

**REGULAR MEETING  
DESTIN CITY COUNCIL  
MAY 17, 2021  
ANNEX COUNCIL CHAMBERS  
6:00 PM**

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

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

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

**1. APPROVAL OF MINUTES**

A. Approval of minutes of April 5, 2021 Regular City Council Meeting

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

A. Proclamation - National Public Works Week

**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. Cross Town Connector ROW Scope and Fee Approval

B. Capital Project Status

C. Operations Financial Report

D. Approval of Resolution 21-05 setting the date and the qualification period for the City of Destin Special Election

E. Approval of contract with Okaloosa County Supervisor of Elections to conduct Special Election for the City of Destin

F. Appointment of Interim City Council Member

G. Appointment of Council representative to local and regional committees

H. Wayfinding for Harbor District Parking Lots

I. Announcements:

**5. PUBLIC HEARINGS**

A. Second reading of Ordinance 21-11-CN - Authorizing the issuance of the City of Destin non-ad valorem refunding revenue note, Series 2021 in the principal amount of not to exceed

\$10,600,000 for the purpose of financing the acquisition of certain real property within the City to be used to expand public beach access, refunding on a current basis the City's outstanding non-ad valorem refunding revenue note, Series 2015A and refunding on a current basis the outstanding Harbor Community Redevelopment Area Phase 1 revenue note, Series 2009, issued by the Community Redevelopment Agency of the City of Destin

- B. Approval of Resolution 21-04 - Supplementing Ordinance 21-11-CN, which authorizes issuance of the City of Destin Non-Ad Valorem Refunding Revenue Note, Series 2021
- C. Second reading of Ordinance 21-12-CN - Amending the FY2021 Budget to accommodate issuance of the Non-Ad Valorem Revenue Refunding Note, Series 2021, providing for authority, providing for findings of fact, providing for amendment to the 2021 Budget, providing for severability, and providing for an effective date
- D. Second reading of Ordinance 21-03-LC - Providing for amendments to Article 7, Section 7.12.08, "Dimensional Requirements"; amending Table 7-3, "Schedule of Dimensional Requirements in Zoning districts;" providing for consistency with the City's Comprehensive Plan.
- E. Second reading of Ordinance 21-08-LC - Providing for amendments to Article 7 of the Land Development Code, "Land Use, Type, density, Intensity, zoning and Regulatory Controls" to require multi-family long-term uses to include commercial components in the commercial General (CG) zoning district
- F. First reading of Ordinance 21-09-LC - Providing for amendments to Article 7 of the Land Development Code "Land Use, Type, Density, Intensity, Zoning and Regulatory Controls"; amending Table 7-2 "Table of Allowable Uses" relating to breweries, micro-breweries, brewpubs, distilleries, craft distilleries, and restaurants

**6. \*CONSENT AGENDA (No public comments)**

- A. Main Street Re-Striping, authorization for City Manager to execute a Task Order
- B. Removal and Replacement of Boardwalks at Captain Royal Melvin, Destin Fishing Fleet, and Luther's
- C. Cemetery Fence Replacement
- D. Minutes from Board and Committees
- E. Animal Control Services - 2nd Quarter Information

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

- A. Councilmember Braden
- B. Councilmember Ramswell
- C. Councilmember Destin
- D. Councilmember Overdier
- E. Councilmember Hebert
- F. Councilmember King
- G. Councilmember Schmidt
  - 1) Helicopter Operations
  - 2) Charter Review
- 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 necesitan ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Español CA). La ayuda también 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](http://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](http://www.cityofdestin.com/agendas)**

**MINUTES  
REGULAR MEETING  
DESTIN CITY COUNCIL  
APRIL 5, 2021  
CITY HALL ANNEX COUNCIL CHAMBERS  
6:00 PM**

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

**Destin City Council**

Mayor Gary Jarvis

Councilmember Skip Overdier

Councilmember Rodney Braden

Councilmember Johnny King

Councilmember Prebble Ramswell

Councilmember Kevin Schmidt

Councilmember Dewey Destin

**Destin City Staff**

City Manager Lance Johnson

Deputy City Manager Webb Warren

Deputy Public Services Director John Hart

Public Information Manager Catherine Card

Finance Director Krystal Strickland

Grants/Project Manager Jeffrey Cozadd

Principal Planner Lauren Witt

Building Official Noelle Bell

Community Dev. Director Louis Zunguze

Code Compliance Manager Joey Forgione

City Clerk Rey Bailey

Public Services Director Michael Burgess

City Engineer Donald Smith

Parks/Recreation Director Lisa Firth

Planner Daniel Butler

IT Manager Matthew Pace

HR Manager Nichole DeVito

Stormwater Manager Traci Goodhart

City Attorney Kyle Bauman

City Land Use Attorney Kimberly Kopp

**CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

The Mayor called the meeting to order at 6:00 p.m., which was then followed by the recitation of the Pledge of Allegiance.

**AGENDA APPROVAL**

**Motion by Councilmember Overdier, seconded by Councilmember Ramswell, to approve the agenda passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

**1. APPROVAL OF MINUTES**

A) Approval of minutes of March 15, 2021 Council Executive Session

**Councilmember Ramswell moved for approval of minutes of March 15, 2021 Council Executive Session; seconded by Councilmember Overdier. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

B) Approval of minutes of February 16, 2021 Regular City Council Meeting

**Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve minutes of February 16, 2021 Regular City Council Meeting passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

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

A) Funding Request from Emerald Coast Fitness Foundation

Ms. Kathy Hippie, Emerald Coast Fitness Foundation Board member, requested City Council participation in funding coalition to support the Emerald Coast Fitness Foundation and activities at the Aquatic Center in Destin. She asked for Council’s approval of a \$25,000 expenditure in 2021 to match contributions being made by the Okaloosa County School Board, Board of County Commissioners and, quite possibly, the City of Fort Walton Beach.

She expressed the Foundation’s gratitude to the City of Destin for its generous support dating back in 2017 when the Council agreed to donate \$50,000 toward their efforts to renovate and re-open the Aquatic Center in Destin. The funding paid for re-surfacing the pools and other necessities to get the facility open. The City also donated \$8,000 to pay for a new electronic scoreboard. They have been able to keep the Aquatic Center in Destin open continuously since 2017, except for a month in 2020 due to the pandemic. Their programs serve large number of people and wide range of demographics.

She stated that the Aquatic Center in Destin is a thriving facility that is providing an essential service to Destin residents and the surrounding community. They have committed to keeping their participation and usage rates low to be available to the entire community. They have revenue from their programs as well as some donations and business sponsorships. However, operating expenses are high. Lifeguards and instructors are the only paid employees. All board members and business management personnel are volunteers. Utilities are costly. Pool equipment and supplies, as well as facility repairs and maintenance, are expensive. Their facility is large, and it is aging. Machinery breaks down, equipment needs to be replaced, and maintenance is ongoing.

She also noted that they have asked the Okaloosa County Commission to consider giving the Foundation some supplemental funding to help defray operations cost and allow them to make improvements and grow their program offering. They asked the County Commission for a mid-year budget amendment for \$100,000. While the commissioners were impressed with their efforts and success in operating their pools and acknowledged that they are serving the community, they wanted them to build a coalition between them and the two cities – Destin and Fort Walton Beach – and the school district whose citizens benefit directly from the use of their aquatic centers. Therefore, they are asking the City of Destin, City of Fort Walton Beach, the Okaloosa County School District, and the Okaloosa County Commission to each commit \$25,000 this year to the Emerald Coast Fitness Foundation. In return for this financial support, and in addition to the benefits that many Destin residents are already receiving from the pool, the

Aquatic Center in Destin would be offering a coupon for all the registered attendees of the Destin Day Camp for 50% off for lessons at the Aquatic Center in Destin for the whole summer.

Councilmember Ramswell noted that the Aquatic Center has come so far in such a short amount of time. The pool was struggling before the Foundation was able to take it over, and now there have been a constant flow of activity. It is well run and well managed. They have so much potential they have yet to tap into. The Destin High School is willing to work with them and come up with some ideas for partnership.

Councilmember Braden noted that the City has already given so much money in support of the Foundation. He asked when the Aquatic Center will become sustainable.

Mr. Brad Kale, an Emerald Coast Fitness Foundation Board member, stated the aquatic facility is now sustainable. Their revenue covers its fix cost, building cost, and salary cost for staff. However, they have to raise money in order to improve infrastructure and the facility, which they have done successfully.

Former Council member Parker Destin commented that almost none of the swimming facilities in the United States are owned by private organizations because they are expensive, and they do not make money. There are private pools in large exercise facilities or gymnasiums to bring people in to use those facilities. They are a necessary part of the whole package but not as a standalone amenity. He added that almost every competitive swimming pool in the country is governed by, or a partnership exists with some sort of governmental entities – municipalities or universities – because public money is a necessity to allow them to be viable and solvent. He suggests the City partnering with the Emerald Coast Fitness Foundation.

Councilmember Schmidt inquired as to the number of residents that utilize the pool for recreational purposes.

According to Ms. Hippie, looking at usage over the past few years, about 50% of their program participants were Destin residents.

Councilmember Ramswell pointed out that firefighters have to use the pool for their public safety training.

Councilmember Schmidt expressed concern this is an unfunded amount that is being requested and they are almost at the end of the budget year. He stated that the school district should be providing more funding since most of the usage involve school related competitions, and that the actual usage by City residents is not quite clear.

**Councilmember Destin moved to direct the City Manager to coordinate with the City's Finance Director to identify the appropriate budget account from which to take the \$25,000 they can make available to the Emerald Coast Fitness Foundation and bring the information back at the next Council meeting. Councilmember Ramswell provided a second to the motion, which passes 5-1 (Council members King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Schmidt voted "no"; Councilmember Hebert was absent from the meeting).**

B) Presentation of the Public Works & Safety Committee's 2021-2022 Work Plan

Mr. Jim Wood, Vice-Chair of the Public Works and Safety Committee presented the committee's 2021-2022 work plan.

**Motion by Councilmember Schmidt, seconded by Councilmember Destin, to accept the Public Works / Public Safety Committee 2021-2022 work plan as submitted passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

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

Mr. Greg Fisher provided an update on livery operations. He stated they had, quite possibly, the busiest spring break they ever had this year; but there have not been any major incidents. They are running short on employees like most business at this time. They have also recently secured funding of \$6000 for the navigational safety videos. Both residents and visitors would benefit from these videos, including people from out of state who are bringing their boats in this area. He asked the City to put signage down on boat ramps once these videos are produced.

Ms. Marcie Bell, a Destin resident, noted that one of the things that was discussed during a recent Council Visioning Session was code compliance. She stated that the Code Compliance Division is quite overwhelmed, and she urged the Council to provide them some assistance by hiring some middle management personnel that can take charge when the Code Compliance Manager is unavailable.

**4. CITY MANAGER REPORTS**

A) Land Development Code – Update

The City Manager noted that over the past two years, the City has diligently and judiciously undertaken the task of updating and aligning the City's Comprehensive Plan, with the future Land Use Map and the Zoning Map. That task is now complete. The City now needs to update and align the City's Land Development Code with the recent changes to the Comprehensive Plan. The Scope of Work for the updates to the Land Development Code will be drafted by 3TP Ventures, LLC, in collaboration with the City's Land Use Attorney, Community Development staff, and under the direct supervision of the Community Development Director. He asked for Council's approval of the Scope of Work and the contract with 3TP Ventures, LLC to furnish professional planning services to the City.

**Councilmember Destin moved to approve the proposed Land Development Code update scope of work and the contract with 3TP Ventures, LLC, to furnish professional planning services to the City in the amount not to exceed \$90,000; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

B) Evaluation of the Impacts of the Cross-Town Connector at Intersection of US 98/Stahlman Ave

City Engineer Donald Smith provided the following information:

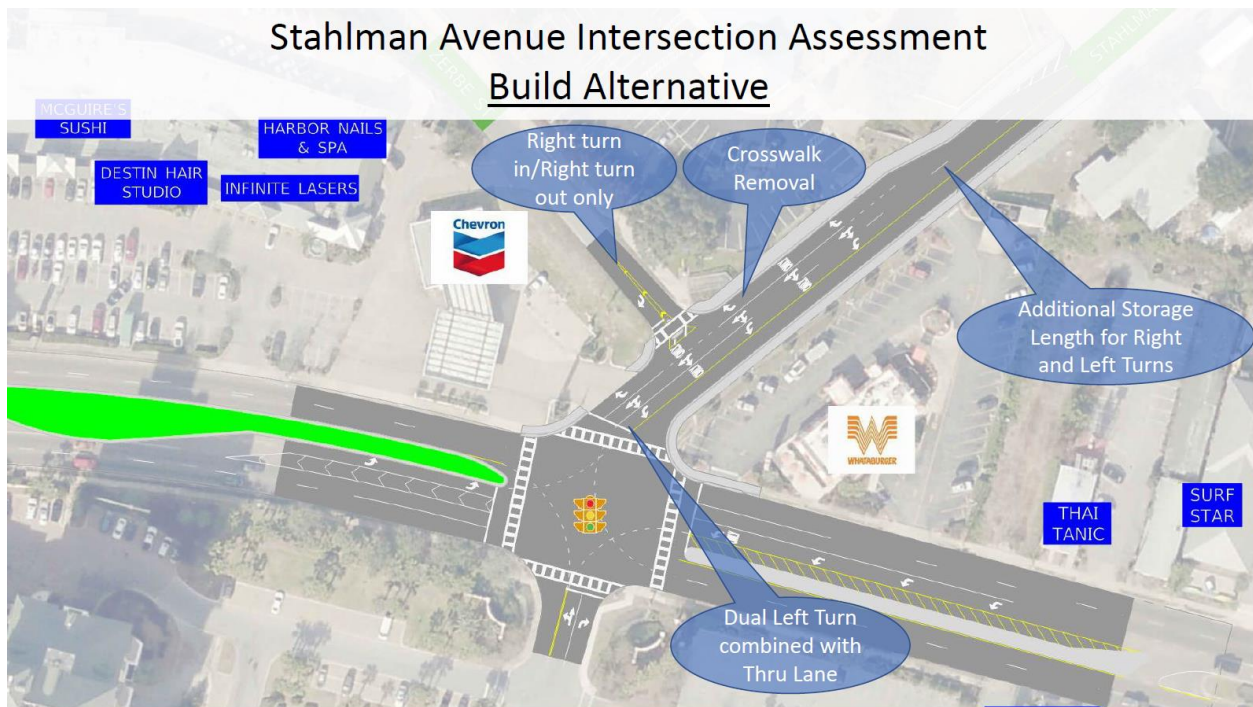
Stahlman Avenue Intersection Assessment

- Council Direction: To evaluate the impacts of the Cross-Town Connector on the intersection of US Hwy 98 and Stahlman Avenue
- Stahlman Intersection Existing Conditions
  - ❖ US Hwy 98
    - 4 lane highway
    - Urban Principal Arterial
    - Speed limit is 35 mph
    - Average Annual Daily Traffic (AADT)
      - 44,000 vehicles per day (VPD)
  - ❖ Stahlman Avenue
    - 2-lane highway
    - Urban Major Collector
    - Speed limit is 20 mph
    - AADT is 4000 VPD

A representative of Volkert, Inc. provided the following presentation:

- Stahlman Avenue Intersection Assessment Scope of Services
  - ❖ Existing Conditions Assessment
    - Data Collection
    - Existing Traffic Analysis
    - Safety (Crash Data) Review
  - ❖ Alternative Analysis
  - ❖ Alternatives Meeting Presentation
  - ❖ Local Concerns Meeting (Virtual)
  - ❖ Final Technical Memorandum
- Stahlman Avenue Intersection Assessment Timing Modification Alternative
  - ❖ Modifications include – timing adjustments to accommodate pedestrians within coordination timings
  - ❖ Improvements include reduction in time signal is adjusting back into coordination
  - ❖ Stahlman Avenue Intersection Assessment Build Alternative
    - Recommendations include:
      - Right turn in/right turn out for Zerbe Street
      - Removal of pedestrian crossing north of Zerbe Street
      - Southbound left turn, shared left – Thru, and Right turn movements at US Hwy 98 and Stahlman Avenue
      - Approximately \$350,000 -construction cost
    - Improvement Include

- Potential 50% reduction in crashes at intersection of Stahlman Avenue and Zerbe Street
- Reduction in delays
- Improvements in LOS
- Impact Include
  - Impact stormwater pond for the Community Center
  - Parking at What-A-Burger
  - Replacement of Mast-arms in NW and NE quadrants
  - Right of way west of Stahlman Avenue



- Stahlman Avenue Intersection Assessment Build Alternative
  - ❖ Right-in/right-out at Zerbe Street could have resulted in a 50% reduction of crashes between 2015-2018
- Stahlman Avenue Intersection Assessment Pedestrian Overpass Alternative
  - ❖ 11 vehicle/pedestrian accidents (6/16 to 7/20) in immediate US Hwy 98 corridor
  - ❖ 10 accidents were in vicinity of Stahlman Avenue intersection (2 fatalities)
  - ❖ \$1.5M - \$2 M Construction Cost (w/o ROW)
- Stahlman Avenue Intersection Assessment Other Recommendations
  - ❖ FDOT recommendations for turn lane addition (dedicated right, through and left turn on north and south leg of intersection)
  - ❖ Intersection reconstruction with realignment (requires What-A-Burger acquisition and relocation of Harbor Walk Village Drive Development Order Modification)
  - ❖ Advanced Traffic Management System – Corridor Wide

- Stahlman Avenue Intersection Assessment Pedestrian Underpass Alternative
  - ❖ 11 vehicle/pedestrian accidents (6/16 to 7/20) in immediate US Hwy 98 corridor
  - ❖ 10 accidents were in vicinity of Stahlman Avenue intersection (2 fatalities)
  - ❖ Depth required for construction (14' minimum)
  - ❖ Advantages
    - :Potentially address vehicle/pedestrian conflicts
    - Provide crossing without conflict to US Hwy 8 vehicular traffic
  - ❖ Disadvantages
    - \$3.2 M - \$ .8 M construction cost (w/o ROW)
    - Impact to traffic during construction
  - ❖ Stahlman Avenue Pedestrian Low-Cost Pedestrian Safety Recommendations
    - Could be implemented with or without other recommendations
      - Install linear pedestrian barrier and/or low-level landscaping to medians. Deters pedestrians from crossing where drivers do not anticipate pedestrians crossing in travel lanes
      - Update existing lighting at existing signalized intersection crossings and midblock crossings to current AASHTO standards for pedestrian lighting at signalized crossing ant midblock crossings
    - Stahlman Avenue Intersection Assessment Impacts of Cross-Town Connector
      - Direct link between Benning Drive and Beach Drive
      - No major impacts anticipated at the intersection of US 98 and Stahlman Avenue
      - Anticipated diverted trip amount similar to existing conditions

Following Volkert's presentation, the City Engineer provided the following additional information:

- Recent studies conducted
  - ❖ 2015 Stantec
    - Study focused on safety enhancements along 3.5 miles stretch of US Hwy 98 through Destin
  - ❖ 2016 Florida Transportation Engineering (FTE)
    - Studied the operation of the signalized intersection at US 98 at Stahlman Avenue to determine if any operational improvement are needed
  - ❖ 2018 Gresham Smith and Partners
    - Updated the study conducted by FTE in 2016
  - ❖ Atkins
    - 2019 Study analyzed the operational and safety conditions of the intersection of US Hwy 98 and Stahlman Avenue
    - PD&E document completed by Atkins for the CTC project

- ❖ 2021 Volkert
  - Identified potential improvements that can be implemented to improve vehicular flow and promote pedestrian safety
- Study Consensus
  - ❖ The crashes reported are greater than the statistical average of similar roads in District 3
  - ❖ Actual field conditions are worse than calculated by modeling software (it is difficult to model actual conditions/variables)
  - ❖ Realignment and widening of Stahlman Avenue is most mentioned improvement to include realignment and dedicated turn lanes for right, thru, and left
  - ❖ Eastbound 98 is often a LOS F in the AM Peak
  - ❖ Westbound 98 is often a LOS F in the PM Peak
  - ❖ Stahlman Avenue is a LOS F in the AM and PM
- Addressing Stahlman Concerns
  - ❖ The concern is that the CTC will generate additional traffic and worsen conditions at the US HWY 98 and Stahlman Avenue intersection
  - ❖ It is unlikely that the completion of the Cross Town Connector with a 2-lane section which will help to maintain current traffic volumes
    - The Cross-Town Connector already exists
    - Council voted to keep this corridor a 2-lane section which will help to maintain current traffic volumes
    - Without improvement to Legion Drive or Azalea Drive, an increase in traffic would not be anticipated
    - Stahlman Avenue LOS is an F
    - During peak times, the limiting factor is not Stahlman Avenue but US Hwy 98 as it is beyond capacity
    - Stahlman Avenue does not have additional capacity at peak times
- Advantages of Completing Cross-Town Connector
  - ❖ Remove traffic from Legion Drive which is a neighborhood street improving the safety and quality of life for that community
  - ❖ Will improve aesthetics and livability and can serve as a focal point for the rejuvenation / redevelopment of the area, especially considering a linear park
  - ❖ Multimodal intersection improvements will increase safety at Benning and Beach Drive intersections
  - ❖ Will improve emergency response times by removing offset intersections
  - ❖ Will improve our overall multimodal transportation system, especially for local residents of Destin
- Conclusions / Options
  - ❖ Do Nothing – not really an option
  - ❖ Short Term Goals (1-2 years) – Make improvements to US Hwy 98 at Stahlman Avenue intersection such as access control, restricting movements, or other improvements that can be made without acquiring additional ROW
  - ❖ Mid Term Goal (5 years) – Pursue potential improvements to US Hwy 98 at Stahlman Avenue intersection including:

- The acquisition of R/W to realign and widen Stahlman Avenue
  - Consider an overpass/underpass to improve vehicular flow and to promote pedestrian safety
- ❖ Long Term Goal (10+ years) – The City needs to actively participate in the FDOT PD&E Study to make long-term improvements to the US Hwy 98 Corridor
- Recommendations
  - ❖ Schedule a workshop
  - ❖ Take a proactive, incremental approach
  - ❖ Short Term (1-2 years) investigate and implement measures that can be done to improve the US 98 at Stahlman Avenue intersection without purchasing r/w
  - ❖ Mid-Term (5 years) pursue capacity improvements through the acquisition of additional property
  - ❖ Long-term (10+ years) fully engage FDOT as they move forward with the PD&E Study this summer

**Councilmember Destin moved to direct the City Manager to schedule a City Council workshop within the next 30 days to discuss issues relating to the cross-town connector and other factors they can include on the cross-town connector to make it a truly multi-modal section of the road and get the maximum use out of it; and to direct Atkins to delay creating the design until after the workshop. Councilmember Overdier provided a second on the motion.**

Mr. Smith asked if they are delaying the creation of the design because of the Linear Park.

Councilmember Destin stated that it is one of the reasons. There are other issues they can discuss during the workshop to make sure the cross-town connector does not turn into a raceway by encourage rapid transit through that road much like US Hwy 98. He continued there are also some traffic calming steps they could consider.

Councilmember Ramswell noted that she first broached the idea of an underpass. At the time they did not think it was possible due to the depth of the water table. They then received a report stating that an underpass is feasible. There was also some discussions about making Zerbe Street one-way heading east and other options that would increase the flow of traffic and facilitate movement in the area. She asked if these issues have been part of the discussions lately.

Mr. Smith noted that most of their discussions focused on the intersection. However, the workshop is a perfect setting to bring those issues back and discussed their pros and cons.

**Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

C) Resolution 21-03 - Transportation Regional Incentive Program (TRIP) Agreement - Crosstown Connector EN615

Grants/Program Manager Jeff Cozadd explained that the City Council directed the redesign of the cross-town connector from a four-lane to a two-lane road section. The design will identify additional properties that will need to be acquired in order to construct the connector. The project was awarded a \$2.7 million in funds from FDOT's Transportation Regional Incentive Program (TRIP). The grant is restricted to purchases of right-of-way necessary to construction of the Beach to Benning drive portion of the cross-town connector. The award is split between two state fiscal years, with \$1 million available immediately, and the remaining \$1.7 million to become available after July 1, 2021. Right-of-way acquisition will be required in order to complete the cross-town connector. The TRIP grant funding of \$2.7 million will have a significant positive impact on this project.

**Councilmember Overdier moved to adopt Resolution 21-03, authorizing the City Manager to execute the TRIP Agreement with FDOT and amending the City's Fiscal Year 2021 Budget accordingly; to direct the City Manager to deliver all necessary documents to the FDOT; and to allow Atkins' right-of-way acquisition portion of the design project to move forward. Councilmember Ramswell seconded the motion, which passes 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

D) Zerbe/Calhoun Phase 2 Project

The City Engineer presented the following information:

Zerbe Street – Calhoun Avenue Pedestrian Improvements

➤ Background:

- ❖ On April 1, 2019, City Council directed staff to pursue a bid process for an engineering firm to create conceptual drawings and concrete plans for pedestrian improvements and boardwalk extension under the Marler Bridge
- ❖ Funding for Zerbe/Calhoun Pedestrian Improvements was allocated by Council and adequate funding remains to allocate funds for design of Zerbe/Calhoun Pedestrian Improvements Phase II. The services for engineering design for the project include:
  - Pre-Design Services
  - Engineering Services
  - Public Involvement
  - Environmental/Permitting
  - Post Design Services

➤ Options and Impacts

- ❖ The following options exist to procure engineering services to develop plans for the project:
  - Option 1: City staff can do a Request for Proposals (RFP) and select a qualified candidate – Time Impacts = 5-6 months

- Option 2: City staff can utilize existing continuing engineering services contracts and select a qualified candidate – Time Impacts = 1 month to select a firm
- ❖ Options - Process
  - If Council chooses Option 1, City staff would put out an RFP and select a qualified candidate and could possibly give a Notice to Proceed by the end of August
  - If the Council chooses Option 2, the City may select Dewberry, Baskerville-Donovan, or Volkert, the current engineering service providers for the City based on their qualifications. The Notice to Proceed could possibly be given before the end of April 2021

Councilmember Destin asked if option 2 is selected, whether staff would seek proposals from all 3 continuing engineering services providers.

Mr. Smith explained that one of the firms will be selected based on the qualifications they have already submitted with their continuing services contract; and then they will bring that back for Council’s approval.

Councilmember Destin recommends the City obtain a Scope of Services and proposals from all three continuing services consultants – Dewberry, Baskerville-Donovan, and Volkert – for the project, and bring back staff’s recommended contract for Council’s consideration.

**Councilmember Overdier moved to approve Option 2 for the Zerbe/Calhoun Pedestrian Improvements Phase II; seconded by Councilmember Destin. Motion passed 6-0 0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

E) Pine Street Safety Concerns

The City Engineer gave the following presentation:

- Background
  - ❖ March 15, 2021 – City council directed staff to come up with proposed solutions to reported racing/speeding on Pine Street between Calhoun Avenue and Sibert Avenue
- Existing Conditions (Pine Street)
  - ❖ 750’ long
  - ❖ 21’ wide
  - ❖ 10.5’ lanes
  - ❖ 25 mph speed limit
  - ❖ Double yellow center line stripe
  - ❖ No sidewalks
  - ❖ No roadside swales
  - ❖ Speed data:
    - 85% speed is approximately 30 mph
    - 19 cars going over 25 mph

- 11 cars going over 30 mph
  - 5 cars going over 35 mph
- Option 1 and Impacts
  - ❖ Option 1: Speed hump and 20 mph speed limit
  - ❖ Impacts:
    - Reduced speed
    - No change in behavior
    - No multimodal component – Reduces multimodal safety
    - Increases emergency response time
    - Leads to more speed humps
- Option 2 and Impacts
  - ❖ Option 2:
    - One way
    - 10' lane width
    - 8' multi-use path
  - ❖ Impacts:
    - Increase multimodal connectivity and safety
    - No impact to emergency response (actually safer)
    - Does not inconvenience those residents who try to do the right thing (almost 9 out of 10 people)
    - Creates healthier, safer neighborhoods
- Recommendation
  - ❖ Option 2 – Traffic Calming Measures
  - ❖ Develop a safety program
    - Data driven
    - Community supported
    - Council approved

Councilmember Ramswell stated that she would rather see more enforcement. They can keep spending money putting traffic calming devices in one place or another, but the more crowded they get and the more traffic that comes in due to tourism, the more over-capacity their streets will become, and people will always find the fastest route to their destination and speed through there.

Councilmember King commented that their priorities should be Destin residents, Destin businesses, and tourism, in that order. But it seems like they put too much emphasis on tourism, making their main roads aesthetically pleasing while their back roads look like drag strips.

Councilmember Schmidt stated he would support neither of the two options at this time as the residents of Pine Street will need to have a voice on the matter before they decide to do any drastic change to that road. He added this is a visioning session type of discussion about how they would impact all the roads in the City of Destin to make them safer for its citizens.

**Councilmember Destin moved to ask the Sheriff's Department to pay special attention to speeding on Pine Street in the short term; and in the long term, consider some of the ideas presented by the City Engineer at a workshop later this year. Councilmember Ramswell provided a second to the motion. Motion passed 6-0 (Council members Schmidt,**

**King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

F) Captain Royal Melvin Heritage Park and Plaza Kayak Launch

The City’s Grants/Project Manager noted that the Florida Community Trust (FCT) has given the City the option of removing the kayak launch from the project completely or installing a kayak facility that is fully compliant with the Americans with Disability Act (ADA). It is the opinion of the City Engineer, contractor, and staff that upgrading this component to be fully ADA compliant may not be in the best interest of the City because of safety concerns and available area for the extra necessary features required to make the launch ADA compliant. Okaloosa County was made aware of the options offered by FCT. The County checked with the US Treasury Department, who is funding the project construction through a Restore Act grant and indicated that either option would be acceptable to them.

**Councilmember Schmidt moved to authorize the City Manager to request the removal of the kayak launch from the project and take whatever additional steps are necessary for processing the request with the FCT, Okaloosa County and the US. Treasury. Councilmember Braden provided a second to the motion.**

Councilmember Ramswell requested a copy of the current management plan and any notes and documentation of conversation with the FCT regarding this issue so that Council can review that information.

**Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

G) Paid Parking Pay Station Update

The City’s Information Technology Manager Matthew Pace announced that City staff has been in contact with various vendors concerning options for paid parking stations. Some information is still forthcoming from vendors. Staff wants to be able to provide a comprehensive update to Council and needs more time to collect information. They will bring forth more information as soon as it is available.

H) Council Contingency Account Status Update

The City’s Finance Director provided the following update:

Since 2003, a budget line all “contingency” has been included in the annual adopted budgets for Council. The past ten years, the adopted contingency budget has ranged from \$5,716 to \$46,954. The FY 2021 adopted budget included \$30,000 in the contingency line for Council. They have spent \$26,458 to date, leaving a balance of \$3,542 as follows:

- \$14,750 approved to pay balance owed to UWF Haas Foundation for Economic Harbor Study
- \$1,260 approved to reimburse the Destin fishing Museum for an asbestos study at the museum

- \$10,448 approved to pay balance owed to Baskerville-Donovan for change orders to Norriego Point surveys

Traditionally, the City has also adopted a contingency line for the City Manager of \$20,000. For FY 2020 and FY 2021, this account was budgeted at \$0.

The FY 2021 budget has two additional contingency accounts. One is earmarked for Economic Development in the amount of \$25,000. No expenditures have happened to date. From 2000 to 2019, the City has given nearly \$10,000/year to the “One Okaloosa Economic Development Council” from this account. The second contingency account is earmarked for Health and Human Services in the amount of \$15,000. The City has traditionally spent this amount for special items such as a donation to the Destin Fishing Rodeo Queen scholarship fund. No expenditures have occurred to date.

I) Zerbe-Calhoun Pedestrian Improvements Project, Boardwalk section

According to the City Manager, based on comments received from members of the community, staff has explored the possibility of installing an alternative pedestrian pathway (sidewalk) through Clement Taylor Park in place of an elevated boardwalk and needs Council’s direction. There have been some discussions concerning the installation of a sidewalk as an alternative to the elevated boardwalk as shown on the plans provided to Council. Staff is requesting guidance from Council on whether the designated elevated boardwalk, or as an alternative, a sidewalk, be installed at Clement Taylor Park.

**Councilmember Destin moved to direct the City Manager to work with the contractor to install a sidewalk section in the interior of the park instead of the elevated boardwalk sections along Calhoun Avenue; seconded by Councilmember Ramswell.**

Councilmember Schmidt recommends not adding anything in that area; adding there would be some cost savings by not putting concrete sidewalk through the park.

The City Manager explained this crosswalk is designed to only go halfway through the park from the south end and halfway up to the north end where the driveway is currently located. They would cut across diagonally from that point to meet up with the sidewalk that runs along the eastern end of Calhoun Avenue which would provide the connectivity for children to get to the park.

Councilmember Schmidt noted that the connectivity for children to get to the park already exists as there is sidewalk on the entire eastern side of Calhoun Avenue.

**Councilmember Schmidt offered a substitute motion to not install a sidewalk section in the interior of the park; and to install a crosswalk across the fire station location; seconded by Councilmember Braden.**

Councilmember Destin asked how much money they could save by putting the concrete sidewalk rather than the boardwalk, and whether staff feels Councilmember Schmidt’s proposal would provide the same degree of connectivity and not create any ADA compliance issue.

Mr. Burgess noted that in the proposal that was in the original agenda item report a few weeks back for Council's approval, the boardwalk section was for \$80,000. The sidewalk section would be considerably less than that amount. He would need to consult with the City Engineer and contractor regarding the ADA compliance issue and come back to Council with the information.

**Councilmember Destin moved to table this item to the next meeting to allow staff time to obtain some answers on the ADA compliance issue; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

J) Announcements:

- The Destin Water Users is working closely with City staff to coordinate the installation of new reclaim water lines that would require the closure of portions of Airport Road between April 19<sup>th</sup> and 23<sup>rd</sup>.
- Groundbreaking ceremony scheduled to be held at Shores at Crystal Beach Park on April 12<sup>th</sup> at 10:00 AM.
- Due to unavoidable delay in conversion to EnerGov system, staff requests Council delays the reopening of the Annex Facility to full 5-days a week until they get the program up and running.

**Councilmember Braden moved to delay the reopening of the Annex Facility to full 5-days a week to the end of April 2012; seconded by Councilmember Destin.**

Councilmember Schmidt recommends going back to normal operations immediately, since they already had a long delay, and moving staff around and assign members to provide service to the citizens on a daily basis.

**Motion passed 5-1 (Council members King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Schmidt voted "no"; Councilmember Hebert was absent from the meeting).**

- The City Manager will be away on vacation from April 15<sup>th</sup> to 25<sup>th</sup>. Deputy City Manager Webb Warren will be Acting City Manager during that period.

Following this item, the next item discussed was agenda item 7I(1)

## 5. PUBLIC HEARINGS

- A) Curtis Gwin of Indian Bayou West, LLC is requesting approval of a Major Development Order and Major Subdivision identified as "Indian Bayou West". The project consists of an 86-lot residential subdivision. The proposed project is located at 1 Country Club Drive East (Parcel ID: 00-2S-22-0000-0046-0000). The site consists of approximately 69.16 acres.

The City Attorney sworn in the following individuals for testimony:

- Curtis Gwin
- Ross Binkley
- Lauren Witt
- Daniel Butler
- Noel Bell
- Louis Zunguze

Mr. Curtis Gwin presented the item as outlined in the staff report.

The City Attorney asked whether any member of the Council has had any ex parte communications regarding this proposed project. The Mayor and each member of the Council responded “no.”

The Mayor opened a public hearing to receive comments for or against the proposed project. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for their discussion and consideration.

**Councilmember Ramswell moved for approval of Indian Bayou West, a Major Development Order and Major Subdivision, subject to the conditions of review and approval in the Development Order and Technical Review Committee Report. Councilmember Braden provided a second to the motion. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

- B) First reading of Ordinance 21-02-LC - Amending the official Zoning Map as referenced in the Land Development Code, Section 7.12.01(A)2 Zoning Maps to include a change in the zoning designations of the parcels from Low Density Residential - Village (LDR-V) to Residential, Office and Institutional-Village Residential (ROI-VR)

The City Attorney read proposed ordinance by title, and then presented it to the City Council on first reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE OFFICIAL ZONING MAP AS REFERENCED IN THE LAND DEVELOPMENT CODE, SECTION 7.12.01(A)2 ZONING MAPS TO INCLUDE A CHANGE IN THE ZONING DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM LOW DENSITY RESIDENTIAL - VILLAGE (LDR-V) TO RESIDENTIAL, OFFICE AND INSTITUTIONAL-VILLAGE RESIDENTIAL (ROI-VR); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR ZONING MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Parcel ID Numbers: 00-2S-22-3091-000J-0200 & 00-2S-22-3091-000J-0190)

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

**Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve proposed Ordinance 21-02-LC on first reading passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

- C) First reading of Ordinance 21-04-PC - Amending Comprehensive Plan: 2020, Chapter 1 - Future Land Use Element related to building heights to provide for consistency with the City Charter.

The City Attorney read proposed ordinance by title, and then presented it to the City Council on first reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TITLE; PROVIDING FOR JURISDICTION; PROVIDING FOR INTENT; AMENDING CHAPTER 1 - FUTURE LAND USE ELEMENT RELATED TO BUILDING HEIGHTS TO PROVIDE FOR CONSISTENCY WITH THE CITY CHARTER; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

**Councilmember Destin moved for approval of proposed Ordinance 21-04-PC on first reading, and direct staff to submit it to the State Department of Economic Opportunity for review; seconded by Councilmember Ramswell, passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

- D) First reading of Ordinance 21-05-PC - Amending Comprehensive Plan: 2020 Chapter 1 - Future Land Use Element, Policy 1-2.1.4 relating to roofing and roof pitch

The City Attorney read proposed ordinance by title, and then presented it to the City Council on first reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN: 2020; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TITLE; PROVIDING FOR JURISDICTION; PROVIDING FOR INTENT; AMENDING CHAPTER 1 - FUTURE LAND USE ELEMENT, POLICY 1-2.1.4 RELATING TO ROOFING AND ROOF PITCH; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF

ECONOMIC OPPORTUNITY; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

**Councilmember Destin moved for approval of proposed Ordinance 21-05-PC on first reading, and direct staff to submit it to the State Department of Economic Opportunity for review; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

- E) First reading of Ordinance 21-06-LC - Amending Article 7 of the Land Development Code - Land Use, Type, Density, Intensity, Zoning and Regulatory Controls; amending Table 7-2 - Table of Allowable Uses to include police protection and fire protection as a conditional use in all city zoning districts; providing for consistency with the City's Comprehensive Plan

The City Attorney read proposed ordinance by title, and then presented it to the City Council on first reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES” TO INCLUDE POLICE PROTECTION AND FIRE PROTECTION AS A CONDITIONAL USE IN ALL CITY ZONING DISTRICTS”; PROVIDING FOR CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

**Motion by Councilmember Ramswell, seconded by Councilmember Destin, to approve proposed Ordinance 21-06-LC on first reading passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

- F) First reading of Ordinance 21-07-LC - Relating to preserving the historic Zerbe-Calhoun area within the City of Destin; amending Article 7 of the Land Development Code - Land Use, Type, Density, Intensity, Zoning and Regulatory Controls to create a Zerbe-Calhoun historic district overlay.

The City Attorney read proposed ordinance by title, and then presented it to the City Council on first reading:

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO PRESERVING THE HISTORIC ZERBE-CALHOUN AREA WITHIN THE CITY OF DESTIN; AMENDING ARTICLE 7 OF THE LAND DEVELOPMENT CODE, "LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS" TO CREATE A ZERBE-CALHOUN HISTORIC DISTRICT OVERLAY; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR BOUNDARIES OF THE ZERBE-CALHOUN HISTORIC OVERLAY; ESTABLISHING A PROCESS FOR DESIGNATION OF STRUCTURES AND SITES SIGNIFICANT TO THE HISTORY OF THE ZERBE-CALHOUN HISTORIC OVERLAY AREA; ESTABLISHING CRITERIA FOR DESIGNATION OF STRUCTURES AND SITES SIGNIFICANT TO THE HISTORY OF THE ZERBE-CALHOUN AREA; ESTABLISHING A CERTIFICATE OF APPROPRIATENESS; AUTHORIZING CODE WAIVERS; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

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

**Councilmember Ramswell moved to approve proposed Ordinance 21-07-LC on first reading; seconded by Councilmember Destin. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

## **6. CONSENT AGENDA**

- A) FY21 Renewal & Replacement, Public Works, F250 4x4
- B) Removal and Replacement of Boardwalks behind AJ's and Galati's Project
- C) Immanuel Anglican Church and the Destin Week of Blessings Committee request to waive parking fees at Marler Parking Lot for the 2021 Blessing of the Fleet
- D) Destin Fire Control District Exercises at Shore at Crystal Beach Demo Parcel

The City Manager requested that Agenda Item 6A be pulled for discussion.

**Motion by Councilmember Braden, seconded by Councilmember Schmidt, to pull Consent Agenda 6A and approve Consent Agenda 6B thru 6D passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

The City Manager noted that the recommended motion for Consent Agenda item 6A indicates an amount of \$29,791 for the vehicle cost. The correct amount is \$32,290.

**Motion by Councilmember Destin, seconded by Councilmember Ramswell, to approve Consent Agenda 6A, authorizing the City Manager to purchase the vehicle from Duval Ford in the amount of \$32,290 passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted "yes"; Councilmember Hebert was absent from the meeting).**

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

- A) Councilmember Braden
- B) Councilmember Ramswell
  - 1) Funds for Watersports Safety Videos

Mr. John Stephens, a livery operator, announced that the livery coalition is in the process of creating safety watersports safety. The fees from coalition members are being used to create these videos, but they are also requesting donations from other businesses and organizations. Each video costs approximately \$8,000 to create. They are planning on creating 3 different videos. They will be made available to everyone including posting on social media.

**Councilmember Schmidt moved to direct the City Manager to work with the Finance Director to find \$8,000 to contribute towards the water sports safety videos; seconded by Councilmember Ramswell. Motion passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

- 2) Norriego Point Update

Councilmember Ramswell requested an update on the Norriego Point project.

The City Manager stated that Mr. Pierce Barrett, the FDEP Project Manager, has indicated to him that construction of Norriego Point Phase 3 Recreation Improvement Project will get underway after Labor Day this year. They are crafting a bid document to put this project out to bid.

- C) Councilmember Destin
- D) Councilmember Overdier
- E) Councilmember Hebert
- F) Councilmember King

- 1) Nomination/ Appointment of Mr. Jim Bagby to the Board of Adjustment

**Motion by Councilmember King, seconded by Councilmember Destin, to appoint Mr. Jim Bagby to the Board of Adjustment passed 5-1 (Council members Schmidt, King, Overdier, Destin, and Ramswell, voted “yes”; Councilmember Braden voted “no”; Councilmember Hebert was absent from the meeting).**

- G) Councilmember Schmidt

- 1) Project Management Protocols

According to Councilmember Schmidt, the City needs to have someone that oversees projects, large or small, to ensure job efficiency, avoid any confusion, and ensure that even the

minutest details are not being overlooked. Since the City is already understaffed, recommend Council authorizes the City Manager to start looking into hiring a construction management firm or a continuing services contract for construction manager that will have the project oversight responsibility.

Councilmember Destin will draw on his experience as the County Schoolboard liaison to a construction management team and work with the City Manager in finding a firm interested in entering into an agreement with the City.

2) City COVID-19 Response

3) Cemetery Plots

Councilmember Schmidt asked staff to compare the Destin cemeteries with other municipality and privately run cemeteries in terms of the number of residents and the number of available cemetery plots and provide information to Council.

4) Airport Road/US Hwy 98 Turn Lane Notice

A short video of the turn lane was shown. Councilmember Schmidt identified the safety issues involving the turn lane. He asked staff to continue working with FDOT in determining the appropriate solutions to the safety issues that exist in the turn lane.

