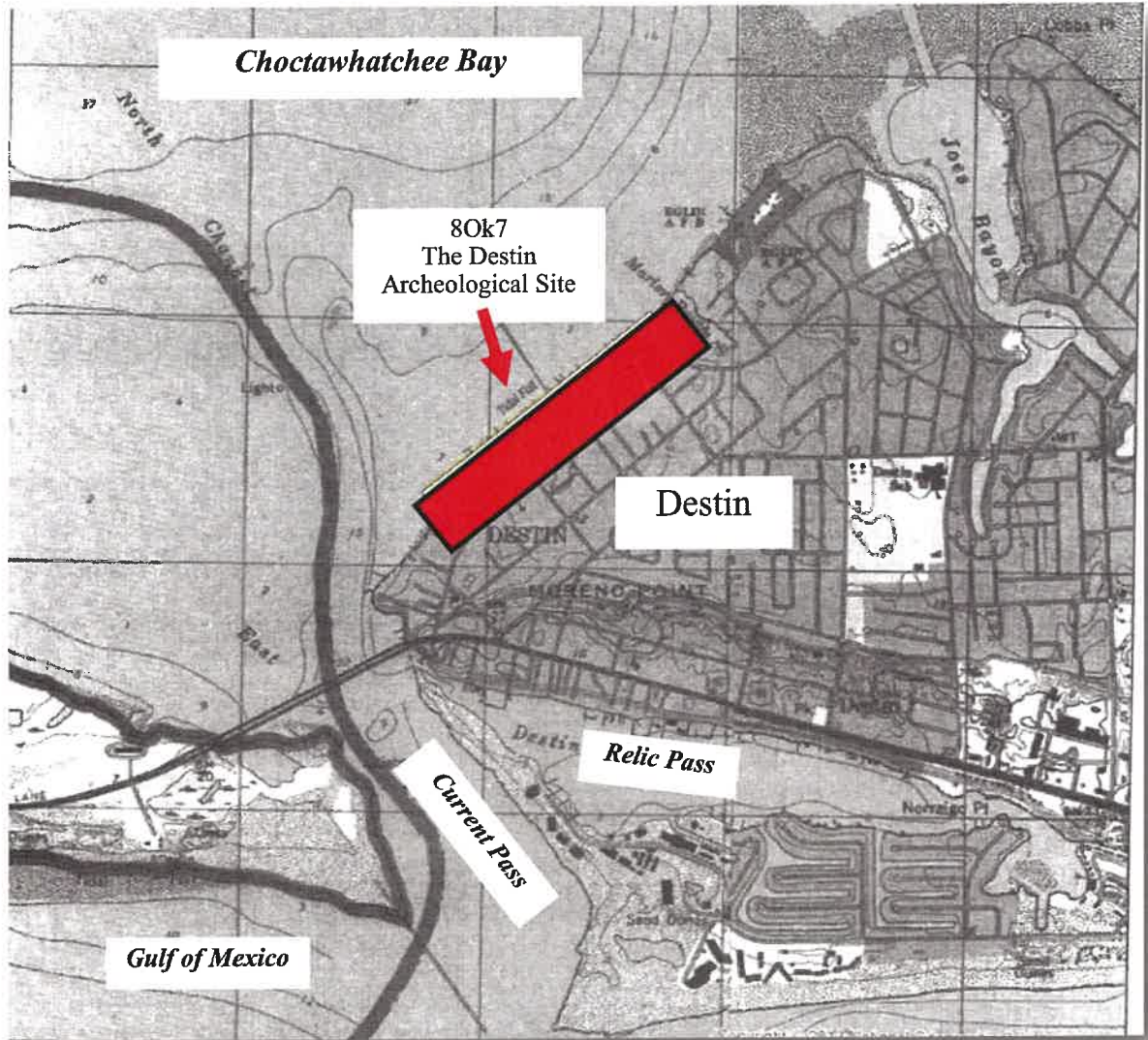
"This site was previously reported by Mr. Ed Krakule, Galiver, Florida...Krakule identified the site as a 'mound and village' on the school board property. No such mound exists today. The school has been moved. Many sherds are found in the shallow waters of the along this shore. Oyster shell midden is along the bank for about 100 yards. A collection of several hundred sherds by Jerry Goddard showed quite a few tetrapod bases, a wide assortment of Weeden Island sherds and smaller a quantity of Ft. Walton types."