5) Nomination/Appointment of Mr. Harvey Hurst to the Harbor & Waterways Board

**Motion by Councilmember Schmidt, seconded by Councilmember King, to appoint Mr. Harvey Hurst to the Harbor & Waterways Board passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

H) Mayor Jarvis

I) Land Use Attorney

1) Harbor Capacity Study Steering Committee recommendation to widen and move the harbor channel - Request authorization from City Council

Harbor Capacity Study Steering Committee Chairman Jim Green informed the Council of the Committee’s recommendation for Council to direct staff to initiate the process of gathering the necessary information for the application process for widening and relocating the harbor channel. He stated that they are lacking in boat slips in the harbor – both commercial and transient - as much as they are lacking in parking spaces. They feel the harbor channel is too narrow due to the growth they had on the harbor, and that it has become very tedious for everybody. Widening the channel and moving it to the middle of the harbor will provide a better flow out of the harbor.

**Motion by Councilmember Destin, seconded by Councilmember Schmidt, to authorize the City Land Use Attorney to contact the appropriate federal authorities to determine the process involved in widening and moving the harbor channel passed 6-0 (Council members Schmidt, King, Overdier, Destin, Ramswell, and Braden voted “yes”; Councilmember Hebert was absent from the meeting).**

2) City Attorney

**Having no further business at this time, the meeting was adjourned at 9:50 PM.**

---

**Gary Jarvis, Mayor**

**ATTEST:**

---

**Rey Bailey, City Clerk**



# *City of Destin*

## *Proclamation*

### *NATIONAL PUBLIC WORKS WEEK*

**“Stronger Together”**

**WHEREAS**, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Destin Florida; and,

**WHEREAS**, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, natural environment, public buildings, and other structures and facilities essential for our citizens; and,

**WHEREAS**, it is in the public interest for the citizens, civic leaders, and children of Destin to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

**WHEREAS**, the year 2021 marks the 61<sup>st</sup> annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association.

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Gary Jarvis, Mayor of Destin, Florida, on behalf of the City Council, do hereby designate the week of May 16 – 22, 2021 as *National Public Works Week*, and urge all citizens to join with us to pay tribute to our public works professionals, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

**SO, DONE THIS 17<sup>TH</sup> DAY OF MAY 2021**  
**BY:**

---

**Gary Jarvis, Mayor**

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Action Item  
**AGENDA OUTLINE NUMBER:** 4.A.

---

**TO:** City Council

**THRU:** Donald Smith, City Engineer  
 Krystal Strickland, Finance Director  
 Kyle Bauman, City Attorney  
 Louis Zunguze, Community Development Director  
 Lance Johnson, City Manager

**FROM:** Jeffrey Cozadd, Grants Manager

**DATE:** 5/6/21

**SUBJECT:** Cross Town Connector ROW Scope and Fee Approval

---

**I. BACKGROUND:** On June 1, 2020, the City Council directed the redesign of the Cross Town Connector from a four-lane to a two-lane road section. The direction was that the design 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

**II. DISCUSSION:** Following the direction of the City Council, staff has worked with Atkins North America, Inc. and is now nearing the 60 percent design completion. It is appropriate at this time to restart the process of right-of-way acquisitions. The City has recently received from FDOT the executed copy of the TRIP agreement which totals \$2.7 million, which has a grant ending date of 5/4/2023. TRIP funding can be used for expenses associated with right-of-way acquisition. The services provided by Atkin's of North America, Inc. through Hayes Consulting for appraisals and acquisition assistance are an eligible use for TRIP funding which FDOT has verified. Hayes Consulting assisted the city with previous right-of-way acquisitions on this project. To this point, the City Council has elected to proceed with voluntary acquisition efforts and has not exercised its condemnation powers.

**A. Link to Strategic Goals / Objectives:** 2.B. Crosstown Connector (US 98 Alternative) Direction, Funding ROW Acquisition.

**B. Effect on Budget (EOB):** The effect on the budget will be the cost of property acquisition

and associated costs. These expenses are an eligible use of the TRIP funding which totals 2.7 million. The fee proposal from Atkins totals \$343,170.67.

	31554031	31554132 ROAD IMPACT	30554133 FDOT TRIP GRANT	Total EN615
565000-EN615 CIP-XTOWN CONNECTOR	\$ 75,000	\$1,400,000	\$2,700,000	\$4,175,000
<b>FY21 Adopted Budget</b>	75,000	1,400,000	2,700,000	4,175,000
<b>Internal Transfer</b>	-	-	-	-
<b>Previous Expenses/Encumbrances</b>	-	(387,043)	-	(387,043)
<b>Available Program Budget</b>	75,000	1,012,957	2,700,000	3,787,957
<b>This Agreement +(-)</b>	-	-	(343,171)	(343,171)
<b>FY21 Remaining Program Budget</b>	\$ 75,000	\$1,012,957	\$2,356,829	\$3,444,786

**C. Level of Service (LOS):** Completing the Crosstown Connector will increase in the level of service for the City of Destin transportation system.

**III. CONCLUSION:** The attached addendum will authorize Atkins to utilize the services of Hayes Consulting to assist with ROW acquisition necessary to construct the last leg of the Crosstown Connector.

**IV. RECOMMENDED MOTION:** I move that City Council approve the proposed ROW scope and fee addendum from Atkins of North America, Inc. and authorize the continuation of the re-design incorporating the multimodal elements discussed at the May 10<sup>th</sup> workshop session.

Attachments:

1. DCTC\_Addendum 1\_RW Services (Rev1)



**Professional Service Agreement Addendum**

THIS ADDENDUM to the AGREEMENT made and entered into October 19, 2020 , by and between Atkins North America, Inc. and the Client identified herein, provides for the Additional Services described under Item 1 of this Agreement.

CLIENT: The City of Destin, Florida

PROJECT NUMBER: 100073002

SHORT TITLE OF MAIN CONTRACT: Destin Connector Redesign

SHORT TITLE OF ADDENDUM: ROW Services

- 1. DESCRIPTION OF ADDITIONAL PROFESSIONAL SERVICES TO BE PROVIDED BY ATKINS (If additional pages are necessary, they are identified as Attachment A):  
Right of Way acquisition and relocation services as an optional service as noted in Section 2.8 of the initial project professional services agreement. See Attachment A for additional information.
- 2. THE COMPENSATION TO BE PAID ATKINS for providing the requested services shall be as specified below and will adjust the total price of this agreement to \$730,213.29 (If additional pages are necessary, they are identified as Attachment B):
  - "Time & Materials" identified in Attachment B. Time - Actual or averaged labor rate fully burned with overhead and profit. Material - travel, materials or equipment, printing and reproduction costs, and survey supplies.
  - A "Fixed Price" (Lump Sum) amount of \$343,170.67 paid in accordance with Attachment B.
  - "Unit Rates"/"Unit Prices" identified in Attachment B. (Unit Rate/Price includes the cost of fully loaded labor, expenses, equipment, inclusive of profit.)
  - Pricing in accordance with the provisions for additional services compensation set forth in the aforementioned Agreement.
  - Other - Identified in Attachment B.

IN WITNESS WHEREOF, this Addendum is accepted on the later date written below, subject to the terms and conditions above-stated, and in the aforementioned Agreement.

CLIENT: THE CITY OF DESTIN, FLORIDA

**ATKINS NORTH AMERICA, INC.**

SIGNED: \_\_\_\_\_  
TYPED NAME: Lance Johnson  
TITLE: City Manager  
DATE: \_\_\_\_\_

SIGNED: \_\_\_\_\_  
TYPED NAME: Matthew A. Taylor  
TITLE: Vice President, PE  
DATE: \_\_\_\_\_

**DESTIN CONNECTOR  
OKALOOSA COUNTY, FLORIDA  
Acquisition / Relocation Services  
Hayes Consulting Services, LLC**

**ACQUISITION SERVICES:**

Parcel ID	PRINCIPAL	PROJ MGR	SR. AGENT	ADMIN. SUPPORT	GRAND
	\$ 176.34	\$ 176.34	\$ 176.34	\$ 79.35	
00-2S-22-0310-000H-H070 - Winton, George P.	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-0310 - Williams, April M. et al	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-0320 - Poston, Frances E.	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-029A - O'Brian, George E. & Darla R.	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-0260 - Fermin, Zoilo A.	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-0250 - Andersen, Joanne A.	4	12	28	12	\$ 8,711.16
00-2S-22-3083-000B-0160 - Cantanese Living Trust	4	12	28	12	\$ 8,711.16
00-2S-22-2335-0000-0130 - Fred H. Lowe Family Partners	4	12	28	12	\$ 8,711.16
00-2S-22-2371-000P-0070 - Guidinetti, Erick S.	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-0330 - Llanos, Eduardo & Stephanie	4	12	28	12	\$ 8,711.16
00-2S-22-2167-0000-0340 - O'Brian, George E. & Darla R.	4	12	28	12	\$ 8,711.16
<b>TOTAL ACQUISITION SERVICES</b>					<b>\$ 95,822.76</b>

**RELOCATION SERVICES:**

Parcel ID	PRINCIPAL	PROJ MGR	SR. AGENT	ADMIN. SUPPORT	GRAND
	\$ 176.34	\$ 176.34	\$ 176.34	\$ 79.35	
00-2S-22-2167-0000-0310 - Williams, April M. et al - LLE	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0320 - Poston, Frances E.	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-029A - O'Brian, George E. & Darla R. - LLE	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-029A - Tenant	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0260 - Fermin, Zoilo A. - LLE	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0260 - Tenant	4	14	33	16	\$ 10,269.94

00-2S-22-2167-0000-0250 - Andersen, Joanne A. Heirs - LLE	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0250 - Tenant	4	14	33	16	\$ 10,269.94
00-2S-22-2335-0000-0130 - Fred H. Lowe Family Partners (LLE)	4	14	33	16	\$ 10,269.94
00-2S-22-2335-0000-0130 - Tenant 1	4	14	33	16	\$ 10,269.94
00-2S-22-2335-0000-0130 - Tenant 2	4	14	33	16	\$ 10,269.94
00-2S-22-2335-0000-0130 - Tenant 3	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0330 - Llanos, Eduardo & Stephanie - LLE	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0330 - Tenant	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0340 - O'Brian, George E. & Darla R. - LLE	4	14	33	16	\$ 10,269.94
00-2S-22-2167-0000-0340 - Tenant	4	14	33	16	\$ 10,269.94
<b>TOTAL RELOCATION SERVICES</b>					<b>\$ 164,319.04</b>

<b>TOTAL ACQUISITION &amp; RELOCATION SERVICES:</b>					<b>\$ 260,141.80</b>
---	--	--	--	--	----------------------

*This estimate does not include title insurance or closing costs provided by a title company. These costs will be based on the state's fee schedule, if required.  
Estimate for acquisition and relocation services are based on preliminary review of the project area. The estimate of parcels may change.*



April 26, 2021

Marsha Hayes, SR/WA  
Hayes Consulting Services, LLC  
Post Office Box 796  
Chipley, Florida 32428

Re: Destin Bypass Road Phase 1

Dear Mrs. Hayes:

Thank you for the request for services. American Acquisition Group (AAG) proposes to prepare narrative Appraisal Reports for the City of Destin's road project. The intended user is Hayes Consulting Services, LLC. The purpose of the appraisal is to estimate the market value of each of the proposed takes. The project consists of 9 whole takes and 2 partial takes/temporary construction easements.

The Scope of Work for each parcel for this assignment is described on the attached pages.

The appraisals will consider the relevant approaches to value and will be prepared in conformance with the reporting requirements set forth under Standards Rule 2-2 (b) of the Uniform Standards of Professional Appraisal Practice for an Appraisal Report. This appraiser is bound by current Uniform Standards of Professional Appraisal Practice (USPAP) guidelines.

Based on the attached scope of service the total fee for this appraisal assignment is \$76,300. The fee will be billed per report and will be payable for to AAG. Completion of the appraisal reports will be in 30 to 90 days from notice to proceed.

This fee does not include court testimony or expert witness testimony for deposition. That will be an additional fee at an hourly rate. If others at AAG or I are subpoenaed for testimony, the client will be ultimately responsible for payment to AAG as witnesses, regardless if as an expert witness or a fact witness.

Stephen Cross, SR/WA will be the appraiser of record (resume attached). He has not previously performed any services regarding the subject properties, as an appraiser or in any other capacity.

Please have this acceptance letter signed below and return the signed copy to me.

Sincerely,



D. Wade Brown, SR/WA  
President / CEO

AGREED: \_\_\_\_\_

DATE SIGNED: \_\_\_\_\_

4/26/2021

Scope of Appraisal Services

Client: City of Destin

Project: Destin Bypass Road Phase 1

Parcel 1

00-2S-22-5555-0000-0020 George B. Winton

The property is located between Benning Drive and Anna Street. The property is vacant containing 1.1 acres. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$6,500**

Parcel 2

00-2S-22-2167-0000-0310 April M. Hughes & Adam Thomas

The property is located at 602 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1993. The townhome appears to be owner occupied. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

Parcel 3

00-2S-22-2167-0000-320 Frances E. Poston

The property is located at 604 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1993. The townhome appears to be owner occupied. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

Parcel 4-

00-2S-22-2167-0000-029A George E. & Darla R. O'Brian

The property is located at 605 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1986. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

Parcel 5

00-2S-22-2167-0000-0260 Zoilo A. Fermin

The property is located at 609 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1983. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

Parcel 6

00-2S-22-2167-0000-0250 Joanne A. Andersen (Heirs of)

The property is located at 611 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1983. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

Parcel 7

00-2S-22-3083-000B-0160 Catanese Living Trust

The property is located at 219 Beach Drive, Destin, Florida. The property is improved with a single family home built in 1978. This property is identified as a partial taking and/or a temporary construction easement. The proposed appraisal would be a narrative report in a before and after format using the sales comparison approach.

**Appraisal Fee \$6,500**

Parcel 8

00-2S-22-2335-0000-0130 Fred H Lowe Family Partners

The property is located at 700 Legion Drive, Destin, Florida. The property is improved with a multifamily triplex built in 1980. This property is identified as a whole taking. The proposed appraisal would be a narrative report using the sales comparison approach and income approach.

**Appraisal Fee \$9,500**

Parcel 9

00-2S-22-2371-000P-0070 Erick S Guidinetti

The property is located at 701 Legion Drive, Destin, Florida. The property is improved with a single family home built in 1974. This property is identified as a partial taking and/or a temporary construction easement. The proposed appraisal would be a narrative report in a before and after format using the sales comparison approach.

**Appraisal Fee \$6,500**

Parcel 10

00-2S-22-2167-0000-0330 Eduardo Jr & Stephanie Lianos

The property is located at 606 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1993. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

Parcel 11

00-2S-22-2167-0000-0340 April M. Hughes & Adam Thomas

The property is located at 608 Sandalwood Drive, Destin, Florida. The property is improved with a townhome built in 1993. This would be a whole taking with the narrative appraisal using the sales comparison approach.

**Appraisal Fee \$3,900**

If required a planner report and/or a contractor report for cut and face of townhome.

**Expert Fee \$20,000**

**Total Appraisal Fee \$76,300**

**ATTACHMENT "B"**

**FEE PROPOSAL**

**Destin Connector Redesign  
Right of Way Acquisition and Relocation Services**

<b>Task</b>	<b>Fee</b>
1. Task Management	\$6,728.84
2. Appraisal Reports (Subconsultant – American Acquisition Group LLC)	\$76,300.00
3. Acquisition and Relocation Services (Subconsultant – Hayes Consulting Services, LLC)	\$260,141.80
	<b>Total \$343,170.67</b>

1. Payment shall be made on a lump sum basis. Invoices shall be submitted monthly and shall reflect amounts due based on percent complete for each task.

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** City Manager Report  
**AGENDA OUTLINE NUMBER:** 4.B.

---

**TO:** City Council

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

**FROM:** Krystal Strickland, Finance Director

**DATE:** April 14, 2021

**SUBJECT:** Capital Project Status

---

**I. BACKGROUND:** Informational Item Only

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

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

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

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

**III. CONCLUSION:**

**IV. RECOMMENDED MOTION:** Not applicable. Informational only.

Attachments:

1. April 2021 Capital Projects

**CITY OF DESTIN CAPITAL IMPROVEMENT PLAN - Monthly Status Report**

Council Objective #		October 1, 2020 - April 30, 2021		FY2021 Budget*	YTD Actuals	YTD Encumbrances	FY2021 Available Budget	Status	Notes
		<b>Renewal &amp; Replacement - Facilities</b>							
1		RR051	General Government	\$ 67,838	\$ 27,917	\$ 9,799	\$ 30,122	50% Complete	
2		RR052	Public Safety	392,500	126,699	2,473	263,328	30% Complete	Annex remodeling underway. Annex Parking Lot Resurfacing Task Order has been forwarded to the vendor.
3		RR053	Physical Environment (Stormwater, Cemetery)	300,000	10,000	-	290,000	Started	Harbor Pump renewal procurement underway. Parts ordered.
4		RR057	Parks and Recreation	1,003,800	73,320	36,724	893,756	7% Complete	Multiple under \$15k renewal/replacements started
5		RRVEH	Vehicles	272,500	30,718	233,064	8,718	88% Complete	8 vehicles have been approved by Council. POs have been forwarded to the vendor.
		<b>Renewal &amp; Replacement - Infrastructure</b>		-	-	-	-		
6	15,17,19	RR054	Roads, Sidewalks, Street Lighting (Mostly Gas Tax #1)	523,513	108,648	415,704	(839)	Complete	
7		PW612	FY2020 Road Milling & Striping Program	299,012	258,226	40,874	(88)	Complete	
		<b>Growth Necessitated &amp; Comp Plan</b>		-	-	-	-		
8		LB002	Library Impact Fee Projects	47,000	-	-	47,000	Started	POs in process for lighting and HVAC improvements.
9		NORG1	Norreigo Point Road	250,000	-	-	250,000		Project Number changed from PW612 to NORG1 to avoid overlap with incomplete prior year project
10		RC004	Park Impact Fee Projects	35,000	-	-	35,000	Started	
11		SW53	Stormwater Master Plan	6,148	-	6,148	-	90% Complete	Jenkins is revising as per staff recommendations. Next update to Council in June.
12		SW54	Stormwater Improvements (FDEP funded)	50,000	-	-	50,000		
13	8	TR618	Zerbe-Calhoun Pedestrian Pathway	828,420	-	638,677	189,743	50% Complete	Preconstruction meeting 02/11/2021, construction to start 02/15/2021.
14	9	TR619	Sibert-Zerbe Parking Lot Consolidation	-	-	-	-		
15		TR620	ADA Transition - Pedestrian Facilities	100,000	-	-	100,000	Started	Scope of work and fee proposal by engineering firm being routed for initial review.
16		<i>TRSAF</i>	<i>Zerbe/Calhoun Safety</i>	<i>2,500</i>	-	-	<i>2,500</i>		<i>Speed bump to be installed mid-May</i>
17		<i>TRSAF</i>	<i>Sibert/Forrest safety</i>	<i>2,826</i>	2,826	-	-		<i>Initial discussion at March 2021 council meeting. LED stop signs installed.</i>
18		<i>TRSAF</i>	<i>Pine Street Safety</i>	-	-	-	-		<i>Brought discussion and initial recommendations to Council in April 2021.</i>
19			<i>Vintage Sidewalk</i>	-	-	-	-		<i>\$290k restricted</i>
		<b>Citizen/Council Directed Projects</b>		-	-	-	-		
20	1	CM001	Beach Acquisition	10,600,000	6,727,731	137,977	3,734,292	66% Complete	Purchase 2 of 3 completed 11/16/2020. Next purchase in first half of 2021. Task Order #1 has been prepared (demolition of two structures plus asbestos testing for one structure).
21	7	EN615	Cross-Town Connector	1,475,000	146,827	240,215	1,087,957	In Progress	Re-design down to 2-lane in progress. The 30% plans were approved by Council in February 2021. TRIP (FDOT) ROW grant award to March 2021 council meeting. Okaloosa County Construction grant/interlocal agreement under review.

**CITY OF DESTIN CAPITAL IMPROVEMENT PLAN - Monthly Status Report**

Council Objective #			October 1, 2020 - April 30, 2021	FY2021 Budget*	YTD Actuals	YTD Encumbrances	FY2021 Available Budget	Status	Notes
22	2	UNDER	Undergrounding	250,000	-	212,624	37,376	In Progress	Project Engineer contract will be presented to Council in March. City is negotiating franchise rates.
23			<i>Harbor Lane Easement Improvements</i>	-	-	-	-		<i>Easement improvements and lighting upgrades mid-2020 council requested \$25k (\$12-13k spent in 2020 on picnic tables, landscaping, stairwell, bike rack, dog station)</i>
<b>Other Capital Projects</b>				-	-	-	-		
24		CRH63	Captain Royal Melvin Heritage Park and Plaza (RESTORE)	1,334,913	120,986	1,213,601	326	In Progress	NTP issued 01/04/2021. Construction is underway.
25		CRH64	Harbor CRA Wayfinding Plan Signage	30,000	-	-	30,000		Initial cost estimates are above budget.
26		CRH65	Harbor and Bay Capacity Improvements	325,000	-	-	325,000		Harbor District Capacity study to begin Spring 2021
27		CRT17	Town Center CRA Easement Trail/Park Main to Mattie Kelly	10,000	-	-	10,000		Initial engineering estimates for phases of trail complete: Ph1 \$750k+Ph2 \$960k+Ph3 \$1.46m+ Ph \$4 1.8m=\$4.97m. Grant funding search underway.
28	<i>01/21/20 Council Mtg Priority</i>	<i>EN617</i>	<i>Stahlman Ave Intersection Pedestrian Safety</i>	<i>22,044</i>	23,694	-	<i>(1,650)</i>		
29	<i>11/2/20 Council Mtg TOP PRIORITY</i>	<i>EN626</i>	<i>Main St/Kelly St Crosswalk Safety</i>	<i>19,080</i>	20,271	-	<i>(1,191)</i>	<i>Complete</i>	
30		FM637	Clement Taylor Park Seawall (FEMA)	-	-	-	-	Complete	Working with FEMA to change classification for final reimbursement
31		IT001	COMPASS/Energov	111,878	74,893	5,043	31,943	Delayed	Revised "go-live" set for May/June 2021
32		IT002	CD Tech Fund Hardware/Software Replacements	-	-	-	-		Hardware will be purchased on an as needed basis
33		IT003	Other Hardware/Software Replacements	-	-	-	-		
34		LB001	Library Tablet Station, RFID and Mobil Ap	76,200	17,369	43,808	15,022	30% Complete	Tablets ordered. RFID Tagging began early Feb 2021.
35		RC124	Morgan's Children's Park Playground Structure	-	-	-	-		
36		RC125	Buck Destin Restrooms	95,000	-	-	95,000		Initial cost estimates are above budget
37		RC127	Pickleball Court	1,500	-	-	1,500	moved to future year	Researching public-private partnership options. Engineering estimate on existing land \$110k. Reclassed FY2021 funding to upgrade Dalton Threadgill Batting Cages (expand foundation; add lighting).
38		RC216	Clement Taylor Park Renovations	729,918	5,456	-	724,462		Waiting on sub-recipient agreement
39		RC617	Batting Cages for Dalton Threadgill Park	59,564	56,975	2,589	0	Complete	Foundation and cage installed. Surrounding pad expanded and lighting requisitioned (transfer in from RC127 Pickleball).
40		<i>SALLY</i>	<i>Hurricane Sally Damage Repairs</i>	-	50,688	20,138	<i>(70,825)</i>	<i>In Progress</i>	<i>Continuing to meet with FEMA twice/month to complete grant award paperwork. Cat A Debris Removal and Cat B Emergency &amp; Protective awards nearly complete. Cat G Parks in process.</i>
41		SW51L	NFWF Stormwater Projects	383,479	340,950	43,769	(1,240)	60% Complete	Construction of projects started in Dec. Cross St project is complete. Calhoun Ave project underway.

**CITY OF DESTIN CAPITAL IMPROVEMENT PLAN - Monthly Status Report**

Council Objective #	October 1, 2020 - April 30, 2021	FY2021 Budget*	YTD Actuals	YTD Encumbrances	FY2021 Available Budget	Status	Notes
<b>Total Funded Projects</b>		<b>\$ 19,704,632</b>	<b>\$ 8,224,194</b>	<b>\$ 3,303,227</b>	<b>\$ 8,177,212</b>		

\*FY2021 Budget is Adopted Budget Plus Prior Year Encumbrances rolled forward

COUNCIL OBJECTIVES		5-Year Capital Budget	FY2021 Capital	Status
		Amount	Budget	
1	Public beach Initiative	\$ 22,000,000	\$ 10,600,000	FY21 2/3 completed
2	Underground utilities	1,280,000	-	project mgmt in contract negotiations
3	Short term rentals compliance with regulations	-	-	not Capital - complete
4	Recruit project and grants manager	-	-	not Capital - complete
5	Request TDC funds for additional OCSO services	-	-	not Capital - complete
6	Research viability of multi-use convention/sports/community center	-	-	In progress
7	Complete two-lane Crosstown Connector	1,475,000	1,475,000	in progress
8	Calhoun Ave Multi-Use Trail Phase II Design and Construction	852,000	828,420	contract in negotiations
9	Improve parking	75,000	-	scheduled to start FY2022
10	Beach re-nourishment	-	-	In Progress - County is lead and partner
11	Improve communications	-	-	Not Capital - in progress
12	Implement enhanced signage control	-	-	Community Dev Researching
13	Develop/implement wayfinding program	50,000	30,000	Community Dev and TDC Researching
14	Update golf cart/low speed vehicle rules	-	-	Not Capital - in progress
16	Improve city gateways	-	-	Community Dev and TDC Researching
15, 17, 19	Streetlights, sidewalks, road striping	2,851,802	822,525	in progress
18	Provide board and committee training	-	-	not Capital - continuous improvement
20	Reestablish environmental committee	-	-	Not Capital - in progress
21	Enforce residential boat and RV parking regulations	-	-	Not Capital - Complete
22	Regulate building height limits to 5 stories	-	-	Not Capital - Complete
TOTAL		<u>\$ 28,583,802</u>	<u>\$ 13,755,945</u>	

**TOTAL CAPITAL BUDGET** \$ 36,690,143 \$ 19,704,632  
**% FOR COUNCIL OBJECTIVES** 78% 70%

**CITY OF DESTIN ADOPTED 5-YEAR CAPITAL IMPROVEMENT PLAN**

COUNCIL OBJECTIVE			FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Total
<b>PRIORITY</b>	<b>Renewal &amp; Replacement - Facilities</b>							
	RR051	General Government	\$ 62,200	\$ 95,000	\$ 22,500	\$ 71,500	\$ 28,500	\$ 279,700
	RR052	Public Safety	392,500	41,687	134,187	47,187	49,687	665,249
	RR053	Physical Environment (Stormwater, Cemetery)	300,000	6,307	6,307	6,307	6,307	325,227
	RR057	Parks and Recreation	1,003,800	231,828	297,828	411,828	253,828	2,199,113
	RRVEH	Vehicles	272,500	-	-	-	-	272,500
	<b>Renewal &amp; Replacement - Infrastructure</b>							
15, 17, 19	RR054	Roads, Sidewalks, Street Lighting (Gas Tax #1)	468,000	318,000	462,000	801,901	801,901	2,851,802
	<b>Growth Necessitated &amp; Comp Plan</b>							
	SW54	Stormwater Improvements (FDEP funded)	50,000	50,000	-	-	-	100,000
	PW612	Norreigo Point Road	250,000	-	-	-	-	250,000
8	TR618	Zerbe-Calhoun Pedestrian Pathway	852,000	-	-	-	-	852,000
9	TR619	Sibert-Zerbe Parking Lot Consolidation	-	75,000	-	-	-	75,000
	TR620	ADA Transition - Pedestrian Facilities	100,000	-	-	-	-	100,000
	LB002	Library Impact Fee Projects	47,000	-	-	-	-	47,000
	RC004	Park Impact Fee Projects	35,000	-	-	-	-	35,000
	<b>Citizen/Council Directed Projects</b>							
1	CM001	Beach Acquisition	10,600,000	11,400,000	-	-	-	22,000,000
7	EN615	Cross-Town Connector	1,475,000	-	-	-	-	1,475,000
2	UNDER	Undergrounding	250,000	60,000	60,000	-	910,000	1,280,000
	<b>Other Capital Projects</b>							
	IT001	COMPASS/Energov	100,000	200,000	-	-	-	300,000
	IT002	CD Tech Fund Hardware/Software Replacements	-	150,000	150,000	-	-	300,000
	IT003	Other Hardware/Software Replacements	-	129,000	100,000	100,000	-	329,000
	LB001	Library Tablet Station & Biblioteca RFID and Mobil Ap	76,200	-	-	-	-	76,200
	CRH63	Captain Royal Melvin Hertiage Park and Plaza (RESTORE)	1,335,690	-	-	-	-	1,335,690
	CRH64	Harbor CRA Wayfinding Plan Signage	30,000	10,000	10,000	-	-	50,000
	CRT17	Town Center CRA Easement Trail/Park Main to Mattie Kelly	10,000	50,000	550,000	-	-	610,000
	RC124	Morgan's Children's Park Playground Structure	-	26,745	-	-	-	26,745
	RC125	Buck Destin Restrooms	95,000	-	-	-	-	95,000
	RC127	Pickleball Court	30,000	-	-	-	-	30,000
	RC216	Clement Taylor Park Renovations	729,918	-	-	-	-	729,918
	FM637	Clement Taylor Park Seawall (FEMA)	-	-	-	-	-	-
<b>Total Funded Projects</b>			<b>\$ 18,564,808</b>	<b>\$ 12,843,567</b>	<b>\$ 1,792,822</b>	<b>\$ 1,438,723</b>	<b>\$ 2,050,223</b>	<b>\$ 36,690,143</b>

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** City Manager Report  
**AGENDA OUTLINE NUMBER:** 4.C.

---

**TO:** City Council

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

**FROM:** Krystal Strickland, Finance Director

**DATE:** April 14, 2021

**SUBJECT:** Operations Financial Report

---

**I. BACKGROUND:** This item is informational only.

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

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

- A. Link to Strategic Goals / Objectives:** Goal #1: Financially sound city providing service excellence
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):**

**III. CONCLUSION:**

**IV. RECOMMENDED MOTION:**

Attachments:

1. 2021 0331 YTD Budget Vs Actuals

**CITY OF DESTIN - MONTHLY FINANCIAL REPORT**

**Actuals 10/01/2020 - 03/31/2021**

<b>01 GENERAL FUND</b>	<b>FY2021 BUDGET*</b>	<b>FY2021 YTD ACTUAL</b>	<b>FY2021 PROJECTION</b>
01-31 Ad Valorem Taxes	8,099,316	7,864,927	7,864,927
01-31 Delinquent Ad Valorem Taxes	5,000	1,764	1,764
01-31 Sales and Use Taxes	2,761,031	1,667,574	2,923,381
01-32 Licenses and Permits	3,148,624	1,933,343	3,101,693
01-33 Intergovernmental	11,186,708	5,328,805	8,028,867
01-34 Charges for Services	499,843	221,492	312,392
01-35 Fines and Forfeitures	27,520	30,665	42,665
01-36 Miscellaneous Revenue	22,001	18,021	26,422
01-32 Impact Fees	44,000	-	-
<b>TOTAL REVENUES</b>	<b>25,794,043</b>	<b>17,066,591</b>	<b>22,302,111</b>
01-51 General Government	4,624,134	1,890,090	3,939,161
01-52 Public Safety	3,584,206	1,629,146	3,508,541
01-53 Physical Environment	55,369	10,274	56,139
01-54 Transportation	2,212,291	727,914	1,610,190
01-55 Economic Environment	25,000	6,604	13,208
01-56 Human Services	115,000	38,789	115,000
01-57 Culture and Recreation	3,182,245	1,213,982	2,510,209
01-59 Capital Outlay	37,400	19,976	31,753
01-59 Debt Service	544,913	523,962	551,274
<b>TOTAL EXPENDITURES</b>	<b>14,380,559</b>	<b>6,060,736</b>	<b>12,335,474</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>11,413,484</b>	<b>11,005,855</b>	<b>9,966,637</b>
01-38 Transfers In	-	-	-
01-58 Transfers Out	(15,773,627)	(7,819,731)	(13,438,814)
<b>Total other financing sources (uses)</b>	<b>(15,773,627)</b>	<b>(7,819,731)</b>	<b>(13,438,814)</b>
Net change in fund balances	(4,360,143)	3,186,124	(3,472,177)
Fund Balance (deficit), Beginning	25,503,671	25,503,671	25,503,671
Fund Balance (deficit), Ending	21,143,528	28,689,795	22,031,494

\* FY2020 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward

**CITY OF DESTIN - MONTHLY FINANCIAL REPORT**

**Actuals 10/01/2020 - 03/31/2021**

	<b>FY2021 BUDGET*</b>	<b>FY2021 YTD ACTUAL</b>	<b>FY2021 PROJECTION</b>
<b>102 TOWN CENTER CRA</b>			
102-31 County TIF	688,589	681,523	681,523
102-31 City TIF	290,297	290,297	290,297
102-36 Miscellaneous Revenue	-	666	1,266
<b>TOTAL REVENUES</b>	<b>978,886</b>	<b>972,485</b>	<b>973,085</b>
102-55 Economic Environment	134,425	31,233	79,485
102-59 Capital Outlay	10,000	-	-
<b>TOTAL EXPENDITURES</b>	<b>144,425</b>	<b>31,233</b>	<b>79,485</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>834,461</b>	<b>941,252</b>	<b>893,600</b>
102-38 Transfers In	-	-	-
102-58 Transfers Out	(731,281)	(365,606)	(731,212)
<b>Total other financing sources (uses)</b>	<b>(731,281)</b>	<b>(365,606)</b>	<b>(731,212)</b>
Net change in fund balances	103,180	575,647	162,389
Fund Balance (deficit), Beginning	(2,390,520)	(2,390,520)	(2,390,520)
Fund Balance (deficit), Ending	(2,287,340)	(1,814,873)	(2,228,131)

*\* FY2020 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

	<b>FY2021 BUDGET*</b>	<b>FY2021 YTD ACTUAL</b>	<b>FY2021 PROJECTION</b>
<b>110 HARBOR CRA</b>			
110-31 County TIF	331,449	328,932	328,932
110-31 City TIF	331,449	331,449	331,449
110-36 Miscellaneous Revenue	-	381	741
<b>TOTAL REVENUES</b>	<b>662,898</b>	<b>660,762</b>	<b>661,122</b>
110-55 Economic Environment	71,675	12,916	31,416
110-59 Capital Outlay	30,000	-	-
<b>TOTAL EXPENDITURES</b>	<b>101,675</b>	<b>12,916</b>	<b>31,416</b>
<b>Excess (deficiency) of revenues over expenditures</b>	<b>561,223</b>	<b>647,846</b>	<b>629,706</b>
110-38 Transfers In	-	-	-
110-58 Transfers Out	(554,590)	(278,968)	(524,717)
<b>Total other financing sources (uses)</b>	<b>(554,590)</b>	<b>(278,968)</b>	<b>(524,717)</b>
Net change in fund balances	6,633	368,877	104,989
Fund Balance (deficit), Beginning	168,768	168,768	168,768
Fund Balance (deficit), Ending	175,401	537,645	273,757

*\* FY2020 BUDGET is the Adopted Budget plus prior year encumbrances rolled forward*

**CITY OF DESTIN - MONTHLY FINANCIAL REPORT**

**Actuals 10/01/2020 - 03/31/2021**

<b>FUND BALANCE - ALL FUNDS</b>	<b>FY2021 BUDGET*</b>	<b>FY2021 YTD ACTUAL</b>	<b>FY2021 PROJECTION</b>
<b>Beginning Fund Balance</b>	<b>29,820,693</b>	<b>29,672,621</b>	<b>29,672,621</b>
Nonspendable	2,287,340	1,814,873	2,228,131
Restricted	1,367,764	4,441,466	2,796,663
Committed	9,991,400	9,529,323	10,731,816
Assigned	1,277,284	5,236,834	4,972,945
<i>Unassigned</i>	<i>7,680,434</i>	<i>12,992,799</i>	<i>4,096,816</i>
<b>Ending Fund Balance</b>	<b>22,604,222</b>	<b>34,015,296</b>	<b>24,826,372</b>
	22,604,222	34,015,296	24,826,372

**Nonspendable** = Long-term advance to TownCenter CRA

**Restricted** = Bond covenants (balances of debt service funds), grant agreements, state and local regulations (impact fees).

**Committed** = Council resolutions, motions, includes fund balance resolution for 1 yr debt (\$1.8m) + 3 mos emergency opsx2

**Assigned** = Contracts, purchase orders and funds in special revenue funds

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** City Manager Report  
**AGENDA OUTLINE NUMBER:** 4.D.

---

**TO:** City Council

**THRU:** Rey Bailey, City Clerk  
Lance Johnson, City Manager

**FROM:** Kyle Bauman, City Attorney

**DATE:** May 12, 2021

**SUBJECT:** Approval of Resolution 21-05 setting the date and the qualification period for the City of Destin Special Election

---

**I. BACKGROUND:** The resignation of Councilmember Skip Overdier has created a vacancy in office pursuant to the Destin City Charter. Because more than one year remains on Councilmember Overdier's unexpired term, the City must hold an election no sooner than 60 days and no more than 90 days following the date the vacancy was created. The vacancy was created on April 30, 2021. City staff and the City Attorney have communicated with the Okaloosa County Supervisor of Election Paul Lux (the "Supervisor"). The Supervisor has agreed to conduct a City Council Special Election on July 20, 2021, subject to the terms of the an Election Services Agreement by and between the City and Supervisor which the Council will consider in a separate agenda item (the "Agreement"). The City must formally set its election day and qualification period for this City Council Special Election by Resolution.

**II. DISCUSSION:** The attached Resolution 21-05 sets the City Council special election to fill the vacancy created by the resignation of Councilmember Overdier for July 20, 2021. It sets the qualification period for the July 20, 2021, election to commence at noon on May 24, 2021, and to terminate at noon on May 26, 2021.

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

**III. CONCLUSION:** This Resolution is a necessary step to fill the City Council vacancy created by the resignation of Councilmember Overdier and fulfill the requirements of the Destin City Charter.

**IV. RECOMMENDED MOTION:** I move to approve and adopt Resolution 21-05.

Attachments:

1. Resolution 21-05 - Election to Replace Skip Overdier

**RESOLUTION 21-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA AUTHORIZING A SPECIAL ELECTION PURSUANT TO SECTION 3.09(C)(2) OF THE DESTIN CITY CHARTER TO FILL THE VACANCY CREATED BY THE RESIGNATION OF COUNCILMEMBER SKIP OVERDIER TO BE HELD ON JULY 20, 2021; PROVIDING FOR THE QUALIFYING PERIOD FOR THE ELECTION IN JULY 2021 TO BE MAY 24, 2021, THROUGH MAY 26, 2021; AND PROVIDING FOR AN EFFECTIVE DATE**

*WHEREAS*, Councilmember Skip Overdier was elected to the Destin City Council in March 2018; and

*WHEREAS*, Councilmember Overdier has announced his resignation from the Destin City Council effective April 30, 2021; and

*WHEREAS*, there is more than one year remaining in Councilmember Overdier's unexpired term, and pursuant to Section 3.09(C)(2) of the Destin City Charter, a special election to fill Councilmember Overdier's vacancy must be held not sooner than 60 days and not more than 90 days following the occurrence of the vacancy; and

*WHEREAS*, the Destin City Council has determined that it is in the best interest of the citizens of the City of Destin to hold the City's special election on July 20, 2021; and

*WHEREAS*, the qualifying period for the City of Destin City Council special election on July 20, 2021, will commence at noon on May 24, 2021, and terminate at noon on May 26, 2021; and

*WHEREAS*, the candidate elected to office shall take office on the day of the next regular City Council meeting following the special election and shall serve the remainder of Councilmember Overdier's term, subject to the provisions of the Destin City Charter.

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA*

**Section 1. Special Election Day.** The Destin City Council hereby schedules the City of Destin special election to fill the vacancy on the Destin City Council created by the resignation of Councilmember Skip Overdier for July 20, 2021 (the "Special Election"). The candidate elected to office in the Special Election shall take office on the day of the next regularly scheduled City Council meeting following the Special Election to serve the remainder of Councilmember Overdier's term, subject to the provisions of the Destin City Charter.

**Section 2. Qualifying Period.** The Qualification Period for the July 20, 2021, Special Election shall commence at noon on May 24, 2021, and terminate at noon on May 26, 2021.

**Section 3. Effective Date.** This Resolution shall be effective immediately upon adoption.

ADOPTED THIS 17<sup>TH</sup> DAY OF MAY 2021

By:

---

Gary Jarvis, Mayor

ATTEST:

---

Rey Bailey, City Clerk

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

---

Kyle S. Bauman, City Attorney

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Action Item  
**AGENDA OUTLINE NUMBER:** 4.E.

---

**TO:** City Council

**THRU:** Rey Bailey, City Clerk  
Lance Johnson, City Manager

**FROM:** Kyle Bauman, City Attorney

**DATE:** May 12, 2021

**SUBJECT:** Approval of contract with Okaloosa County Supervisor of Elections to conduct Special Election for the City of Destin

---

**I. BACKGROUND:** The resignation of Councilmember Skip Overdier has created a vacancy in office pursuant to the Destin City Charter. Because more than one year remains on Councilmember Overdier's unexpired term, the City must hold an election no sooner than 60 days and no more than 90 days following the date the vacancy was created. The vacancy was created on April 30, 2021. City staff and the City Attorney have communicated with the Okaloosa County Supervisor of Election Paul Lux (the "Supervisor"). The Supervisor has agreed to conduct a City Council Special Election on July 20, 2021, subject to the terms of the attached Election Services Agreement by and between the City and Supervisor (the "Agreement").

**II. DISCUSSION:** The Agreement breaks the services the Supervisor will provide to the City into two parts: Base Services and Optional Services. Base Services are the bare minimum services the Supervisor must perform in order to conduct the Special Election. These include:

1. The Supervisor shall conduct the Special Election in compliance with the Election Laws of the State of Florida.
2. The Supervisor will maintain the Voter Registration Roll for the Special Election.
3. The Supervisor will conduct the Special Election at the same Polling Places which are normally utilized for the conduct of a general election.
4. The Supervisor will provide adequate voting equipment for conduct of the Special Election, and provide the costs associated with maintaining such equipment.
5. The Supervisor will hire, appoint, and train sufficient clerks and inspectors for the conduct of the Special Election, for each Polling Place.

6. The Supervisor will furnish registration records for each City Polling Place.
7. The Supervisor will provide for the production of all necessary ballots for the conduct of the Special Election, including absentee ballots.
8. The Supervisor will provide for the tabulation and counting of all votes within each precinct and provide the costs associated with tabulation and counting of the votes.
9. Following the certification of the election results for the Special Election, the Supervisor shall provide those results to the Clerk for the City.

The Supervisor estimates the Base Services will cost between \$7500 and \$10,000.

The Optional Services include these three options:

1. The Supervisor providing all legal advertisements required under the law for the Special Election with the City paying actual costs for such advertising.
2. The Supervisor handling all candidate qualification filings and managing all the campaign finance filings for the Special Election with the City paying \$100 for each qualified candidate or \$500, whichever is greater.
3. The Supervisor providing off-site early voting, which the Supervisor estimates to cost between \$4500 and \$5000.

City staff and the City Attorney strongly recommend that the City Council elect to have the Supervisor provide Optional Services relating to (1) required advertisement; and (2) qualification filings and campaign finance filings. Regarding (3), early voting, City staff and the City Attorney have no recommendation. Pursuant to section 101.657(d) & (e), Fla. Stat. (2020), the City does not have to provide early voting where the election is not conducted concurrently with county or state elections. However, if the City believes the cost-benefit analysis of conducting early voting weighs in favor of early voting, then the Supervisor will conduct such services for an estimated \$4500-\$5000.

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

**B. Effect on Budget (EOB):** Base Services: estimated to cost between \$7500 and \$10,000.

Optional Services: estimated to cost between \$1000 and \$6000, depending on which services are elected and how many candidates seek qualification.

Total Cost of Special Election: between \$7500 and \$16,000.

	<b>FY2021 BUDGET</b>
0151110-531000 CITY COUNCIL-PROFESSIONAL SVCS	\$ -
<b>FY21 Adopted Budget</b>	<u>-</u>
<b>Internal Transfer</b>	<u>42,458</u>
<b>Previous Expenses/Encumbrances</b>	<u>(26,458)</u>
<b>Available Program Budget</b>	<u>16,000</u>
<b>This Agreement +(-)</b>	<u>(16,000)</u>
<b>FY21 Remaining Program Budget</b>	<u><u>\$ -</u></u>

C. **Level of Service (LOS)**: Pursuant to its Charter the City is required to conduct this Special Election.

**III. CONCLUSION**: Entering into this Agreement will ensure that the Supervisor will conduct the City's July 20, 2021 City Council Special Election.

**IV. RECOMMENDED MOTION**: I move to authorize and direct the Mayor to execute the attached Election Services Agreement by and between the City and Supervisor of Elections and elect the following Optional Services: \_\_\_\_\_.

Attachments:

1. Election Services Agreement -- July 20 2021 City of Destin City Council Special Election - final
2. BUDGET INTERNAL TXFR ELECTION

# ELECTION SERVICES AGREEMENT

## City of Destin, Florida, July 20, 2021 City Council Special Election

This Election Services Agreement (the "Agreement") entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Destin, Florida, a Florida Municipal Corporation, (the "City") and Paul Lux, as Supervisor of Elections of Okaloosa County, Florida, (the "Supervisor").

**WHEREAS**, on April 30, 2021, the City Council of the City experienced a vacancy of office as a result of the resignation of Councilmember Skip Overdier; and

**WHEREAS**, more than one year remains on Councilmember Overdier's unexpired term; and

**WHEREAS**, pursuant to section 3.09(C)(2) of the Destin City Charter, the City must conduct a special election to be held not sooner than 60 days and not more than 90 days following the occurrence of the vacancy; and

**WHEREAS**, pursuant to City Resolution #21-05, this special election shall take place on July 20, 2021 (the "Special Election");

**WHEREAS**, the Supervisor is willing to conduct this Special Election on July 20, 2021; and

**WHEREAS**, pursuant to City Resolution # 21-05, the qualification period for the Special Election shall commence at noon on May 24, 2021, and terminate at noon on May 26, 2021; and

**WHEREAS**, this Agreement is intended to address the respective responsibilities of the parties related to conducting the Special Election.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements contained herein, the City and the Supervisor do agree as follows:

**SECTION 1. RECITALS.** The above recitals are true and correct and are incorporated herein as essential terms of the Agreement.

**SECTION 2: SCOPE OF SERVICES.**

A. **Base Services.** The Supervisor agrees to conduct the on July 20, 2021, and will provide the following base services (the “Base Services”):

1. The Supervisor shall conduct the Special Election in compliance with the Election Laws of the State of Florida.
2. The Supervisor will maintain the Voter Registration Roll for the Special Election.
3. The Supervisor will conduct the Special Election at the same Polling Places which are normally utilized for the conduct of a general election.
4. The Supervisor will provide adequate voting equipment for conduct of the Special Election, and provide the costs associated with maintaining such equipment.
5. The Supervisor will hire, appoint, and train sufficient clerks and inspectors for the conduct of the Special Election, for each Polling Place.
6. The Supervisor will furnish registration records for each City Polling Place.
7. The Supervisor will provide for the production of all necessary ballots for the conduct of the Special Election, including absentee ballots.
8. The Supervisor will provide for the tabulation and counting of all votes within each precinct and provide the costs associated with tabulation and counting of the votes.
9. Following the certification of the election results for the Special Election, the Supervisor shall provide those results to the Clerk for the City.

B. **Costs for Base Services.** The total estimated cost for the services described above is between Seven-Thousand, Five Hundred Dollars (\$7,500.00) and Ten-Thousand Dollars (\$10,000.00). This estimated total is based on the cost of conducting the City’s March 9, 2021 Special Referendum Election. The City agrees to pay the Cost of Services in accordance with the terms of Section 2(F), below.

C. **Optional Services.**

1. In addition to the Base Services described above, the City may request the Supervisor to perform the following Optional Services. To the extent that the City requests that the Supervisor provide the following Optional Service, it shall denote such service by placing the initials of the Mayor, or his designee, at the appropriate response as to which of the below Optional Service the City requests that the Supervisor to

perform for the reimbursement of costs set forth below.

OPTIONAL SERVICES		
Accept	Reject	Optional Services
_____	_____	The City requests that the Supervisor provide all legal advertisements required under the law for the Special Election and in consideration for his provisions of these Optional Services agrees to pay the actual cost of all such advertising.
_____	_____	The City requests that the Supervisor handle all candidate qualification filings and manage all of the campaign finance filings for the Special Election. In consideration for the Supervisor's provision of these Optional Services, the City agrees to pay the amount of \$100 for each qualified candidate in each municipal race or \$500, whichever is greater.
_____	_____	The City requests that the Supervisor provides 5 days of off-site early voting. The City agrees to pay for all costs associated with the conduct of the early voting procedures. The Supervisor estimates this cost to be between \$4,500.00 and \$5,000.00.

2. Failure to initial the acceptance of any Optional Service shall be deemed a rejection and that Optional Service shall be the sole responsibility of the City to perform and the Supervisor shall have no obligation or responsibility to perform such service.

D. **Indemnification.** It is acknowledged that the services to be provided by this Agreement are for the Base Services and for such Optional Services affirmatively selected by the City to be provided by the Supervisor. Any other service to be provided or any Optional Service rejected by the City shall be solely the responsibility of the City and the Supervisor shall have no obligation or responsibility to perform such services. The City shall indemnify the Supervisor, his employees, clerks, inspectors and volunteers from any damages, costs or liability, including attorney's fees, resulting from the failure of the City to perform any service not being provided by the Supervisor under the terms of this Agreement. The City has inquired as to whether the Supervisor has knowledge of any other protocols, procedures, or actions the City must take to conduct the Special Election and the Supervisor has responded to this inquiry.

E. **Canvassing Board.** For the conduct of the Special Election pursuant to this Agreement, the County Canvassing Board established under section 102.141, Florida Statutes shall be the entity responsible for the certification of the results of the Special Election.

F. **Invoicing.** Upon conclusion of the Special Election, the Supervisor shall an itemized invoice to the City for the cost of conducting the Special Election which shall include the cost for the Base Services and each individual Optional Services provided by the Supervisor. The City shall pay such amount within thirty (30) days of invoicing by the Supervisor.

**SECTION 3. TERM**

A. **Term.** This Agreement shall become effective upon execution by all parties and shall terminate upon full completion of the Special Election, including payment by the City to the Supervisor for the services provided.

**SECTION 4. REPRESENTATIONS AND WARRANTIES.** Each party hereby represents and warrants to the other that it has all requisite power, authority and authorization to enter into this Agreement, has taken all necessary actions required to enter into this Agreement, and to fulfill any and all of its obligations, duties, and responsibilities provided for or required of it by this Agreement, whether exercised individually or collectively.

**SECTION 5. AMENDMENTS.** Neither this Agreement nor any portion of it may be modified or waived orally. The provisions hereof may be amended or waived only pursuant to an instrument in writing, approved by the City and the Supervisor. This Agreement shall not be assigned without the permission of all parties to the agreement.

**SECTION 6. JURY TRIAL WAIVER.** **IN THE EVENT THAT LITIGATION IS FILED BY ANY PARTY TO ENFORCE ANY TERMS OF THIS AGREEMENT, THEN ALL PARTIES AGREE THAT THEY HEREBY WAIVE ANY RIGHT TO A JURY TRIAL ON ANY ISSUES ARISING OUT OF THIS AGREEMENT.**

**SECTION 7. LITIGATION.** If litigation is instituted seeking to enforce the terms of this Agreement, or in any way related to this Agreement, then the prevailing party shall be entitled to

recover its reasonable attorney's fees and costs incurred in the litigation, including fees and cost incurred in any resulting appeal, and any fees and costs incurred litigating entitlement to and the reasonableness of any attorney's fees and costs.

**SECTION 8. SEVERABILITY.** If any one or more of the provisions of this Agreement shall be held contrary to any express provision of law or contrary to any policy of express law, then the remainder of this Agreement shall remain in full force and effect.

**SECTION 9. GOVERNING LAW AND VENUE.** The validity, construction and performance of this Agreement shall be governed by the laws of the State of Florida. Venue for any action arising out of this Agreement shall be in Okaloosa County, Florida.

**SECTION 10. NOTICE.** If written notice to a party is required under this Agreement, such notice shall be given by hand delivery, recognized overnight delivery service, or by first class mail, registered and return receipt requested.

As to the Supervisor as follows:

Paul Lux  
Supervisor of Elections  
302 N. Wilson St.  
Suite 102  
Crestview, FL 32536-3474

As to the City as follows:

City Manager  
City of Destin  
4200 Indian Bayou Trail  
Destin, FL 32541

**SECTION 11. SOVEREIGN IMMUNITY.** The parties further agree that nothing contained herein is intended to nor shall be construed a waiver of the Supervisor's or City's rights and immunities under the common law or section 768.28, Florida Statutes, as amended from time to time.

**SECTION 12. THIRD PARTY BENEFICIARY.** Neither the City nor the Supervisor do not intend by any provision hereof, to create any right or benefits in favor of any person, firm, or corporation not a party to this agreement.

**SUPERVISOR OF ELECTIONS  
OKALOOSA COUNTY**

**CITY OF DESTIN, FLORIDA**

\_\_\_\_\_  
Paul Lux, CERA  
Supervisor of Elections

By: \_\_\_\_\_  
Gary Jarvis, Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Rey Bailey, Clerk

# CITY OF DESTIN Internal Budget Transfer Form

Fiscal Year 2021  
 Period 8  
 Ref 1 BUA  
 Ref 2 ADJ

Short Description SUPERVISOR OF ELECTIONS  
 Effective Date 5/17/2021  
 Budget Year Code 1

Entity Code 1  
 Amendment Type\* 1  
 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)decrease	AMOUNT	CURRENT AVAILABLE BUDGET	REVISED AVAILABLE BUDGET
0151110 CITY COUNCIL	531000 PROFESSIONAL SERVICES		TXFR IN FOR SUPERVISOR OF ELECTIONS	I	\$ 16,000.00	\$ -	\$ 16,000.00
0151322 ADMINISTRATIVE SERVICES	549000 OTHER CHARGES		TXFR OUT TO 0151110 CITY COUNCIL	D	\$ 16,000.00	\$ 78,000.00	\$ 62,000.00

Created by: \_\_\_\_\_  
 Entered by: \_\_\_\_\_  
 Approved by: \_\_\_\_\_

Initials AN  
 Date 5-13-21

Note  
 TRANSFER FROM ADMIN SERVICES TO CITY  
 COUNCIL PROFESSIONAL SERVICES FOR THE  
 SUPERVISOR OF ELECTIONS



05/13/2021 08:08  
anickens

CITY OF DESTIN, FL  
FY20 YTD BUDGET REPORT

P 1  
glytcbud

FOR 2021 13

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
01 GENERAL FUND							
0151110 CITY COUNCIL							
01 -51-511-10-00-531000-	0	PROFESSIONAL SERVICES					
01 -51-511-10-00-534000-	16,000	26,458	19,082.50	.00	7,375.00	.00	100.0%
01 -51-511-10-00-540000-	13,100	CONTRACT SERVICES	14,217	4,686.25	.00	9,530.71	33.0%
01 -51-511-10-00-546000-	1,000	TRAVEL/PER DIEM	4,410	176.00	.00	4,234.00	4.0%
01 -51-511-10-00-547000-	800	REPAIRS AND MAINTENANCE	1,000	.00	.00	1,000.00	.0%
01 -51-511-10-00-548000-	34,000	PRINTING AND BINDING	800	.00	.00	800.00	.0%
01 -51-511-10-00-552000-	19,700	AD/PROMOTIONAL ACTIVITIES	9,000	657.60	.00	8,342.40	7.3%
01 -51-511-10-00-554000-	6,675	OPERATING SUPPLIES	19,700	10,395.48	.00	9,304.52	52.8%
01 -51-511-10-00-555000-	0	BOOKS, SUBS, MEMBERSHIPS	6,675	4,305.00	.00	2,370.00	64.5%
01 -51-511-10-00-582000-	0	TRAINING	690	690.00	.00	.00	100.0%
01 -51-511-10-00-599000-	30,000	CONTRIBUTIONS	8,000	8,000.00	.00	.00	100.0%
		CONTINGENCIES	0	.00	.00	.00	.0%
TOTAL GENERAL FUND	121,275	90,949	47,992.83	.00	7,375.00	35,581.63	60.9%
TOTAL EXPENSES	121,275	90,949	47,992.83	.00	7,375.00	35,581.63	
GRAND TOTAL	121,275	90,949	47,992.83	.00	7,375.00	35,581.63	60.9%

*Increase Professional Services 16K  
for Supervisor of Elections*

\*\* END OF REPORT - Generated by april nickens \*\*



05/13/2021 08:15  
anickens

CITY of DESTIN, FL  
FY20 YTD BUDGET REPORT

1  
glytbdud

FOR 2021 13

	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	MTD EXPENDED	ENC/REQ	AVAILABLE BUDGET	PCT USED
01 GENERAL FUND							
0151322 ADMINISTRATIVE SERVICES							
01 -51-513-22-00-534000-							
01 -51-513-22-00-542000-	3,000		1,193.00	.00		1,807.00	39.8%
01 -51-513-22-00-543000-	15,000		6,250.27	.00		8,749.73	41.7%
01 -51-513-22-00-544000-	21,630		11,784.96	.00		9,845.04	54.5%
01 -51-513-22-00-546000-	1,600		678.00	.00		922.00	42.4%
01 -51-513-22-00-547000-	1,000		.00	.00		1,000.00	.0%
01 -51-513-22-00-549000-	31,100		5,547.02	.00		25,552.98	17.8%
01 -51-513-22-00-551000-	78,000		.00	.00		78,000.00	.0%
01 -51-513-22-00-552000-	4,000		1,257.50	.00		2,742.50	31.4%
01 -51-513-22-00-554000-	6,200		1,021.66	.00		5,178.34	16.5%
TOTAL GENERAL FUND	164,480	164,480	29,011.88	.00		135,468.12	17.6%
TOTAL EXPENSES	164,480	164,480	29,011.88	.00		135,468.12	17.6%
GRAND TOTAL	164,480	164,480	29,011.88	.00		135,468.12	17.6%

\*\* END OF REPORT - Generated by april nickens \*\*

MENU

Search

AN

Meetings **Agenda****May 17, 2021 Regular City Council Meeting**

VIEW: AGENDA

CREATE

SELECT

REORDER

**3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA****4. CITY MANAGER REPORTS**

A. Cross Town Connector ROW Scope and Fee Approval	2021-3449	80%
B. Capital Project Status	2021-3608	25%
C. Operations Financial Report	2021-3609	0%
D. Approval of Interlocal Agreement between the Community Redevelopment Agency and the City of Destin	2021-3616	33%
 E. Approval of Resolution 21-05 setting the date and the qualification period for the City of Destin Special Election	2021-3631	50%
 F. Approval of contract with Okaloosa County Supervisor of Elections to conduct Special Election for the City of Destin	2021-3617	50%
G. Appointment of Interim City Council Member	2021-3579	0%
H. Appointment of Council representative to local and regional committees	2021-3618	50%
I. Wayfinding for Harbor District Parking Lots	2021-3632	0%
J. Announcements:	2021-3246	0%

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** City Manager Report  
**AGENDA OUTLINE NUMBER:** 4.F.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager  
 Kyle Bauman, City Attorney

**FROM:** Rey Bailey, City Clerk

**DATE:** May 11, 2021

**SUBJECT:** Appointment of Interim City Council Member

---

**I. BACKGROUND:** There is a vacancy in the City Council due to the resignation of a member. Councilmember Skip Overdier was elected to serve on the Destin City Council in March 2018. His term expires in November 2022. He resigned from the Council effective April 30, 2021. There is more than one year remaining in the unexpired term, and no regular City election is scheduled within one year; and under Section 3.09(c)(2) of the Destin City Charter, the Council *"shall fill the vacancy on an interim basis as provided in 3.09(c)(1) and shall schedule a special election to be held not sooner than 60 days, nor more than 90 days following the occurrence of the vacancy."* Section 3.09(c)(1) of the City Charter provides that, *"The Council by a majority vote of the remaining members shall choose a successor to serve until a newly elected mayor or council member is qualified."*

**II. DISCUSSION:** As directed by the City Council, staff advertised for and received 12 applications from the following individuals:

James Bagby  
 Ian Blaise  
 John Green  
 Richard Landry  
 Brian Liesveld  
 Brent MacDonald  
 Chatham Morgan  
 Cyron Marler  
 Thomas Palmer  
 John Scannell  
 Bobby Wagner

Kellen Williams

On May 12, 2021, the Okaloosa County Supervisor of Elections verified that all 12 applicants meet the City of Destin Charter requirements to serve on the City Council.

- A. **Link to Strategic Goals / Objectives:** III. Service Excellence
- B. **Effect on Budget (EOB):** None
- C. **Level of Service (LOS):** No impact in level of service. The candidate appointed by the City Council will fill the vacated City Council seat until a newly elected Councilmember is sworn in.

**III. CONCLUSION:** The City Council should select the individual to serve by its appointment. The individual selected by a majority of the remaining City Council members (4) is thereby appointed. Individual appointed as Interim Council member will be sworn in on June 7, 2021. The appointed Council member will serve until a newly elected Council member is sworn in at the August 2, 2021 regularly scheduled City Council meeting.

**IV. RECOMMENDED MOTION:** I move to appoint \_\_\_\_\_ as Interim Council Member to serve until a new Council member is duly elected and sworn in.

Attachments:

1. James Bagby
2. Ian Blaise
3. John Green
4. Richard Landy
5. Brian Liesveld
6. Brent MacDonald
7. Cyron Marler
8. Chatham Morgan
9. Thomas Palmer
10. John Scannell
11. Bobby Wagner
12. Kellen Williams

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Tuesday, May 11, 2021 9:54 AM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3988 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

---

First Name	James
Last Name	Bagby
Home Address	4709 Seastar Vista
City	Destin
State	Florida
Zip	32541-4787
Primary Phone	8506856624
Email	jamesbbagby@gmail.com
Mailing Address (If different than above)	4709 Seastar Vista
City	Destin
State	FL
Zip	32541

Brief description of education and experience:	BS in Engineering from the United States Military Academy Masters in Public Administration from Western Kentucky University (Distinguished Graduate Student in Government Dept) 8 years City Council experience IEMO and Advanced IEMO graduate 24 years military experience 10 years as Rosemary Beach Town Manager 2 1/2 years as Walton County TDC Executive Director Numerous council, commission and board service
Are you a registered voter in Okaloosa County?	Yes
How long have you lived in Destin?	22 years
Are you currently a resident of Destin?	Yes
Have you ever been convicted of a felony?	No
If you have been convicted of a felony, please explain and provide date(s).	<i>Field not completed.</i>
Do you currently hold a public office?	No
List any city boards, committees or public offices you are currently a member of.	Board of Adjustment
Why are you especially qualified to serve as Interim City Councilmember	8 years of council service; IEMO and Advanced IEMO experience; Sterling Award legislative sponsor
What do you see as the major purpose of the City Council?	To serve ALL the citizens of Destin
What would you like to see the City Council accomplish?	Purchase additional waterfront properties; lower taxes; rein in over-development
Additional comments you would like to add:	I appreciate your appointment to the Board of Adjustment and am offering my services to help our city in this time

*CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

---

Signature	Electronic Signature Verification
-----------	-----------------------------------

---

Date	5/11/2021
------	-----------

---

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Tuesday, May 11, 2021 4:04 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3991 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Ian
Last Name	Blaise
Home Address	702 N Lakeside Dr.
City	Destin
State	FL
Zip	32541
Primary Phone	8507488002
Email	ianblaise@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

**Brief description of education and experience:** I grew up on a 30' boat in Miami FL. During my collegiate years I attended Maine Maritime Academy and FSU and graduated Maine Maritime with Honors and a 500 ton Mate Oceans license. I then "sailed" on just about everything from Private yachts, Tugs to Construction Vessels in waters all over world. I currently hold and Unlimited Masters Oceans license with variety of other endorsements and transitioned away from the Offshore world into the Small Business world 3 years ago when we moved back to Florida to start our business Cruisin' Tikis Destin. Ever since, we have been committed to being apart of, and supporting a community and City we love. A City that has embraced my family and our business with open arms. I am now currently working on two city committee boards, the CRA and the Capacity Steering Committee .

**Are you a registered voter in Okaloosa County?** Yes

**How long have you lived in Destin?** 3 years

**Are you currently a resident of Destin?** Yes

**Have you ever been convicted of a felony?** No

**If you have been convicted of a felony, please explain and provide date(s).** *Field not completed.*

**Do you currently hold a public office?** No

**List any city boards, committees or public offices you are currently a member of.** CRA, Harbor Capacity Steering Committee

**Why are you especially qualified to serve as Interim City Councilmember** I am a USCG Licensed Mariner, Small business owner working on the harbor in a sector that could use more representation

**What do you see as the major purpose of the City Council?** To govern fairly, and make decisions for the city that are in the best interest of those that live here and those that visit

**What would you like to see the City Council accomplish?** Support the recreational boating community the same way it does the fishing community.

Additional comments you would like to add: I look forward to helping if given the opportunity.

---

*CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

---

Signature	Electronic Signature Verification
-----------	-----------------------------------

---

Date	5/11/2021
------	-----------

---

Email not displaying correctly? [View it in your browser.](#)

**Rey Bailey**

---

**From:** noreply@civicplus.com  
**Sent:** Tuesday, May 11, 2021 8:42 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3994 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

## Interim City Council Application

### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	John
Last Name	Green
Home Address	3792 Indian Trail
City	Destin
State	FL
Zip	32541
Primary Phone	7706307555
Email	johnwgreen01@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

Brief description of education and experience: BS Civil Engineer - University of Miami  
Business Owner - Beachside Construction Group, Destin, FL  
Civil Engineering Manager - ECM Civil, Destin, FL (John Elamad, P.E., Owner)  
Retired UPS - Facilities Maintenance Manager, Chicago Area  
Consolidation Hub - Managed a 100 person team of supervisors and mechanics.

---

Are you a registered voter in Okaloosa County? Yes

---

How long have you lived in Destin? 4 years

---

Are you currently a resident of Destin? Yes

---

Have you ever been convicted of a felony? No

---

If you have been convicted of a felony, please explain and provide date(s). *Field not completed.*

---

Do you currently hold a public office? No

---

List any city boards, committees or public offices you are currently a member of. Public Works Safety Committee - City of Destin

---

Why are you especially qualified to serve as Interim City Councilmember I am anchored in the Community. Having the opportunity to work in the construction industry as an engineer and being a small business owner, I have a wide perspective and understanding of our community. I also have a good working relationship with the City administration and presently serve on the Public Works Safety Committee. I have a knowledge of City laws and ordinances. I've knocked on doors reaching out to our citizens regarding their concerns and issues. As a Councilman, I will continue to do so.

---

What do you see as the major purpose of the City Council? Our City's Council's purpose is to balance residents', businesses' and visitors' concerns to our community. The City Council establishes the priorities of the City and sets the policies and a budget to allow the City to run day-to-day business effectively and efficiently.

---

What would you like to see the City Council accomplish?

Continue to maintain the local roads by having a long-term plan to re-pave, provide sidewalks and crosswalks' striping and provide signage where needed. Beach Access: Continue to find more local beach access for residents and improve the existing accesses. Public Safety: Continue to ensure the protection of residents and property by supporting code enforcement efforts.. Traffic: Continue the discussion of the Cross Connector with local residents and find a balance for traffic flow.

Additional comments you would like to add:

I believe that the strongest communities are anchored in a spirit of collaboration. I have the skills/experience to connect our community to discover shared objectives and work together towards finding innovative yet attainable solutions.

*CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

Signature

Electronic Signature Verification

Date

5/11/2021

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Friday, May 7, 2021 12:54 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3975 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Richard
Last Name	Landy
Home Address	15300 Emerald Coast Pky, PH-1
City	Destin
State	Florida
Zip	32541
Primary Phone	6303991336
Email	Rich.landy@yahoo.com
Mailing Address (If different than above)	15300 Emerald Coast Pky
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

Brief description of education and experience:	Retired executive from the Electric Utility industry after 30 years . Hold an BA, MBA, and grad from the Advanced Management Program at Harvard Business School. Very familiar with budgeting and strategic planning processes. Experience at the policy level and have an understanding of issues surrounding implementation. Understand how to get things done with the appropriate sense of urgency and financial discipline. US Army veteran.
Are you a registered voter in Okaloosa County?	Yes
How long have you lived in Destin?	14 years
Are you currently a resident of Destin?	Yes
Have you ever been convicted of a felony?	No
If you have been convicted of a felony, please explain and provide date(s).	<i>Field not completed.</i>
Do you currently hold a public office?	No
List any city boards, committees or public offices you are currently a member of.	N/A
Why are you especially qualified to serve as Interim City Councilmember	I know how to get things done in a large organization. Can work on collaborative teams
What do you see as the major purpose of the City Council?	Public safety is #1. Promoting the Destin brand as a safe and welcoming environment. Maintain orderly processes for growth
What would you like to see the City Council accomplish?	Improve traffic flows. Manage our growth. Focus on public safety. Financial discipline.
Additional comments you would like to add:	I believe I can help make Destin a better, safer place for our residents and visitors.

***CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE***

*CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

---

Signature

Electronic Signature Verification

---

Date

5/7/2021

---

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Tuesday, May 4, 2021 8:50 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3960 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Brian
Last Name	Liesveld
Home Address	301 Primrose Cir
City	Destin
State	FL
Zip	32541
Primary Phone	5208509500
Email	brianliesveld@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

**Brief description of education and experience:**

Hello, Thank you very much for your consideration for appointment as an interim member of the Destin City Council. I've pasted my resume below; however, I will give you a brief overview of the salient points for this position. I am the CEO of a non profit called DEFENSEWERX which provides innovation to the Dept of Defense. I am currently a resident of Destin and sincerely love this community. I think the city has done a great job of creating a great environment for our tourists while at the same time ensuring a fantastic community for our citizens. I have previously served as a City Councilman in a town of about 40K people and thoroughly enjoyed helping the people in that community. I've found serving in local govt is very rewarding. In fact, I currently serve on Parks and Rec as appointed by Councilman Overdier. I suspect I'll be asked to vacate that because of his resignation and if not, I would give up my seat for this appointment. Thank you again for your consideration. Please find my resume below.

**PROFESSIONAL EXPERIENCE**

Executive Director DEFENSEWERX (DWX) (Niceville, FL)  
(2018 – Pres)

- Assists with implementing annual operating plans that support DWX strategic direction and allocates/prioritizes resources to support customer requirements and strategic direction
- Assures the organization and its mission, programs, and services are consistently presented in a strong, positive image to relevant stakeholders
- Oversees the operations of organization and manages its compliance with legal and regulatory requirement
- Represents DWX with local, state and federal organizations to help create and nurture strategic partnerships
- Responsible for creating and maintaining a positive culture with DWX employees, customers & stakeholders
- Manages the development of DWX marketing & strategic messaging
- Expert in acquisition processes (FAR & non-FAR) and procedures
- Manages 6 Innovation Hubs and Corporate with budgets of more than \$50M annually
- Supports the staff in developing annual budgets that support operating plans and submit budgets for board approval
- Ensure that staff practices all appropriate accounting procedures in compliance with Generally Accepted Accounting Principles (GAAP)
- Provides oversight towards the design, delivery, and quality of programs and services

- Stays abreast of current technology and innovative trends related to the organization's products and services and anticipate future trends likely to have an impact on its work
- Collect and analyze evaluation information that measures the success of the organizations program efforts; refine or changes programs in response to that information

Vice President, Cyber Innovation Center (Bossier City, LA)  
(2016 – 2018)

- Coordinates technical capability requirements associated with AFGSC needs
- Works with Office of Director of National Intelligence to help articulate intelligence policy to A2 collocated staff
- Lead for donor relations & fund-raising efforts
- Develops and executes workforce development solutions for regional and local industry
- Executes goals set for by CIC Board of Directors and President
- Responsible for securing \$36M of Congressionally Directed Funds
- Advocates for and executes \$51M of R&D funding associated with modernizing and strengthening the Nuclear Enterprise
- Manages Air Force programs under the Partnership Intermediary Agreement Program
- Plans, organizes, and directs activities for the AF Global Strike Command support staff
- Oversees personnel management responsibilities

Associate Director/Program Manager (University of Arizona, Defense & Security Research Institute (DSRI)) (2014 – 2016)

- Led the stand-up/establishment of the DSRI
- Created and led Academia/Intel community partnership support; including National Air and Space Intel Command (NASIC) and the Missile and Space Intel Command (MSIC)
- Led 6 "conception to prototype" projects in support of DoD
- Established annual budget, program development and execution, management of faculty and coordination with stakeholders
- Develop UA presence and stature in the defense and security communities; increased the number and size of funded projects in defense and security-related areas

STRATCOM Technical Advisor/Program Manager  
(USSTRATCOM, IPA- Intergovernmental Personnel Act) (2009 – 2014)

- DoD Cyber Requirements Steering Group member
- Discovers and tailors technology towards mission gaps
- Successfully provided oversight for 34 basic/applied research

projects

- Perform operational research to determine needs/gaps
- DoD Requirements Board member to the "Loose Nukes Initiative" sponsored by DHS
- Advised senior leaders on Future Years Defense Program for S&T related needs

Director, Intelligence Management STRATCOM JFCC J2  
(2000 – 2009)

- Hand-picked to stand up new intelligence division
- Conducted and directed complex research aimed at developing solutions to problems for assessment and Commander decision making
- Planned, organized, and directs J2 staff made up of 24 military, civilian, and contractors
- Expert at communicating clearly and concisely and both verbally and in writing
- Managed 32 employees successfully and a budget of \$2.8M per FY
- Lead integrator for all intelligence of USSTRATCOM's Component Command's
- Sponsored intelligence requirements into the FYDP
- Served as liaison between Command Intelligence, DHS, NRO, and NGA

Other:

Destin Parks & Rec Committee Member  
Honorary Command, 307th BW  
Chairman, Military Relations Committee  
Executive Member, Bossier Chamber of Commerce  
Papillion City Council Member  
Judicial Committee Selection Member (County/District Judges)

#### EDUCATION

- Masters of Science (Business Administration) - 3.78 GPA
- Bachelors of Science (Project Management) - 3.84 GPA
- Bachelors of Science (Security Management) - 3.75 GPA

#### RELAVENT AWARDS/ RECOGNITION

- Space and Global Strike Senior Civilian of the Year
- USSTRATCOM Senior Civilian of the Year Runner-Up
- Awarded Defense Civilian Meritorious Achievement Medal

#### SECURITY CLEARANCE

- Active Top Secret/SCI

Are you a registered voter  
in Okaloosa County?

Yes

How long have you lived in Destin?	3 years
Are you currently a resident of Destin?	Yes
Have you ever been convicted of a felony?	No
If you have been convicted of a felony, please explain and provide date(s).	<i>Field not completed.</i>
Do you currently hold a public office?	No
List any city boards, committees or public offices you are currently a member of.	Parks and Rec
Why are you especially qualified to serve as Interim City Councilmember	I believe my experience of running a small (70+ people) company as well as my former experience as a City Councilman provides me knowledge and experience related to this position.
What do you see as the major purpose of the City Council?	I believe there's a perception from the citizenry of an us (citizens) vs them (tourists). I don't agree with this perception; I believe the things we love about the community are the same things the tourists love about the community. However, there is a balance to be struck especially considering the increase of visitors during the tourist season. I also believe a challenge of an elected official is to consider the needs of the majority of the citizens as opposed to the sometimes overpowering vocal minority.
What would you like to see the City Council accomplish?	I would like to see the city continue down the path of providing great quality of life for the citizens while, at the same time, enhancing Destin as a safe and exciting destination for our visitors.
Additional comments you would like to add:	I understand there is sometimes an understable emphasis put on "life long" or "long term" citizens!; however, I also believe there's value to be found from someone who is relatively new to the area and possibly sees the city through a different lens.

**CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM**

1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.

---

Signature

Electronic Signature Verification

---

Date

5/4/2021

---

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Tuesday, May 4, 2021 9:23 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3961 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Brent
Last Name	MacDonald
Home Address	604 Choctaw Drive
City	Destin
State	FL
Zip	32541
Primary Phone	410-459-9719
Email	Brentmacdonaldjr@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

Brief description of education and experience:	Went to college in Maryland graduating with a 2 year degree from UMBC. Current owner/partner of a law firm in DC with offices in DC, Maryland and Virginia. Held an HOA position for 2 years with Harbor Lights (condo on Holiday Isle). Help run 30A Youth Lacrosse Club with a director role.
Are you a registered voter in Okaloosa County?	Yes
How long have you lived in Destin?	8 years, 5 years full time.
Are you currently a resident of Destin?	Yes
Have you ever been convicted of a felony?	No
If you have been convicted of a felony, please explain and provide date(s).	<i>Field not completed.</i>
Do you currently hold a public office?	No
List any city boards, committees or public offices you are currently a member of.	<i>Field not completed.</i>
Why are you especially qualified to serve as Interim City Councilmember	I have a desire to make Destin the best it can be. I'm very much involved in the community and have been immersed with the locals very quickly since moving here.
What do you see as the major purpose of the City Council?	Debate and coordinate Destin improvements to further proper growth as a community.
What would you like to see the City Council accomplish?	Concise commitment to bettering our city.
Additional comments you would like to add:	<i>Field not completed.</i>

**CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED**

*AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

---

Signature

Electronic Signature Verification

---

Date

5/4/2021

---

Email not displaying correctly? [View it in your browser.](#)

**Rey Bailey**

---

**From:** noreply@civicplus.com  
**Sent:** Tuesday, May 11, 2021 5:23 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3992 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

## Interim City Council Application

### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Cyron
Last Name	Marler
Home Address	616 2nd Street
City	Destin
State	Florida
Zip	32541
Primary Phone	850-687-0654
Email	cyronmarler@cox.net
Mailing Address (If different than above)	Field not completed.
City	Field not completed.
State	Field not completed.
Zip	Field not completed.

Brief description of education and experience: Lifelong resident of Destin, served 4 terms on Council. Termed out November 2020, but stay updated.on the issues. I understand that The City Charter does not allow me to run for the unexpired term, however I believe that since this is just to fill the position until the special election in July. However I will leave that to the councils legal staff. I am here to serve if needed. Thank you.

Are you a registered voter in Okaloosa County? Yes

How long have you lived in Destin? 63 + years

Are you currently a resident of Destin? Yes

Have you ever been convicted of a felony? No

If you have been convicted of a felony, please explain and provide date(s). *Field not completed.*

Do you currently hold a public office? No

List any city boards, committees or public offices you are currently a member of. None

Why are you especially qualified to serve as Interim City Councilmember Served 4 terms on Council

What do you see as the major purpose of the City Council? To serve the citizens of Destin

What would you like to see the City Council accomplish? Too many things to list

Additional comments you would like to add: I am here to serve as needed

**CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM**

1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.

---

Signature

Electronic Signature Verification

---

Date

5/11/2021

---

Email not displaying correctly? [View it in your browser.](#)

**Rey Bailey**

---

**From:** noreply@civicplus.com  
**Sent:** Wednesday, May 12, 2021 2:24 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #4001 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

## Interim City Council Application

### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Chatham
Last Name	Morgan
Home Address	802 Dawn Lane
City	Destin
State	FL
Zip	32541
Primary Phone	8506874775
Email	chathammorgan@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

Brief description of education and experience: Served on Destin City Council from March 2016-November 2020. Local business owner. President of American Lunch - a 501c3 non profit dedicated to providing meals for food insecure residents of Okaloosa County.

Are you a registered voter in Okaloosa County? Yes

How long have you lived in Destin? 33 years

Are you currently a resident of Destin? Yes

Have you ever been convicted of a felony? No

If you have been convicted of a felony, please explain and provide date(s). *Field not completed.*

Do you currently hold a public office? No

List any city boards, committees or public offices you are currently a member of. n/a

Why are you especially qualified to serve as Interim City Councilmember I served four years on city council previously. I am well versed in most of the issues currently before the council as my term expired 6 months ago.

What do you see as the major purpose of the City Council? Development and zoning regulation, ensure the fiscal health of the city, and promote the quality of life for residents and visitors.

What would you like to see the City Council accomplish? A smooth transition to a new city council person via a special election in 60 days.

Additional comments you would like to add: *Field not completed.*

**CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED**

*AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

---

Signature	Electronic Signature Verification
-----------	-----------------------------------

---

Date	5/12/2021
------	-----------

---

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Monday, May 10, 2021 7:41 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3986 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Thomas (Drew)
Last Name	Palmer
Home Address	69 Indian Bayou Dr
City	Destin
State	FL
Zip	32541
Primary Phone	850-460-5884
Email	drew.palmer@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

**Brief description of education and experience:**

US Air Force intelligence veteran

20 years experience in the defense industry as an IT professional and program and technical manager

Current site manager for Lockheed Martin F35 software test lab responsible for all operations and personnel on site

Serve on the governing board for Destin High School

Master of Science in Operations Management - University of Arkansas

Master of Arts in Leadership - Mid-America Christian University

Bachelor of Science in Business Administration and Project Management - Colorado Technical University

Pursuing Graduate Certificate in Strategic Leadership and Doctorate in Strategic Leadership - Liberty University

---

**Are you a registered voter in Okaloosa County?**      Yes

---

**How long have you lived in Destin?**      9 Years

---

**Are you currently a resident of Destin?**      Yes

---

**Have you ever been convicted of a felony?**      No

---

**If you have been convicted of a felony, please explain and provide date(s).**      *Field not completed.*

---

**Do you currently hold a public office?**      No

---

**List any city boards, committees or public offices you are currently a member of.**      Destin High School Board

---

**Why are you especially qualified to serve as Interim City Councilmember**      I deeply care for the success of our city and the residents and businesses in Destin. I hold several degrees in business and leadership along with 20+ years experience in management and budgets.

---

What do you see as the major purpose of the City Council?	To ensure proper stewardship of the city resources to include natural, economic and fiduciary. To ensure responsible economic and city development that serves the needs of permanent residents while also facilitating a world class experience for our visitors.
What would you like to see the City Council accomplish?	I love the beach initiative and would like to see more beachfront property acquired and set aside for our future. I strongly support the underground utilities initiative and would like to see the sidewalks to continue to be improved to ensure the safety, beauty and livability of our city.
Additional comments you would like to add:	If selected I would seek to partner with and learn from the other council members to ensure that we are a strong team leading Destin to remain a world class community to live, work and play in.

*CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

Signature	Electronic Signature Verification
Date	5/10/2021

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Monday, May 10, 2021 6:32 AM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3984 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	John
Last Name	Scannell
Home Address	312 Liriope Loop
City	Destin
State	FL
Zip	32541
Primary Phone	2673193433
Email	Kipscannell@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

Brief description of education and experience: BA of science in Physics from Albright College.  
22+ years living, working and building my family here along the Gulf Coast.  
I am passionate about my community, and the future we initiate for the next generation.

Are you a registered voter in Okaloosa County? Yes

How long have you lived in Destin? 3 years

Are you currently a resident of Destin? Yes

Have you ever been convicted of a felony? No

If you have been convicted of a felony, please explain and provide date(s). *Field not completed.*

Do you currently hold a public office? No

List any city boards, committees or public offices you are currently a member of. *Field not completed.*

Why are you especially qualified to serve as Interim City Councilmember I love my community and I have 5 reasons to be invested in its future.

What do you see as the major purpose of the City Council? To make decisions regarding the protection and prosperity of both residents and businesses. Finding the delicate balance between tourists and residents, protecting the values and lifestyle of the beautiful emerald coast.

What would you like to see the City Council accomplish? Continue to uphold the freedoms and values we hold dear.

Additional comments you would like to add: *Field not completed.*

**CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM**

1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.

---

Signature

Electronic Signature Verification

---

Date

5/10/2021

---

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Wednesday, May 12, 2021 4:49 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #4003 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Bobby Wagner
Last Name	Wagner
Home Address	422 Anderson Dr
City	Destin
State	FL
Zip	32541
Primary Phone	8504994366
Email	wagner.t.robert@gmail.com
Mailing Address (If different than above)	<i>Field not completed.</i>
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip	<i>Field not completed.</i>

**Brief description of education and experience:** I am a product of the Destin education system, graduating from Fort Walton Beach High School in 2012. I accepted a musical scholarship offer to Troy University where I studied for two years. After my college experience, I returned to Destin to start my own marketing/production company called Land Air Sea Productions. In the 7 years of operation, my main focus has always been to serve my community and be a leader to my employees. Today, I am the proud executive director of Trees on the Coast, a nonprofit 501c, with the sole mission to beautify our local community.

---

**Are you a registered voter in Okaloosa County?** Yes

---

**How long have you lived in Destin?** 15

---

**Are you currently a resident of Destin?** Yes

---

**Have you ever been convicted of a felony?** No

---

**If you have been convicted of a felony, please explain and provide date(s).** *Field not completed.*

---

**Do you currently hold a public office?** No

---

**List any city boards, committees or public offices you are currently a member of.** Destin chamber board member 2020-2021 Through our non profit, "Trees on the Coast", I have had the pleasure of working along side the Parks & Recreation committee and city employees to understand the inner works and current projects that we face as

---

**Why are you especially qualified to serve as Interim City Councilmember** Because I am curious, ambiguous, and believe in our community. Over the past 7 years as a content creator, the passion I have found has been in understanding my clients. I have interviewed hundreds of locals from all backgrounds and skills. I have captured them in their element and have learned just how connected we all are in this community. But most importantly, I plan to bring a fresh mindset to this council and a willingness to learn and understand.

---

**What do you see as the major purpose of the City Council?** To be a selfless leader of the community and to set the example for the city. To me, the city council represents the voice of our collective community, and as such, it is their job to look after the best interest of the city for both current and future well beings.

What would you like to see the City Council accomplish?

My vision for the city of Destin is one of self-sufficient and proactive decisions. Over the next several decades, as I live in this city, I will help be a part of solutions that create long lasting success for both the individual citizen and local businesses. What I want the city of Destin to understand is that in addition to logic and law I will lead our community with passion and enthusiasm to the possibilities I know this town is capable of. I love my home and I will give it the blood, sweat, and tears it deserves to build a better tomorrow for everyone who visits and lives here.

Additional comments you would like to add:

I hope to have your vote for this Interim decision, but please know, I will also be asking for your support in November as I plan to run for a full two-year term.

*CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

Signature

Electronic Signature Verification

Date

5/12/2021

Email not displaying correctly? [View it in your browser.](#)

## Rey Bailey

---

**From:** noreply@civicplus.com  
**Sent:** Sunday, May 9, 2021 8:53 PM  
**To:** Clerks Department; Lorraine Berish; Webb Warren  
**Subject:** Online Form Submission #3983 for Interim City Council Application

[CAUTION: This email originated from outside of the City of Destin email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

### Interim City Council Application

#### Requirements

*The City of Destin is now accepting applications for interim appointment to the Destin City Council. The Destin City Council will appoint one person on an interim basis to fill the Council seat that was vacated on April 30, 2021. The individual appointed will serve on the Council until a permanent member is elected during a special election on July 20, 2021. The deadline to submit an application is 5:00 p.m. on Wednesday, May 12, 2021. Applicants must live within the city limits of Destin and must be eligible to vote. City Council Candidate Application Forms are also available at Destin City Hall, 4200 Indian Bayou Trail, or by contacting the City Clerk 837-4242.*

First Name	Kellen
Last Name	Williams
Home Address	93 Mark St
City	Destin
State	FL
Zip	32541
Primary Phone	850-543-1207
Email	Kmahany37@gmail.com
Mailing Address (If different than above)	Field not completed.
City	Field not completed.
State	Field not completed.
Zip	Field not completed.