A recent resident interview with 84 year-old David Rojas of Destin also provides more data on the archeological site at the Destin public park:

"Mr. Rojas was attending school at the Clement Taylor schoolhouse ... when he was a boy and he was playing in the bank of the bay. He saw the bone sticking out of the bank and he and a schoolmate dug and found the rest of the skeleton. His teacher contacted FSU and the remains were sent to Tallahassee. They told him the remains dated back to the 1200,s and they identified them as Native American remains."

The Florida Master Site Files also referrers to the Destin Site (8Ok7) as possibly containing prehistoric human burials thus prohibiting construction on the property in accordance with Section 872.05 of the Florida Statutes.

The following pages contain the resume of the project director, a cultural chronology of the region, and a list of related works relative to the project.



Location of the Destin Site (80k7) based on the Ft. Walton 7.5 minute USGS topographic map.

Caleb Curren
Archeologist
President, Contact Archeology Inc.
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P.O. Box 30576, Pensacola, Florida 32503

Caleb Curren is currently the President and Chief Archeologist of Contact Archeology Inc., which focuses on the first European expeditions into the current United States as well as cultural resource management projects in the eastern United States. He earned his B.A. and M.A. degrees from the University of Alabama. He also completed postgraduate research at the University of Texas, the University of Alabama, and the University of Florida. His fieldwork, through cultural resource management projects and numerous federal, state, and private grants, includes research in Yucatan, Guanajuato, Amazonia, and throughout the Southeastern United States. He has authored and co-authored over 300 research results in the form of reports, articles, books, and papers. He has taught in a number of field and classroom settings at several institutions. He has also served on commissions and boards of directors. The following is a partial list of organizations with which he has been associated:

The Smithsonian Institution
Southeastern Archaeological Conference
Soto States Anthropologist
University of West Florida
Journal of the Alabama Academy of Science
Mobile Historical Development Commission
American Midland Naturalist
Alabama de Soto Commission
Journal of Alabama Archaeology
Tennessee Anthropologist
Southeastern Archaeological Conference
University of Alabama
Pensacola Archeology Lab
Archeology Ink
Geological Survey of Alabama
American Antiquity
Notre Dame University
The Florida Anthropologist
Archeologyink.com
Society of American Archaeology
Alabama Archaeology Society
Florida Anthropology Society
Alabama Museum of Natural History
Pensacola Historical Society
Alabama Academy of Science
Numerous Civic Organizations
Pensacola State College
University of Michigan
Texas Historical Commission
U.S. Navy
U.S. Air Force
U.S. Army

Cultural History of the Prehistoric and Historic Periods of the Region

Paleoindian Stage

The first indisputable evidence of human occupation of the Southeast is during the Paleoindian Stage (ca. 10,000-8,000 B.C.). Paleoindians were nomadic hunters and gatherers and are often associated with the hunting of large game, including now extinct Pleistocene megafauna species. Artifacts diagnostic of the Paleoindian are limited to various fluted and unfluted lanceolate projectile points, including Clovis, Suwannee, Simpson, and other types that are usually associated with other lithic tools and debitage, and occasionally with Pleistocene faunal remains.

While coastal Florida sites have produced diagnostic Paleoindian points, they are not common. Sea levels were as much as 9 meters (m) lower during the Paleoindian than they are at present. Paleoindian sites, if they exist, may be submerged along the Gulf Coast or buried under sediments deposited along rivers and larger creeks. The Pensacola area has the potential for containing submerged Paleoindian sites.

Archaic Stage

The Archaic Stage has been divided into three periods, the Early (6,500 to 5,000 B.C.), Middle (5,000 to 3,000 B.C.), and Late (3,000 to 1,000 B.C.) periods (Milanich 1994) (figure 5). Each of the periods is typified by certain technological and cultural developments. In much of northwest Florida, it is often difficult to distinguish between Archaic occupations because so many sites have been identified on the basis of only a few diagnostic artifacts and because so few stratified sites have been excavated and reported. This situation is especially true of Early and Middle Archaic sites, whereas the introduction of fiber-tempered pottery during the Late Archaic/Gulf Formational periods often makes these later sites readily identifiable (Thomas and Campbell 1993).

Charles Fairbanks (1964) has noted that in northwest Florida, Archaic sites are often found in the sandy uplands and sand knolls adjacent to either lakes or swamps; as Fairbanks observed, however, very few of these sites are deeply stratified. Milanich (1994) also notes that these early sites tend to concentrate around river-marsh and swamp habitats where fresh to brackish water mollusks, fish, reptiles, and other game and food resources were readily available.