Brief description of education and experience:	<p>I have honorably served 19+ Years as an Air Force Officer, Leader and Pilot. Currently stationed at Hurlburt Field, I'm married and have 2 daughters. With my wife Kimberly, this is our third assignment to Hurlburt and the second time we've called Destin our home. We plan to retire in 1 year, and remain full time Destin residents.</p>
	<p>10+ combat deployments, 3 time combat unit commander  I directly oversee 15 officer, enlisted and civilian employees  I Manage 140+ personnel on day-to-day flight and training schedules  I am the Special Program Manager for next generation technology and capabilities installing on a fleet of 18 AC-130J gunships</p>
	<p>I have a Bachelor of Science, Behavioral Sciences, 2001, from the United States Air Force Academy and a Master of Business Administration, 2014, from California Coast University</p>
Are you a registered voter in Okaloosa County?	Yes
How long have you lived in Destin?	7 years; 2013-2015 and again 2018-Present
Are you currently a resident of Destin?	Yes
Have you ever been convicted of a felony?	No
If you have been convicted of a felony, please explain and provide date(s).	<i>Field not completed.</i>
Do you currently hold a public office?	No
List any city boards, committees or public offices you are currently a member of.	None
Why are you especially qualified to serve as Interim City Councilmember	<p>I've spent my entire career making informed decisions on the basis of facts and information; budget, manpower, public perception, training and safety are just a few facets I navigate on a daily basis in my current job.~</p>

What do you see as the major purpose of the City Council? To act on behalf of Destin residents, to ensure the safety and freedom to pursue happiness of residents and visitors, to promote sustainability and economic success of Destin

---

What would you like to see the City Council accomplish? I would like the City of Destin, and the Council to continue emphasizing infrastructure (public parks, storm drains and roads) and providing opportunities for small businesses to flourish while maintaining a safe, enjoyable city for all persons

---

Additional comments you would like to add: *Field not completed.*

---

*CHECKING THE ELECTRONIC SIGNATURE VERIFICATION BOX BELOW INDICATES MY DESIRE TO SERVE AS INTERIM COUNCILMEMBER FOR THE CITY OF DESTIN. IT ALSO CONFIRMS MY UNDERSTANDING OF THE REQUIREMENT TO FILE AN ANNUAL FINANCIAL DISCLOSURE FORM (FORM 1) THAT WOULD BE PROVIDED IF A CANDIDATE IS SELECTED. I UNDERSTAND THAT I WILL BE REQUIRED TO FILE THIS FORM IF SELECTED AS INTERIM COUNCILMEMBER. INITIAL FILING WILL BE REQUIRED WITHIN 30 DAYS OF APPOINTMENT.*

---

Signature Electronic Signature Verification

---

Date 5/9/2021

---

Email not displaying correctly? [View it in your browser.](#)

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Action Item  
**AGENDA OUTLINE NUMBER:** 4.G.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager  
 Kyle Bauman, City Attorney

**FROM:** Rey Bailey, City Clerk

**DATE:** May 11, 2021

**SUBJECT:** Appointment of Council representative to local and regional committees

---

**I. BACKGROUND:** There are several organizations for which the City of Destin is represented by a member of the City Council. The newly seated Council appointed their representatives to these organizations on December 7, 2020.

**II. DISCUSSION:** Councilmember Skip Overdier was appointed as primary Council representative to several of these organizations. In light of his resignation from the Council effective April 30, 2021, the Council will need to appoint a replacement. Below is a brief mission description of these organizations as well as the names of City officials presently assigned to each:

A. Economic Development Council (EDC) Policy Board. The affair of the EDC shall be managed by a Policy Board. The Policy Board's responsibilities shall include overseeing the work program of the EDC, interfacing with local governments and all chambers of commerce and reviewing all programs and strategies of the EDC to determine issues of concern and courses of actions for the EDC. The policy Board shall be comprised of the EDC officers and Executive Committee Trustee members, the Chairperson of all standing committees, the Chairman or designee of the Crestview, Destin, Greater Fort Walton Beach, and Niceville-Valparaiso Bay Area Chambers of Commerce, a designated representative of Okaloosa County and each local incorporated municipality providing financial support to the EDC, and a non-voting advisory representatives from each local military base. The EDC Policy Board representatives for the municipalities are designated by the municipal government and are not nominated/selected by the EDC.

Primary - Councilmember Skip Overdier  
 Alternate - Councilmember Prebble Ramswell

B. Okaloosa-Walton Transportation Planning Organization (TPO). A committee of local government officials established for the purpose of making transportation-related decisions at a regional level. The TPO discusses and votes on transportation issues of region-wide significance and decides which local transportation projects should be implemented. One of the ways in which this is accomplished is through adoption of a Long-Ranged Transportation Plan which is updated every 3-4 years. Also based on the needs identified through the planning process, the TPO develops and adopts a priority list of projects for implementation each year. This list is then used by the FDOT, District 3, to develop their 5-year Work Program.

Primary - Councilmember Skip Overdier / Councilmember Rodney Braden  
Alternate - Councilmember Teresa Hebert

C. Tourist Development Council (TDC). Comprised of 9 members responsible for making recommendations to the Okaloosa County Board of Commissioners on disbursement of funds for projects and programs.

Primary - Councilmember Skip Overdier  
Alternate - Councilmember Teresa Hebert

D. Emerald Coast Regional Council (ECRC). One of 109 regional planning councils in the State of Florida. The mission of ECRC is to preserve and enhance the quality of life in Northwest Florida by providing professional technical assistance, planning, coordinating, and advisory services to local governments, state and federal agencies, and the public. It supports Northwest Florida by planning for and coordinating intergovernmental solutions to growth-related problems, providing technical assistance to local governments, and meeting the needs of the municipalities in seven-county regions: Escambia, Santa Rosa, Okaloosa, Walton, Bay, Washington, and Holmes.

Primary - Councilmember Skip Overdier  
Alternate - Councilmember Prebble Ramswell

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

III. **CONCLUSION:** It is in the City's best interest to appoint a new primary Council representative to each of the above referenced organizations.

IV. **RECOMMENDED MOTION:** I move to appoint \_\_\_\_\_ as the City's primary representative to the \_\_\_\_\_.

Attachments:

None

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 4.H.

---

**TO:** City Council

**THRU:** Michael Burgess, Public Services Director  
 Matthew Pace, IT Manager  
 Lance Johnson, City Manager

**FROM:** Webb Warren, Deputy City Manager

**DATE:** 5/13/2021

**SUBJECT:** Wayfinding for Harbor District Parking Lots

---

**I. BACKGROUND:** At the April 19th City Council meeting, Council asked staff to bring back a report on directional signage and other means of informing people of public parking lot locations that can be implemented before Memorial Day.

**II. DISCUSSION:** Staff has installed approximately a dozen wayfinding signs for our Pay-to-Park program on City Rights-of-Way. Staff has submitted an application to FDOT for an additional dozen locations on the State's Right-of-Way. The status of this permit is "Completeness Check" meaning that it is awaiting final approval by FDOT staff. Staff has pre-emptively ordered the signage required for the locations identified in the permit application.

On the attached Map (ATT1): Green dots (bright green and green) signs are in place. Nine yellow dots are locations where signs have been requested on FDOT ROW. An additional three locations were submitted as part of the application in the event that one or more proposed sign locations were not available (due to existing sign locations, utilities, etc.) providing staff with some flexibility in placement.

Digital wayfinding has also taken shape online and on mobile devices. Information has been added and exposure of the lots has increased when searching for parking in the harbor district. These digital methods are constantly being fine-tuned to allow for maximum exposure. Users who are finding these points on mapping services are leaving reviews and adding photos which is also helping in the digital wayfinding efforts.

**A. Link to Strategic Goals / Objectives:** Policy Objectives FY2020 - Parking Garages/Parking Options (advertisement of existing)

Council Objectives FY20 - Improve Parking: Explore Options, garage, surface (advertisement of existing)

**B. Effect on Budget (EOB):** This is an informational item.

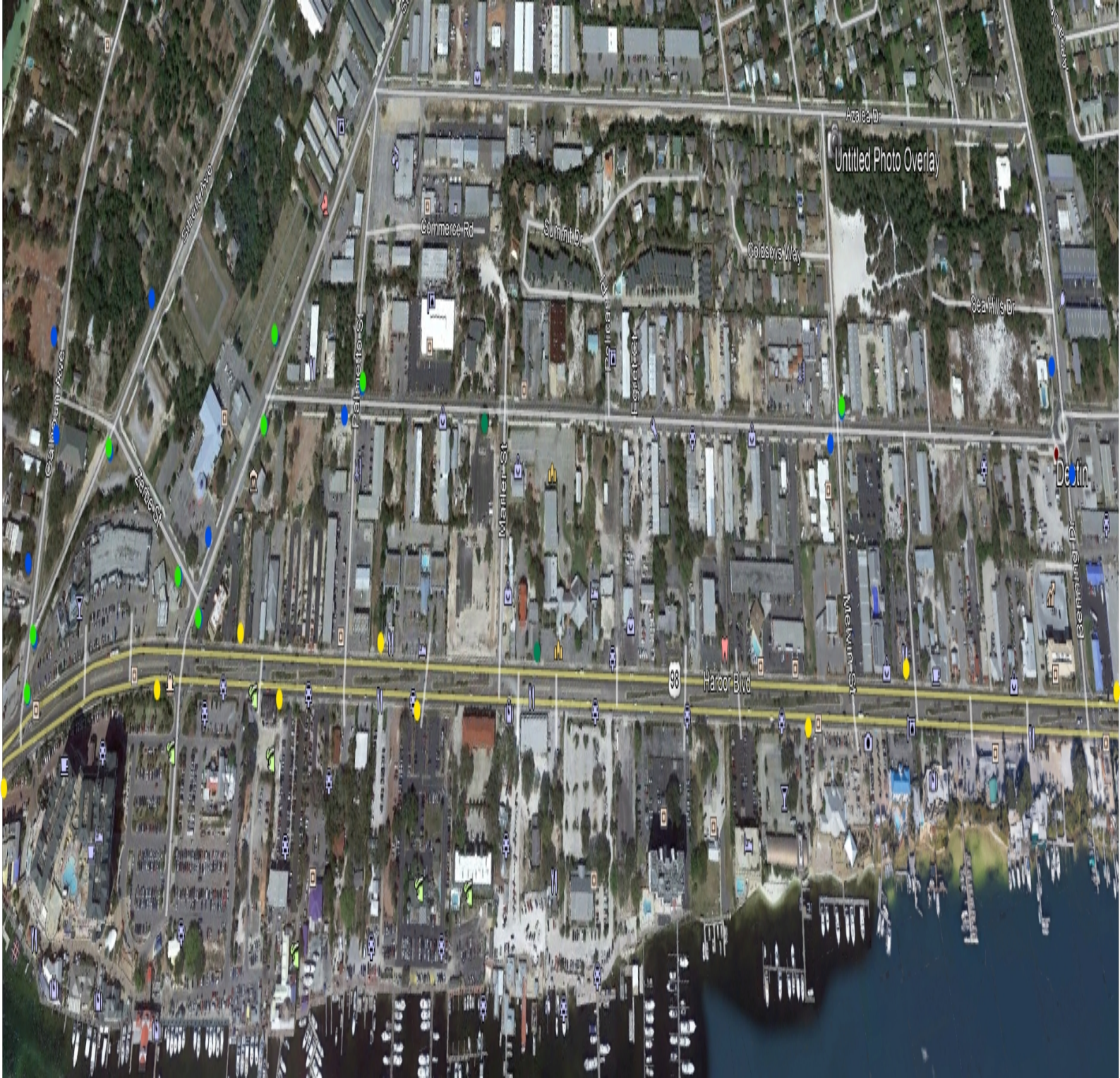
**C. Level of Service (LOS):** Additional signage advertising the availability of public parking opportunities.

**III. CONCLUSION:** Informational Item. Staff is currently engaged in the process of permitting 10-12 additional Pay-to-Park sign locations through the FDOT's "One-Stop" permitting program.

**IV. RECOMMENDED MOTION:** Informational Item Only

Attachments:

1. ATT1: Parking Overview Map



Untitled Photo Overlay

California Ave

Sancti Ave

Zerkow St

Commerce Rd

Summit Dr

Azalea Dr

Goldstys Way

Sea Hills Dr

Palmetto St

Marler St

Leach Ct

Egret Ct

98

Harbor Blvd

Melvin St

Devin

Bennett Dr

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** City Manager Report  
**AGENDA OUTLINE NUMBER:** 4.I.

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Public Hearing  
**AGENDA OUTLINE NUMBER:** 5.A.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager

**FROM:** Kyle Bauman, City Attorney  
 Krystal Strickland, Finance Director

**DATE:** April 28, 2021

**SUBJECT:** Second reading of Ordinance 21-11-CN - Authorizing the issuance of the City of Destin non-ad valorem refunding revenue note, Series 2021 in the principal amount of not to exceed \$10,600,000 for the purpose of financing the acquisition of certain real property within the City to be used to expand public beach access, refunding on a current basis the City's outstanding non-ad valorem refunding revenue note, Series 2015A and refunding on a current basis the outstanding Harbor Community Redevelopment Area Phase 1 revenue note, Series 2009, issued by the Community Redevelopment Agency of the City of Destin

---

**I. BACKGROUND:** On March 18, 2021, the City Council directed City staff to issue Request for Proposal #21-03-FIN, seeking competitive proposals for tax exempt loan financing not to exceed \$10,600,000.00 (the "RFP"). Pursuant to section 3.12 of the City Charter, the City must adopt an ordinance authorizing the borrowing of the money. This ordinance accomplishes that purpose.

**II. DISCUSSION:** The RFP seeks proposals relating to the issuance of tax-exempt loan financing in the form a Non-Ad Valorem Revenue Note, Series 2021 (the "2021 Note"). The City intends to use proceeds of the 2021 Note to (i) reimburse expenditures made for and/or finance the acquisition of property within the City to expand public beach access; (ii) refund, on a current basis, the City's outstanding Non-Ad Valorem Refunding Revenue Note, Series 2015A; (iii) refund, on a current basis, the City's outstanding Harbor Community Redevelopment Area Phase I Revenue Note, Series 2009 (as modified); and (iv) pay costs of issuance.

Several other steps are occurring simultaneously in this process. First, earlier in this agenda, the City Council will select its top responsive proposal to the RFP. The Bid Committee recommended that the City accept the proposal of Key Government Finance,

Inc ("Key"). If the Council selects Key, then the present value (PV) of the net savings on refunding is estimated at \$468,513 and the interest rate on the loan will be 1.139%.

Also, at the same meeting this ordinance is heard, an ordinance amending the City's budget is being presented to accommodate the proceeds from the loan. Moreover, the Harbor CRA Advisory Committee and later the Destin CRA and City Council will consider an Interlocal Agreement between the CRA and City addressing the refund of the 2009 Note.

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

**III. CONCLUSION:** Adoption of this ordinance authorizes the issuance of debt that will ultimately save the City money on two refunds of existing debts and replenish the City for its purchase of two parcels in its beach acquisition project.

**IV. RECOMMENDED MOTION:** I move to approve Ordinance 21-11-CN on second reading.

Attachments:

1. Ordinance 21-11-CN

ORDINANCE NO. 21-11-CN

Enacted May 17, 2021

CITY OF DESTIN, FLORIDA  
(the "Issuer")

RELATING TO:

NOT TO EXCEED \$10,600,000  
CITY OF DESTIN, FLORIDA  
NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2021

## TABLE OF CONTENTS

	<u>Page</u>
SECTION 1. Authority for this Ordinance. ....	1
SECTION 2. Definitions.....	1
SECTION 3. Findings.....	3
SECTION 4. Authorization of Note, the Project and Refunding of the Refunded Notes.....	4
SECTION 5. Description of Note. ....	5
SECTION 6. Registration and Exchange of Note; Persons Treated as Owner. ....	5
SECTION 7. Payment of Principal and Interest; Limited Obligation. ....	5
SECTION 8. Covenant to Budget and Appropriate; Further Assurance. ....	6
SECTION 9. Application of Note Proceeds. ....	7
SECTION 10. Intent to Reimburse. ....	8
SECTION 11. Tax Covenant.....	8
SECTION 12. Amendment.....	8
SECTION 13. Limitation of Rights.....	9
SECTION 14. Note Mutilated, Destroyed, Stolen or Lost. ....	9
SECTION 15. Impairment of Contract. ....	9
SECTION 16. Budget and Financial Information. ....	9
SECTION 17. Events of Default; Remedies of Owner. ....	9
SECTION 18. Severability. ....	10
SECTION 19. Business Days.....	10
SECTION 20. Applicable Provisions of Law; Waiver of Jury Trial.....	10
SECTION 21. Rules of Interpretation. ....	10
SECTION 22. Captions. ....	10
SECTION 23. No Personal Liability.....	10
SECTION 24. Authorizations. ....	10
SECTION 25. Repeal of Inconsistent Instruments.....	11
SECTION 26. No Third Party Beneficiaries.....	11
SECTION 27. Ordinance to Constitute a Contract. ....	11
SECTION 28. Severability. ....	11
SECTION 29. Effective Date. ....	12

ORDINANCE NO. 21-11-CN

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA AUTHORIZING THE ISSUANCE OF THE CITY'S NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2021 IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,600,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION OF CERTAIN REAL PROPERTY WITHIN THE CITY TO BE USED TO EXPAND PUBLIC BEACH ACCESS, REFUNDING ON A CURRENT BASIS THE CITY'S OUTSTANDING NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2015A, AND REFUNDING ON A CURRENT BASIS THE OUTSTANDING HARBOR COMMUNITY REDEVELOPMENT AREA PHASE I REVENUE NOTE, SERIES 2009, ISSUED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DESTIN, FLORIDA; PROVIDING THAT THE NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED, APPROPRIATED AND DEPOSITED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNER OF THE NOTE; AUTHORIZING CERTAIN OFFICIALS AND EMPLOYEES OF THE CITY TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SUCH NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA:

SECTION 1. Authority for this Ordinance. This Ordinance is enacted pursuant to the provisions of Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Parts I and II, Florida Statutes, the municipal charter of the City of Destin, Florida, and other applicable provisions of law (collectively, the "Act").

SECTION 2. Definitions. Unless the context otherwise requires, the terms used in this Ordinance shall have the meanings specified in this Section 2. Words importing singular number shall include the plural number in each case and vice versa, and words importing persons shall include firms and corporations.

"Act" has the meaning ascribed thereto in Section 1 hereof.

"Ad Valorem Revenues" means all revenues of the Issuer derived from the levy and collection of ad valorem taxes.

"Business Day" means any day except any Saturday or Sunday or any other day on which the Principal Office of the Original Purchaser is lawfully closed.

"City Clerk" means the City Clerk of the Issuer or any assistant or deputy City Clerk.

"City Manager" means the City Manager of the Issuer or any acting, assistant or deputy City Manager.

"Code" means the Internal Revenue Code of 1986, as amended, and any Treasury Regulations, whether temporary, proposed or final, promulgated thereunder or applicable thereto.

"Debt Service Fund" means the Debt Service Fund established with respect to the Note pursuant to Section 8 hereof.

"Finance Director" means the Finance Director of the Issuer or any acting, assistant or deputy Finance Director.

"Fiscal Year" means the period commencing on October 1 of each year and ending on the next succeeding September 30, or such other annual period as may be prescribed by law from time to time for the Issuer.

"Issuer" means the City of Destin, Florida.

"Maturity Date" means a date determined by Supplemental Resolution as the final maturity date of the Note.

"Mayor" means the Mayor or Mayor Pro Tem of the Issuer.

"Non-Ad Valorem Revenues" means all legally available revenues of the Issuer other than Ad Valorem Revenues.

"Note" means the Issuer's Non-Ad Valorem Refunding Revenue Note, Series 2021 authorized by Section 4 hereof, which can be issued as "Notes" in one or more series in accordance with Section 5(E) hereof.

"Note Counsel" means Bryant Miller Olive P.A., or other nationally recognized bond counsel firm.

"Original Purchaser" means the original purchaser of the Note, as provided by Supplemental Resolution.

"Owner" or "Owners" means the Person or Persons in whose name or names the Note shall be registered on the books of the Issuer kept for that purpose in accordance with provisions of the Ordinance. The Original Purchaser shall be the initial Owner.

"Permitted Investments" means any legal investments under the laws of the State and the written investment policy of the Issuer.

"Permitted Lender" means any affiliate of the Original Purchaser or any bank, trust company, savings institution, insurance company or qualified institutional buyer under Rule 144A promulgated under the Securities Act of 1933.

"Person" means an individual, a corporation, a partnership, an association, a joint stock company, a trust, any unincorporated organization or governmental entity.

"Pledged Revenues" means the Non-Ad Valorem Revenues budgeted, appropriated and deposited as provided herein, and amounts on deposit from time to time in the Debt Service Fund and the Project Fund as provided herein.

"Principal Office" means, with respect to the Original Purchaser, such office as the Owner may designate to the Issuer in writing.

"Project" means the acquisition of certain real property to be used for a public purpose located within the Issuer to be owned and used exclusively by the Issuer.

"Project Fund" means the Project Fund established with respect to the Note pursuant to Section 9 hereof.

"Refunded 2009 Note" means the outstanding Harbor Community Redevelopment Area Phase I Revenue Note, Series 2009, issued by the Community Redevelopment Agency of the City of Destin, Florida, as amended, restated, replaced and re-issued from time to time, and as particularly amended, restated, replaced and re-issued on September 18, 2015.

"Refunded 2015A Note" means the Issuer's outstanding Non-Ad Valorem Refunding Revenue Note, Series 2015A.

"Refunded Notes" means, collectively, the Refunded 2009 Note and the Refunded 2015A Note.

"State" means the State of Florida.

"Supplemental Resolution" means any resolution supplemental hereto adopted in connection with the Note.

SECTION 3. Findings. It is hereby ascertained, determined and declared as follows:

(A) The Issuer deems it necessary, desirable and in the best interests of the Issuer and its citizens and to serve a public purpose that the costs of the Project be financed and that the Refunded Notes be refunded on a current basis for net present value debt service savings.

(B) Debt service on the Note will be secured by the Issuer's covenant to budget and appropriate Non-Ad Valorem Revenues and by a pledge of the Pledged Revenues as provided herein.

(C) Debt service on the Note and all other payments hereunder shall be payable solely from moneys deposited in the manner and to the extent provided herein. The Issuer shall never be required to levy ad valorem taxes or use the proceeds thereof to pay debt service on the Note or to make any other payments to be made hereunder or to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any other Non-Ad Valorem Revenues. The Note shall not constitute a lien on any property owned by or situated within the limits of the Issuer.

(D) It is estimated that Non-Ad Valorem Revenues will be available after satisfying funding requirements for obligations having an express lien on or pledge thereof and after satisfying funding requirements for essential governmental services of the Issuer, in amounts sufficient to provide for the payment of the principal of and interest on the Note and all other payment obligations hereunder.

(E) Because of the characteristics of the Note, prevailing market conditions, and additional savings to be realized from an expeditious sale of the Note, it is in the best interest of the Issuer to sell the Note at a private negotiated sale, based upon a competitive selection process, and the Issuer intends to solicit bids for the purchase of the Note, the winning bidder to be approved, and the terms of the Note to be determined, by a Supplemental Resolution.

(F) The Issuer has determined to issue the Note as a bank loan.

(G) The Note shall be issued upon approval by Supplemental Resolution of the Issuer and compliance with the terms hereof.

(H) The Issuer wishes to hereby authorize issuance of the Note, establish terms and conditions applicable to such issuance and provide that the Note shall be secured and payable in the manner and to the extent described herein.

SECTION 4. Authorization of Note, the Project and Refunding of the Refunded Notes. Subject and pursuant to the provisions of this Ordinance, an obligation of the Issuer to be known as "City of Destin, Florida Non-Ad Valorem Refunding Revenue Note, Series 2021" is hereby authorized to be issued under and secured by this Ordinance, in the principal amount of not to exceed \$10,600,000 for the purpose of providing funds, together with other legally available funds of the Issuer, to finance the costs of the Project, to currently refund the Refunded Notes, and to pay the costs of issuance of the Note.

The Issuer hereby authorizes the Project and the refinancing of the Refunded Notes.

Prior to the issuance of the Note, the Issuer shall receive from the Original Purchaser a Lender's Certificate, the form of which shall be approved by Supplemental Resolution, and the Disclosure Letter containing the information required by Section 218.385, Florida Statutes, the form of which shall be approved by Supplemental Resolution.

SECTION 5. Description of Note. The Note shall be dated the date of its execution and delivery, which shall be a date agreed upon by the Issuer and the Original Purchaser, subject to the terms of a Supplemental Resolution and the following terms:

(A) Interest Rate. The initial fixed interest rate on the Note will be as provided by Supplemental Resolution (subject to adjustment as provided in the Note, the "Interest Rate"); provided, however the Interest Rate shall in no event exceed the maximum interest rate permitted by the Act.

(B) Principal and Interest Payment Dates. Interest on the Note shall be paid on the dates provided by Supplemental Resolution. All unpaid principal on the Note shall be paid on the Maturity Date unless earlier prepaid.

(C) Prepayment of the Note. The Note may be subject to prepayment as provided by Supplemental Resolution.

(D) Form of the Note. The Note is to be in substantially the form approved by Supplemental Resolution.

(E) Series Designation; Original Denominations. Notwithstanding anything herein to the contrary, the Issuer may determine by Supplemental Resolution to issue the indebtedness authorized hereunder in one or more series of Notes, with such further appropriate particular designations added to or incorporated in such title for the Notes of any particular series as may be necessary to distinguish such Notes from the Note of any other series; provided, however, that the aggregate principal amount of such Notes shall not exceed \$10,600,000. In the case that debt service on the Notes is paid from the hereinafter created Debt Service Fund, such payments shall be made on a parity and equal basis. The Notes issued for each series shall originally be issued in a single denomination equal to the original principal amount thereof.

SECTION 6. Registration and Exchange of Note; Persons Treated as Owner. Except as otherwise provided by Supplemental Resolution, the Note is initially registered to the Original Purchaser. So long as the Note shall remain unpaid, the Issuer will keep books for the registration and transfer of the Note. The Note shall be transferable only upon such registration books and only in whole to a Permitted Lender in a single denomination equal to the principal amount of the Note.

The Person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of principal and interest on the Note shall be made only to or upon the written order of the Owner. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Note to the extent of the sum or sums so paid.

SECTION 7. Payment of Principal and Interest; Limited Obligation. The Issuer promises that it will promptly pay the principal of and interest on the Note at the place, on the dates and in the manner provided therein according to the true intent and meaning hereof and

thereof. The Note is secured by a pledge of and lien upon the Pledged Revenues in the manner and to the extent described herein. The Note shall not be or constitute a general obligation or indebtedness of the Issuer as a "bond" within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from the Pledged Revenues in accordance with the terms hereof. No holder of any Note issued hereunder shall ever have the right to compel the exercise of any ad valorem taxing power or taxation of any real or personal property thereon or the use or application of ad valorem tax revenues to pay such Note, or be entitled to payment of such Note from any funds of the Issuer except from the Pledged Revenues as described herein.

SECTION 8. Covenant to Budget and Appropriate; Further Assurance. (A) Subject to the next paragraph, the Issuer covenants and agrees and has a positive and affirmative duty to appropriate in its annual budget, by amendment, if necessary, from Non-Ad Valorem Revenues, and to deposit into the Debt Service Fund (hereinafter created) amounts sufficient to pay principal of and interest on the Note and all other payments due hereunder not being paid from other amounts as the same shall become due. Such covenant and agreement on the part of the Issuer to budget, appropriate and deposit such amounts of Non-Ad Valorem Revenues shall be cumulative to the extent not paid, and shall continue until such Non-Ad Valorem Revenues or other legally available funds in amounts sufficient to make all such required payments shall have been budgeted, appropriated, deposited and actually paid. No lien upon or pledge of such budgeted Non-Ad Valorem Revenues shall be in effect until such monies are budgeted, appropriated and deposited as provided herein. The Issuer further acknowledges and agrees that the obligations of the Issuer to include the amount of such appropriations in each of its annual budgets and to pay such amounts from Non-Ad Valorem Revenues may be enforced in a court of competent jurisdiction in accordance with the remedies set forth herein.

Until such monies are budgeted, appropriated and deposited as provided herein, such covenant to budget and appropriate does not create any lien upon or pledge of such Non-Ad Valorem Revenues, nor does it preclude the Issuer from pledging in the future its Non-Ad Valorem Revenues, nor does it require the Issuer to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the Owner of the Note a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of the Issuer. Such covenant to budget and appropriate Non-Ad Valorem Revenues is subject in all respects to the prior payment of obligations secured by a pledge of such Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments). Anything in this Ordinance to the contrary notwithstanding, it is understood and agreed that all obligations of the Issuer hereunder shall be payable from the portion of Non-Ad Valorem Revenues budgeted, appropriated and deposited as provided for herein and nothing herein shall be deemed to pledge ad valorem taxing power or ad valorem tax revenues or to permit or constitute a mortgage or lien upon any assets owned by the Issuer and no Owner of the Note nor any other Person, may compel the levy of ad valorem taxes on real or personal property within the boundaries of the Issuer or the use or application of ad valorem tax revenues in order to satisfy any payment obligations hereunder. The obligation of the Issuer to budget, appropriate, deposit and make payments hereunder from its Non-Ad Valorem Revenues is subject to the availability

of Non-Ad Valorem Revenues after the satisfaction of the funding requirements for obligations having an express lien on or pledge of such revenues and the funding requirements for essential governmental services of the Issuer. Notwithstanding any provisions of this Ordinance or the Note to the contrary, the Issuer shall never be obligated to maintain or continue any of the activities of the Issuer which generate user service charges, regulatory fees or any Non-Ad Valorem Revenues. Until such monies are budgeted, appropriated and deposited as provided herein, neither this Ordinance nor the obligations of the Issuer hereunder shall be construed as a pledge of or a lien on all or any legally available Non-Ad Valorem Revenues of the Issuer, but shall be payable solely as provided herein and is subject to the payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the Issuer and is further subject to the provisions of Section 166.241, Florida Statutes insofar as there are not sufficient Non-Ad Valorem Revenues to comply with such covenant after the satisfaction of the funding requirements for obligations having an express lien on or pledge of such revenues and the funding requirements for essential governmental services of the Issuer.

There is hereby created and established the "City of Destin, Florida Non-Ad Valorem Revenue Note, Series 2021 Debt Service Fund" (the "Debt Service Fund"), which fund shall be a trust fund held by the City Clerk, which shall be held solely for the benefit of the Owner as provided herein. The money in the Debt Service Fund shall be continuously secured in the same manner as state and municipal deposits are authorized to be secured by the laws of the State. The designation and establishment of the Debt Service Fund in and by this Ordinance shall not be construed to require the establishment of a completely independent, self-balancing fund as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain revenues and assets of the Issuer for certain purposes and to establish certain priorities for application of such revenues and assets as herein provided.

The Issuer may at any time and from time to time appoint one or more depositories to hold, for the benefit of the Owner of the Note, the Debt Service Fund established hereby. Such depository or depositories shall perform at the direction of the Issuer the duties of the Issuer in depositing, transferring and disbursing moneys to and from such Debt Service Fund as herein set forth, and all records of such depository in performing such duties shall be open at all reasonable times to inspection by the Owner of the Note. Any such depository shall be a bank or trust company duly authorized to exercise corporate trust powers and subject to examination by federal or state authority, of good standing, and having a combined capital, surplus and undivided profits aggregating not less than fifty million dollars (\$50,000,000).

Until applied in accordance with this Ordinance, the Non-Ad Valorem Revenues of the Issuer on deposit in the Debt Service Fund and other amounts on deposit from time to time in the funds and accounts established herein, plus any earnings thereon, shall be pledged to the repayment of the Note.

**SECTION 9. Application of Note Proceeds.** Together with other legally available funds of the Issuer, proceeds from the sale of the Note shall be used to finance the costs of the Project, the refunding of the Refunded Notes and pay the costs of issuance of the Note.

The Issuer covenants and agrees to establish a special fund to be designated "City of Destin, Florida Non-Ad Valorem Revenue Note, Series 2021 Project Fund" (the "Project Fund"). The designation and establishment of the Project Fund by this Ordinance shall not be construed to require the establishment of a completely independent, self-balancing fund as such term is commonly defined and used in governmental accounting, but rather is intended solely to constitute an earmarking of certain assets of the Issuer for certain purposes and to establish certain priorities for application of such assets as herein provided. Amounts on deposit from time to time in the Project Fund, plus any earnings thereon, are pledged to the repayment of the Note.

The funds and accounts created and established by this Ordinance shall constitute trust funds for the purpose provided herein for such funds. Moneys on deposit to the credit of all funds and accounts created hereunder may be invested pursuant to applicable law and the Issuer's written investment policy and shall mature not later than the dates on which such moneys shall be needed to make payments in the manner herein provided. The securities so purchased as an investment of funds shall be deemed at all times to be a part of the account from which the said investment was withdrawn, and the interest accruing thereon and any profit realized therefrom shall be credited to such fund or account, except as expressly provided in this Ordinance, and any loss resulting from such investment shall likewise be charged to said fund or account.

Moneys in the Debt Service Fund and/or the Project Fund may be invested and reinvested in the Permitted Investments which mature not later than the dates on which the moneys on deposit therein will be needed for the purpose of such fund. Investment income accrued in the Debt Service Fund shall be used to pay debt service on the Note and investment income accrued in the Project Fund shall be used to pay costs of the Project or debt service on the Note.

SECTION 10. Intent to Reimburse. The City Council of the Issuer hereby expresses its intention that the Issuer be reimbursed from the proceeds of the Note for any costs incurred in connection with the Project prior to the issuance of the Note.

SECTION 11. Tax Covenant. The Issuer covenants to the Owner of the Note provided for in this Ordinance that the Issuer will not make any use of the proceeds of the Note at any time during the term of the Note which would cause the Note to be an "arbitrage bond" within the meaning of the Code. The Issuer will comply with the requirements of the Code and any valid and applicable rules and regulations promulgated thereunder necessary to ensure the exclusion of interest on the Note from the gross income of the Owner thereof for purposes of federal income taxation.

SECTION 12. Amendment. No modification or amendment of this Ordinance or of any resolution supplemental hereto may be made without the consent in writing of the Owner.

SECTION 13. Limitation of Rights. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Ordinance or the Note

is intended or shall be construed to give to any Person other than the Issuer and the Owner any legal or equitable right, remedy or claim under or with respect to this Ordinance or any covenants, conditions and provisions herein contained; this Ordinance and all of the covenants, conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Owner.

SECTION 14. Note Mutilated, Destroyed, Stolen or Lost. In case the Note shall become mutilated, or be destroyed, stolen or lost, the Issuer shall issue and deliver a new Note of like tenor as the Note so mutilated, destroyed, stolen or lost, in exchange and in substitution for such mutilated Note, or in lieu of and in substitution for the Note destroyed, stolen or lost and upon the Owner furnishing the Issuer proof of ownership thereof and indemnity reasonably satisfactory to the Issuer and complying with such other reasonable regulations and conditions as the Issuer may prescribe and paying such expenses as the Issuer may incur. The Note so surrendered shall be canceled.

SECTION 15. Impairment of Contract. The Issuer covenants with the Owner of the Note that it will not, without the written consent of the Owner of the Note, enact any ordinance or adopt any resolution which repeals, impairs or amends in any manner adverse to the Owner the rights granted to the Owner of the Note hereunder.

SECTION 16. Budget and Financial Information. At no cost to the Owner, the Issuer shall provide the Owner of the Note with its comprehensive annual financial statement for each Fiscal Year of the Issuer when available and in no event later than 270 days after the close of such Fiscal Year, prepared in accordance with applicable law and generally accepted accounting principles and audited by an independent certified public accountant. In addition, the Issuer shall provide to the Owner (at no cost to the Owner) of the Note such other financial and budget information as may be reasonably requested by the Owner from time to time. All accounting terms not specifically defined or specified herein shall have the meanings attributed to such terms under generally accepted accounting principles as in effect from time to time, consistently applied.

SECTION 17. Events of Default; Remedies of Owner. The following shall constitute "Events of Default": (i) if the Issuer fails to pay any payment of principal of or interest on the Note as the same becomes due and payable; (ii) if the Issuer defaults in the performance or observance of any covenant or agreement contained in this Ordinance or the Note (other than set forth in (i) above) and fails to cure the same within thirty (30) days following written notice thereof; or (iii) filing of a petition by or against the Issuer relating to bankruptcy, reorganization, arrangement or readjustment of debt of the Issuer or for any other relief relating to the Issuer under the United States Bankruptcy Code, as amended, or any other insolvency act or law now or hereafter existing, or the involuntary appointment of a receiver or trustee for the Issuer, and the continuance of any such event for ninety (90) days undismissed or undischarged.

Upon the occurrence and during the continuation of any Event of Default, the Owner of the Note may, in addition to any other remedies set forth in this Ordinance or the Note, either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent

jurisdiction, protect and enforce any and all rights under the laws of the State, or granted or contained in this Ordinance, and may enforce and compel the performance of all duties required by this Ordinance, or by any applicable statutes to be performed by the Issuer.

In case of an Event of Default pursuant to (i) above, upon written declaration of the Owner of the Note, the entire debt then remaining unpaid under the Note shall be immediately due and payable.

SECTION 18. Severability. If any one or more of the covenants, agreements or provisions of this Ordinance should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions and in no way affect the validity of all the other provisions of this Ordinance of the Note issued hereunder.

SECTION 19. Business Days. In any case where the due date of interest on or principal of a Note is not a Business Day, then payment of such principal or interest need not be made on such date but may be made on the next succeeding Business Day, provided that credit for payments made shall not be given until the payment is actually received by the Owner.

SECTION 20. Applicable Provisions of Law; Waiver of Jury Trial. This Ordinance shall be governed by and construed in accordance with the laws of the State of Florida. The Issuer and the Original Purchaser, as evidenced by acceptance of the Note, shall each consent to Florida jurisdiction and each agree to waiver trial by jury in any action arising under this Ordinance or Note.

SECTION 21. Rules of Interpretation. Unless expressly indicated otherwise, references to sections or articles are to be construed as references to sections or articles of this instrument as originally executed. Use of the words "herein," "hereby," "hereunder," "hereof," "hereinbefore," "hereinafter" and other equivalent words refer to this Ordinance and not solely to the particular portion in which any such word is used.

SECTION 22. Captions. The captions and headings in this Ordinance are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Ordinance.

SECTION 23. No Personal Liability. Neither the members of the City Council of the Issuer, any employees of the Issuer, nor any Person executing the Bonds shall be personally liable therefor or be subject to any personal liability or accountability by reason of the issuance thereof.

SECTION 24. Authorizations. The Mayor and any member of the City Council of the Issuer, the City Manager, the City Attorney, the City Clerk and such other officials and employees of the Issuer as may be designated by the Issuer are each designated as agents of the Issuer in connection with the issuance and delivery of the Note and are authorized and empowered, collectively or individually, to take all action and steps and to execute all instruments, documents,

and contracts on behalf of the Issuer that are necessary or desirable in connection with the execution and delivery of the Note, and which are specifically authorized or are not inconsistent with the terms and provisions of this Ordinance.

SECTION 25. Repeal of Inconsistent Instruments. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 26. No Third Party Beneficiaries. Except such other persons as may be expressly described in this Ordinance or in the Note, nothing in this Ordinance or in the Note, expressed or implied, is intended or shall be construed to confer upon any person, other than the Issuer and the Owner, any right, remedy or claim, legal or equitable, under and by reason of this Ordinance, or any provision thereof, or of the Note, all provisions thereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Persons who shall from time to time be the Owner.

SECTION 27. Ordinance to Constitute a Contract. In consideration of the acceptance of the Note authorized to be issued hereunder by the Owner, this Ordinance together with any Supplemental Resolution adopted hereunder shall be deemed to be and shall constitute a contract between the Issuer and the Owner. The covenants and agreements herein set forth to be performed by the Issuer shall be for the benefit, protection and security of the Owner.

SECTION 28. Severability. If any provision of this Ordinance is held or deemed to be or in fact, is illegal, inoperative or unenforceable in any context, it will not affect any other provision of this Ordinance or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent.

[Remainder of page intentionally left blank]

SECTION 29. Effective Date. This ordinance shall take effect immediately upon its passage and enactment.

(SEAL)

\_\_\_\_\_  
Gary Jarvis, Mayor

ATTEST:

\_\_\_\_\_  
Lance Johnson, City Manager

\_\_\_\_\_  
Rey Bailey, City Clerk

First Reading            May 3, 2021

Second Reading        May 17, 2021

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Action Item  
**AGENDA OUTLINE NUMBER:** 5.B.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager

**FROM:** Kyle Bauman, City Attorney  
 Krystal Strickland, Finance Director

**DATE:** May 12, 2021

**SUBJECT:** Approval of Resolution 21-04 - Supplementing Ordinance 21-11-CN, which authorizes issuance of the City of Destin Non-Ad Valorem Refunding Revenue Note, Series 2021

---

**I. BACKGROUND:** Given current favorable interest rates, the City of Destin is issuing new debt to refinance certain loans, including the Harbor CRA's Phase I Revenue Note, Series 2009. Refinancing this loan with a new loan to the City will save the Harbor CRA \$245,776 (net present value). The 2009 Harbor CRA loan was secured by Harbor CRA Tax Increment revenue. The new loan will be a non ad-valorem revenue note to be paid by the City. With this interlocal agreement, the Harbor CRA agrees to pay its portion of the new 2021 loan from its current and future revenues.

The Bid Committee recommended the City Council accept the proposal from Key Government Financing, Inc ("Key"). The City Council accepted Key's proposal on May 3, 2021.

**II. DISCUSSION:** In March 2021, the City issued a request for proposals for tax-exempt financing to borrow funds for public beach acquisition. This loan is to be repaid using Okaloosa 1/2 Penny Local Surtax funds that are being collected January 2019 - December 2028. The City also has two loans that are eligible for refinancing: the Harbor CRA's 2009 loan (\$3,986,826, 2.84%) and the General Fund's 2015A Capital Improvement loan (\$3,677,000, 2.71%). The responses to the request for proposals came back favorably.

Staff recommended refinancing the two callable loans and borrowing \$2.8 million to support the public beach access projects that have been completed to date.

The City will issue a total of \$9,905,000 in debt to be repaid as follows:  
 \$3,597,000 to refinance the Harbor CRA's 2009 loan to be repaid with the Harbor CRA TIF

revenues

\$3,489,000 to refinance the General Fund 2015A Capital Improvement loan to be repaid using general non-ad valorem revenues

\$2,819,000 to expand public beach access to be repaid from Okaloosa 1/2 Penny Local Surtax revenues

The attached Resolution 21-04 is authorized by Ordinance 21-11-CN, and operates to accommodate the specificities of Key's proposal, which are generally favorable to the City.

The Resolution also authorizes the City to enter into an Interlocal Agreement with the Destin CRA. Interlocal Agreement, attached as Exhibit D to the Resolution, confirms the CRA supports the issuance of the City of Destin's Non-Ad Valorem Refunding Revenue Note, Series 2021, and requires the CRA to pay its portion of the loan. At its May 12, 2021, meeting the Harbor CRA-AC recommended the CRA Board of Directors approve the Interlocal. Ultimately, the 2021 loan benefits both the CRA and the City as both will experience net savings on the refunds.

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

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

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

**III. CONCLUSION:** Adoption of Resolution 21-04 will supplement Ordinance 21-11-CN in a manner that accommodates the the specificities of Key's favorable proposal and authorize the execution of an Interlocal Agreement between the City and Destin CRA which will ultimately benefit both parties.

**IV. RECOMMENDED MOTION:** I move to adopt Resolution 21-04 and the Interlocal Agreement attached to Resolution 21-04.

Attachments:

1. 04 - Supplementing Ordinance 21-11-CN - Issuance of Non-Ad Valorem Refunding Revenue Note, Series 2021
2. Interlocal Agreement Between the CRA and the City of Destin - Harbor CRA refund

RESOLUTION NO. 21-04

Adopted May 17, 2021

CITY OF DESTIN, FLORIDA  
(the "Issuer")

RELATING TO:

NOT TO EXCEED \$10,600,000  
CITY OF DESTIN, FLORIDA  
NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2021

## TABLE OF CONTENTS

	<u>Page</u>
SECTION 1. Authority for this Resolution.....	2
SECTION 2. Definitions. ....	2
SECTION 3. Findings. ....	2
SECTION 4. Description of Project and Note. ....	2
SECTION 6. Limitation of Rights.....	3
SECTION 7. Anti-Dilution. ....	3
SECTION 8. Interlocal Agreement. ....	4
SECTION 9. Severability. ....	4
SECTION 10. Rules of Interpretation. ....	5
SECTION 11. Captions. ....	5
SECTION 12. Repealer. ....	5
SECTION 13. No Third Party Beneficiaries.....	5
SECTION 14. Supplemental Resolution to Constitute a Contract. ....	5
SECTION 15. Effective Date. ....	6
Exhibit A      Form of Note	
Exhibit B      Form of Lender's Certificate	
Exhibit C      Form of Disclosure Letter	
Exhibit D      Form of Interlocal Agreement	

RESOLUTION NO. 21-\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA SUPPLEMENTING ORDINANCE NO. 21-11-CN ENACTED ON THE DATE HEREOF, WHICH AUTHORIZED ISSUANCE OF THE CITY'S NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2021 IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,600,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION OF CERTAIN REAL PROPERTY WITHIN THE CITY TO BE USED TO EXPAND PUBLIC BEACH ACCESS, REFUNDING ON A CURRENT BASIS THE CITY'S OUTSTANDING NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2015A, AND REFUNDING ON A CURRENT BASIS THE OUTSTANDING HARBOR COMMUNITY REDEVELOPMENT AREA PHASE I REVENUE NOTE, SERIES 2009 ISSUED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DESTIN, FLORIDA; PROVIDING FOR CERTAIN DETAILS OF SUCH NOTE; APPROVING THE FORM AND AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE DESTIN COMMUNITY REDEVELOPMENT AGENCY; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 21-11-CN enacted on even date hereof (the "Ordinance") by the City of Destin, Florida (the "Issuer") authorized issuance of the not to exceed \$10,600,000 City of Destin, Florida Non-Ad Valorem Refunding Revenue Note, Series 2021 (the "Note"), in accordance with the Act; and

WHEREAS, all capitalized undefined terms shall have the meanings ascribed thereto in the Ordinance; and

WHEREAS, in response to the requests for proposals issued by the Issuer, the Issuer has received an offer from the Original Purchaser to purchase the Note, and the Issuer desires to accept such offer; and

WHEREAS, the Issuer now desires to accept the offer of the Original Purchaser and supplement the Ordinance to provide for certain details of the Note; and

WHEREAS, the Note is being issued to for the purpose of providing funds, together with other legally available funds of the Issuer, to finance the costs of the Project, to currently refund the Refunded Notes, and to pay the costs of issuance of the Note; and

WHEREAS, due to the need to access such market very quickly, the willingness of the Original Purchaser to purchase the Note at interest rates favorable to the Issuer, and the critical importance of timing of the sale of the Note, the Issuer has determined to sell the Note through a negotiated sale to the Original Purchaser; and

WHEREAS, the Issuer ratifies all of the findings in Section 3 of the Ordinance; and

WHEREAS, upon issuance, Note shall be payable solely from and secured by the sources described in the Ordinance; and

WHEREAS, the Issuer has determined it to be in its best interests and to serve a public purpose to provide in this resolution for the issuance of the Note for the purposes heretofore described, and this resolution shall constitute a Supplemental Resolution for purposes of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF DESTIN, FLORIDA:

SECTION 1. Authority for this Resolution. This resolution is adopted pursuant to the provisions of the Ordinance and the Act.

SECTION 2. Definitions. The following words and phrases shall have the following meanings when used herein:

"Agency" means the Community Redevelopment Agency of the City of Destin, Florida.

"Interlocal Agreement" means the Interlocal Agreement, the form of which is attached hereto as Exhibit D, between the Issuer and the Agency.

"Maturity Date" means March 15, 2029.

"Original Purchaser" means Key Government Finance, Inc., the original purchaser of the Note.

"Permitted Lender" means any affiliate of the Original Purchaser or any bank, trust company, savings institution, insurance company or qualified institutional buyer under Rule 144A promulgated under the Securities Act of 1933.

SECTION 3. Findings. The findings set forth in Section 3 of the Ordinance are hereby incorporated by reference. The recitals clauses set forth above are adopted as additional legislative findings of the Issuer pertaining to issuance of the Note.

SECTION 4. Description of Project and Note.

(A) Form and Execution of the Note. The Note shall be in substantially the form set forth in Exhibit A attached hereto together with such changes as shall be approved by the Mayor and the City Manager, such approval to be conclusively evidenced by the Mayor's and the City Manager's execution thereof. The Note shall be executed on behalf of the Issuer with the manual or facsimile signature of the Mayor and the City Manager and the official seal of the Issuer shall be imprinted thereon, attested with the manual or facsimile signature of the City Clerk. In case any one or more of the officers who shall have signed or sealed the Note or whose facsimile signature shall appear thereon shall cease to be such officer of the Issuer before the Note so signed

and sealed has been actually sold and delivered, such Note may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed such Note had not ceased to hold such office. The Note may be signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of such Note shall hold the proper office of the Issuer, although, at the date of such Note, such person may not have held such office or may not have been so authorized. The Issuer may adopt and use for such purposes the facsimile signatures of any such persons who shall have held such offices at any time after the date of the adoption of this Ordinance, notwithstanding that either or both shall have ceased to hold such office at the time the Note shall be actually sold and delivered.

(B) Interest Rate. The initial fixed interest rate equals 1.139% per annum, subject to adjustment as provided in the Note (the "Interest Rate"); provided, however the Interest Rate shall in no event exceed the maximum interest rate permitted by the Act.

(C) Principal and Interest Payment Dates. Principal and interest on the Note shall be paid monthly, on the 15th of each month, commencing on June 15, 2021 through and including the Maturity Date. All unpaid principal on the Note shall be paid on the Maturity Date unless earlier prepaid.

(D) Prepayment of the Note. The Note shall be subject to prepayment as provided in the Note.

SECTION 5. Lender's Certificate; Disclosure Letter. Prior to the issuance of the Note, the Issuer shall receive from the Original Purchaser a Lender's Certificate in substantially the form set forth in Exhibit B attached hereto, and a Disclosure Letter containing the information required by Section 218.385, Florida Statutes, in substantially the form set forth in Exhibit C attached hereto.

SECTION 6. Limitation of Rights. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Supplemental Resolution is intended or shall be construed to give to any Person other than the Issuer and the Owner any legal or equitable right, remedy or claim under or with respect to this Supplemental Resolution or any covenants, conditions and provisions herein contained; this Supplemental Resolution and all of the covenants, conditions and provisions hereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Owner.

SECTION 7. Anti-Dilution. The Issuer hereby covenants that in each Fiscal Year, it will not issue non-self-supporting revenue debt of the Issuer payable from its Non-Ad Valorem Revenues unless the net available Non-Ad Valorem Revenues of the Issuer for the preceding Fiscal Year were at least 1.25 times annual debt service of all indebtedness of the Issuer payable from its Non-Ad Valorem Revenues including the debt proposed to be issued, for the current Fiscal Year and any future Fiscal Year. For this purpose, indebtedness does not include any unsecured obligations of the Issuer or any obligations of the Issuer for a duration of 12 months or less.

As used above, the term "non-self-supporting revenue debt" shall mean all revenue debt obligations in whatever form except such revenue debt obligations which are payable from a specific enterprise fund or are otherwise self-liquidating and the term "net available Non-Ad Valorem Revenues" shall mean "Non-Ad Valorem Revenues," less amounts required for essential governmental services of the Issuer (except any such costs paid from ad valorem taxes) plus legally available unencumbered cash balances on hand at the end of the most recent Fiscal Year.

Within this Section, for the purpose of calculating annual debt service on any indebtedness which bears interest at a variable rate, such indebtedness shall be deemed to bear interest at the greater of (i) 1.25 times the most recently published Revenue Bond Index of *The Bond Buyer*, or (ii) 1.25 times actual average interest rate during the prior Fiscal Year of the Issuer. In addition, for the purpose of calculating annual debt service on "balloon indebtedness" (as defined in the immediately succeeding sentence), such indebtedness shall be assumed to amortize over a period not to exceed twenty (20) years in substantially equal annual payments at the interest rate set forth in the instrument evidencing such indebtedness if the interest rate is fixed and, if the interest rate is not fixed, at the rate calculated pursuant to the immediately preceding sentence; and any put or tender rights with respect to any indebtedness shall be ignored and such debt shall be assumed to mature as otherwise provided in the instrument evidencing such debt. "Balloon indebtedness" is any indebtedness twenty percent (20%) or more of the principal amount of which comes due in any single Fiscal Year.

SECTION 8. Interlocal Agreement. The Interlocal Agreement is to be substantially in the form set forth in Exhibit D attached hereto, together with such non-material changes as shall be approved by the Issuer, such approval to be conclusively evidenced by the execution thereof by the Issuer. The Interlocal Agreement shall be executed on behalf of the Issuer with the manual signature of the Mayor and the City Manager and the official seal of the Issuer, be attested with the manual signature of the Clerk and be approved as to form and legality by the City Attorney. In case any one or more of the officers who shall have signed or sealed the Interlocal Agreement shall cease to be such officer of the Issuer before the Interlocal Agreement so signed and sealed has been actually delivered, the Interlocal Agreement may nevertheless be delivered as herein provided and may be issued as if the person who signed or sealed the Interlocal Agreement had not ceased to hold such office. The Interlocal Agreement may be signed and sealed on behalf of the Issuer by such person who at the actual time of the execution of the Interlocal Agreement shall hold the proper office of the Issuer, although, at the date of the Interlocal Agreement, such person may not have held such office or may not have been so authorized. The Issuer may adopt and use for such purposes the facsimile signatures of any such persons who shall have held such offices at any time after the date of the adoption of this Resolution, notwithstanding that either or both shall have ceased to hold such office at the time the Interlocal Agreement shall be actually delivered.

SECTION 9. Severability. If any one or more of the covenants, agreements or provisions of this Supplemental Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy,

or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions and in no way affect the validity of all the other provisions of this Supplemental Resolution.

SECTION 10. Rules of Interpretation. Unless expressly indicated otherwise, references to sections or articles are to be construed as references to sections or articles of this instrument as originally executed. Use of the words "herein," "hereby," "hereunder," "hereof," "hereinbefore," "hereinafter" and other equivalent words refer to this Supplemental Resolution and not solely to the particular portion in which any such word is used.

SECTION 11. Captions. The captions and headings in this Supplemental Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Supplemental Resolution.

SECTION 12. Repealer. All City resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 13. No Third Party Beneficiaries. Except such other persons as may be expressly described in this Supplemental Resolution, nothing in this Supplemental Resolution, expressed or implied, is intended or shall be construed to confer upon any person, other than the Issuer and the Owner, any right, remedy or claim, legal or equitable, under and by reason of this Supplemental Resolution, or any provision thereof, all provisions thereof being intended to be and being for the sole and exclusive benefit of the Issuer and the Persons who shall from time to time be the Owner.

SECTION 14. Supplemental Resolution to Constitute a Contract. In consideration of the acceptance of the Note authorized to be issued under the Ordinance and herein by the Original Purchaser, this Supplemental Resolution shall be deemed to be and shall constitute a contract between the Issuer and the Owner. The covenants and agreements herein set forth to be performed by the Issuer shall be for the benefit, protection and security of the Owner.

[Remainder of page intentionally left blank]

SECTION 15. Effective Date. This resolution shall be effective immediately upon its adoption, this 17<sup>th</sup> day of May, 2021.

ADOPTED: May 17, 2021

(SEAL)

---

Gary Jarvis, Mayor

ATTEST:

---

Lance Johnson, City Manager

---

Rey Bailey, City Clerk

EXHIBIT A

[FORM OF NOTE]

May 21, 2021

\$9,905,000

CITY OF DESTIN, FLORIDA  
NON-AD VALOREM REFUNDING REVENUE NOTE, SERIES 2021

KNOW ALL MEN BY THESE PRESENTS that the City of Destin, Florida (the "Issuer"), a municipal corporation created and existing pursuant to the Constitution and the laws of the State of Florida, for value received, promises to pay from the sources hereinafter provided, to the order of Key Government Finance, Inc. or registered assigns (hereinafter, the "Owner"), the principal sum of \$9,905,000, together with interest on the principal balance at the "Interest Rate" described below; provided, however, that such interest rate shall in no event exceed the maximum interest rate permitted by applicable law. This Note shall bear interest at a fixed rate equal to 1.139% (the "Interest Rate") subject to adjustment as herein provided. Interest shall be calculated on a 30/360 day basis. All of the principal on this Note shall be due on the "Maturity Date" of March 15, 2029.

Principal and interest shall be payable monthly on the 15th of each month, commencing on June 15, 2021 through and including the Maturity Date. Principal on this Note shall amortize as follows:

<u>Year</u>	<u>Principal Payment</u>	<u>Year</u>	<u>Principal Payment</u>
06/15/2021	\$87,000	06/15/2025	\$102,000
07/15/2021	102,000	07/15/2025	102,000
08/15/2021	102,000	08/15/2025	102,000
09/15/2021	102,000	09/15/2025	113,000
10/15/2021	100,000	10/15/2025	105,000
11/15/2021	100,000	11/15/2025	104,000
12/15/2021	100,000	12/15/2025	104,000
01/15/2022	100,000	01/15/2026	104,000
02/15/2022	100,000	02/15/2026	104,000
03/15/2022	100,000	03/15/2026	105,000
04/15/2022	100,000	04/15/2026	105,000
05/15/2022	100,000	05/15/2026	105,000
06/15/2022	100,000	06/15/2026	105,000
07/15/2022	100,000	07/15/2026	105,000
08/15/2022	100,000	08/15/2026	105,000
09/15/2022	100,000	09/15/2026	108,000
10/15/2022	100,000	10/15/2026	105,000
11/15/2022	100,000	11/15/2026	105,000

12/15/2022	100,000	12/15/2026	105,000
01/15/2023	100,000	01/15/2027	105,000
02/15/2023	100,000	02/15/2027	105,000
03/15/2023	100,000	03/15/2027	105,000
04/15/2023	100,000	04/15/2027	105,000
05/15/2023	100,000	05/15/2027	105,000
06/15/2023	101,000	06/15/2027	105,000
07/15/2023	101,000	07/15/2027	105,000
08/15/2023	101,000	08/15/2027	105,000
09/15/2023	105,000	09/15/2027	112,000
10/15/2023	103,000	10/15/2027	105,000
11/15/2023	102,000	11/15/2027	105,000
12/15/2023	102,000	12/15/2027	105,000
01/15/2024	102,000	01/15/2028	106,000
02/15/2024	102,000	02/15/2028	106,000
03/15/2024	102,000	03/15/2028	106,000
04/15/2024	102,000	04/15/2028	106,000
05/15/2024	102,000	05/15/2028	106,000
06/15/2024	102,000	06/15/2028	107,000
07/15/2024	102,000	07/15/2028	107,000
08/15/2024	102,000	08/15/2028	107,000
09/15/2024	109,000	09/15/2028	118,000
10/15/2024	103,000	10/15/2028	137,000
11/15/2024	102,000	11/15/2028	137,000
12/15/2024	102,000	12/15/2028	137,000
01/15/2025	102,000	01/15/2029	137,000
02/15/2025	102,000	02/15/2029	137,000
03/15/2025	102,000	03/15/2029	141,000
04/15/2025	102,000		
05/15/2025	102,000		

If any date for the payment of principal and interest hereon shall fall on a day which is not a Business Day the payment due on such date shall be due on the next succeeding day which is a Business Day, but the Issuer shall not receive credit for the payment until it is actually received by the Owner.

All payments by the Issuer pursuant to this Note shall apply first to accrued interest, then to other charges due the Owner under the Ordinance or this Note, and the balance thereof shall apply to principal.

THIS NOTE DOES NOT CONSTITUTE A GENERAL INDEBTEDNESS OF THE ISSUER WITHIN THE MEANING OF ANY CONSTITUTIONAL, STATUTORY OR CHARTER PROVISION OR LIMITATION, AND IT IS EXPRESSLY AGREED BY THE HOLDER OF THIS NOTE THAT SUCH OWNER SHALL NEVER HAVE THE RIGHT TO REQUIRE OR COMPEL

THE EXERCISE OF THE AD VALOREM TAXING POWER OF THE ISSUER OR TAXATION OF ANY REAL OR PERSONAL PROPERTY THEREIN OR USE OR APPLICATION OF AD VALOREM TAX REVENUES OF THE ISSUER FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS NOTE OR THE MAKING OF ANY OTHER PAYMENTS PROVIDED FOR IN THE ORDINANCE.

This Note is issued pursuant to the provisions of Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Parts I and II, the municipal charter of the City of Destin, Florida, and other applicable provisions of law and Ordinance No. 21-11-CN enacted by the City Council of the Issuer on May 17, 2021, as supplemented by a resolution adopted by the City Council of the Issuer on May 17, 2021 (collectively, the "Ordinance"), and is subject to all the terms and conditions of the Ordinance. All terms, conditions and provisions of the Ordinance including, without limitation, remedies in the Event of Default are by this reference thereto incorporated herein as a part of this Note. Payment of this Note is secured by a covenant to budget, appropriate and deposit Non-Ad Valorem Revenues of the Issuer and a pledge of and lien upon the Pledged Revenues, in the manner and to the extent described in the Ordinance. Terms used herein in capitalized form and not otherwise defined herein shall have the meanings ascribed thereto in the Ordinance.

In the event of a Determination of Taxability, "Interest Rate" means a per annum rate equal to the Taxable Rate, effective retroactively to the date on which the interest payable on this Note is includable for federal income tax purposes in the gross income of the Owner.

"Determination of Taxability" means the circumstance of interest paid or payable on this Note becoming includable for federal income tax purposes in the gross income of the Owner as a consequence of any act or omission of the Issuer. A "Determination of Taxability" shall be deemed to occur upon (i) the issuance by the Internal Revenue Service of a statutory notice of deficiency or other written notification which holds in effect that the interest payable on this Note is includable for federal income tax purposes in the gross income of the Owner, or (ii) a determination by a court of competent jurisdiction that the interest payable on this Note is includable for federal income tax purposes in the gross income of the Owner, which determination either is final and non-appealable or is not appealed within the requisite time period for appeal, or (iii) the admission in writing by the Issuer or an opinion of Note Counsel to the effect that interest on this Note is includable for federal income tax purposes in the gross income of the Owner, based only on an action or inaction by the Issuer and not based on a change in law.

For all purposes of this definition, a Determination of Taxability will be deemed to occur on the date as of which the interest on this Note is deemed includable in the gross income of the Owner. A Determination of Taxability shall not occur solely from the fact that such interest is taken into account in determining adjusted current earnings for the purpose of the alternative minimum income tax imposed on corporations. In addition to any other amounts to be paid hereunder, the Owner or any former Owner, as appropriate, shall be paid an amount equal to any additions to tax, interest and penalties, and any arrears in interest that are required to be paid

to the United States of America by the Owner or any former Owner as a result of such Determination of Taxability. All such additional interest, additions to tax, penalties and interest shall be paid by the Issuer within thirty (30) days following the Determination of Taxability and demand by the Owner.

"Taxable Rate" shall mean the lesser of (i) 1.442% per annum or (ii) the maximum interest rate permitted by applicable law.

In the event of a payment default longer than 90 days, the interest rate shall increase to the Default Rate until the payment default is cured. "Default Rate" means the rate of interest that would be borne by this Note but for the existence of a payment default, plus 3.00%.

Notwithstanding anything herein to the contrary, in the event that more than one of (i) a payment default, and (ii) a Determination of Taxability be ongoing at the same time, the interest rate shall be the higher of the Taxable Rate and the Default Rate, as applicable but such interest rate shall in no event exceed the maximum interest rate permitted by the Act.

A final payment in the amount of the entire unpaid balance, together with all accrued and unpaid interest thereon, shall be due and payable in full on the Maturity Date.

This Note shall be prepayable, in whole or in part, at the option of the Issuer at any time without penalty or premium.

This Note may be exchanged or transferred by the Owner hereof but only upon the registration books maintained by the Issuer and in the manner provided in the Ordinance.

It is hereby certified, recited and declared that all acts, conditions and prerequisites required to exist, happen and be performed precedent to and in the execution, delivery and the issuance of this Note do exist, have happened and have been performed in due time, form and manner as required by law, and that the issuance of this Note is in full compliance with and does not exceed or violate any constitutional or statutory limitation.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the City of Destin, Florida has issued this Note and has caused the same to be executed by the manual signature of the Mayor and the City Manager, attested by the manual signature of its City Clerk, and its official seal or a facsimile thereof to be affixed or reproduced hereon, all as of the 21<sup>st</sup> day of May, 2021.

CITY OF DESTIN, FLORIDA

(SEAL)

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Manager

ATTEST:

By: \_\_\_\_\_  
City Clerk

## EXHIBIT B

### FORM OF LENDER'S CERTIFICATE

This is to certify Keys Government Finance Inc. (the "Lender") has made a loan (the "Loan") to the City of Destin, Florida (the "Issuer"). The Loan is evidenced by the Issuer's \$\_\_\_\_\_ Non-Ad Valorem Refunding Revenue Note, Series 2021 dated May 21, 2021 (the "Note"). The Lender acknowledges that the Loan is being made as a direct loan and not through the purchase of municipal securities. No inference should be drawn that the Lender, in the acceptance of said Note, is relying on Note Counsel or the City Attorney as to any such matters other than the legal opinions rendered by Note Counsel and the City Attorney. Any capitalized terms not otherwise defined herein shall have the meanings set forth in Ordinance No. 21-11-CN enacted by the City Council of the Issuer on May 17, 2021, as supplemented by a resolution adopted by the City Council of the Issuer on May 17, 2021 (collectively, the "Ordinance").

We are engaged in the business of entering into loan transactions similar to the Note.

We are aware that investment in the Note involves various risks, that the Note is not a general obligation of the Issuer or payable from ad valorem tax revenues, and that the payment of the Note is secured solely from the sources described in the Resolution (the "Note Security").

We are a sophisticated investor and have made such independent investigation of the Note Security as we, in the exercise of sound business judgment, consider to be appropriate under the circumstances. We understand that no offering statement, prospectus, offering circular, official statement or other disclosure document containing material information with respect to the Issuer or the Note is being or has been prepared, and that, with due diligence, we have made our own inquiry and analysis with respect to the Issuer, the Note, and the Note Security. We have been provided access to and have reviewed all information about the Issuer we deemed necessary. In making our lending decision, we have relied upon the accuracy of information which has been provided to us by the Issuer and Ford & Associates, Inc., the Issuer's financial advisor (the "Financial Advisor"). We acknowledge that the Financial Advisor is not acting as a placement agent, and that the Financial Advisor represents solely the interests of the Issuer and not those of the Lender. Documentation for the Note will be provided by the Note Counsel.

We have knowledge and experience in financial and business matters and are capable of evaluating the merits and risks of our investment in the Note and can bear the economic risk of our investment in the Note.

We acknowledge that the Resolution is not being qualified under the Trust Indenture Act of 1939, as amended (the "1939 Act"), and is not being registered, in reliance upon the exemption from registration under Section 3(a)(2) of the Securities Act of 1933, Section 517.051(1), Florida Statutes, and/or Section 517.061(7), Florida Statutes, and that neither the Issuer, Note Counsel nor the City Attorney shall have any obligation to effect any such registration or qualification.

We acknowledge that no CUSIP numbers or credit ratings have been obtained with respect to the Note. We are not acting as a broker or other intermediary, and are purchasing the Note as investments for our own account and not with a present view to a resale or other distribution to the public. We understand that the Note may be transferred only in whole and not in part; provided, however, we understand that the Note may only be transferred in accordance with the limitations set forth in the Resolution.

We are a bank (or wholly-owned subsidiary of a bank), trust company, savings institution, insurance company, dealer, investment company, pension or profit-sharing trust, or qualified institutional buyer as contemplated by Section 517.061(7), Florida Statutes. We are not purchasing the Note for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes.

The interest rate represented by the Note was negotiated pursuant to an arms-length transaction. The full principal amount represented by the Note will be advanced by the Lender on this date to the Issuer.

We are an "accredited investor" within the meaning of the Securities Act of 1933, as amended, and Regulation D thereunder.

This Certificate is furnished by us as Lender based solely on our knowledge on the day hereof and is solely for the benefit of the Issuer and may not be relied upon by, or published or communicated to, any other person without our express written consent. We disclaim any obligation to supplement this letter to reflect any facts or circumstances that may hereafter come to our attention.

DATED this 21<sup>st</sup> day of May, 2021.

KEY GOVERNMENT FINANCE, INC.

By: \_\_\_\_\_

Name: Thomas Parachini

Title: Authorized Signor

EXHIBIT C

FORM OF DISCLOSURE LETTER

The undersigned, as purchaser, proposes to negotiate with the City of Destin, Florida (the "Issuer") for the purchase of its City of Destin, Florida Non-Ad Valorem Refunding Revenue Note, Series 2021 (the "Note") in the principal amount of \$9,905,000. Prior to the award of the Note, the following information is hereby furnished to the Issuer:

1. Set forth is an itemized list of the nature and estimated amounts of expenses to be incurred for services rendered to us (the "Lender") in connection with the issuance of the Note (such fees and expenses to be paid by the Issuer):

None

2. (a) No other fee, bonus or other compensation is estimated to be paid by the Lender in connection with the issuance of the Note to any person not regularly employed or retained by the Lender (including any "finder" as defined in Section 218.386(1)(a), Florida Statutes), except as specifically enumerated as expenses to be incurred by the Lender, as set forth in paragraph (1) above.

(b) No person has entered into an understanding with the Lender, or to the knowledge of the Lender, with the Issuer, for any paid or promised compensation or valuable consideration, directly or indirectly, expressly or implied, to act solely as an intermediary between the Issuer and the Lender or to exercise or attempt to exercise any influence to affect any transaction in the purchase of the Note.

3. The amount of the underwriting spread expected to be realized by the Lender is \$0.

4. The management fee to be charged by the Lender is \$0.

5. Truth-in-Bonding Statement:

The Note is being issued for the purpose of providing funds, together with other legally available funds of the Issuer, to finance the costs of the Project, to currently refund the Refunded Notes, and to pay the costs of issuance of the Note.

Unless earlier redeemed, the Note is expected to be repaid by March 15, 2029; at an interest rate of 1.139%, total interest paid over the life of the Note is estimated to be \$458,978.34.

The Note will be payable solely from the Pledged Revenues, which consist primarily of Non-Ad Valorem Revenues budgeted, appropriated and deposited in the manner and to the

extent described in Ordinance No. 21-11-CN enacted by the City Council of the Issuer on May 17, 2021, as supplemented by a resolution adopted by the City Council of the Issuer on May 17, 2021 (collectively, the "Ordinance"). Issuance of the Note is estimated to result in an annual average of approximately \$1,325,882.09 of revenues of the Issuer not being available to finance the other services of the Issuer during the life of the Note. This paragraph is provided pursuant to Section 218.385, Florida Statutes.

6. The name and address of the Lender is as follows:

Key Government Finance, Inc.  
201 South Warren Street, 4th Floor  
Syracuse, NY 13202

IN WITNESS WHEREOF, the undersigned has executed this Disclosure Letter on behalf of the Lender this 21<sup>st</sup> day of May, 2021.

KEY GOVERNMENT FINANCE, INC.

By: \_\_\_\_\_

Name: Thomas Parachini

Title: Authorized Signor

EXHIBIT D

FORM OF INTERLOCAL AGREEMENT

## INTERLOCAL AGREEMENT

This INTERLOCAL AGREEMENT is made and entered into this 21<sup>st</sup> day of May, 2021 (herein, the "Agreement"), by and between the COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DESTIN, FLORIDA, a public body corporate and politic, and a public instrumentality, duly created pursuant to the Florida Community Redevelopment Act, Chapter 163, Part III, Florida Statutes, as amended (hereinafter referred to as the "Agency"), and the CITY OF DESTIN, FLORIDA, a municipal corporation of the State of Florida (hereinafter referred to as the "City");

### WITNESSETH:

WHEREAS, pursuant to Resolution No. 98-09 adopted by the City Council of the City (the "City Council") on March 3, 1998, the City created and established the Agency to carry out the community redevelopment purposes of the provisions of Part III, Chapter 163, Florida Statutes (the "Redevelopment Act"); and

WHEREAS, pursuant to Resolution No. 03-06 adopted by the City Council on June 2, 2003, the City determined that the area described therein as the "Harbor Community Redevelopment Area" is a blighted area as defined in Section 163.340(8), Florida Statutes, and made a finding of necessity for such area; and

WHEREAS, pursuant to Resolution No. 03-06 adopted by the City Council on June 2, 2003, the City approved the "Redevelopment Plan for the Harbor Community Redevelopment Area" (as may be amended from time to time, the "Redevelopment Plan"); and

WHEREAS, pursuant to Ordinance No. 03-01-CRA enacted by the City Council on June 16, 2003 (the "Trust Fund Ordinance"), the City provided for the establishment of a Redevelopment Trust Fund for the purpose of carrying out redevelopment in the Harbor Community Redevelopment Area pursuant to the Redevelopment Plan (the "Redevelopment Trust Fund"); and

WHEREAS, on October 25, 2010, pursuant to Resolution No. 09-01-CRA adopted by the Board of Directors (the "Board") of the Agency on August 24, 2009 (as amended and supplemented from time to time, the "Agency Resolution"), the Agency issued its Community Redevelopment Agency of the City of Destin, Florida Harbor Community Redevelopment Area Phase 1 Revenue Note, Series 2009 (as amended, restated, replaced and re-issued from time to time, and as particularly amended, restated, replaced and re-issued on September 18, 2015, the "Agency Note") for the purpose of financing the cost of a redevelopment project within the Harbor Community Redevelopment Area (the "CRA Project"); and

WHEREAS, the CRA Project is located in the area of operation of the City and serves a public purpose, in furtherance of the purposes for which the Agency was created; and

WHEREAS, the Agency Note was heretofore secured by Trust Fund Revenues which consist of, collectively, (i) Net Tax Increment Revenues (as defined in the Agency Resolution), and (ii) all investment earnings and income thereon; and

WHEREAS, pursuant to Ordinance No. 2021-11-CN enacted on May 17, 2021 and a resolution adopted on May 17, 2021 (collectively, the "Ordinance"), the City issued its not to exceed \$10,600,000 City of Destin, Florida Non-Ad Valorem Refunding Revenue Note, Series 2021 (the "City Note") for the purpose, amongst other purposes, of currently refunding the Agency Note for net present value debt service savings; and

WHEREAS, because the indebtedness relating to the Agency Note is being retired and refinanced with a portion of the proceeds of the City Note, the City and Agency desire to enter into this Interlocal Agreement to memorialize the terms by which the Agency shall reimburse the City for its obligations heretofore incurred by the Agency in the form of the Agency Note by paying to the City each year, from Net Tax Increment Revenues, an amount equal to the annual principal and interest payments on the City Note attributable to the CRA Project.

**NOW, THEREFORE**, in consideration of the mutual promises set forth herein, the parties agree as follows:

1. Incorporation of Recitals. The recitals set forth above are hereby incorporated into the terms of this Agreement.

2. Definitions. The following terms in this Agreement shall have the following meanings unless the text otherwise expressly requires:

"Net Tax Increment Revenues" shall mean the Tax Increment Revenues deposited in the Redevelopment Trust Fund less Operating Expenses.

"Operating Expenses" means the Agency's reasonable and necessary current expenses related to the Harbor Community Redevelopment Area incurred in the Agency's ordinary course of business, paid or accrued, including, without limitation: (i) expenses of owning, operating, leasing, maintaining and repairing the real and personal property of the Agency; (ii) expenses related to employee salaries, wages, benefits and pension or retirement fund payments; (iii) administrative and overhead expenses necessary or incidental to the implementation of the Redevelopment Plan; and (iv) such other expenses as shall be considered, under the Redevelopment Act, reasonable and necessary current expenses of the Agency related to the Harbor Community Redevelopment Area; provided, however, that Operating Expenses with respect to the Agency shall not include debt service requirements on indebtedness of the Agency (other than indebtedness with a stated maturity of less than 365 days), depreciation expenses and other non-cash charges or reserves.

"Tax Increment Revenues" shall mean the revenues derived from the Harbor Community Redevelopment Area and received by the Agency from the City, Okaloosa County and, to the extent permitted by law, any other "taxing authority", for deposit to the Redevelopment Trust Fund, all pursuant to Section 163.387, Florida Statutes, and the Trust Fund Ordinance. For purposes of this definition, the term "Taxing Authority" shall have the meaning ascribed thereto in Section 163.340(24), Florida Statutes, or any other successor statute or statutory provision to the extent the same maybe applicable in respect of the Tax Increment Revenues.

3. Obligation to Repay City. To the extent permitted by the Redevelopment Act, the Agency shall reimburse the City for all costs incurred by the City on behalf of the Agency in connection with the issuance of the City Note which are attributable to the CRA Project as described in Section 4.C hereof. In the event Net Tax Increment Revenues are not sufficient to immediately reimburse the City for these payments, then, in addition to the amounts due the City as described in the immediately preceding sentence, the Agency shall pay the same interest rate due on the City Note on amounts paid by the City and due and owing from the Agency from the date of such payment until and including the date reimbursed by the Agency.

4. Financing.

A. The City's issuance of the City Note is authorized by and in accordance with the Ordinance for the purpose of refinancing the CRA Project and for other lawful purposes authorized by the Ordinance. The debt service on the City Note is not secured by any amounts pledged to the City hereunder.

B. In consideration of the payment of the Net Tax Increment Revenues by the Agency to the City to pay the portion of the City Note which is attributable to the CRA Project, the City has refinanced the cost of the CRA Project through the issuance of the City Note pursuant to the Ordinance.

C. Upon execution of this Agreement, the Agency shall timely deposit or cause to be deposited Net Tax Increment Revenues received from time to time by the Agency with the City in amounts sufficient to pay the following (the "CRA Obligations"):

(i) all amounts paid or payable pursuant to the Ordinance, by reason of the issuance of the portion of the City Note which is attribute to the CRA Project; and

(ii) all amounts necessary to reimburse the City for amounts expended by it to pay any of the items mentioned in clause (i) above and any interest thereon as prescribed in Section 3 hereof.

The Agency agrees that it will reimburse the City for any subsequent shortfalls which may be encountered hereafter in the amounts payable by the Agency to the City in respect of annual debt service on the City Note.

The obligation to transfer the Net Tax Increment Revenues to the City to pay the CRA Obligations shall survive the date on which the City Note is no longer due and owing under the Ordinance.

Any amounts received by the Agency in excess of the amount necessary to pay the CRA Obligations set forth above may be retained by the Agency and used for any lawful purpose of the Agency.

D. In order to secure its indebtedness to the City for the CRA Obligations, the Agency hereby pledges to the City the Net Tax Increment Revenues which pledge shall be prior and superior to all other pledges thereof; provided, however, that the Tax Increment Revenues which derive from any other redevelopment areas heretofore or subsequently established by the Agency are not pledged in any manner to secure the CRA Obligations.

E. The Agency is presently entitled to receive the Tax Increment Revenues to be deposited in the Redevelopment Trust Fund, and has taken all action required by law to entitle it to receive such Tax Increment Revenues, and the Agency will diligently enforce the obligation of any Taxing Authority to appropriate its proportionate share of the Tax Increment Revenues and will not take, or consent to or adversely permit, any action which will impair or adversely affect the obligation of each such Taxing Authority to appropriate its proportionate share of such Tax Increment Revenues, impair or adversely affect in any manner the deposit of such Tax Increment Revenues in the Redevelopment Trust Fund, or the pledge of such Net Tax Increment Revenues hereby to the extent as described herein. The Agency and the City shall be unconditionally and irrevocably obligated so long as the City Note is outstanding, and until the payment in full by the Agency of its indebtedness to the City for the CRA Obligations, to take all lawful action necessary or required in order to ensure that each such Taxing Authority shall appropriate its proportionate share of the Tax Increment Revenues as now or later required by law, and to make or cause to be made any deposits of Tax Increment Revenues or other funds required by this Agreement.

F. The Agency does hereby authorize and consent to the exercise of full and complete control and custody of the Redevelopment Trust Fund, and any and all moneys therein, by the City for the purpose provided in this Agreement, including payment of the CRA Obligations.

5. Severability. If any provision of this Agreement shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable in any context, the same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent whatever.

6. Applicable Provisions of Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

7. Rules of Interpretation. Unless expressly indicated otherwise, references to sections or articles are to be construed as references to sections or articles of this instrument as originally executed. Use of the words "herein," "hereby," "hereunder," "hereof," "hereinbefore," "hereinafter" and other equivalent words refer to this Agreement and not solely to the particular portion in which any such word is used.

8. Captions. The captions and headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

9. City Council Members of the City Exempt from Personal Liability. No recourse under or upon any obligation, covenant or agreement of this Agreement or the City Note or for any claim based thereon or otherwise in respect thereof, shall be had against any City Council members of the City, as such, of the City, past, present or future, either directly or through the City it being expressly understood (a) that no personal liability whatsoever shall attach to, or is or shall be incurred by, the City Council members of the City, as such, under or by reason of the obligations, covenants or agreements contained in this Agreement or implied therefrom, and (b) that any and all such personal liability, either at common law or in equity or by constitution or statute, of, and any and all such rights and claims against, every such City Council member of the City, as such, are waived and released as a condition of, and as a consideration for, the execution of this Agreement and the issuance of the City Note on the part of the City.

10. Board Members of the Agency Exempt from Personal Liability. No recourse under or upon any obligation, covenant or agreement of this Agreement or the City Note or for any claim based thereon or otherwise in respect thereof, shall be had against any board members of the Agency, as such, of the Agency, past, present or future, either directly or through the Agency it being expressly understood (a) that no personal liability whatsoever shall attach to, or is or shall be incurred by, the board members of the governing board of the Agency, as such, under or by reason of the obligations, covenants or agreements contained in this Agreement or implied therefrom, and (b) that any and all such personal liability, either at common law or in equity or by constitution or statute, of, and any and all such rights and claims against, every such board member of the Agency, as such, are waived and released as a condition of, and as a consideration for, the execution of this Agreement.

11. Obligations Limited. By execution of this Agreement, the Agency hereby consents to all the provisions of the Ordinance. The obligation to pay to the City the CRA Obligations shall not be deemed to constitute a debt of the Agency or a pledge of the faith and credit of the Agency, but such CRA Obligations shall be payable solely from the Tax Increment Revenues to be received by the Agency pursuant to the Redevelopment Act. The Agency has no taxing power.

12. Eligibility to Receive Tax Increment Revenues. The Agency shall comply with all applicable requirements set forth in the Redevelopment Act which are necessary in order to receive Tax Increment Revenues from each applicable Taxing Authority and shall take all lawful

action necessary or required to continue to receive such Tax Increment Revenues so long as it exists and shall not allow an impairment of its receipt of the Tax Increment Revenues to the detriment of the City.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties to this Agreement have caused their names to be affixed hereto by the proper officers thereof as of the day and year first written above.

CITY OF DESTIN, FLORIDA

(SEAL)

\_\_\_\_\_  
Gary Jarvis, Mayor

\_\_\_\_\_  
Lance Johnson, City Manager

ATTEST:

\_\_\_\_\_  
Rey Bailey, City Clerk

COMMUNITY REDEVELOPMENT  
AGENCY OF THE CITY OF DESTIN,  
FLORIDA

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary

*[Signature Page to Interlocal Agreement]*

## CITY OF DESTIN



## AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Public Hearing  
**AGENDA OUTLINE NUMBER:** 5.C.

---

**TO:** City Council

**THRU:** Kyle Bauman, City Attorney  
Lance Johnson, City Manager

**FROM:** Krystal Strickland, Finance Director

**DATE:** April 28, 2021

**SUBJECT:** Second reading of Ordinance 21-12-CN - Amending the FY2021 Budget to accommodate issuance of the Non-Ad Valorem Revenue Refunding Note, Series 2021, providing for authority, providing for findings of fact, providing for amendment to the 2021 Budget, providing for severability, and providing for an effective date

---

**I. BACKGROUND:** On March 18, 2021, at the direction of the City Council, the city issued RFP 21-03-FIN seeking proposals for tax exempt loan financing to (i) reimburse expenditures made to expand public beach access; (ii) refund the City's outstanding Non-Ad Valorem Refunding Revenue Note Series 2015A; (iii) refund the City's outstanding Harbor Community Redevelopment Area Phase I Revenue Note Series 2009; and (iv) pay costs of issuance.

On April 19, 2021, the City's Bid Selection Committee reviewed the proposals and recommend that City Council accept the proposal of Key Government Finance. If council accepts this proposal and accepts Ordinance 12-11-CN authorizing the issuance of Non-Ad Valorem Revenue Refunding Note, Series 2021 ("2021 Note") then a budget amending ordinance also needs to be adopted to allow for the increase to other sources and the increased expenditure of paying off the two loans.

**II. DISCUSSION:** This budget amendment considers the effects on the FY2021 budget of issuing the 2021 Note which are summarized as follows:

\* General Fund: Interest paid in FY2021 will increase \$685 as an extra payment will be made on May 21, 2021 to refund the 2015A Note, and Transfers Out will increase (\$364,669) to use the 2015A Note debt service account balance to refund the 2015A Note and to make monthly payments of principal and interest for the general fund's share of the

2021 Note.

\*Harbor CRA: Transfers Out for debt service will be \$29,873 lower due to the lower interest rate on the 2021 Note

\*2009 Debt Service Fund: The debt service fund balance will be used to payoff the 2009 Harbor CRA Note (\$419,352). This fund will no longer receive transfers in from the Harbor CRA for 2009 Note debt service (Inflow decrease \$182,659), and the fund will not have to make the August 2021 payment of interest and principal (outflow decrease \$465,311) because this note will be paid in full on May 21, 2021.

\*2021 Debt Service Fund: The Bond Proceeds (\$9,905,000) will be deposited into this fund. In addition, \$635,619 will be transferred in from the 2009 and 2015A Debt Service funds to use with the bond proceeds to payoff remaining principal owed on the 2009 and 2015A Notes. This fund will expend \$7,663,827 to payoff the principal of the 2009 and 2015A Debt, and this fund will transfer \$2,798,013 of the proceeds into the Okaloosa 1/2 Penny Fund to reimburse it for beach access expenditures made. This fund will pay approximately \$78,781 in cost of issuance. The Harbor CRA, the General Fund, and the Okaloosa 1/2 Penny Fund will transfer in a total of \$428,188 to pay their respective portions of the 2021 Note's monthly payments of principal and interest. FY2021 Principal and Interest expenditures for the 2021 Note will be \$428,188.

\*Okaloosa 1/2 Penny Fund: The Transfers In will increase \$2,798,013 when the proceeds of Note 2021 are used to reimburse this fund for FY2021 beach access expenditures. This fund will transfer out \$127,000 into the 2021 Debt Service Fund to pay it's portion of the 2021 Note monthly payments of interest and principal.

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

**B. Effect on Budget (EOB):** See attached budget amendment ordinance and Exhibit A for details.

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

**III. CONCLUSION:** Adoption of this ordinance authorizes staff to recognize the proceeds of the bond issuance and to expend them in accordance with Ordinance 21-11-CN Non-Ad Valorem Refunding Revenue Note 2021.