Following a transitional period commonly referred to as the Late Paleoindian period, the Early Archaic period becomes recognizable archeologically as a change in point manufacturing technologies and morphology. Specifically, the Early Archaic is distinguished from the Paleoindian by the disappearance of classic Paleo-point types and the wide-spread occurrence of smaller projectile point types, drills, gravers, adzes, and grinding stones. Caching of stone tools is also identified with the Early Archaic and unlike the Paleoindian periods, there is evidence of semi-nomadic settlement patterns that include seasonally occupied base camps and smaller resource extraction camps (Milanich 1994).

In terms of cultural materials, the Middle Archaic is distinguished from the Early Archaic by the appearance of a variety of new artifact types and craft media which includes grooved groundstone axes, stone pendants, early bannerstone forms, a well developed bone tool industry, atlatls, and new projectile point types (Griffin 1978). The quality and workmanship of many Middle Archaic artifacts suggests an increasing improvement in groundstone and bone tool industries. Throughout the Southeast, the appearance of new tool types and large base camps has been presumed to represent the addition of new, and the refinement of existing Early Archaic economic and subsistence activities. In particular, an increased reliance on shellfish and the presence of large base camps located adjacent to lakes, swamps, and streams are hallmarks of the Middle Archaic in the Southeast.

As mentioned above, the Late Archaic/Gulf Formational periods are marked by the appearance of fiber-tempered pottery. The Late Archaic period throughout the Southeast is also marked by the appearance of a few very large sites such as Poverty Point in Louisiana, the establishment of extensive trade networks, increased sedentism as seen in an increase in the number of village sites, the wide-spread distribution of stemmed projectile points, and refinement of Middle Archaic technologies. The settlement patterns evident throughout the Archaic indicate a tendency toward sedentism and village life that seems to be well established by the Late Archaic-Woodland transition (Gulf Formational).

Woodland Stage

Weeden Island Period

The hallmark of the Woodland Stage on the northern Gulf Coast of Florida is the Weeden Island Period, which dates from as early as A.D. 400 to about A.D. 1,000. Weeden Island is best known for its exotic, non-utilitarian pottery and mortuary rituals which included the construction of burial mounds. Willey (1949) defined Weeden Island ceramic assemblages as including "carry-overs" of some earlier Santa Rosa and Swift Creek types as well as numerous new and distinctive types of sand tempered pottery. Based on ceramic assemblage characteristics, Willey (1949: 397-407) subdivided the Weeden Island Period into Weeden Island I (early) and Weeden Island II (late). In Willey's subdivision, earlier Weeden Island ceramic assemblages contain various percentages of complicated stamped pottery along with relatively higher percentages of incised and punctated wares than is found in later assemblages where check stamped wares replace complicated stamped types and plain ware dominates. Common northwest Florida and southern Alabama Weeden Island types include: late varieties of Swift Creek Complicated Stamped; Weeden Island Punctated, Incised, Zoned Red-Painted, and Plain; Carrabelle Punctated and Incised; Indian Pass Incised; Keith Incised; Tucker Ridge Pinched; West Florida Cord Marked; St. Petersburg Incised, and Wakulla Check Stamped.

Weeden Island was initially described as a coastal culture with few inland manifestations (Willey 1949). More recent investigations, however, indicate that Weeden Island sites, including major villages and ceremonial centers, are located well inland from the Gulf Coast in the larger river valleys that extend into southern Georgia and Alabama as well as peninsular Florida (Sears 1956; Milanich 1974, 1994; Kohler 1978; Milanich and Fairbanks 1980; Milanich *et al.* 1984). Several researchers cite evidence of increasing centralization of authority and economic power during Weeden Island; this is especially true of evidence recovered from some of the larger ceremonial centers (Sears 1956; Milanich 1994). This interpretation closely follows that of Percy and Brose (1974), who postulate that changes in Weeden Island settlement patterns were a result of increases in population and an increasing reliance on horticulture that fostered a more centralized system of authority and economic control, but "did not give rise to ranked chiefdoms where authority and political office were inherited."

Weeden Island can be described as a dynamic culture that represents a widespread acceptance of a basic cultural and ideological framework which spread over the entire northern Gulf Coast of Florida (Thomas and Campbell 1993). The elaboration of Woodland traditions as seen in Weeden Island reflects a basic socio-political pattern which was associated with a hunting-gathering-horticultural adaptation to the Gulf Coast Plain region. These socio-political practices were reinforced by a set of religious beliefs involving various ceremonies and practices, which include archaeologically reconstructed burial mound mortuary treatment for at least some segment of the various populations associated with the Weeden Island phenomenon. Around about A.D. 700, for reasons that are currently not well understood, Weeden Island culture (or at least Weeden Island mortuary ritual and the production of exotic pottery) declines and Moundville and Etowah are two well-known, major "classic" Mississippian centers located in west-central Alabama and northwest Georgia, respectively.

Mississippian Stage

Pensacola Variant

Mississippian societies represent the most complex native developments in the Southeast. Socio-political organization is clearly associated with a chiefdom level of cultural evolution. Documents of early European explorers and archeological studies indicate that Mississippian chiefdoms maintained control over vast regions and resources.

The Mississippian Stage is represented in the project area by the closely related and sometimes inseparable Fort Walton and Pensacola traditions of northwest Florida and lower Alabama. The Pensacola variant, Bottle Creek phase, is dated to between A.D. 1200 and A.D. 1450 (Stowe 1985) and the Bear Point phase to between A.D. 1450 and 1700 (Fuller 1985). The Fort Walton Period in northwest Florida dates to between A.D. 1000 and A.D. 1600 (Mikell 1995; Milanich 1994). Shared elements of Mississippian material culture such as ceramic styles and manu-facturing technologies, copper and shell artifacts, and construction of flat-topped temple mounds are characteristic of several Gulf Coastal sites that are considered to be "...identical to those found at Etowah and Moundville" (Milanich and Fairbanks 1980: 1993). Moundville and Etowah are two well-known, major "classic" Mississippian centers located in west-central Alabama and north-west Georgia, respectively.

Although one hallmark of Mississippian culture is intensive reliance on efficient agriculture, there is little evidence for this form of subsistence in northwest Florida outside the Tallahassee Red Hills region and the Apalachicola Valley. Despite this "missing ingredient," the coastal and marginal interior area manifestations of Fort Walton and Pensacola are clearly linked to the Mississippianization of the Gulf Coast region. In fact, Willey (1949) associated Fort Walton with other Mississippian cultures and described it as a coastal adaptation or variant since the type site (8OK6: The Fort Walton Temple Mound), like several other large Fort Walton sites, is located on the coast. Willey also defined the Fort Walton ceramic series as including the following types: Lake Jackson Plain and Incised, Fort Walton Incised, Point Washington Incised, Marsh Island Incised, and the incised and plain varieties of the Pensacola series. Common Pensacola ceramics types include Mississippi Plain, Bell Plain, Pensacola Incised, Mound Place Incised, Kimmswick Fabric-Imprinted, Salt Creek Cane Imprinted, Moundville Incised, and Moundville Engraved (Fuller and Stowe 1982). As the list of Pensacola ceramic types indicates, Moundville derived ceramics are part of Pensacola (and some Fort Walton) ceramic assemblages. Pensacola ceramics tend to increase in frequency in later Fort Walton ceramic assemblages from sites located west of the Apalachicola Valley. This increase likely represents increasing social and economic influence from the Mobile Bay region (Mikell 1992, 1995).

Brose and Percy (1978) and Brose (1984) note that Fort Walton/Pensacola sites located west of the Apalachicola Valley are found primarily along the coast from St. Andrew Bay to Mobile Bay. These Fort Walton/Pensacola sites consist of a few ceremonial centers along with a number of small villages and camp sites. Many significant Pensacola sites have been documented in the Mobile and Pensacola drainages, including several on Perdido Bay (Little *et al.* 1988a, 1988b) and the Bottle Creek/Bear Point Phase Hickory Ridge cemetery (8Es1280) located immediately east of Magnolia Ridge (Phillips 1989a, 1989b). Since the mid-1980s, the Pensacola and Fort Walton variants have been regarded as distinct, but related cultural phenomena. A nearby site, Magnolia Ridge (8Es1052), clearly contains the remnants of a Pensacola village site.

Apparently, Pensacola culture remained viable until Spanish explorers introduced diseases that resulted in major declines in population which, in turn, undermined social and economic conditions to the point of decline and the eventual disappearance of this prehistoric culture. Pensacola and Fort Walton variant cultures developed into the tribal groups and chiefdoms known as the Apalache, Chato or Chacato, Chisca, Savacola, Tomeh, Mobile, and historically recorded Pensacola by the time of the Hernando de Soto and Tristan de Luna expeditions.