**IV. RECOMMENDED MOTION:** I move to approve Ordinance 21-12-CN on second reading.

Attachments:

1. Ordinance 21-12-CN Budget Amendment for 2021 Note
2. EXHIBIT A Ordinance 21-12-CN Bud Amend 2021 Note

**ORDINANCE 21-12-CN**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FISCAL YEAR 2021 BUDGET AS DESIGNATED IN THE ATTACHED EXHIBIT “A,” DESCRIBING AMENDMENTS NECESSARY TO ACCOMMODATE ISSUANCE OF THE NON-AD VALOREM REVENUE NOTE, SERIES 2021; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE 2021 BUDGET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**SECTION 1. AUTHORITY.**

The authority for enactment of this Ordinance is Article III, Section 3.14, of the City Charter, and Section 166.241, Florida Statutes (2020).

**SECTION 2. FINDINGS OF FACT.**

**WHEREAS**, on March 18, 2021, at the direction of the City Council of the City of Destin, Florida (the “City”), the City issued Request for Proposal #21-03-FIN, seeking competitive proposals for tax exempt loan financing in an amount not to exceed \$12,500,000.00 (the “RFP”); and

**WHEREAS**, through the issuance of Addendum #2 to the RFP, the City changed the amount it sought to finance to an amount not to exceed \$10,600,000.00 (the “Amended RFP”); and

**WHEREAS**, specifically, the Amended RFP seeks proposals relating to the issuance of tax-exempt loan financing in the form of a Non-Ad Valorem Revenue Note, Series 2021 (the “2021 Note”); and

**WHEREAS**, the City will use proceeds of the 2021 Note to (i) reimburse expenditures made for and/or finance the acquisition of property within the City to expand public beach access; (ii) refund, on a current basis, the City’s outstanding Non-Ad Valorem Refunding Revenue Note, Series 2015A; (iii) refund, on a current basis, the City’s outstanding Harbor Community Redevelopment Area Phase I Revenue Note, Series 2009 (as modified); and (iv) pay costs of issuance; and

**WHEREAS**, after receipt and review of proposals to the Amended RFP, on April 19, 2021, the City’s Bid Committee recommended that the City Council accept the proposal of Key Government Finance, Inc. (“Key”); and

**WHEREAS**, on May 3, 2021, the City Council accepted Key’s proposal; and

**WHEREAS**, pursuant to Section 3.12 of the City Charter, the City must adopt an ordinance authorizing the borrowing of money; and

**WHEREAS**, Ordinance Number 21-11-CN authorizes the issuance of the 2021 Note and it is scheduled for first reading on May 3, 2021, and second reading on May 17, 2021; and

**WHEREAS**, this transaction is scheduled to close on May 21, 2021; and

**WHEREAS**, the City has adopted its Fiscal Year 2021 Budget (the “2021 Budget”) through the adoption of Ordinance Number 20-26-CN; and

**WHEREAS**, upon adoption of Ordinance Number 21-11-CN, the City must amend the 2021 Budget to accommodate issuance of the 2021 Note; and

**WHEREAS**, the City Council has determined that it is necessary and in the public’s best interest to amend the 2021 Budget in accordance with the attached City of Destin Budget Amendment Form, attached hereto as Exhibit “A,” which describes amendments necessary to accommodate the issuance of the 2021 Note;

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

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

**SECTION 3. RECITALS.** The foregoing recitals are true and correct, and incorporated into this Ordinance.

**SECTION 4. AMENDING THE 2021 BUDGET.** The 2021 Budget is hereby amended as described in Exhibit “A.”

**SECTION 5. 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 6. EFFECTIVE DATE.** This Ordinance shall become effective upon its adoption by the City Council and signature by the Mayor.

**ADOPTED THIS 17<sup>TH</sup> DAY OF MAY 2021**

\_\_\_\_\_  
**Gary Jarvis, Mayor**

**ATTEST:**

**APPROVED AS TO FORM FOR THE CITY OF DESTIN, FLORIDA ONLY:**

\_\_\_\_\_  
**Rey Bailey, City Clerk**

\_\_\_\_\_  
**Kyle S. Bauman, Esq., City Attorney**

# EXHIBIT A

**CITY OF DESTIN Budget Amendment Form**

Fiscal Year 2021  
 Period 7  
 Ref 1 BUA  
 Ref 2 ADJ

Short Description 2021 DEBT ISSUANCE  
 Effective Date 5/17/2021  
 Budget Year Code 1

Entity Code 1  
 Amendment Type\* One Time  
 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)decrease	AMOUNT	CURRENT AVAILABLE BUDGET	REVISED AVAILABLE BUDGET
0151720	572000 INTEREST		INCREASE 2015 GF CIP NOTE INT PMTS	I	\$ 685	\$ 109,349	\$ 110,034
0158188	581221 TXFR TO 2021 DEBT SVC		INCREASE 2021 NOTE DEBT SVC	I	\$ 364,669	\$ -	\$ 364,669
11058188	581209 TXFR TO 2009 DEBT SVC		DECREASE 2009 NOTE DEBT SVC	D	\$ 182,659	\$ 554,590	\$ 371,931
11058188	581221 TXFR to 2021 DEBT SVC		INCREASE 2021 NOTE DEBT SVC	I	\$ 152,786	\$ -	\$ 152,786
209300	381209 TXFRS IN		DECREASE TXFRS IN FROM HRBR CRA FOR 2009 DEBT SVC	D	\$ 182,659	\$ 554,590	\$ 371,931
20951729	571000 PRINCIPAL PMTS		DECREASE 2009 PRINCIPAL PMTS	D	\$ 442,981	\$ 442,981	\$ -
20951729	572000 INTEREST PMTS		DECREASE 2009 INTEREST PMTS	D	\$ 22,330	\$ 114,798	\$ 92,468
20958188	581221 TXFR to 2021 DEBT SVC		INCREASE TXFR OUT TO 2021 DEBT SVC	I	\$ 419,352	\$ -	\$ 419,352
221300	384000 NEW BOND PROCEEDS		NEW BOND PROCEEDS (BEACH)	I	\$ 2,819,000	\$ -	\$ 2,819,000
221300	385000 PROCEEDS FOR REFUNDING		BOND PROCEEDS FOR REFUNDING	I	\$ 7,086,000	\$ -	\$ 7,086,000
221300	381221 TXFRS IN		TXFRS IN TO 2021 DEBT SVC FUND	I	\$ 1,063,807	\$ -	\$ 1,063,807
22151729	571000 PRINCIPAL		2021 NOTE PRINCIPAL	I	\$ 393,000	\$ -	\$ 393,000
22151729	572000 INTEREST		2021 NOTE INTEREST	I	\$ 35,188	\$ -	\$ 35,188
22151729	573000 OTHER DS COSTS		REFUND 2009 AND 2015 PRINCIPAL	I	\$ 7,663,827	\$ -	\$ 7,663,827
22151729	573001 OTHER DS COSTS		2021 NOTE COST OF ISSUANCE	I	\$ 78,781	\$ -	\$ 78,781
22158188	581129 TXFR OUT TO 129		TXFR TO OKA 1/2 PENNY FUND (REPLENISH)	I	\$ 2,798,013	\$ -	\$ 2,798,013
129300	381129 TXFRS IN		TXFR IN TO OKA 1/2 PENNY FUND	I	\$ 2,798,013	\$ -	\$ 2,798,013
12958188	581221 TXFR OUT		TXFR OUT TO DEBT SERVICE	I	\$ 127,000	\$ -	\$ 127,000
						\$ -	\$ -
						\$ -	\$ -

Created by: \_\_\_\_\_  
 Entered by: \_\_\_\_\_  
 Approved by: \_\_\_\_\_

Note  
 Amend Budget to account for issuance of debt  
 to refund 2009 and 2015 debt and to replenish the Okaloosa 1/2 Penny fund

revs \$ 13,584,160.07  
 exps \$ 11,231,858.70  
 increase/(decrease)

## FY2021 BUDGET AMENDMENT #1

Ordinance #21-12-CN

First Reading: 05/03/2021

Second Reading: 05/17/2021

Effects on Budget related to refunding the 2009 Harbor CRA Note and the 2015A General Fund CIP Note and borrowing \$2,819,000 in New Debt to expand public beach access.

1. 0151720-572000 General Fund 2015 Note Interest Payment will increase \$685 from \$109,349 to \$110,034 to account for additional interest payment through the debt payoff date of May 21, 2021. The interest payments for the General Fund 2015 Note were set for October 1 and May 1 of each year.
2. 0158188-581221 General Fund Transfers Out will increase \$364,669 from \$0 to transfer the 2015 debt service fund balance (\$216,267 after the additional interest payment) into the 221 Debt Service Fund to pay off the 2015 Note, and to make monthly debt service payments (\$148,402) to pay the General Fund's portion of the 2021 Note payments beginning June 15, 2021.
3. 11058188-581209 Harbor CRA Transfers Out to the 2009 Debt Service Fund will decrease \$182,659 from \$554,590 down to \$371,931 when the 2009 Harbor CRA Note is paid.
4. 11058188-581221 Harbor CRA Transfers out to the 2021 Debt Service Fund will increase \$152,786 from \$0 to account for the Harbor CRA's portion of the 2021 Note related to paying off the 2009 Note.
5. 209300-381209 2009 Harbor CRA Debt Service Fund Transfers In will decrease \$182,659 from \$554,590 down to \$371,931 when the 2009 Harbor CRA note is paid off.
6. 20951729-571000 2009 Debt Service Fund Principal Payments will decrease from \$442,981 down to \$0 when the 2021 Debt Service Fund pays off the 2009 Debt principal.
7. 20951729-572000 2009 Debt Service Fund Interest Payments will decrease \$22,330 from \$114,798 down to \$92,468 when the final interest payment on the 2009 debt is paid on May 21, 2021. Interest payments on the 2009 Harbor CRA Debt were made on January 31 and July 31.
8. 20958188-581221 2009 Debt Service Fund Transfers out to 2021 Debt Service Fund will increase \$419,352 from \$0 to move the 2009 Harbor CRA Debt Service fund and bank balance (\$419,352 after final interest payment) into the 2021 Debt Service Fund to help pay off the 2009 Harbor CRA Debt.
9. 221300-384000 2021 Debt Service Fund New Bond Proceeds will increase \$2,819,000 from \$0 to account for new debt issued as relates to public beach expansion.

10. 221300-385000 2021 Debt Service Fund Bond Proceeds for Refunding will increase \$7,086,000 from \$0 to account for funds borrowed to payoff (refund) the 2009 Harbor CRA Note (\$3,597,000) and the 2015 General Fund Note (\$3,489,000).
11. 221300-381221 2021 Debt Service Fund Transfers In will increase \$1,063,807 to account for the transfers in from the 2009 Harbor CRA debt service account (\$419,352 see line 8) and the 2015 General Fund debt service account (\$364,699 see line 2) and the transfers in from the Harbor CRA (\$152,786 see line 4) to pay the Harbor CRA's portion of the 2021 Note, and for transfers in from the Okaloosa Half Penny fund (\$127,000 see line 18 below) to pay the portion of debt related to expanding beach access.
12. 22151729-571000 2021 Debt Principal Payments will increase \$393,000 from \$0 to pay monthly payments of principal on the 2021 Note.
13. 22151729-572000 2021 Debt Interest Payments will increase \$35,188 from \$0 to pay monthly payments of interest on the 2021 Note.
14. 22151729-573000 2021 Debt Service Fund Other Debt Service Costs will increase \$7,663,827 from \$0 to pay the principal balance owed on the 2009 Note (\$3,986,826.63) and to pay the principal balance owed on the 2015A Note (\$3,677,000).
15. 22151729-573001 2021 Debt Service Fund Other Debt Service Costs will increase \$78,781 from \$0 to pay cost of issuance for Bond Counsel, Financial Advisor, General Counsel's opinion, and to reimburse reasonable expenses.
16. 22158188-581129 2021 Debt Service Fund Transfer Out to 129 Okaloosa ½ Penny Fund will increase \$2,798,013 from \$0. One of the intents of this bond issuance was to replenish the Okaloosa ½ Penny fund for cash outlays made this fiscal year toward beach property acquisitions and to repay this debt over the remaining life of the Okaloosa ½ Penny surtax.
17. 129300-381129 Okaloosa ½ Penny Fund Transfers In will increase \$2,798,013 from \$0 to replenish the account for City's expenditures to date for expanding public beach access. See also line 16 above.
18. 12958188-581221 Okaloosa ½ Penny Fund Transfers Out will increase \$127,000 from \$0 to account for transfers into the 221 Debt Service Fund for the portion of monthly payments related to borrowing funds to expand public beach access.

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Public Hearing  
**AGENDA OUTLINE NUMBER:** 5.D.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager

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

**DATE:** April 27, 2021

**SUBJECT:** Second reading of Ordinance 21-03-LC - Providing for amendments to Article 7, Section 7.12.08, "Dimensional Requirements"; amending Table 7-3, "Schedule of Dimensional Requirements in Zoning districts;" providing for consistency with the City's Comprehensive Plan.

---

**I. BACKGROUND:** There are currently inconsistencies between the City's Comprehensive Plan and Land Development Code (LDC) Table 7-3 'Schedule of Dimensional Requirements in Zoning Districts', which is located in Article 7, Section 7.12.08 'Dimensional Requirements'.

**II. DISCUSSION: Proposed Ordinance 21-03-LC** is designed to align the dimensional requirements in LDC Table 7-3 'Schedule of Dimensional Requirements in Zoning Districts' with the dimensional requirements detailed within the Future Land Use Element (Chapter 1) of the City's Comprehensive Plan.

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

**III. CONCLUSION: Proposed Ordinance 21-03-LC** would eliminate the inconsistencies that are present between the dimensional requirements in LDC Table 7-3 'Schedule of Dimensional Requirements in Zoning Districts' and the dimensional requirements detailed within the Future Land Use Element (Chapter 1) of the City's Comprehensive Plan.

At a public hearing held at the regularly scheduled Local Planning Agency meeting on March 18, 2021, the Local Planning Agency recommended City Council approval of proposed **Ordinance 21-03-LC**.

**IV. RECOMMENDED MOTION:** I move to approve proposed **Ordinance 21-03-LC** on second reading.

Attachments:

1. 21-03-LC Comp Plan Consistency  
Table 7-3
2. Zoning District Abbreviations

**ORDINANCE NO. 21-03-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7, SECTION 7.12.08 “DIMENSIONAL REQUIREMENTS”; AMENDING TABLE 7-3 “SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS”; PROVIDING FOR CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND 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 desires to amend the City’s Land Development Code for consistency with the City’s adopted Comprehensive Plan; and

**WHEREAS**, section 163.3201, Florida Statutes provides that adopted comprehensive plans shall be implemented, in part, by the adoption and enforcement of appropriate local regulations on the development of lands and waters within an area; and

**WHEREAS**, section 163.3201, Florida Statutes further provides that the adoption and enforcement of land development regulations for an area shall be based on, be related to, and be a means of implementation for an adopted comprehensive plan; and

**WHEREAS**, section 163.3202(1), Florida Statutes, requires that the City adopt land development regulations that are consistent with and implement their adopted comprehensive plan.

**WHEREAS**, section 163.3202(2), Florida Statutes requires that local land development regulations contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan; and

**WHEREAS**, Florida law prohibits inconsistencies between local government land development regulations and local government Comprehensive Plans; and

**WHEREAS**, the Future Land Use Element of the City of Destin’s adopted Comprehensive Plan sets forth maximum building heights and densities for development within the City; and

**WHEREAS**, Table 7-3 of the City’s Land Development Code, entitled, “*Schedule of Dimensional Requirements in Zoning Districts*” currently contains building heights, setbacks, and maximum densities that are inconsistent with the City’s adopted Comprehensive Plan; and

**WHEREAS**, Table 7-3 of the City’s Land Development Code, entitled, “*Schedule of Dimensional Requirements in Zoning Districts*” must be updated and amended for consistency with the City’s Comprehensive Plan, as required by Florida law; and

**WHEREAS**, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

**WHEREAS**, a public hearing has been conducted after due public notice by the Local Planning Agency on March 18, 2021, and its recommendations reported to the City Council; and

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

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

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

**SECTION 3. AMENDMENT OF LAND DEVELOPMENT CODE SECTION 7.12.08.**

Section 7.12.08 of the Land Development Code is hereby amended as follows:

**(Continued on next page)**

\*\*\*

7.12.08. *Dimensional requirements.* The following schedule of dimensional requirements together with the footnotes is hereby established for the City.

**TABLE 7-3: SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS**

**(Dimensions are in feet)**

Zoning Districts	Minimum Lot Area (sq. ft.)	Minimum Lot Size		Maximum Building Height	Setbacks			Maximum Density (units per acre)	Maximum Floor Area Ratio	Minimum Open Space (%)
		Width	Depth		Front	Side	Rear			
BE - one d.u.	15,000	80	150	35/3 stories	20	10	10	2.90	N/A	25
LDR-V/LDR-H/MDR-V - one d.u.	7,500	70	100	35/3 stories	20	7½	10	5.81	N/A	25
LDR-HI/MDR-HI - one d.u.	7,500	70	100	30/3 stories	20	7½	10	5.81	N/A	30
HDR - one d.u.	7,500	70	100	30/3 stories	20	7½	10	9.90	N/A	30
CL - one d.u.	7,500	70	100	30/3 stories	20	7½	10	<del>12.00/Q</del> 9.00	N/A	30
ROI-TD - one d.u.	7,500	70	100	30/3 stories	20	7½	10	<del>12.00/R</del> 9.00	N/A	30
ROI-VR/ROI-CBR - one d.u.	7,500	70	100	35/3 stories	20	7½	10	<del>12.00/R</del> 9.00	N/A	25
CBN - one d.u.	7,500	70	100	30/3 stories	20	7½	10	6.00	N/A	30
CBN-TDD - one d.u. (Y)	¥ Q	50	150	¥ Q	¥ Q	¥ Q	¥ Q	¥ Q	¥ Q	¥ Q
CBR - one d.u.	7,500	70	100	30/3 stories	20	7½	10	<del>12.00/Q</del>	N/A	30

								<u>6.00</u>		
CMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	<del>12.00</del> <u>6.00</u>	N/A	25
CMU-V – one d.u.	5,000	50	100	35/3 stories	20	7½	10	9.00	N/A	25
CMU-V – two or more d.u.	None	None	None	50/4 stories	↓ <u>H</u>	↓ <u>H</u>	↓ <u>H</u>	12.00	N/A	25
CMU-V – non d.u.	None	None	None	<del>H</del> <u>E</u>	↓ <u>H</u>	↓ <u>H</u>	↓ <u>H</u>	N/A	.50	25
SHMU - one d.u.	7,500	70	100	30/3 stories	20	7½	10	<del>19.90</del> <u>9.00</u>	N/A	30
NHMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	<del>19.90</del> <u>9.00</u>	N/A	25
GRMU – one d.u.	7,500	70	100	50/4 stories	20	7½	10	<del>19.90</del> <u>9.00</u>	N/A	30
HIMU - one d.u.	7,500	70	100	<del>35/3</del> <u>50/4</u> stories	20	7½	10	<del>19.90</del> <u>9.00</u>	N/A	30
BRMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	<del>20.00</del> <u>9.00</u>	N/A	25
MDR-V - two or more d.u.	None	None	None	35/3 stories	<del>C/D</del> <u>A/B</u>	<del>C/D</del> <u>A/B</u>	<del>C/D</del> <u>A/B</u>	<del>9.99</del> <u>9.90</u>	N/A	25
HDR - two or more d.u.	None	None	None	<del>30/7</del> <u>50/4</u> stories	↓ <u>H</u>	↓ <u>H</u>	↓ <u>H</u>	19.90	N/A	25
CBN - two or more d.u.	None	None	None	50/4 stories	20	<del>C/D</del> <u>A/B</u>	<del>C/D</del> <u>A/B</u>	6.00	N/A	25
CBN - non d.u.	None	None	None	50/4 stories	20	<del>C/D</del> <u>A/B</u>	<del>C/D</del> <u>A/B</u>	N/A	.50	25
CL - two or more d.u.	None	None	None	50/4 stories	20	<del>C/D</del> <u>A/B</u>	<del>C/D</del> <u>A/B</u>	12.00/ <u>Q</u>	N/A	25
CL - non d.u.	None	<del>None</del>	None	<del>E</del> <u>C</u>	10	<del>C/D</del> <u>A/B</u>	<del>C/D</del> <u>A/B</u>	N/A	.50	25

CG - two or more d.u.	None	None	None	50/4 stories	<del>M</del> K	<del>M</del> K	<del>M</del> K	<del>40.00-16.90</del>	N/A	25
CG - non d.u.	None	None	None	50/4 stories/F	<del>M</del> K	<del>M</del> K	<del>M</del> K	N/A	1.30	25
CTS	None	None	None	35/3 stories	<del>N</del> L	<del>N</del> L	<del>N</del> L	<del>U</del> O	1.30	25
ROI-VR /ROI-TD - two or more d.u.	None	None	None	35/3 stories/ <del>G</del> E	<del>C</del> /D A/B	<del>C</del> /D A/B	<del>C</del> /D A/B	<del>12.01 O/R</del> 12.00	N/A	25
ROI-TD – two or more d.u.	<u>None</u>	<u>None</u>	<u>None</u>	<u>30/3 stories/<del>G</del> E</u>	<u><del>C</del>/D</u> A/B	<u><del>C</del>/D</u> A/B	<u><del>C</del>/D</u> A/B	<u><del>12.01 O/R</del></u> 12.00	<u>N/A</u>	<u>25</u>
ROI-GD/ROI-TD – non d.u.	None	None	None	<del>35/3 stories/<del>G</del></del>	<del>C</del> /D	<del>C</del> /D	<del>C</del> /D	N/A	.50	25
CBR - two or more d.u.	None	None	None	50/4 stories	<del>Ø</del> M	<del>Ø</del> M	<del>Ø</del> M	<del>12.00/<del>Q</del></del>	N/A	25
CBR - non d.u.	None	None	None	50/4 stories	<del>Ø</del> M	<del>Ø</del> M	<del>Ø</del> M	N/A	<del>.50</del> <u>0.7</u>	25
TCMU - one d.u.	5,000	50	100	35/3 stories	20	5	10	9.00	N/A	25
TCMU - two or more d.u.	None	None	None	50/4 stories	<del>M</del> K	<del>M</del> K	<del>M</del> K	24.00	N/A	25
TCMU - none d.u.	None	None	None	75/6 stories	<del>M</del> K	<del>M</del> K	<del>M</del> K	N/A	1.5	25
CMU - two or more d.u.	None	None	None	<del>35/3</del> <u>50/4</u> stories	<del>↓</del> H	<del>↓</del> H	<del>↓</del> H	12.00	N/A	25
CMU – non d.u.	None	None	None	<del>H</del> <u>50/4 stories</u> / <del>F</del>	<del>↓</del> H	<del>↓</del> H	<del>↓</del> H	N/A	.50	25
SHMU - two or more d.u. (short-term)	None	None	None	<del>35/3 stories/<del>F</del></del> <u>50/4 stories / G</u>	<del>P</del> N	<del>P</del> N	<del>P</del> N	<del>19.90/<del>S</del></del> <u>24</u>	N/A	25
SHMU – two or more d.u. (long-	None	None	None	<del>35/3 stories/<del>F</del></del> <u>50/4</u>	<del>P</del> N	<del>P</del> N	<del>P</del> N	<del>19.90/<del>S</del></del> <u>24</u>	N/A	25

term)				stories / G						
SHMU - non d.u.	None	None	None	<del>35/3</del> stories / 75 / 6 stories / G	<del>P N</del>	<del>P N</del>	<del>P N</del>	N/A	.60	25
NHMU - two or more d.u.	None	None	None	<del>35/3</del> stories-50 / 4 stories	<del>M K</del>	<del>M K</del>	<del>M K</del>	<del>19.90/T</del> 24.00	N/A	25
NHMU - non d.u.	None	None	None	35/3 stories	<del>M K</del>	<del>M K</del>	<del>M K</del>	N/A	.60	25
GRMU - two or more d.u.	None	None	None	50/4 stories	<del>Θ M</del>	<del>Θ M</del>	<del>Θ M</del>	<del>19.90/S</del> 24.00	N/A	25
GRMU - non d.u.	None	None	None	<del>50/4</del> 65/5 stories	<del>Θ M</del>	<del>Θ M</del>	<del>Θ M</del>	N/A	1.30	25
HIMU - two or more d.u.	None	None	None	50/4 stories	<del>‡ H</del>	<del>‡ H</del>	<del>‡ H</del>	<del>19.90/S</del> 16.90	N/A	25
HIMU - non d.u.	None	None	None	50/4 stories	<del>‡ H</del>	<del>‡ H</del>	<del>‡ H</del>	N/A	1.30	25
BRMU - two or more d.u. I	None	None	None	<del>35/3</del> stories 50/4 stories / P	<del>Θ M</del>	<del>Θ M</del>	<del>Θ M</del>	<del>20.00</del> 16.90	N/A	25
BRMU - non d.u.	None	None	None	<del>35/3</del> stories/W 50/4 stories / P	<del>Θ M</del>	<del>Θ M</del>	<del>Θ M</del>	N/A	.75/X	25
IN	None	None	None	35/3 stories	<del>N L</del>	<del>N L</del>	<del>N L</del>	N/A	1.30	25
A	None	None	None	35/3 stories/ K L	<del>€ J</del>	<del>€ J</del>	<del>€ J</del>	N/A	1.30	25
INST	None	None	None	35/3 stories	None	None	None	N/A	.50	25
REC	None	None	None	35/3 stories	None	None	None	N/A	.20	25
CON	None	None	None	15/1 story	None	None	None	N/A	.05	80

Footnotes defining requirements:

- A. For all structures three stories in height, the minimum front setback shall be 20 feet, the minimum side setback shall be 15 feet on each side and the minimum rear setback shall be 20 feet.

For all buildings exceeding three stories in height, the minimum front setback shall be 20 feet, the minimum side setback shall be 20 feet and increased by two feet on each side for each story exceeding four stories, and a minimum 25-foot rear yard setback shall be required.

Within the Old Destin MMTD, no minimum front, side or rear setbacks are required, except where the property line is contiguous with a BE or LDR residential district boundary; then ten-foot side and rear yards, maintained as open space, shall be provided.

Buildings or structures three stories or less utilized for residential or multifamily purposes on the same lot shall be a minimum of ten feet apart. All buildings exceeding three stories in height, the distance apart on the same lot shall be increased by two feet for each story exceeding three stories with a maximum of 50 feet between buildings being required. There are no minimum spacing requirements between residential, nonresidential, mixed-use or multifamily buildings located on the same lot in the Old Destin MMTD.

- B. For all structures two stories or less in height, the minimum front setback shall be 20 feet, and no side or rear yards are required except where property line is contiguous with residential district boundary; then a ten-foot yard, maintained as open space, shall be provided. Within the Old Destin MMTD, no minimum front setback is required.
- C. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories. Medical, office, hotel, motel, bed and breakfast, and other commercial transient living accommodations have a maximum height of 50 feet/four stories.
- D. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/three stories.
- E. For those properties that abut U.S. Highway 98, the height may be extended to a maximum of 50 feet and four stories.
- F. Office, neighborhood retail commercial goods and services, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories.
- G. Please refer to the footnotes 1 through 3 of Table 1-13: general development standards for "SHMU" designated land of Policy 1-2.4.3(3) of the comprehensive plan for information on maximum building height and measurement of building height.
- H. The following setbacks shall apply to developments proposed in the HDR, CMU and HIMU zoning districts.
- i. *Front setback.* For those properties that front U.S. Highway 98, 15 feet minimum to 25 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* For lots fronting the harbor: Zero feet. For lots fronting the Choctawhatchee bay: rear setback must meet the requirements set forth in section 11.01.10 Bay shoreline protection zone. For lots fronting the gulf the rear setback will be established by DEP. For all

lots that do not front the harbor, bay or the gulf, but instead have a rear property line, ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet on each side.

I. Aircraft communication towers are exempt from the height limitations of this district, but continue to be subject to the remaining standards set forth in City of Destin Commercial Communications Tower Regulations, as now or hereafter amended.

J. The setback requirements for the A district are as follows:

Setbacks from taxiway pursuant to adopted FAA construction standards.

Setbacks from property lines minimum of 15 feet.

Building separation requirements minimum of ten feet or 20 feet if designated a fire lane.

K. The following setbacks shall apply to developments proposed in the CG, NHMU and TCMU zoning districts:

i. *Front setback.* For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.

ii. *Side setbacks.* Zero feet for any portion of a building having a height of 40 feet or less. For any portion of a building having a height greater than 40 feet, the side setback shall be increased by two feet on each side for each ten feet or fraction thereof exceeding 40 feet in height. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.F.1.f.1.

iii. *Rear setback.* Zero feet. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.D.

L. The following setbacks shall apply to developments proposed in the CTS and IN zoning districts:

i. *Front setback.* For those properties within the Old Destin MMTD, zero feet minimum to ten feet maximum setback is required. For those properties outside of the Old Destin MMTD, a front setback of ten feet is required.

ii. *Side setbacks.* For all structures three stories or less in height no side yard is required except where the property line is contiguous with a residential district boundary; then a ten-foot yard, maintained as open space, shall be provided.

iii. *Rear setback.* For all structures three stories or less in height no rear yard is required except where the property line is contiguous with a residential district boundary; then a ten-foot yard, maintained as open space, shall be provided.

M. The following setbacks shall apply to developments proposed in the CBR, BRMU and GRMU zoning districts:

i. *Front setback.*

a. For those properties located in the CBR and BRMU zoning districts, ten feet minimum and no maximum.

b. For those properties in the GRMU zoning district and that front U.S. Highway 98, 15 feet minimum to 25 feet maximum for any portion of a building having a height below

40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet.

- c. For those properties in the GRMU zoning district that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
  - d. For those properties in the GRMU zoning district that have frontage on that portion of Scenic Highway 98 lying west of Henderson Beach State Park, zero feet minimum to ten feet maximum.
- ii. *Side setbacks.* Ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* For lots fronting the gulf the rear setback will be established by DEP. For all lots that do not front the gulf, ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet.
- N. The following setbacks shall apply to developments proposed in the SHMU zoning district:
- i. *Front setback.* For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* Note: For lots that have a rear lot line on the harbor, a minimum setback of 15 feet shall apply in order to have enough space for the Harbor Boardwalk to be constructed when said boardwalk cannot be constructed over the Destin Harbor. Properties must still provide for the Harbor Boardwalk in accordance with Section 8.09.03(A)(9). For lots that have a rear lot line on Choctawhatchee Bay: rear setback must meet the requirements set forth in Section 11.01.10, Bay shoreline protection zone. For all lots that do not have a rear lot line on the harbor or the bay, but instead have a rear property line: Zero feet.
- ~~O. One bedroom short term residential units shall have a maximum density of 24.00 units per acre.~~
- ~~P. One bedroom short term residential units shall have a maximum density of 24.00 units per acre. The maximum density for those properties that abut U.S. Highway 98 may be extended up to a maximum of 24.00 units per acre.~~
- ~~Q. One bedroom short term residential units shall have a maximum density of 30.00 units per acre.~~
- ~~R. One bedroom short term residential units shall have a maximum density of 40.00 units per acre.~~
- O. No residential uses allowed, except for one custodian or night-watchman residence per development.
- ~~R. To reduce open space to these percentages, the applicant must comply with the regulations stated in Section 12.04.02 and 12.04.03.~~

- P. In the BRMU zoning, district, the maximum height by right shall be 35 feet and three stories, excepting those properties that abut Emerald Coast Parkway, in which case height may be extended to a maximum of 50 feet and four stories.
- Q. Crystal Beach Neighborhood-Traditional Development District (CBN-TDD) overlay applies only to minimum lot width and depth.

**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.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

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: \_\_\_\_\_

7.12.00. - Zoning regulatory controls.

The Table 7-1 indicates zoning districts intended to implement each future land use designation set forth in Comprehensive Plan: 2010.

**Table 7-1: Implementing Zoning Districts**

<b>Future Land Use Designation</b>	<b>Zoning District</b>
Bay Estates (BE)	Bay Estates (BE)
Low Density Residential (LDR)	Low Density Residential - Village (LDR - V)
	Low Density Residential - Holiday Isle (LDR - HI)
	Low Density Residential - Harbor (LDR - H)
Medium Density Residential (MDR)	Medium Density Residential - Village (MDR- V)
	Medium Density Residential - Holiday Isle (MDR - HI)
High Density Residential (HDR)	High Density Residential (HDR)
Crystal Beach Neighborhood (CBN)	Crystal Beach Neighborhood (CBN)
Commercial Limited (CL)	Commercial Limited (CL)
Commercial General (CG)	Commercial General (CG)
Commercial Trades and Services (CTS)	Commercial Trades and Services (CTS)
Residential, Office, and Institutional (ROI)	Residential, Office, and Institutional - General Development (ROI - GD)
	Residential, Office, and Institutional - Tourist Development (ROI - TD)
	Residential, Office, and Institutional - Village Residential (ROI - VR)
	Residential, Office, and Institutional - Crystal Beach Residential (ROI - CBR)

Crystal Beach Resort (CBR)	Crystal Beach Resort (CBR)
Town Center Mixed Use (TCMU)	Town Center Mixed Use (TCMU)
Calhoun Mixed Use (CMU)	Calhoun Mixed Use (CMU)
South Harbor Mixed Use (SHMU)	South Harbor Mixed Use (SHMU)
North Harbor Mixed Use (NHMU)	North Harbor Mixed Use (NHMU)
Gulf Resort Mixed Use (GRMU)	Gulf Resort Mixed Use (GRMU)
Holiday Isle Mixed Use (HIMU)	Holiday Isle Mixed Use (HIMU)
Industrial (IN)	Industrial (IN)
Airport (A)	Airport (A)
Institutional (INST)	Institutional (INST)
Recreation (REC)	Recreation (REC)
Conservation (CON)	Conservation (CON)

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Public Hearing  
**AGENDA OUTLINE NUMBER:** 5.E.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager

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

**DATE:** April 28, 2021

**SUBJECT:** Second reading of Ordinance 21-08-LC - Providing for amendments to Article 7 of the Land Development Code, "Land Use, Type, density, Intensity, zoning and Regulatory Controls" to require multi-family long-term uses to include commercial components in the commercial General (CG) zoning district

---

**I. BACKGROUND:** The future land use designation of Commercial General (CG) is intended to service the general commercial needs of permanent and seasonal residents specifically along Harbor Boulevard/Emerald Coast Parkway. Currently, long-term residential uses are conditional within the **CG zoning district**.

**II. DISCUSSION: Proposed Ordinance 21-08-LC** amends the Land Development Code to prohibit long-term residential uses without a commercial component to provide for the intent of the CG future land use designation. Additionally, the proposed ordinance requires long-term residential uses to provide a minimum of 45% of the development area as “publicly leasable commercial space” when located in the CG zoning district. This would allow some flexibility regarding potential residential uses within this zoning district, while maintaining the integrity and intent of the commercial district.

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

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

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

**III. CONCLUSION: Proposed Ordinance 21-08-LC** would allow long-term residential uses to be conditional within the CG zoning district, provided that the proposed residential development maintain a commercial component. This would maintain the integrity and intent of the zoning district, while allowing some flexibility regarding potential residential uses.

At a public hearing held at the regularly scheduled Local Planning Agency meeting on March 18, 2021, the Local Planning Agency recommended City Council approval of proposed **Ordinance 21-08-LC**.

**IV. RECOMMENDED MOTION:** I move to approve proposed **Ordinance 21-08-LC** on second reading.

Attachments:

1. 21-08-LC CG Commercial Component

**ORDINANCE NO. 21-08-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS” TO REQUIRE MULTI-FAMILY LONG-TERM USES TO INCLUDE COMMERCIAL COMPONENTS IN THE COMMERCIAL GENERAL (C-G) ZONING DISTRICT; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS; SEVERABILITY, AND 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**, Policy 1-2.3.2, “Commercial General (CG)” of the City’s Comprehensive Plan provides that the "CG" future land use designation is intended to service the general commercial needs of permanent and seasonal residents; and

**WHEREAS**, section 7.12.06 (J) of the Land Development Code specifies that the Commercial General zoning district shall apply to areas generally located along Harbor Boulevard/Emerald Coast Parkway and is intended to accommodate the general commercial needs of the permanent and seasonal residents; and

**WHEREAS**, the City Council in providing for the health, safety and welfare of its citizens finds that the City should require a commercial component to long-term residential uses located within the Commercial General (C-G) zoning district for consistency with the City’s Comprehensive Plan and for compliance with the overall intent of the Commercial General (C-G) zoning district; and

**WHEREAS**, the City Council has determined that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

**WHEREAS**, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

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

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

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

**SECTION 3. AMENDMENT TO SECTION 7.12.06 OF THE LAND DEVELOPMENT CODE:**

\*\*\*

J. *Commercial General (CG)*. The Commercial General zoning district implements Future Land Use Element Policy 1-2.3.2, Commercial General of the Comprehensive Plan.

1. Purpose and intent. The Commercial General zoning district shall apply to areas generally located along Harbor Boulevard/Emerald Coast Parkway and is intended to accommodate the general commercial needs of the permanent and seasonal residents. The general commercial needs of the permanent and seasonal residents are provided generally by the following uses: general retail sales and services; highway oriented sales and services; offices; commercial hotels, motels, bed and breakfast establishments, other commercial transient living accommodations; and seasonal multi-family attached residential dwelling units. It is the intent of the CG zoning district to specifically not allow the following uses to be located in the district: permanent single-family detached ~~uses~~; ~~or permanent~~ multi-family attached residential dwelling units without a commercial component; manufacturing of goods; other activities that may generate nuisance impacts, including glare, smoke or other air pollutants, noise, vibration, major fire hazards or other impacts generally associated with more intensive industrial uses. Long-term/permanent residential uses shall be prohibited within the Commercial General (C-G) zoning district, unless such residential developments incorporate a minimum of 45% of the development area as "publicly leasable commercial space" (e.g. retail, office, restaurant, etc....). The term "publicly leasable commercial space" shall mean: a space that is open to the public to lease and use; not a space or use that is exclusively for the owners or guest of the residential development in question. Additionally, it is the intent of the zoning district to encourage a variety of uses to address general commercial needs, and not to allow the over-proliferation of any particular use(s).

\*\*\*

**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.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Public Hearing  
**AGENDA OUTLINE NUMBER:** 5.F.

---

**TO:** City Council

**THRU:** Lance Johnson, City Manager

**FROM:** Louis Zunguze, Community Development Director  
 Kimberly Kopp, Land Use Attorney  
 Lauren Witt, Principal Planner

**DATE:** May 11, 2021

**SUBJECT:** First reading of Ordinance 21-09-LC - Providing for amendments to Article 7 of the Land Development Code "Land Use, Type, Density, Intensity, Zoning and Regulatory Controls"; amending Table 7-2 "Table of Allowable Uses" relating to breweries, micro-breweries, brewpubs, distilleries, craft distilleries, and restaurants

---

**I. BACKGROUND:** The Table of Allowable Uses (Article 7.12.00 – Table 7-2) in the City's Land Development Code lists the allowed uses within the City and which zoning districts those uses are either permitted or conditional. Currently, Table 7-2 does not include a use specific to breweries, microbreweries, brewpubs, distilleries, and craft distilleries.

**II. DISCUSSION:** Proposed Ordinance 21-09-LC would amend Article 7 – Table 7-2 to include breweries, microbreweries, brewpubs, distilleries, and craft distilleries as permitted, conditional, or non-permitted uses within the City of Destin. Additionally, the proposed ordinance amends Article 3 to provide definitions for those uses.

First, proposed Ordinance 21-09-LC would establish breweries, microbreweries, distilleries, and craft distilleries as permitted uses within the Industrial (IN) zoning district, and as a conditional use within the Commercial Trades & Services (CTS) zoning district. These uses are compatible with the proposed zoning districts due to the light industrial and commercial trade nature of these uses and the intent of the Comprehensive Plan.

Second, proposed Ordinance 21-09-LC would allow brewpubs as a permitted use within the South Harbor Mixed Use (SHMU), North Harbor Mixed Use (NHMU), and Commercial General (CG) zoning districts. Further, brewpubs would be a conditional use within the Town Center Mixed Use (TCMU) and Commercial Trades & Services (CTS) zoning

districts. These proposed zoning districts' intents are to accommodate retail, restaurant, and commercial uses; therefore, brewpubs would be compatible within these zoning districts.

Third, and consistent with the above, proposed Ordinance 21-09-LC would allow restaurants as permitted uses within the Commercial Trades & Services (CTS) zoning district. This would allow more compatible uses in a zoning district where Staff finds redevelopment is crucial, and could serve the residents in the surrounding area.

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

**III. CONCLUSION:** Proposed Ordinance 21-09-LC provides consistency with the City's Comprehensive Plan Future Land Use Elements & provides incorporation into the Land Development Code. At a public hearing held at the regularly scheduled Local Planning Agency (LPA) meeting on April 15, 2021, the Local Planning Agency recommended City Council approve proposed **Ordinance 21-09-LC**.

**IV. RECOMMENDED MOTION:** I move to approve proposed Ordinance 21-09-LC on first reading.

Attachments:

1. Ordinance 21-09-LC Breweries

**ORDINANCE NO. 21-09-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES” RELATING TO BREWERIES, MICROBREWERIES, BREWPUBS, DISTILLERIES, CRAFT DISTILLERIES, AND RESTAURANTS; PROVIDING FOR CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND 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 7 and table 7-2 of the Land Development Code in order to provide regulations and allow for and define microbreweries, breweries, distilleries, craft distilleries and restaurants in CTS zoning districts; and

**WHEREAS**, breweries, microbreweries, brewpubs, distilleries, and craft distilleries have become effective economic redevelopment tools and local-business incubators in many municipalities and the City Council anticipates that breweries, microbreweries, brewpubs, distilleries and craft distilleries will increase in popularity in the future; and

**WHEREAS**, the City Council has determined that breweries, microbreweries, brewpub, distilleries, craft distilleries, and restaurant operations can be reasonably permitted in the CTS zoning district of the City of Destin; and

**WHEREAS**, the boundaries of existing zoning districts were drawn to minimize the impacts of concentrated alcohol service establishments on residential neighborhoods. As such, these areas have an established resiliency to the potential impacts of deliveries, distribution, and manufacturing functions associated with brewery, microbrewery, brewpub, distillery, craft distillery, and restaurant operations; and

**WHEREAS**, the City Council has determined that independently defining breweries, microbreweries, distilleries and brewpubs and limiting those establishments to appropriate zoning districts will provide a balance between the quiet enjoyment of residents and visitors in residential neighborhoods

with the opportunity for economic growth through the creation of new breweries, microbreweries, distilleries, craft distilleries, and brewpubs; and

**WHEREAS**, the City Council has determined, based on the recommendation of the Local Planning Agency, that this ordinance is consistent with the adopted comprehensive plan and is in the best interests of the City and its citizens; and

**WHEREAS**, a public hearing has been conducted after due public notice by the Local Planning Agency and its recommendations reported to the City Council; and

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

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

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

**SECTION 3: AMENDMENT TO ARTICLE 7 AND TABLE 7-2 OF THE LAND DEVELOPMENT CODE.**

Article 7 of the Land Development Code is hereby amended as follows:

7.00.02 Definitions.

Brewery is an establishment that is primarily a functioning facility, where beer is produced for wider distribution, with a production volume of greater than 3,000 barrels of beer per year. A brewery may include accessory uses such as tours of the brewery and retail sales.

Brew pub is an establishment that sells the majority of its product on-site in combination with food services. At a brewpub, the beer/liquor is primarily brewed/distilled for sale inside the restaurant or bar or any eating establishment in which alcoholic beverages are served and none of the beer/liquor may be sold to a distributor. Any product leaving the premises must be in a sealed, unopened can or container.

Distillery/Craft distillery is a licensed distillery that produces 75,000 or fewer gallons per calendar year of distilled spirits on its premises and has notified the division in writing of its decision to qualify as a craft distillery. A distillery is a manufacturer of distilled spirits.