European Colonial Period

Following a failed attempt by Tristan de Luna to establish a colony in 1559, the European Colonial period began in the mid to late seventeenth-century with the Spanish occupations of St. Marks and Pensacola. During the second half of the seventeenth century the Spanish maintained their hold on the region of this study area with missions and a fort at St. Marks.

The French had established a contemporaneous occupation of Mobile Bay by the early 1700s. In 1763, the British gained control of the Gulf Coast region, including Florida and Alabama. During this period the British established forts and settlements and Creek Indians immigrants moved into the coastal region. In 1781, the Spanish regained control of the northern Gulf coast once again. During the Second Spanish period lumber and associated industries became an important aspect of Gulf Coastal economies in west Florida.

Early American Period

The Early American period in west Florida essentially encompasses the nineteenth-century following the Second Spanish period. In 1821, Spain ceded its holdings in the Southeast and Florida became an American Territory. The lumber and Naval Stores industries became major subsistence activities and economic factors in the American settlement of the northern Gulf Coast. Ports along the northern Gulf coast became cultural centers and shortly after the Civil War, railroads provided a boost to the thriving lumber and timber products industry. By the 1880s, the turpentine industry was a major industry in the area. Fishing had long a mainstay of early American life in these coastal communities.

Early 20th Century American Period

The early 20th century brought a world war (WWI) in 1914 followed in the 1920's by a period of economic prosperity known as the "Roaring 20's." The economic base of the populous was largely based on agrarian activities such as small farms, fishing communities, as well as production of timber and naval stores. Near the end of the first half of the twentieth century this isolated coastal area saw dramatic change with the coming of yet another world war (WWII).

Related Documents

- Brose, David S. and George Percy 1978 *Fort Walton Settlement Patterns*, In *Mississippian Settlement Patterns*, edited by Bruce Smith. Academic Press. New York.
- Bullen, Ripley 1975 *A Guide to the Identification of Florida Projectile Points*, Gainsville: Kendall Books.
- Cambron, James W., and David C. Hulse 1975 *Handbook of Alabama Archaeology, Part 1*. Archaeological Research Association of Alabama, Inc.
- Coker, William S. 1979 16th, 17th, and 18th Century Maps of West Florida. Ms. on file, Department of History, University of West Florida.
- Curren, Caleb 2010 *A Phase I Cultural Resource Survey of the Soundside Residential Development, Santa Rosa County, Florida*. Archeology Inc. Pensacola, Florida
- 2017 *A Phase I Cultural Resource Survey of the Proposed Chestnut Ranch Development Santa Rosa, County, Florida* .Contact Archeology Inc.
- 2016 *A Phase I Cultural Resource Survey of a 26-Acre Property (Heather's Place) Navarre, Santa Rosa County, Florida*. Contact Archeology Inc.
- Caleb Curren, Steve Newby, Erick Mosley, Chuck Pinson 2010 *Creek Indians and Early American Settlers on the Fairpoint Peninsula of Gulf Breeze, A Phase I and II Cultural Resources Study, Santa Rosa County, Florida*. Archeology Inc. Pensacola, Fl.
- Fairbanks, Charles H. 1959 *Additional Elliot's Point Complex Sites*. Florida Anthropologist 12:33-51.
- 1964 *The Early Occupations of Northwest Florida*. Southeastern Archeological Conference Bulletin 1.
- Griffin, James B. 1978 *Eastern United States* (in) *North American Archeology*. (ed.) R.E. Taylor and C. N. Meighan. Academic Press. New York.
- Hutchins, Thomas 1968 *An Historic Narrative and Topographical Description of Louisiana and West Florida*. University of Florida Press, Gainesville.
- Lazarus, William C. 1958 *A Poverty Point Complex in Florida. Ten Middens on the Naval Live Oaks Reservation, Santa Rosa County, Florida*. Florida Anthropologist 14:49-64.
- Mikell, Gregory A. 1992 8OK5, A Coastal Weeden Island Village in Northwest Florida. Florida Anthropologist 45:195-220.
- Milanich, Jerald T. 1994 *Archeology of Precolumbian Florida*. University Presses of Florida. Gainesville.
- Milanich, Jerald T. and Charles H. Fairbanks 1980 *Florida Archeology*. Academic Press. New York.
- Moore, Clarence B. 1901 *Certain Aboriginal Remains of the Northwest Florida Coast, Part 1*. Journal of the Academy of Natural Sciences of Philadelphia 11.
- 1902 *Certain Aboriginal Remains of the Northwest Florida Coast, Part 2*. Journal of the Academy of Natural Sciences of Philadelphia 12.
- 1918 *The Northwest Florida Coast Revisited*. Journal of the Academy of Natural Sciences of Philadelphia 16.