Microbrewery is an establishment that is primarily a functioning facility, where beer is produced for wider distribution, with a maximum production of 3,000 barrels of beer per year. A microbrewery may include accessory uses such as tours of the microbrewery and retail sales.

\*\*\*

Table 7-2 of the Land Development Code is hereby amended as follows:

*Table 7-2:* Table of Allowable Uses contains all of the allowed uses within the City and in what zoning districts those uses are allowed. Uses not listed as permitted, conditional, or accessory uses in Table 7-2 are prohibited uses. The North American Industry Classification System (NAICS), 2002 Edition shall be used to provide definitions of each use or use groupings listed in Table 7-2. All sub-uses listed under a use in the NAICS, which use is permitted in the zoning designation in question, shall be considered as a permitted use.

TABLE 7-2: TABLE OF ALLOWABLE USES																													
	B E	LD R- V	LD R- HI	LD R- H	M DR -V	M DR -HI	H D R	C B N	C L	C G	C T S	R O I - T D	R O I - V R	R O I - C B R	C B R	T C M U	C M U	C M U- V	S H M U	N H M U	G R M U	H I M U	B R M U	I N	A	I N S T	R E C	C O N	
<b>Permanent or long-term residential uses</b>																													
Single-family detached dwelling	P	P	P	P	P	P	P	P	P				P	P	P		P	P	C	C	P	C	P						
Multi-family attached dwelling					P	P	P	C	P	C			C		P	C	P	C	P	P	P	P	P						
Mobile home dwelling	C																												
Mobile home development							C																						
Guest house <sup>(1)</sup>	P				P	P	P	P				P	C		P			C											
Accessory dwelling	P				P	P	P	P				P	C		P			C											







































which are customarily accessory, clearly incidental and subordinate to permitted uses and structures, including home occupations and off-site businesses.

**Footnotes**

P = Permitted Use, C = Conditional Use, and A = Accessory Use

<sup>1</sup> Guest houses are permitted only if the owner of the subject property occupies the primary dwelling as his/her main residence. However, guest houses shall not be rented out separately from the main residence and (refer to Section 7.12.04.M).

<sup>2</sup> May accommodate shopping centers with grocery stores, drug store/pharmacy, specialty shops, and similar tenants with no single business entity having more than 60,000 sq. ft.

<sup>3</sup> Is allowed but must be integrated in a planned unit development designed to support the surrounding residential neighborhoods.

<sup>4</sup> Neighborhood retail commercial goods and services shall not exceed 5,500 square feet and shall be designed primarily to serve the needs of the Crystal Beach resort area.

<sup>5</sup> Only allowed on properties that have direct or secondary access to Harbor Boulevard.

<sup>6</sup> Neighborhood retail commercial goods and services shall not exceed 5,500 square feet and shall be designed primarily to serve the needs of the adjacent "Old Destin" area.

<sup>7</sup> Must meet minimum distance separation requirements, see Section 7.16.00 of the Land Development Code.

<sup>8</sup> Must meet minimum distance separation requirements, refer to the definition of the use in question in article 3 of the Land Development Code.

<sup>9</sup> Office space associated with this use shall not exceed 25 percent of the total square footage of the building.

<sup>10</sup> Zoos are only allowed in the Industrial zoning district.

<sup>11</sup> Passive recreation includes the following as accessory uses: beach accessways, such as dune walkovers, parking lots, docks, and restroom facilities.

12 Commercial transient living accommodations.
13 Used merchandise stores are restricted to only those that are classified as a nonprofit business.
14 Can only provide said services free of charge, refer to Section 7.09.02B(11) for further information.
15 Telecommunication towers are an allowable use in this zoning district subject to a hierarchy of eligibility per Section 7.19.04.A.
16 Refer to Section 7.09.02(B)12 for further information.
17 Reserved.
18 Land Use 7132 Gambling Industries and 72112 Casino Hotels shall be prohibited in all districts.
19 No sexually oriented business shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330' south of the southern right-of-way boundary of Airport Road or within 330' east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way of Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the Sexually Oriented Business is proposed to be located.
20 No medical marijuana dispensary shall be located on any Industrial (IN) zoned parcel within the Town Center CRA with a boundary within 330 feet south of the southern right-of-way boundary of Airport Road or within 330 feet east of the eastern right-of-way boundary of Main Street. The measurement of the minimum separation distance shall be a line perpendicular to the right-of-way or Airport Road or Main Street, as the case may be, to the nearest point of the property line of the parcel on which the medical marijuana dispensary is proposed to be located. Cultivating or processing medical marijuana shall be prohibited within the City.
<b>NOTE:</b> Any change of use within the Harbor District Overlay that is part of an application for a certificate of appropriateness shall require conditional use approval pursuant to Section 7.12.06(DD).

7.12.07. *Zoning Overlay Districts.* The following zoning overlay districts are hereby established for the City:

- A. *Town Center Mixed Use - Central Business District (TCMU-CBD).* The Town Center Mixed Use - Central Business District zoning overlay district implements a maximum height cap and restricts certain types of residential and commercial uses that are incompatible with the adjoining residential area.
  - 1. *Purpose and intent.* The Town Center Mixed Use - Central Business district zoning overlay district is intended to apply to those properties that: a) have a Town Center Mixed Use zoning district designation; and b) are located north of the post office/Gulf Power Station, south of Legion Drive/Airport Road, east of Sun Cay Townhomes and west of Industrial Park Road, east of Sun Cay Townhomes, and west of Industrial Park Road. The TCMU-CBD zoning overlay district shall apply to areas developed, redeveloped and/or maintained and conserved as areas that accommodate permanent multi-family attached residential dwelling units; retail; service; restaurant; office; and similar commercial uses. It is the intent of the TCMU-CBD zoning overlay district to specifically not allow: permanent or seasonal single-family detached residential dwelling units; seasonal multi-family attached residential dwelling

units; and commercial hotel, motel, bed and breakfast establishments and other commercial transient living accommodations.

2. *Principal, accessory and conditional uses.* Permitted, accessory and conditional uses shall be the same as those allowed for the TCMU zoning district as listed in Table 7-2, Table of Allowable Uses.
3. *Performance standards.* Lot area, lot width, lot depth, setback, density, floor area ratio, and open space standards, shall be governed by the performance standards of the underlying Town Center Mixed Use zoning district. The maximum height for this district is restricted to four stories/45 feet.

B. *Crystal Beach Neighborhood-Traditional Development District (CBN-TDD).* The Crystal Beach Neighborhood-Traditional Development District zoning overlay district recognizes, as conforming lots within the CBN and portions of the CBR zoning districts, the lot dimensions and configurations of the 1937 Crystal Beach Subdivision Plat.

1. *Purpose and intent.* The purpose of the Crystal Beach Neighborhood-Traditional Development District zoning overlay is to allow the restoration of the original lots configured as fifty feet in width by one hundred fifty feet in depth (50' × 150') as shown in the 1937 Crystal Beach Subdivision Plat. This section allows those original lots to be treated as conforming lots. This section is intended to apply only to those lots depicted in the 1937 Crystal Beach Subdivision plat that are within the boundaries of the Crystal Beach Neighborhood Zoning District and the Crystal Beach Resort Zoning District.
2. *Principal, accessory, and conditional uses.* Permitted, accessory and conditional uses shall be the same as those allowed for the CBN zoning district as listed in Table 7-2, Table of Allowable Uses.
3. *Performance standards.* The allowable lot width shall be 50 feet. The allowable lot depth shall be 150 feet. Lot area, setback, building height, density, floor area ratio, and open space standards, shall be governed by the performance standards of the underlying CBN zoning district.

7.12.08. *Dimensional requirements.* The following schedule of dimensional requirements together with the footnotes is hereby established for the City.

**TABLE 7-3: SCHEDULE OF DIMENSIONAL REQUIREMENTS IN ZONING DISTRICTS**

(Dimensions are in feet)

Zoning Districts	Minimum Lot Area (sq. ft.)	Minimum Lot Size		Maximum Building Height	Setbacks			Maximum Density (units per acre)	Maximum Floor Area Ratio	Minimum Open Space (%)
		Width	Depth		Front	Side	Rear			
BE - one d.u.	15,000	80	150	35/3 stories	20	10	10	2.90	N/A	25
LDR-V/LDR-H/MDR-V - one d.u.	7,500	70	100	35/3 stories	20	7½	10	5.81	N/A	25

LDR-HI/MDR-HI - one d.u.	7,500	70	100	30/3 stories	20	7½	10	5.81	N/A	30
HDR - one d.u.	7,500	70	100	30/3 stories	20	7½	10	9.90	N/A	30
CL - one d.u.	7,500	70	100	30/3 stories	20	7½	10	12.00/Q	N/A	30
ROI-TD - one d.u.	7,500	70	100	30/3 stories	20	7½	10	12.00/ R	N/A	30
ROI-VR/ROI-CBR - one d.u.	7,500	70	100	35/3 stories	20	7½	10	12.00/R	N/A	25
CBN - one d.u.	7,500	70	100	30/3 stories	20	7½	10	6.00	N/A	30
CBN-TDD - one d.u. (Y)	Y	50	150	Y	Y	Y	Y	Y	Y	Y
CBR - one d.u.	7,500	70	100	30/3 stories	20	7½	10	12.00/Q	N/A	30
CMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	12.00	N/A	25
CMU-V - one d.u.	5,000	50	100	35/3 stories	20	7½	10	9.00	N/A	25
CMU-V - two or d.u.	None	None	None	50/4 stories	J	J	J	12.00	N/A	25
CMU-V - non d.u.	None	None	None	H	J	J	J	N/A	.50	25
SHMU - one d.u.	7,500	70	100	30/3 stories	20	7½	10	19.90/S	N/A	30
NHMu - one d.u.	7,500	70	100	35/3 stories	20	7½	10	19.90/T	N/A	25
GRMU - one d.u.	7,500	70	100	50/4 stories	20	7½	10	19.90/S	N/A	30
HIMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	19.90/S	N/A	30
BRMU - one d.u.	7,500	70	100	35/3 stories	20	7½	10	20.00	N/A	25

MDR-V/MDR-HI - two or more d.u.	None	None	None	35/3 stories	C/D	C/D	C/D	9.99	N/A	25
HDR - two or more d.u.	None	None	None	80/7 stories	J	J	J	19.90	N/A	25
CBN - two or more d.u.	None	None	None	50/4 stories	20	C/D	C/D	6.00	N/A	25
CBN - non d.u.	None	None	None	50/4 stories	20	C/D	C/D	N/A	.50	25
CL - two or more d.u.	None	None	None	50/4 stories	20	C/D	C/D	12.00/Q	N/A	25
CL - non d.u.	None	None	None	E	10	C/D	C/D	N/A	.50	25
CG - two or more d.u.	None	None	None	50/4 stories	M	M	M	40.00	N/A	25
CG - non d.u.	None	None	None	50/4 stories/F	M	M	M	N/A	1.30	25
CTS	None	None	None	35/3 stories	N	N	N	U	1.30	25
ROI-VR/ROI-TD two or more d.u.	None	None	None	35/3 stories/G	C/D	C/D	C/D	12.01 O/R	N/A	25
ROI-GD/ROI-TD non d.u.	None	None	None	35/3 stories G	C/D	C/D	C/D	N/A	.50	25
CBR - two or more d.u.	None	None	None	50/4 stories	O	O	O	12.00/Q	N/A	25
CBR - non d.u.	None	None	None	50/4 stories	O	O	O	N/A	.50	25
TCMU - one d.u.	5,000	50	100	35/3 stories	20	5	10	9.00	N/A	25
TCMU - two or more d.u.	None	None	None	50/4 stories	M	M	M	24.00	N/A	25
TCMU - none d.u.	None	None	None	75/6 stories	M	M	M	N/A	1.5	25

CMU - two or more d.u.	None	None	None	35/3 stories	J	J	J	12.00	N/A	25
CMU - non d.u.	None	None	None	H	J	J	J	N/A	.50	25
SHMU - two or more d.u. (short-term)	None	None	None	35/3 stories/l	P	P	P	19.90/S	N/A	25
SHMU - two or more d.u. (long-term)	None	None	None	35/3 stories/l	P	P	P	19.90/S	N/A	25
SHMU - non d.u.	None	None	None	35/3 stories/l	P	P	P	N/A	.60	25
NHMU - two or more d.u.	None	None	None	35/3 stories	M	M	M	19.90/T	N/A	25
NHMU - non d.u.	None	None	None	35/3 stories	M	M	M	N/A	.60	25
GRMU - two or more d.u.	None	None	None	50/4 stories	O	O	O	19.00/S	N/A	25
GRMU - non d.u.	None	None	None	50/4 stories	O	O	O	N/A	1.30	25
HIMU - two or more d.u.	None	None	None	50/4 stories	J	J	J	19.90/S	N/A	25
HIMU - non d.u.	None	None	None	50/4 stories	J	J	J	N/A	1.30	25
BRMU - two or more d.u.	None	None	None	35/3 stories	O	O	O	20.00	N/A	25
BRMU - non d.u.	None	None	None	35/3 stories/W	O	O	O	N/A	.75/X	25
IN	None	None	None	35/3 stories	N	N	N	N/A	1.30	25
A	None	None	None	35/3 stories/ K	L	L	L	N/A	1.30	25

INST	None	None	None	35/3 stories	None	None	None	N/A	.50	25
REC	None	None	None	35/3 stories	None	None	None	N/A	.20	25
CON	None	None	None	15/1 story	None	None	None	N/A	.05	80

Footnotes defining requirements:

- A. For all structures three stories in height, the minimum front setback shall be 20 feet, the minimum side setback shall be 15 feet on each side and the minimum rear setback shall be 20 feet.

For all buildings exceeding three stories in height, the minimum front setback shall be 20 feet, the minimum side setback shall be 20 feet and increased by two feet on each side for each story exceeding four stories, and a minimum 25-foot rear yard setback shall be required.

Within the Old Destin MMTD, no minimum front, side or rear setbacks are required, except where the property line is contiguous with a BE or LDR residential district boundary; then ten-foot side and rear yards, maintained as open space, shall be provided.

Buildings or structures three stories or less utilized for residential or multifamily purposes on the same lot shall be a minimum of ten feet apart. All buildings exceeding three stories in height, the distance apart on the same lot shall be increased by two feet for each story exceeding three stories with a maximum of 50 feet between buildings being required. There are no minimum spacing requirements between residential, nonresidential, mixed-use or multifamily buildings located on the same lot in the Old Destin MMTD.

- B. For all structures two stories or less in height, the minimum front setback shall be 20 feet, and no side or rear yards are required except where property line is contiguous with residential district boundary; then a ten-foot yard, maintained as open space, shall be provided. Within the Old Destin MMTD, no minimum front setback is required.
- C. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories. Medical, office, hotel, motel, bed and breakfast, and other commercial transient living accommodations have a maximum height of 50 feet/four stories.
- D. Retail, service, restaurant, and similar commercial uses have a maximum height of 35 feet/three stories.
- E. For those properties that abut U.S. Highway 98, the height may be extended to a maximum of 50 feet and four stories.
- F. Office, neighborhood retail commercial goods and services, restaurant, and similar commercial uses have a maximum height of 35 feet/two stories.
- G. Please refer to the footnotes 1 through 3 of Table 1-13: general development standards for "SHMU" designated land of Policy 1-2.4.3(3) of the comprehensive plan for information on maximum building height and measurement of building height.
- H. The following setbacks shall apply to developments proposed in the HDR, CMU and HIMU zoning districts.

- i. *Front setback.* For those properties that front U.S. Highway 98, 15 feet minimum to 25 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* For lots fronting the harbor: Zero feet. For lots fronting the Choctawhatchee bay: rear setback must meet the requirements set forth in section 11.01.10 Bay shoreline protection zone. For lots fronting the gulf the rear setback will be established by DEP. For all lots that do not front the harbor, bay or the gulf, but instead have a rear property line, ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet on each side.
- I. Aircraft communication towers are exempt from the height limitations of this district, but continue to be subject to the remaining standards set forth in City of Destin Commercial Communications Tower Regulations, as now or hereafter amended.
- J. The setback requirements for the A district are as follows:
- Setbacks from taxiway pursuant to adopted FAA construction standards.
- Setbacks from property lines minimum of 15 feet.
- Building separation requirements minimum of ten feet or 20 feet if designated a fire lane.
- K. The following setbacks shall apply to developments proposed in the CG, NHMU and TCMU zoning districts:
- i. *Front setback.* For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 40 feet or less. For any portion of a building having a height greater than 40 feet, the side setback shall be increased by two feet on each side for each ten feet or fraction thereof exceeding 40 feet in height. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.F.1.f.1.
  - iii. *Rear setback.* Zero feet. Those portions of a development that abut single-family, duplex or townhome uses shall meet the supplemental setbacks requirements set forth in Section 7.09.03.D.
- L. The following setbacks shall apply to developments proposed in the CTS and IN zoning districts:
- i. *Front setback.* For those properties within the Old Destin MMTD, zero feet minimum to ten feet maximum setback is required. For those properties outside of the Old Destin MMTD, a front setback of ten feet is required.

- ii. *Side setbacks.* For all structures three stories or less in height no side yard is required except where the property line is contiguous with a residential district boundary; then a ten-foot yard, maintained as open space, shall be provided.
  - iii. *Rear setback.* For all structures three stories or less in height no rear yard is required except where the property line is contiguous with a residential district boundary; then a ten-foot yard, maintained as open space, shall be provided.
- M. The following setbacks shall apply to developments proposed in the CBR, BRMU and GRMU zoning districts:
- i. *Front setback.*
    - a. For those properties located in the CBR and BRMU zoning districts, ten feet minimum and no maximum.
    - b. For those properties in the GRMU zoning district and that front U.S. Highway 98, 15 feet minimum to 25 feet maximum for any portion of a building having a height below 40 feet. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet.
    - c. For those properties in the GRMU zoning district that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 30 feet.
    - d. For those properties in the GRMU zoning district that have frontage on that portion of Scenic Highway 98 lying west of Henderson Beach State Park, zero feet minimum to ten feet maximum.
  - ii. *Side setbacks.* Ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* For lots fronting the gulf the rear setback will be established by DEP. For all lots that do not front the gulf, ten feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the rear setback shall be increased by two feet.
- N. The following setbacks shall apply to developments proposed in the SHMU zoning district:
- i. *Front setback.* For those properties that front U.S. Highway 98, 16 feet minimum to 26 feet maximum for any portion of a building having a height below 40 feet. For those properties that do not have frontage on U.S. Highway 98, ten feet minimum to 20 feet maximum for any portion of a building having a height of 40 feet or less. For any portion of a building having a height above 40 feet, the front setback shall be a minimum of 45 feet.
  - ii. *Side setbacks.* Zero feet for any portion of a building having a height of 35 feet or less. Fifteen feet for any portion of a building having a height above 35 feet but below 50 feet. For each ten feet or fraction thereof exceeding 50 feet in height, the side setback shall be increased by two feet on each side.
  - iii. *Rear setback.* Note: For lots that have a rear lot line on the harbor, a minimum setback of 15 feet shall apply in order to have enough space for the Harbor Boardwalk to be constructed when said boardwalk cannot be constructed over the Destin Harbor. Properties must still provide for the Harbor Boardwalk in accordance with Section 8.09.03(A)(9). For lots that have a rear lot line on Choctawhatchee Bay: rear setback must meet the requirements set forth in Section 11.01.10, Bay shoreline protection zone. For all lots that do not have a rear lot line on the harbor or the bay, but instead have a rear property line: Zero feet.

- O. One bedroom short-term residential units shall have a maximum density of 24.00 units per acre.
- P. One bedroom short-term residential units shall have a maximum density of 24.00 units per acre. The maximum density for those properties that abut U.S. Highway 98 may be extended up to a maximum of 24.00 units per acre.
- Q. One bedroom short-term residential units shall have a maximum density of 30.00 units per acre.
- R. One bedroom short-term residential units shall have a maximum density of 40.00 units per acre.
- S. No residential uses allowed, except for one custodian or night-watchman residence per development.
- T. To reduce open space to these percentages, the applicant must comply with the regulations stated in Section 12.04.02 and 12.04.03.
- U. In the BRMU zoning, district, the maximum height by right shall be 35 feet and three stories, excepting those properties that abut Emerald Coast Parkway, in which case height may be extended to a maximum of 50 feet and four stories.
- V. Crystal Beach Neighborhood-Traditional Development District (CBN-TDD) overlay applies only to minimum lot width and depth.

7.12.09. *Compliance with dimensional requirements.* Development in all zoning districts shall comply with the following requirements:

- A. All development shall comply with the dimensional requirements set forth in section 7.12.08.
- B. In the event that a property owner inadvertently fails to comply with the minimum dimensional requirements by three inches or less, the actual measurement shall be deemed to be in compliance with the applicable minimum dimensional requirements, provided that no adverse health, safety, or welfare impacts result from the inadvertent failure to comply with the minimum dimensional requirements.
- C. Rear property line setback requirements do not apply to boat docks, piers, bulkheads (seawalls) or boathouses. For waterfront lots the rear property line setbacks do not apply.
- D. Two or more freestanding principal structures located on the same lot shall be a minimum ten feet apart.
- E. The footprint for all structures shall meet all setback requirements; however, cornices, canopies, eaves, garden windows, exterior stairways or other architectural features may extend 24 inches into the required setback provided the extension does not interfere with access to the property. Bay windows, balconies, and portions or projections from a building or structure that add to the gross floor area are not allowed to extend into the required setback.
- F. Corner lots, platted and recorded on or before March 8, 1983, which do not meet the minimum dimensional requirements of section 7.12.08 of the Land Development Code, shall provide the full front setback along the street frontage to which the structure is oriented and a minimum of a ten-foot setback along the other street frontage. All lots platted or replatted after March 8, 1983, must meet the full front setback along all street frontages.
- G. Through lots platted and recorded on or before March 8, 1983, which do not meet the minimum dimensional requirements of section 7.12.08 of the Land Development Code, shall provide the full front setback along the street frontage to which the structure is oriented and a minimum of a ten-foot setback along the other street frontage. All lots platted or replatted after March 8, 1983, must meet the full front setback along all street frontages.

7.12.10. *Conditional Uses.* The following shall apply to all applications for a conditional use in any zoning district within the City of Destin:

- A. *Findings.* A conditional use shall be permitted upon a finding by the city council, after a duly noticed public hearing, that the proposed use, application and, if applicable, site plan, comply with

the criteria specified in this section, including specific conditions established by the city council during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to Chapter 2 of the LDC, the city council shall render the final determination pursuant to the procedures for major developments. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described herein and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.

B. *Characteristics of use described.* The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

(1) Scale and intensity of the proposed conditional use as measured by the following:

- i. Floor area ratio;
- ii. Traffic generation;
- iii. Square feet of enclosed building for each specific use;
- iv. Proposed employment;
- v. Proposed number and type of service vehicles; and
- vi. Off-street parking needs.

(2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection including the following:

- i. Utilities;
- ii. Public facilities, especially any improvements required to ensure compliance with concurrency management;
- iii. Roadway or signalization improvements, or other similar improvements;
- iv. Accessory structures or facilities; and
- v. Other unique facilities/structures proposed as part of site improvements.

(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- i. Open space;
- ii. Setbacks from adjacent properties;
- iii. Screening and buffers;
- iv. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
- v. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

C. *Criteria for Conditional Uses.*

1. *Land use compatibility.* The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic- generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
2. *Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.* The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to

accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

3. *Proper use of mitigative techniques.* The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
  4. *Hazardous waste.* The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
  5. *Avoid over-proliferation of uses.* An over-proliferation of similar uses within a zoning district shall not be permitted. The City Council shall review the existing uses within the zoning district in determining whether a conditional use shall be approved or denied.
  6. *Compliance with applicable laws and ordinances.* A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to an approval of a conditional use in order to protect the public health, safety, and welfare.
- D. *LPA recommendation required.* All applications for a conditional use must first be considered by the City's Land Planning Agency (LPA) for consistency with the Comprehensive Plan, prior to being considered by the City Council for a final decision. The City Council shall not be bound by the recommendation of the LPA.
- E. The Board of Adjustment shall not be required to review conditional use applications.
- F. *Appeals.* Appeals of the city council on a conditional use application are by writ of certiorari to the circuit court.

(Ord. No. 152.1, § 3, 4-1-91; Ord. No. 231, § IV, 1-19-93; Ord. No. 152.11, § 2, 5-2-94; Ord. No. 152.17, §§ 3, 4, 10-17-94; Ord. No. 152.34, §§ 2, 3, 7-7-97; Ord. No. 152.43, § 1, 11-6-00; Ord. No. 152.44, § 3, 4-2-01; Ord. No. 152.45, § 3, 4-6-01; Ord. No. 385, § 3, 9-16-02; Ord. No. 390, § 4, 9-16-02; Ord. No. 391, § 4, 9-16-02; Ord. No. 392, § 4, 9-16-02; Ord. No. 04-18-LC, § 4, 8-2-04; Ord. No. 04-22-LC, § 3, 8-16-04; Ord. No. 04-27-LC, § 2, 9-8-04; Ord. No. 04-41-LC, § 3, 12-20-04; Ord. No. 05-02-LC, § 5, 2-7-05; Ord. No. 06-01-LC, § 8, 12-18-06; Ord. No. 07-01-LC, § 5, 3-6-07; Ord. No. 08-08-LC, § 5, 4-21-08; Ord. No. 08-14-LC, § 10, 1-20-09; Ord. No. 08-23-LC, § 4, 12-15-08; Ord. No. 08-25-LC, § 4, 9-2-08; Ord. No. 09-04-LC, § 4, 1-20-09; Ord. No. 09-06-LC, § 4, 3-30-09; Ord. No. 09-07-LC, § 3, 4-20-09; Ord. No. 09-08-LC, § 3, 4-20-09; Ord. No. 09-24-LC, § 3, 11-16-09; Ord. No. 10-02-LC, § 3, 3-15-10; Ord. No. 10-08-LC, § 3, 6-21-10; Ord. No. 10-19-LC, § 4, 11-15-10; Ord. No. 10-09-LC, § 5, 1-18-11; Ord. No. 11-08-LC, §§ 5, 6, 5-2-11; Ord. No. 11-11-LC, § 4, 6-20-11; Ord. No. 11-07-LC, § 4, 10-17-11; Ord. No. 10-05-LC, § 5, 2-6-12; Ord. No. 12-02-LC, § 3, 6-4-12; Ord. No. 14-10-LC, § 3, 10-20-14; Ord. No. 14-11-LC, § 3, 10-20-14; Ord. No. 15-02-LC, § 4, 3-2-15; Ord. No. 16-01-LC, §§

4—7, 2-16-16; Ord. No. 16-13-LC, § 3, 7-5-16; Ord. No. 16-14-LC, § 3, 10-17-16; Ord. No. 16-18-LC, § 3, 12-5-16; Ord. No. 16-30-LC, § 4, 11-21-16; Ord. No. 17-28-LC, § 3, 1-2-18; Ord. No. [18-30-LC](#), § 4, 5-6-19; Ord. No. [19-05-LC](#), § 3, 4-15-19; Ord. No. [19-06-LC](#), § 3, 4-15-19; Ord. [19-07-LC](#), § 3, 4-15-19; Ord. No. [19-19-LC](#), § 2, 10-21-19; Ord. No. [19-25-LC](#), § 4(Exh. A), 10-21-19; Ord. No. [19-28-LC](#), §§ 3, 4(Exh. A), 10-21-19; Ord. No. [19-37-LC](#), § 3(Exh. A), 12-16-19; [Ord. No. 20-02-LC](#), § 3, 2-18-20)

\*\*\*

**SECTION 4: INCORPORATION INTO THE 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, 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 provision, 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 \_\_\_\_\_ 2021.

BY: \_\_\_\_\_  
Gary Jarvis, Mayor

ATTEST:

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

\_\_\_\_\_  
Rey Bailey, City Clerk

\_\_\_\_\_  
Kimberly Kopp, City Land Use Attorney

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_



## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Consent Agenda  
**AGENDA OUTLINE NUMBER:** 6.A.

---

**TO:** City Council

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

**FROM:** Michael Burgess, Public Services Director

**DATE:** 05/10/2021

**SUBJECT:** Main Street Re-Striping, authorization for City Manager to execute a Task Order

---

**I. BACKGROUND:** The traffic striping on Main Street from US98 to Kelly Street is faded, and many pavement markings (arrows, crosshatched areas, crosswalks, etc.) are worn and/or chipped. In addition, many of the Raised Pavement Markers (RPMs) are damaged, faded, or missing.

Main Street would be re-striped and have new RPMs installed from US98 to Kelly Street for \$48,571.55.

**II. DISCUSSION:** Main Street is classified as a "collector" street, meaning that it is subject to a higher number of trips per day than "local" streets. In the interest of public safety, it is important that road striping and other pavement markings be renewed periodically, especially on our more heavily traveled routes.

The attached quotes (ATT1) include long-line striping and handwork to include stop bars, crosswalks, etc. and well as the installation of reflective pavement markers. The current contract with Emerald Coast Striping is attached as ATT2. Note: though not specifically identified on the contract, the unit price of 18" wide yellow striping (\$4.00/ft<sup>2</sup>) is consistent with the \$4.00/ft<sup>2</sup> price quoted in the contract for 12" and 24" wide striping.

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

**B. Effect on Budget (EOB):** Staff wishes to create a purchase order and issue a task order for the above described work.

	30054131	30058585	Total
	GAS TAX #1	GF RR	EN615
565000-RR054	\$ 468,000	\$ -	\$ 468,000
CIP-XTOWN CONNECTOR			
<b>FY21 Adopted Budget</b>	468,000	-	468,000
<b>Internal Transfer</b>	-	119,513	119,513
<b>Previous Expenses/Encumbrances</b>	(468,000)	(56,352)	(524,352)
<b>Available Program Budget</b>	-	63,161	63,161
<b>This Agreement +(-)</b>	-	(48,572)	(48,572)
<b>FY21 Remaining Program Budget</b>	\$ -	\$ 14,590	\$ 14,590

C. **Level of Service (LOS):** Re-striping Main Street and installing new RPMs will provide for improved day- and night-time visibility of the driving surface.

III. **CONCLUSION:** Re-striping this highly traveled collector-class street will improve both day- and night-time lane visibility. The existing thermoplastic on Main Street is faded, worn and/or chipped. Many of the RPMs along the roadway are either damaged, faded, or missing.

IV. **RECOMMENDED MOTION:** I move that the City Manager be authorized to execute a task order to Emerald Coast Striping to install new roadway markings on Main Street (from US98 to Kelly Street) in the amount of \$48,571.55.

Attachments:

1. ATT1: Beach Drive US98 to Kelly 051021
2. BUDGET INTERNAL TXFR ROADS
3. ATT2: Emerald Coast Striping LLC Misc Road Striping Contract FY21



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

## Proposal

**DATE** February 19, 2021  
**Quotation #** Main Street  
SR 98 to Airport/ Legion Drive

**Proposal To:**  
Bidding Contractors

all side street crosswalks are included

**Comments or special instructions:**

This is a unit price bid, any additions will be paid at the unit prices given.  
By accepting this proposal, you accept all terms with it.  
Please allow two weeks advance notice for scheduling of crews

DESCRIPTION	UNIT	QUANTITY	PRICE	AMOUNT
6" Solid White, Standard Thermoplastic	LF	4332	\$1.00	\$4,332.00
6" Solid Yellow, Standard Thermoplastic	LF	5207	\$1.00	\$5,207.00
6" Skip, 10-30, Standard Thermoplastic	LF	4248	\$0.85	\$3,610.80
6" Skip, 2-4, Standard Thermoplastic	LF	616	\$0.85	\$523.60
6" Skip, 6-10, Standard Thermoplastic	LF	239	\$0.85	\$203.15
12" Solid White, Standard Thermoplastic	SF	2742	\$4.00	\$10,968.00
18" Solid Yellow, Standard Thermoplastic	SF	811	\$4.00	\$3,244.00
24" Solid White, Standard Thermoplastic	SF	298	\$4.00	\$1,192.00
Standard, Thermoplastic Directional Arrow	SF	697	\$4.00	\$2,788.00
Standard, Thermoplastic Message (ONLY)	SF	198	\$4.00	\$792.00
Reflective Pavement Markers	EA	410	\$5.00	\$2,050.00
			<b>TOTAL</b>	<b>\$ 34,910.55</b>

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

**THANK YOU FOR YOUR BUSINESS!**



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

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

**Proposal**

**DATE** February 19, 2021  
**Quotation #** Main Street  
Legion Dr. to Kelly St.

**Proposal To:**  
Bidding Contractors

all side street crosswalks are included

**Comments or special instructions:**  
This is a unit price bid, any additions will be paid at the unit prices given.  
By accepting this proposal, you accept all terms with it.  
Please allow two weeks advance notice for scheduling of crews

DESCRIPTION	UNIT	QUANTITY	PRICE	AMOUNT
6" Solid White, Standard Thermoplastic	LF	2504	\$1.00	\$2,504.00
6" Solid Yellow, Standard Thermoplastic	LF	5022	\$1.00	\$5,022.00
12" Solid White, Standard Thermoplastic	SF	937	\$4.00	\$3,748.00
18" Solid Yellow, Standard Thermoplastic	SF	186	\$4.00	\$744.00
24" Solid White, Standard Thermoplastic	SF	187	\$4.00	\$748.00
Standard, Thermoplastic Directional Arrow	SF	10	\$4.00	\$40.00
Reflective Pavement Markers	EA	171	\$5.00	\$855.00
			<b>TOTAL</b>	<b>\$ 13,661.00</b>

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

**THANK YOU FOR YOUR BUSINESS!**

### CITY OF DESTIN Budget Internal Transfer Form

Fiscal Year 2021  
 Period 8  
 Ref 1 BUA  
 Ref 2 ADJ

Short Description ROADS  
 Effective Date 5/17/2021  
 Budget Year Code 1

Entity Code 1  
 Amendment Type\* 1  
 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
0158188 INTERFUND TXFR	581300 TXFR OUT OF GF		TXFR OUT OF GF	I	\$ 64,000.00		
0154160 PUBLIC WORKS	534005 CONTRACT SVCS/ROADS		CONTRACT SERVICES/ROADS	D	\$ 64,000.00	\$ 64,000.00	\$ -
30058585 GF RR	565000 CIP	RR054 ROAD RR	RR ROADS	I	\$ 64,000.00	\$ -	\$ 64,000.00
300300 INTERFUND TXFR	381300 TXFR IN TO RR		TXFR IN TO RR FUND	I	\$ 64,000.00		

Created by: \_\_\_\_\_  
 Entered by: \_\_\_\_\_  
 Approved by: \_\_\_\_\_

Initials                      Date

Note  
 Transfer Road Contract Services funds into Road RR to mill, resurface and restripe additional roads

CITY OF DESTIN, FLORIDA

CONTRACT

MISCELLANEOUS ROAD STRIPING CONTINUING SERVICES CONTRACT

On September 8 2020, THE CITY COUNCIL OF THE CITY OF DESTIN, FLORIDA, herein referred to as the "City," accepted the bid of Emerald Coast Striping LLC, herein referred to as the "Contractor," to supply miscellaneous road striping for City properties. The Contractor's Cost Schedule for the terms of their engagement is included in their entirety by reference at Exhibit "A" and as completely as if incorporated herein.

TERMS AND CONDITIONS OF CONTRACT FOR THE MISCELLANEOUS ROAD STRIPING CONTINUING SERVICES CONTRACT:

1. Entire Contract:

This Contract represents the entire and integrated Contract between the City and Contractor and supersedes all prior negotiations, representations or contracts, either written or oral. Provisions of this Contract may be amended only by written instrument approved by the Destin City Council and signed by the City Manager and Contractor.

2. Intent of Contract:

This Contract is for supplying the City with all applicable road striping work for City properties. The Scope of Work, herein referred to as the **Work**, encompasses the foregoing and all descriptive work components described within Exhibit "A".

3. Term of Contract and Renewals:

This contract will be in effect from October 1, 2020 through September 30, 2021, and is for supplying the City with miscellaneous road striping services. Upon mutual agreement of the parties, this contract may be renewed on a year by year basis up to a total four times.

4. Time for Performance:

The Contractor agrees to provide road striping services for the satisfactory approval and acceptance by the City.

5. Compensation:

All payments upon contract are contingent upon the Contractor's Work being acceptable to the City. For satisfactory completion and acceptance of the Work, the City agrees to pay the Contractor in accordance with the terms of this Contract and the Contractor's Cost Schedule as identified in the Bid Form submitted by the Contractor, as may have been adjusted at the time of contract approval and incorporated herein.

a. Requests for Compensation (Invoices) shall be accompanied by the following:

1. A description of the Work performed and a copy of email (or similar) that initiated said Work;
2. An itemized list of goods or services to include materials, flat fees, billable man-hours with rates, and any other payable items identified in Exhibit "A"; and
3. Dates when these services were performed and the names of Contractor's staff who performed billable Work.

6. Changes in the Work:

The City shall have the right at any time during the progress of the Work to increase or decrease the Work. Promptly after having been notified of a change, the Contractor shall submit an itemized estimate of any costs and/or time increases or savings it foresees as a result of the change. No additions or changes to the Work shall be made except upon written order of the City and the City shall not be liable to Contractor for any increased compensation without such written order.

7. Insurance:

Contractor shall, during the performance of the contract, maintain Worker's Compensation Insurance sufficient to secure benefits of the Florida Workmen's Compensation Law for all employees and any of the work sublet to any vendor or subcontractor, Comprehensive General Liability Insurance, Auto Liability Insurance, Builder's Risk Insurance, all with companies and in the form and amounts acceptable to the City. Said certificates of insurance of contractor are attached hereto and made a part hereof by reference. If any part of the work is sublet, similar insurance shall be provided by and in behalf of any subcontractors.

Evidence of Insurance: Contractor shall provide the City Certificates of Insurance naming the City as an additional insured. All binders, policies, or certificates of insurance shall provide for at least ten days notice from insurers to the City of any cancellation or amendment to any of the insurance policies.

8. Indemnification:

Contractor shall indemnify, defend, save, and hold the City, its agents, officers and employees, harmless of and from any losses, fines, penalties, costs, damages, claims, demands, suits, and liabilities of any nature, including reasonable attorney's fees (including regulatory and appellate fees), arising out of, because of, or due to any accidents arising in any manner on account of the exercise or attempted exercise of Contractor's rights hereunder whether the same regards person or property of any nature whatsoever, regardless of the apportionment of negligence, unless due to the sole negligence of the City.

Contractor shall indemnify, defend, save and hold the City, its agents, officers and employees, harmless of and from and against any and all liens, claims, damages, demands, suits and liabilities, attorney's fees and costs, including appellate attorney's fees and costs, of and for mechanics and materialmen furnishing labor and materials in the performance of this contract.

9. Licensing:

The Contractor shall obtain all permits and maintain at his expense all professional and business certificates and licenses required by law and as necessary to perform services under this Contract. If Contractor performs any Work without obtaining, or contrary to, permits and licenses, Contractor shall bear all costs arising therefrom. The City may waive fees for City controlled permits, but in no instance can the City waive permit requirements nor fees beyond their control.

10. Cancellation:

This contract may be canceled by either party with a thirty-day written notice and is contingent upon the annual appropriation by the City of legally available funds. City's obligation to pay the amount due hereunder in any fiscal year is contingent upon the appropriation by the City Council of legally available funds for the purposes set forth in this contract.

11. Performance of Work/Responsibilities:

For each task, the Contractor will be issued a work order by the City's Public Works Director or

designee. The Public Services Director or designee will issue verbal work orders only in emergency situations. The Contractor shall commence work in a reasonable length of time and shall complete the work in an expeditious manner. In emergency situations, the Contractor shall endeavor to commence work immediately. All work shall be done under the supervision of the City's Public Services Director or designated representative. The performance of Work and responsibilities hereto are outlined and made a part hereof as identified in Exhibit "A".

12. Termination for Default:

The Contract will remain in force for the full period specified and until the City Manager or his designee determines that all requirements and conditions have been satisfactorily met and the City Manager or his designee has accepted the work under the Contract Documents following the initial contract terms and all subsequent contract terms, including warranty and guarantee periods. However, the City Manager will have the right to terminate this Contract sooner if the Contractor has failed to perform satisfactorily the work required or comply with the other requirements of the Contract.

In the event the City Manager decides to terminate this Contract for the Contractor's failure to perform satisfactorily or meet its other responsibilities under the Contract, the City Manager will give the Contractor five (5) days' notice, whereupon the Contract will terminate, unless during the notice period the Contractor cures the failure to perform or meets its other responsibilities under the Contract to the satisfaction of the City Manager.

Upon Contract termination for the Contractor's failure to provide satisfactory contract performance, the Contractor will be entitled to receive compensation for Contract services satisfactorily performed by the Contractor and allocable to the Contract and accepted by the City Manager or his designee prior to such termination. However, an amount equal to all additional costs required to be expended by the City to complete the Work covered by the Contract, including costs of delay in completing the project, shall be either subtracted from any amount due or amount charged to the Contractor in the event the City Manager terminates the Contract.

Except as otherwise directed by the City Manager, or in the case of termination for default (in which event the Contractor may be entitled to cure, at the option of the City Manager), the Contractor shall stop work on the date of receipt of the notice or other date specified in the notice, place no further orders or subcontract for materials, services, or facilities except as are necessary for the completion of such portion of the work not terminated, and terminate all contractor and subcontracts and settle all outstanding liabilities and claims.

*In the event that any termination for default shall be found to be improper or invalid by any court of competent jurisdiction, then such termination shall be deemed to have been a termination for convenience.*

13. Termination for Convenience:

The performance of work under this Contract may be terminated by the City Manager in whole or in part whenever the City Manager, in their discretion, determines that such termination is in the City's best interest. Any such termination shall be effected by the City Manager giving at least five (5) days' notice to the Contractor, specifying the extent to which performance of the work under this Contract is terminated and the date upon which such termination becomes effective.

As to termination for convenience, after receipt of the date of termination, the Contractor shall stop all work as specified in the notice; place no further orders or subcontract for materials, services, or facilities except as are necessary for the completion of such portion of the Work not terminated; immediately transfer all documentation and paperwork for terminated work to the City; and terminate all contractors and subcontracts

and settle all outstanding liabilities and claims.

14. Disclosure:

Contractor warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor to solicit or secure this Contract and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Contract.

15. Miscellaneous:

15.1 Governing Law

The parties intend that this Contract and the relationship of the parties shall be governed by the laws of the State of Florida. Venue for any action arising out of this contract shall be in Okaloosa County Florida and no where else.

15.2 Severability

If any section, subsection, term or provision of this Contract or the application thereof to any party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of said section, subsection, term or provision of this Contract or the application of same to parties or circumstances other than those to which it was held invalid or unenforceable, shall not be affected thereby and each remaining section, subsection, term or provision of this Contract shall be valid or enforceable to the fullest extent permitted by law.

15.3 Sovereign Immunity

The parties further agree, nothing contained herein is intended nor shall be construed to waive the City of Destin's rights and immunities under the Florida constitution, common law or Florida Statutes 768.28, as amended from time to time.

15.4 Construction

The Parties have participated jointly in the negotiation and drafting of this Contract. In the event an ambiguity or question of intent or interpretation arises, this Contract shall be construed as if drafted jointly by the Parties and no presumption or burden of proof shall arise favoring or disfavoring any Party by virtue of the authorship of any of the provision of this contract.

15.5 Jury Trial Waiver

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

15.6 Attorney's Fees

In any dispute relating to this contract each party shall be responsible for their respective attorney's fees and costs.