- Phelps, David S.
1969 *Swift Creek and Santa Rosa in Northwest Florida.* Institute of Archeology and Anthropology, University of South Carolina Notebook 1(6-9):12-24.
- Phillips, John C.
1993 *Arcadia: An Early 19th Century Water-Powered Industrial Complex in Northwest Florida.* Archaeology Institute, University of West Florida Report of Investigations 44.
- Sears, William H.
1954 *The Sociopolitical Organization of pre-Columbian Cultures on the Gulf Coastal Plain.* American Anthropologist 56: 339-346.
- Tesar, Louis B.
1973 *Archeological Surveys and Testing of Gulf Islands National Seashore, Part I.* Florida State University Department of Anthropology. Report submitted to the National Park Service.
- Walker, S.T.
1885 *Mounds and Shell Heaps on the West Coast of Florida.* Annual Report of the Smithsonian Institute, 1883:854-868.
- Willey, Gordon R.
1949 *Archeology of the Florida Gulf Coast.* Smithsonian Miscellaneous Collections, Vol. 113, Washington, D.C.
- Williams, John Lee
1976 *A View of West Florida.* The University Presses of Florida. Gainesville.
- Wolfe, Steven H., Jeffrey A
Reidenauer, and D. Bruce Means
1988 *An Ecological Characterization of the Florida Panhandle.* U.S. Department of the Interior, Fish and Wildlife Service, Washington D.C.

Commercial Fishing in Okaloosa's Coastal Waters

Jewel Melvin

Born in 1907, Jewel and his wife, Ruby, had four children. He opened Captain Jewel Melvin's Seafood Restaurant in Destin. The family made their living in commercial fishing. In the early days all the fish they caught were taken to Pensacola. Freight boats carried the fish to Pensacola and return to Destin with ice and groceries for the few folks who lived in the little village.



Jewel recalled the days on the Choctawhatchee Bay before the pass broke through between the gulf and the bay. Prior to the break the bay water was mostly fresh water. Bull rushes lined the coast of the bay and all kinds of wild ducks and water birds filled the area. But after the pass broke through the salt water killed the rushes from Indian Bayou to Point Washington, and most of the birds migrated away. Choctawhatchee Bay had been a brackish bay. "The salt water down here would back in when the tide came in for about a mile up the bay. Then the fresh water would meet it. If there were any fish in that tide drift, they'd go crazy and run up on the beach. When the tide turned out, we'd go along the beach and pick up menhaden and use them for bait. That's not the case anymore," he said.

My wife and I married in 1929; when the stock market crashed. There was a little post office and a mail boat here but we just didn't have the two cents to mail a letter. "We once brought in 10,000 pounds of mackerel and a fellow offered us ten cents a pound. A thousand dollars in those days was a lot of money. We unloaded the fish without collecting our money. Our plan was to go right back out to fish again. It was that night the crash hit. The next morning people woke up and they didn't have any money. All the banks were closed," Melvin remembered.

The Choctawhatchee Bay doesn't have a great rise and fall in the tides. That effects the fishing, too. "There was once lots of bluefish and mackerel in the bay and lots of big blue catfish. Back in the 1940's we'd catch a million tons of them and they sold well. These days, we don't catch any at all."

Historical Remembrances of Choctawhatchee Bay Northwest Florida by James H. Cason, Robert A. Mills and Paula A. Tully With Special Assistance by Walter Francis Spence. December, 1985 Northwest Florida Water Management District (FWMD), Special Report 85-2

Having conducted several scientific studies of the bay, the FWMD set about recording information from the people who grew up on the bay. Their stories are varied and subjective – not reflective of a scientific study – and they give life to how the bay impacted the culture and heritage of our area. Tavia Copenhaver McCuen conducted the interviews and others provided technical assistance in word processing and transcribing.

A complete copy of this Special Report can be viewed at the Baker Block Museum's Research Library.

Educational Services Baker Block Museum Baker, FL (850) 537-5714