15.7 Notices

All notices under the Contract shall be in writing and shall be effective when mailed by certified mail, return

receipt requested, or when delivered personally, as provided hereafter, or to such other addresses as may be designated by notice:

As to the City:

Lance A. Johnson  
4200 Indian Bayou Trail  
Destin, Florida 32541

As to the Contractor:

Emerald Coast Striping LLC  
1901 N East Ave  
Panama City, FL 32405

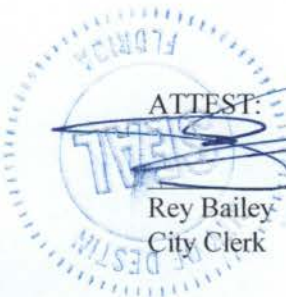
15.8 Public Records

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

- a) Keep and maintain public records that ordinarily and necessarily would be required by the City of Destin in order to perform the service.
- b) Provide the public with access to public records on the same terms and conditions that the City of Destin would provide the records and at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law.
- c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- d) Meet all requirements for retaining public records and transfer, at no cost, to the City of Destin all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City of Destin in a format that is compatible with the information technology systems of the City of Destin.

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

IN WITNESS WHEREOF, the City hereunto caused these presents to be subscribed and the Contractor has affixed their name and seal, this the 28<sup>TH</sup> day of SEPTEMBER, 2020.



ATTEST:

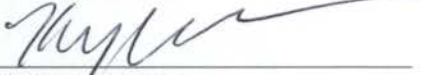
Rey Bailey  
City Clerk

CITY OF DESTIN


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

SEAL

As to Legal Form:

  
Kyle Bauman, Esq.  
City Attorney

Emerald Coast Striping LLC  
CONTRACTOR:

By:   
(Signature)

Eric Bailey  
(Printed Name)

  
Witness

  
Witness

Its: OPERATIONS MANAGER  
(Title)

 ORIGINAL

### EXHIBIT A – BID FORM

**PART I Bid submitted by:**

Company: Emerald Coast Striping, LLC.  
Address: 1901 N. East Avenue  
City & State: Panama City, FL Zip Code: 32405  
Telephone: (850) 215-4875 Fax: (850) 271-4875  
Number of Years in Business: 13 Email: aric@ecstriping.com

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

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

#### SERVICE DESCRIPTION AND SPECIFICATIONS

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

Initials of Bidder: AS

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

*Please list any additional services with their respective costs below.*

Item	Description	Unit Price	Unit

**SAFETY NOTE**

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

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

**Part III Certifications**

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

Initials of Bidder: AS

 ORIGINAL

same without additional cost to the City of Destin at the specified location for the quotations listed above.

The undersigned further declares that he/she has carefully examined the specifications referenced on this Bid Form and is thoroughly familiar with them and their provision(s). He further declares that no other person than the Bidder herein named has any interest in this Bid or in the contract to be executed, and that it is made without any connection with any other person(s) making Bid for the same articles, and it is in all respects fair and without collusion and fraud.

Signature and Certification:

Name and Title of Authorized Representative: Aric Bailey - operations manager

Signature: 

Date of Bid: 8-13-2020

**Note: See RFB Section III (page 5), Bid Requirements, and attached all required information to Bid Form.**

The City of Destin reserves the right to reject any and all Bids or portions thereof, to waive minor defects in the process and to accept the Bid or any combination of Bid Items or to take any other actions deemed by the City to be in the City's best interest. The City also reserves the right to assign additional work to the successful bidder based on their Bid proposal or negotiation as may be necessary to meet grant funding or completion requirements.

END OF EXHIBIT A

Initials of Bidder: 

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Consent Agenda  
**AGENDA OUTLINE NUMBER:** 6.B.

---

**TO:** City Council

**THRU:** Krystal Strickland, Finance Director  
Michael Burgess, Public Services Director  
Lance Johnson, City Manager

**FROM:** Lisa Firth, Parks & Rec Director

**DATE:** May 13, 2021

**SUBJECT:** Removal and Replacement of Boardwalks at Captain Royal Melvin, Destin Fishing Fleet, and Luther's

---

**I. BACKGROUND:** The Harbor Boardwalk decking boards, at Captain Royal Melvin Boardwalk, Destin Fishing Fleet, and Luther's, are worn, damaged, and pose a dangerous hazard to the public. This is a very popular Tourist spot, with a high volume of traffic. Due to the fact the worn and damaged boards provide dangerous risk management issues, repairs are necessary to meet urgent requirements, where health and public safety or the conservation of public resources are at risk.

**II. DISCUSSION:** The cost of the Harbor Boardwalk necessary repairs far exceeds the \$15,000.00 threshold set forth in the City's Purchasing Manual, which requires Council approval. These are normal wear and tear boards needing to be removed and replaced.

Anderson/Gore Homes, Inc. is a continuing service contractor for the City. A quote has been provided by Anderson/Gore Homes, Inc. for all labor and materials, excluding Wear Deck boards, to make necessary repairs at the Harbor Boardwalk (Quotes are attached \$127,556.10). Competitive procurement procedures are required for purchases over \$15,000. The procurement requirements were met when the City advertised and requested sealed bids for a continuing services contract which included labor and basic materials to replace boardwalk decking throughout the City (RFB 21-01-PS Boardwalk Repair, Replacement & Maintenance).

Hodges Bros Lumber is the exclusive Authorized Distributor of Wear Deck boards for our region of Florida. Hodges Bros Lumber has provided a quote for Wear Deck Boards at their

wholesale price, which is lower than a contractor price (Quote and Authorized Distributor letter are attached \$91,674.24). Competitive procurement procedures are typically required for purchases over \$15,000. Wear Deck is the City's preferred boardwalk decking material due to the longer life as compared to general marine lumber in our environment. The City has been consistently applying this same type of decking to all boardwalks on both the beach and bay areas. In this case, because Hodges Bros is the exclusive authorized distributor, staff is requesting Council waive the competitive procurement process for this particular purchase. The City Purchasing Manual IV.C.A.2. states that City Council may exempt a purchase from regular purchasing requirements by motion if the procurement is necessary to protect the public's health, safety, and welfare.

There is no insurance coverage for the boardwalks as this project is to replace normal wear and tear due to aging and usage. In addition, the boardwalks are excluded under the City's insurance policy - Public Entity-Property and Inland Marine Coverage, Section II Exclusions.

**A. Link to Strategic Goals / Objectives:** I. Enhanced Quality of Life, I.C.2., I.C.3, I.C.4, I.C.5 and III. Organizational Excellence, III.A.1

Focus 4: High quality of life and safety for families.

Goal 4A: Improve and enhance the City's parks and recreational services.

**B. Effect on Budget (EOB):** The repair work required to remove and replace the aged boardwalk at Captain Royal Melvin (\$35,910.00), Destin Fishing Fleet (\$61,028.10), and Luther's (\$30,618.00) will be covered by the the Renewal and Replacement program for Parks (RR057) as adopted in our FY21 Budget.

The Wear Deck boards will be purchased separately by the City, which total in the amount of \$91,674.24 and will be covered by the Renewal & Replacement program for Parks (RR057) as adopted in our FY 2021 Budget.

Total cost of project, including labor and materials is \$219,230.34.

There is no insurance coverage for the boardwalks as this project is to replace normal wear and tear due to aging and usage. In addition, the boardwalks are excluded under the City's insurance policy - Public Entity-Property and Inland Marine Coverage, Section II Exclusions.

	<b>FY2021 BUDGET</b>
30058585-565000-RR057	
GF RR\$-CONSTRUCT-PARKS AND REC	\$ 1,003,800
<b>FY21 Adopted Budget</b>	<u>1,003,800</u>
<b>Internal Transfer</b>	<u>-</u>
<b>Previous Expenses/Encumbrances</b>	<u>(110,044)</u>
<b>Available Program Budget</b>	893,756
<b>This Agreement +(-)</b>	<u>(219,230)</u>
<b>FY21 Remaining Program Budget</b>	<u>\$ 674,526</u>

C. Level of Service (LOS): Increased level of service

**III. CONCLUSION:** Staff is requesting approval for Anderson/Gore Homes, Inc. 125 Rainbow Drive, Fort Walton Beach, FL 32548, to perform necessary boardwalk repairs, which entails the removal and replacement of the Boardwalks at Captain Royal Melvin, Destin Fishing Fleet, and Luther's in the Amount of \$127,556.10. Staff is also requesting approval for City to purchase Wear Deck from Hodges Bros Lumber in the amount of \$91,674.24.

**IV. RECOMMENDED MOTION:** I move to approve the work orders for the Continuing Services Contractor, Anderson/Gore Homes, Inc, to replace the boardwalk in accordance with the attached quotes in an amount not to exceed \$127,556.10, and to ensure the public's health, safety, and welfare, due to the nature of the timing, potential trip/fall hazards, and for consistency of use of long-term materials, I move to exempt the purchase of Wear Deck from the competitive procurement process required in Resolution 13-10, and to allow staff to move forward with the purchase of this particular decking product in an amount not to exceed \$91,674.24.

Attachments:

1. Anderson\_Gore\_Captain Royal Melvin Boardwalk Quote
2. Anderson\_Gore\_Destin Fishing Fleet Boardwalk Quote
3. Anderson\_Gore\_Luther's Boardwalk Quote
4. HBL\_City of Destin\_Offer Letter (002)
5. Hodges\_WeardDeck\_Quote



# PROPOSAL

5/3/21

Anderson/Gore Homes, Inc.  
125 Rainbow Drive, NW  
Fort Walton Beach, FL 32548  
850-259-1845  
CGC025698

City of Destin  
4200 Indian Bayou Trail  
Destin, FL 32541

Reference: Captain Royal Melvin Boardwalk  
Square footage of composite  $1900 \times 18.90 = 35,910.00$

# PROPOSAL

5/3/21

Anderson/Gore Homes, Inc.  
125 Rainbow Drive, NW  
Fort Walton Beach, FL 32548  
850-259-1845  
CGC025698

City of Destin  
4200 Indian Bayou Trail  
Destin, FL 32541

Reference: Destin Fishing Fleet Boardwalk  
Square footage of composite  $3229 \times 18.90 = 61,028.10$

# PROPOSAL

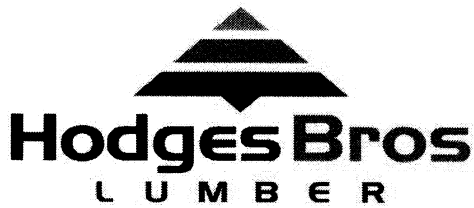
5/3/21

Anderson/Gore Homes, Inc.  
125 Rainbow Drive, NW  
Fort Walton Beach, FL 32548  
850-259-1845  
CGC025698

City of Destin  
4200 Indian Bayou Trail  
Destin, FL 32541

Reference: Luther's Boardwalk

Square footage of composite  $1620 \times 18.90 = 30,618.00$



437 Eglin Parkway N.E.  
Fort Walton Beach, FL 32547  
850-862-1555  
[www.hodgesbros.com](http://www.hodgesbros.com)

---

18 September 2020

Hodges Bros. Lumber, Inc. in Fort Walton Beach, Florida is the Authorized Distributor for this region of Florida for WearDeck® brand Reinforced Polymeric Lumber.

As such, our company is providing a wholesale price quotation (lower than a contractor price) for the City of Destin project.

Sincerely,

A handwritten signature in black ink that reads "Matthew L. Hodges". The signature is written in a cursive style.

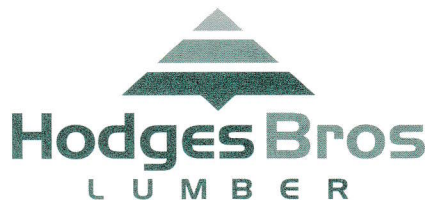
Matthew L. Hodges, President

Hodges Bros. Lumber, Inc.

850-862-1555

***Quality Treated Lumber Since 1980***

ORIGINAL



437 EGLIN PARKWAY NE  
FT. WALTON BCH., FL 32547

PHONE: (850) 862 - 1555  
FAX: (850) 862 - 4238

**\*\* INVOICE/ORDER \*\***

INVOICE NUMBER	<b>443784</b>
CUSTOMER NUMBER	<b>CIDE</b>

**SOLD TO**  
FINANCE DEPARTMENT  
C/O CITY OF DESTIN  
4200 INDIAN BAYOU TR  
DESTIN FL  
32541

**SHIP TO**  
REVISED  
NEW QUOTE  
ATTN: LISA FIRTH  
CITY OF DESTIN  
BOARDWALK JB

INVOICE DATE	CUSTOMER P.O.	PACKER	DRIVER	CLERK	SALESMAN	TERMS	DELIVERY DATE
05/13/21				06	000000	NET 10th	05/13/21

ITEM NUMBER	QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT	UNIT PRICE	TOTAL PRICE
NON-INV	914	914	2X6-20' WEARDECK/COOL GRY	EA	91.20	83356.80
NON-INV	152	152	2X6-12' WEARDECK/COOL GRY	EA	54.72	8317.44
=====						
E-MAIL TO: LFIRTH@CITYOFDESTIN.COM						

**IMPORTANT.** The Customer accepts responsibility for damage to lawns, driveways, property, etc. when delivery on premises is requested.

SUB TOTAL	FREIGHT	SALES TAX	<b>NET INVOICE</b>
91674.24			91674.24

REFUNDS AND EXCHANGES MUST BE MADE WITHIN TEN DAYS, AND ARE SUBJECT TO A REINVENTORY FEE. THIS INVOICE MUST ACCOMPANY AND BE SHOWN AT THAT TIME.

X \_\_\_\_\_  
Received by

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Action Item  
**AGENDA OUTLINE NUMBER:** 6.C.

---

**TO:** City Council

**THRU:** Jeffrey Cozadd, Grants Manager  
 Krystal Strickland, Finance Director  
 Kyle Bauman, City Attorney  
 Lance Johnson, City Manager

**FROM:** Lisa Firth, Parks & Rec Director

**DATE:** 5/6/21

**SUBJECT:** Cemetery Fence Replacement

---

**I. BACKGROUND:** Hurricane Sally badly damaged the fence at Destin Cemetery. The fence has been inspected and it is recommended that it be replaced.

**II. DISCUSSION:** Strong winds damaged the cemetery fence on the east (Stahlman Ave.) and south (sheriff's office parking lot) sides of the cemetery during Hurricane Sally. The city engineer completed a report on the fence that was dated 4/21/21. The report states "The entire fence is visibly damaged by either being broke, bent, or severed completely. These are not in a singular location but dispersed throughout the entire fence area. The fence has been shifted both horizontally and vertically and is no longer in its original/proper position. The fence is not repairable, has lost its structural integrity, and must be replaced." Staff was able to obtain a quote from the City's continuing services contractor S.H. Hayes Enterprises for the replacement of the fence. The quote totaled \$48,935.20. The Project Review Team discussed the fence damage and was in agreement that it needed to be replaced and that the quote was reasonable. It was recommended that the matter be brought before the council for their review and approval. Since the damage to the fence was a result of Hurricane Sally, the City will be requesting FEMA for reimbursement of this expense and it has been added to the Hurricane Sally damage inventory list.

**A. Link to Strategic Goals / Objectives:** Objective 6A - Effective, Efficient, and Aesthetically-Pleasing Infrastructure

**B. Effect on Budget (EOB):** Hurricane Sally occurred in September 2020 when the budget was being adopted. The total capital costs to renew/replace damaged infrastructure is \$70,825. The cost to replace the cemetery fence is estimated to be \$48,935. An internal budget transfer is attached that describes other general fund

capital dollars that can be used to cover these Hurricane Sally expenditures. All of these expenditures will be submitted to FEMA who may reimburse the City for up to 75%.

	<b>FY2021 BUDGET</b>
30558500-565000-SALLY	
GF CIP\$-CIP-SALLY	\$ -
<b>FY21 Adopted Budget</b>	<b>-</b>
<b>Internal Transfer</b>	<b>119,760</b>
<b>Previous Expenses/Encumbrances</b>	<b>70,825</b>
<b>Available Program Budget</b>	<b>48,935</b>
<b>This Agreement +(-)</b>	<b>(48,935)</b>
<b>FY21 Remaining Program Budget</b>	<b>\$ -</b>

**C. Level of Service (LOS):** The level of service will be increased as the replacement fence will be of higher quality than the existing fence.

**III. CONCLUSION:** Staff is recommending the replacement of the fence and they believe the quote to accomplish that work is reasonable.

**IV. RECOMMENDED MOTION:** I move that the City Council accept the quote from S.H. Hayes Enterprises for \$48,935.20 to replace the cemetery fence and to authorize the City Manager to execute any necessary documents.

Attachments:

1. Destin Cemetery Memo and Report
2. Destin Cemetery Fence
3. BUDGET INTERNAL TXFR SALLY



**Community  
Development  
Engineering  
Division**

Phone: 850-654-1119

# MEMORANDUM

---

**DATE:** April 21, 2021

**TO:** Lance Johnson, City Manager  
Webb Warren, Deputy City Manager  
Krystal Strickland, Finance Director  
Jeff Cozadd, Projects/Grants/Contracts Manager  
Michael Burgess, Public Services Director  
Lisa Firth, Parks and Rec Director  
Mike Buckingham, Chair of Harbor CRA

**THROUGH:** Louis Zunguze, Community Development Director

**FROM:** Donald Smith, City Engineer

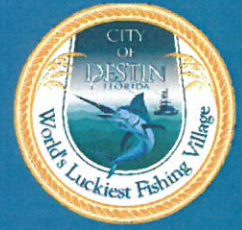
**SUBJECT:** **Destin Cemetery- Hurricane Sally Inspection**

---

The Destin Cemetery located at 107 and 111 Stahlman Avenue was damaged during Hurricane Sally. Community Development staff has performed an inspection to document the damage and aid in the City obtaining reimbursement of funds from the Federal Emergency Management Agency. The report is attached for your review and use.

Please contact our office if you have any questions.

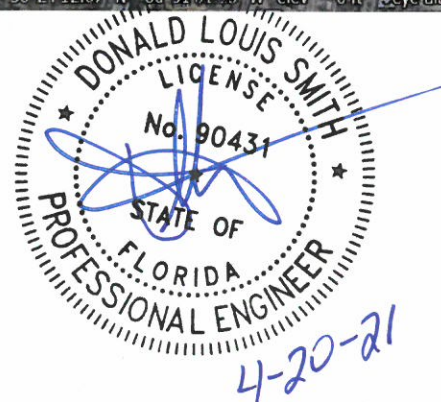
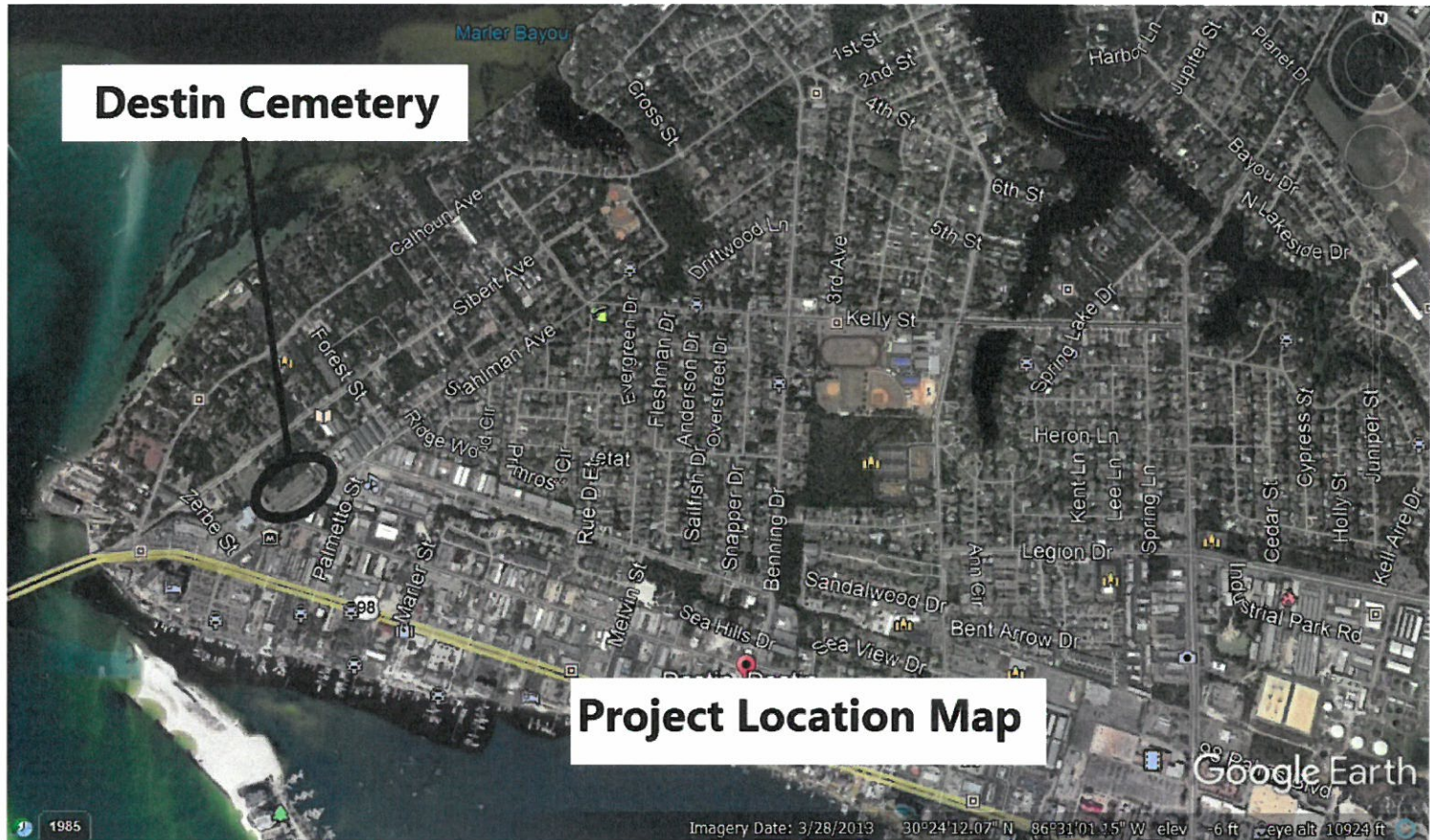
**CC:** Noell Bell, Chief Building Official  
Joe Bodi, Engineer Assistant II  
Lauren Witt, Principal Planner  
Traci Goodhart, Stormwater Specialist/Floodplain Manager

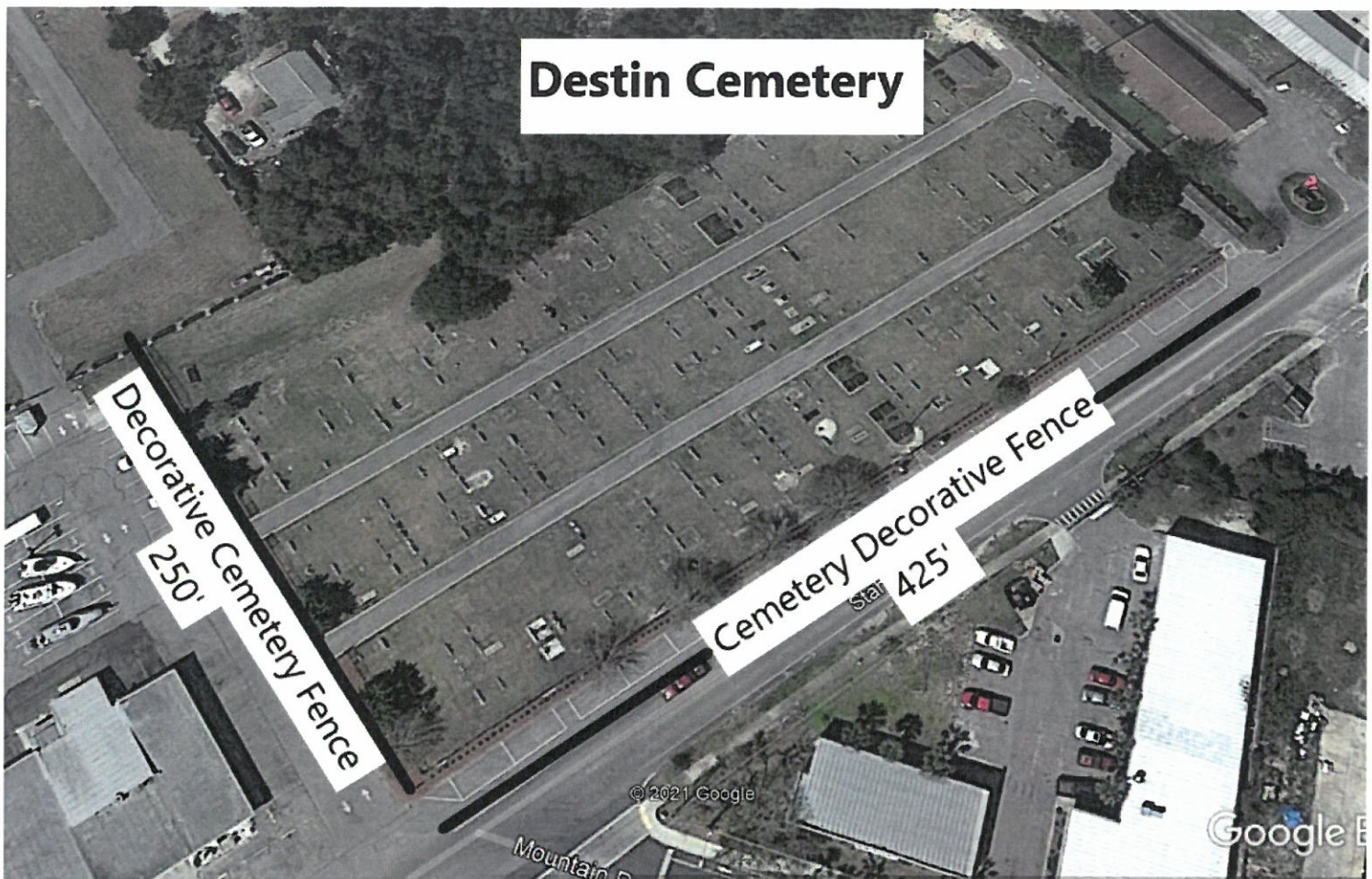


# City of Destin Inspection Report Destin Cemetery

Date: March 7, 2021  
Weather: Clear  
Time: 2:30 PM  
Inspected by: Donald Smith, P.E.

Inspection Location:



**Cemetery Dimensions:****Existing Conditions:**

The City owns and operates the Destin Cemetery at 107 and 111 Stahlman Avenue. The cemetery has a decorative fence along Stahlman Ave and continues in a north west direction a distance of 250 feet.

**Inspection Results:**

The entire fence is visibly damaged by either being broke, bent, or severed completely. These are not in a singular location but dispersed throughout the entire fence area. The fence has been shifted both horizontally and vertically and is no longer in its original/proper position. (See attached pictures)





**Conclusion:** The fence is not repairable, has lost its structural integrity, and must be replaced.

# Proposal

S.H. Hayes Enterprises, LLC  
 707 W 8th Street Cir  
 Lynn Haven, FL 32444  
 850-326-5471  
 Shayes1218@yahoo.com

February 16, 2021

Lisa Firth  
 City of Destin  
[Lfirth@cityofdestin.com](mailto:Lfirth@cityofdestin.com)

Re: Cemetery Fence Replacement  
 on Stahlman Ave

DESCRIPTION OF WORK	QUANTITY	UNIT PRICE	LINE TOTAL
<b>*Materials</b>			
1. Fabricated 6' high x 5' long steel picket fence sections with 3/4" spear head pickets spaced on 4" centers. Fence posts will be 2 1/2" x 11 ga. steel square tubing 8' in length (2' in ground and 6' above ground). Posts to be spaced every 5' for fence sections to be field welded to. Fence and posts will be primed and painted gloss black before installation, then touched up after installation			
Approx. 670 lf	670 lf	\$ 54.00	\$ 36,180.00
2. 80 lb. high strength concrete mix - 134 post foundations, 2 bags per post = 268 bags	268 bags	\$ 6.40	\$ 1,715.20
<b>Total Material Costs</b>			\$ 37,895.20
<b>*Labor to install posts and mix concrete foundations</b>			
3. 134 post foundations dug by hand and then pour 2 bags each in foundation, 134 x .5 hr. = 67 hours	67 hours	\$ 80.00	\$ 5,360.00
4. Grind field welds with brush and touch up paint after panel installed to posts, 268 connections x .25 = 67 hours	67 hours	\$ 80.00	\$ 5,360.00
5. Clean up, spread dirt at each post after concrete poured	4 hours	\$ 80.00	\$ 320.00
<b>Total Labor</b>			\$ 11,040.00
<b>TOTAL</b>			<b>\$ 48,935.20</b>

### CITY OF DESTIN Budget Internal Transfer Form

Fiscal Year 2021  
 Period 8  
 Ref 1 BUA  
 Ref 2 ADJ

Short Description SALLY  
 Effective Date 5/17/2021  
 Budget Year Code 1

Entity Code 1  
 Amendment Type\* 1  
 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

TEST test

ORG	OBJECT	PROJECT	LINE DESCRIPTION	(I)ncrease (D)ecrease	AMOUNT	CURRENT AVAILABLE BUDGET	REVISED AVAILABLE BUDGET
30558500 GF CIP PROJECTS	565000 CAPITAL PROJECT	CM001 BEACH ACCESS	SALLY REPLACEMENTS	D	\$ 119,760.43	\$ 2,000,000.00	\$ 1,880,239.57
30558500 GF CIP PROJECTS	565000 CAPITAL PROJECT	SALLY	SALLY REPLACEMENTS	I	\$ 119,760.43	-	\$ 119,760.43

Initials                      Date  
 Created by:                      \_\_\_\_\_  
 Entered by:                      \_\_\_\_\_  
 Approved by:                      \_\_\_\_\_

**Note**  
 Transfer adopted GF CIP\$ to cover costs to replace infrastructure damaged by Hurricane Sally. The first two beach parcel purchases and demolition were covered by TDC and Okaloosa 1/2 Penny funds, and loan proceeds will be available in time for the third purchase, so these General Fund dollars are available to cover the Hurricane Sally damage.

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Action Item  
**AGENDA OUTLINE NUMBER:** 6.D.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Minutes from Board and Committees

---

**I. BACKGROUND:**

**II. DISCUSSION:**

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

**III. CONCLUSION:**

**IV. RECOMMENDED MOTION:**

Attachments:

1. 4-15-21 LPA
2. 4-21-2021 tcraac
3. 4-14-21 - hcraac

**LOCAL PLANNING AGENCY  
MEETING MINUTES  
APRIL 15, 2021 - 5:30 P.M.  
DESTIN CITY HALL BOARDROOM**

**1. CALL TO ORDER:**

Chairman Wood called the Local Planning Agency Meeting to order on Thursday, April 15, 2021 at 5:30 p.m., in the Destin City Hall Boardroom; with the Pledge of Allegiance immediately following.

**2. ROLL CALL:**

<u><i>Members Present</i></u>	<u><i>Members Absent</i></u>	<u><i>Staff Members Present</i></u>
James T. Wood, Jr.	Darryl Shelton	Rey Bailey City Clerk
Marcie Bell	Jason Klosterman	Lauren Witt Senior Planner
Don David		Daniel Butler Planner
Corey Ledbetter		Don Smith Engineer
Karen Drexler		Louis Zunguze CD Director
		Kyle Bauman City Attorney

**3. APPROVAL OF MINUTES:**

**March 18, 2021**

**Motion by Agency member Bell, seconded by Agency member Ledbetter to approve the March 18, 2021 minutes as written. The motion passed 5-0.**

**4. OLD BUSINESS:**

**None**

**5. NEW BUSINESS:**

**A. Proposed Ordinance 21-09-LC – Regulation of Breweries, Distilleries, and Restaurants**

The City Attorney read the ordinance by title into the record.

**ORDINANCE NO. 21-09-LC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, PROVIDING FOR AMENDMENTS TO ARTICLE 7 OF THE LAND DEVELOPMENT CODE “LAND USE, TYPE, DENSITY, INTENSITY, ZONING AND REGULATORY CONTROLS”; AMENDING TABLE 7-2 “TABLE OF ALLOWABLE USES” RELATING TO BREWERIES, MICROBREWERIES, BREWPUBS, DISTILLERIES, CRAFT DISTILLERIES, AND RESTAURANTS; PROVIDING FOR CONSISTENCY WITH THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR**

**INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Mr. Butler explained how this ordinance will designate in table 7-2 of the Land Development Code (LDC), breweries, microbreweries, brew pubs, distilleries and craft distilleries. And will allow the city to regulate the locations for permitted or conditional uses. And staff is proposing that breweries and microbreweries distilleries, and craft distilleries to be permitted uses within the industrial zoning district, and as a conditional use within the CTS, which is Commercial Trade, and Services Zoning District. Additionally, brewpubs would be a permitted use within the South Harbor Mixed Use, the North Harbor Mixed Use and Commercial General Zoning Districts, and they would be Conditional Uses within the Town Center Mixed Use and Commercial General Mixed Use Zoning Districts. And lastly, this ordinance would allow restaurants to be permitted uses within the Commercial Trade Zoning District as well. These additions will provide consistency with the city's Comprehensive Plan, Future Land Use Elements, and the LDC as well as providing staff with the ability to further regulate brewpubs and distilleries.

Agency member Ledbetter asked if this ordinance was triggered by anything specifically.

According to Mrs. Witt, there have been inquiries for these uses and there is an existing brewery in the CTS zone that is currently inconsistent, and this would bring it into a conforming use.

The Chairman opened the hearing to the public. With no one coming forward to speak, he closed the public and asked the Agency members for any additional comments or a motion.

Agency member Bell asked if this is currently an allowable use at the old Hog's Breath property. According to Mrs. Witt, currently restaurants are allowed, and this would open it up to allow Brew Pubs as well.

**Motion by Agency member Bell to recommend City Council approve proposed Ordinance 21-09-LC with Agency member Drexler providing the second. A roll call vote of 5-0 was taken and the motion passed.**

**B. Proposed Ordinance 21-10-CC - Regulation of Drones.**

The City Attorney read the title of the ordinance into the record.

**ORDINANCE NO. 21-10-CC**

**AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA RELATING TO THE OPERATION OF UNMANNED AERIAL VEHICLES COMMONLY REFERRED TO AS "DRONES"; PROVIDING FOR DEFINITIONS, PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR INCORPORATION INTO THE LAND DEVELOPMENT CODE, CONFLICTING PROVISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Mr. Butler explained the ordinance allows operators of drones to familiarize themselves with any

applicable regulations, including any FAA requirements, prior to operating them within 5-miles of the airport in the city. This ordinance also provides restrictions and exceptions, as well as enforcement for the use of these drones or UAV's within the city of Destin. And staff recommends approval of the proposed ordinance.

Chairman Wood opened the public portion of the hearing and seeing no one, he then closed the public and turned the discussion over to the Agency members for comment or a motion.

Chairman Wood asked if there will be a permit process put in place for drone operations.

According to Mr. Butler, there is a special permit process in place for public facilities and is noted in the ordinance. The Chairman asked if someone wanted to have a wedding the beach and wanted a drone, would that qualify for a special event?

According to Mr. Zunguze, only if it was located at a city owned property, then it would constitute a special event permit.

The Chairman pointed out how there is difference between some of the language in ordinances that state the approval process is by the City Manager or his designee and others state the approval must come from City Council, who only meets every two weeks and why.

Mr. Zunguze stated that staff will take a look into the statement and will bring it up at the City Council level to get their input.

Agency member Ledbetter asked if someone wanted to fly a drone to take pictures of their home would that be allowed to without having to obtain a special permit.

According to Ms. Witt, the types of exceptions are noted in the ordinance and typically recreational use within one's own property is allowed, as long as it's under 500-feet.

Agency member Bell stated that she is confused why this issue is even being addresses since there are FAA rules that are already in place that prohibit the flying of drones without the proper FAA license. Such as, the people that use drones for housing in the real estate market or weddings are supposed to get approval through the FAA first.

According to Mr. Zunguze, they can operate as long as they are not within 5-miles of the airport.

**Motion by Agency member Bell to recommend City Council approve proposed Ordinance 21-10-CC with Agency member David providing the second. A roll call vote of 5-0 was taken and the motion passed.**

**6. DIRECTOR'S REPORT:**

➤ **Land Development Code Update**

Mr. Zunguze explained that at the April 5, 2021 City Council meeting, Council unanimously approved for staff to move forward with the task of aligning the Land Development Code with the Comprehensive Plan. He explained how this has been a 2-year journey of hard work by his staff. He spoke of the three key components of an aligned city are:

- Sound Infrastructure
- Livable Neighborhoods
- Vibrant Economic Development

And how those three components are driven by the Comprehensive Plan, the Zoning Map, and the Land Development Code, that outlines the rules and regulations. Adding that this will be the first time in the City’s history for them all to be alignment. And the benefits of having all the documents in alignment to the city are:

- Simplicity
- Easy to Navigate
- Enhance Livability Elements of City’s Planning Areas
- Implement the City’s Comprehensive Plan development policies

Mr. Zunguze also explained that with the documents being all in alignment with each other they will:

- Deliver customer-oriented development review service to residents and the development community.
- Enhance quality of life and showcase investment opportunities in the city.
- Enable Council and Administration to guide current and future development towards the City’s vision.

**7. NEXT MEETING: May 6, 2020**

Mrs. Witt reminded the members that their meetings will start being twice a month in May and they will now be the first and fourth Thursday’s.

**8. ADJOURNMENT:**

Having no further discussion at this time, the meeting adjourned at 6:05 p.m.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
James Wood, Jr. Chairman

\_\_\_\_\_  
Kim Montgomery, Destin City Clerk

**MINUTES  
TOWN CENTER COMMUNITY  
REDEVELOPMENT AGENCY  
ADVISORY COMMITTEE MEETING  
APRIL 21, 2021 - 5:30 PM  
DESTIN CITY HALL BOARDROOM**

**1. CALL TO ORDER:**

Chairman Wernet called the meeting to order at 5:30 PM on Wednesday, April 21, 2021 at the Destin City Hall Boardroom with the Pledge of Allegiance immediately following.

**2. ROLL CALL:**

**Members Present**

Lockwood Wernet  
Michele Sandstead  
Delores Morrell  
Matthew Sweetser

**Staff Present**

Kim Montgomery Deputy City Clerk  
Daniel Butler Planner  
Louis Zunguze CD Director  
Don Smith City Engineer  
Krystal Strickland, Finance Director  
Kyle Bauman City Attorney

**2. APPROVAL OF MINUTES: January 20, 2021**

**Motion by Committee member, Sandstead seconded by Committee member Morrell to approve the January 20, 2021 meeting minutes as corrected, passed 5-0.**

**3. OLD BUSINESS:**

➤ **Development Projects Update**

Mr. Butler informed the members that currently, Chick-fil-a and the Destin Water Users (DWU) Project are the only two active projects in their district.

Committee member Sandstead asked what DWU project is, and Chairman Wernet provided the information.

**4. NEW BUSINESS:**

➤ **Town Center CRA Master Plan**

Mr. Butler informed the members that it has been several years since their Master Plan was updated, even though there have been some suggested revisions throughout those past few years. And staff is asking if they prefer to review and update the Plan for consistency with the Comprehensive Plan in meetings or to have staff go ahead and make the updates as requested in the past, then bring it back for their review.

Committee member Sweetser questioned the reference to a High School in the plan and if it was a High School or the Charter School that was sought. According to the Chairman, back when they first started working on the plan, they were informed by the then staff that if there is anything they wanted in their district, it was good to have it in the plan. And is why it doesn't specify either one, just that a school was a need.

**Chairman Wernet made the motion to direct staff to incorporate the comments made over the years and to update the Master Plan to coordinate with the Comprehensive Plan. Committee member Sandstead provided the second. With no further discussion, the Chairman called for the vote and the motion passed 4-0.**

➤ **2020 Work Plans**

Mr. Butler informed the members that this is just informational at this point and staff is outlining the goals and objectives that support the work plans. Noting that staff will keep them updated as the projects move forward.

Chairman Wernet mentioned that at this time, there is no action to take on their work plans.

Committee member Sweetser mentioned that he has had a few people ask him if there have been any studies done regarding the Linear Park being under the power lines and if it would affect health.

According to Mr. Zunguze, in his experience, there are many cities that have parks, such as this proposed linear park, and he has never heard of any such side effects.

➤ **Gulf Power Linear Park Update**

Mr. Butler informed the members that in October and November of 2020, the preliminary scope of work for the Linear Park was presented to the Parks & Recreation Committee and this committee for a recommendation to City Council to direct staff to draft a Request for Bid for the project's schematic design. And both committees voted unanimously for the recommendation to Council for their consideration. Adding that this park is now identified as a Capital Improvement Project and staff will keep everyone up-to-date on its progress.

There was some general discussion regarding the location of the park and what would be included in the initial estimate regarding the long range funding. According to the City Engineer, Don Smith, he will gather all the information on the cost projections and provide it at their next meeting.

➤ **Cross Town Connector Update**

The City Engineer provided the Agency members with an update of the status of the Crosstown Connector (CTC). He provided a short Power Point Presentation of the background of the project and how currently it is at a 30% status, with the following goals that have been met:

- June 1, 2020 – City Council approved the redesign of the CTC from a 4-lane to a 2-lane roadway.
- October 19, 2020 – City entered a contract with Atkins for redesign.
- February 2021 – Atkins provided 30% plans for review and comment.



CTC Design Element:

- Boulevard Style Roadway with a large, landscaped median.
- Benning Intersection Proposed All Way Stop, as directed by City Council.
- Beach Intersection Proposed Roundabout.
- Open Space – Possible Linear Park.



Committee member Sweetser asked about the status of the ROW that has not been purchased. According to Mr. Smith, staff has plans to get approval from Council for the scope of fees necessary to start on the portion of the ROW that is left to obtain for the completion of the project.

According to Ms. Strickland, the city has executed FDOT’s \$2.7M grant to fund the acquisition of the right of ways necessary and the city is waiting for FDOT to execute their portion of the grant application.

And after that, staff will ask City Council for permission to purchase the last two parcels needed.

There was additional discussion about how the right-of-access, once the project is finished, will take the additional burden off the local streets that are now being used to avoid Highway 98. As well as the future improvements to the Stahlman Ave./Highway 98 intersection.

The City Engineer also informed the members of the Council Workshop scheduled for May 10<sup>th</sup> at 5:30 p.m. on this subject.

➤ **Capital Projects Funding**

Ms. Strickland provided the members with an overview of the Capital Projects list, which consist of 40 different currently active projects budgeted for FY-21 and some additional ones Council directed staff to add to the list. She explained they are broken down in categories required by the Auditor General which are:

- Renewal & Replacement
- General Government
- Public Safety
- Physical Environment
- Parks & Recreation
- Vehicle Purchases

She provided the members with an example of the Replace & Renewal Fund and how each year, the city is required to have a certain amount money set aside to maintain all the facilities and upgrade vehicles as needed. Also, the city receives funds from the State of Florida from the Gas Tax. And there are two different gas tax categories.

- Gas Tax #1 the city receives is strictly used for roads, sidewalks and streetlighting.
- Growth Necessitated and Comprehensive Plan Related Projects:
  - Gas Tax #2 – Traffic issues – Comprehensive Plan Traffic Issues, which will help with the Cross Town Connector project
  - Development Growth Impact Fees
- Council Directed Projects:
  - Beach Acquisition
  - Cross Town Connector
  - Undergrounding of electricity
- Other Capital Projects:
  - CR-H is the Harbor CRA-AC
    - Capt. Royal Melvin Heritage Park & Plaza (CRMHP)
    - Clement Taylor Park Renovations - will start after the CRMHP is further along as part of the requirements from the grants.
  - CR-T – Linear Trail Park

She explained how she is working with the Grants & Projects Manager to try and obtain a grant from the State of Florida – Recreation Trail Program funded by FDEP and they will apply for it next year since this year’s grant deadline expired in February. Additionally, staff is looking into other funding opportunities and she will be bringing that information to them at their next meeting. She also went over several other projects the city has received grants for and some that did not get funded for this FY year. As well as covering the Revenue and Expenditures for the city.

She also explained the Fund Balance for the Town Center CRA, and how it is still at a negative \$2.2M because the General Fund has been paying the Town Center’s debt service for some time. However, it is projected that the Town Center should be able to start paying the city back next year. And staff will be bringing a proposal on exactly how much the Town Center CRA needs to be balanced along with the projects that are desired to be accomplished. And additionally, the debt should be paid off in 2037, a year before it is to sunset.

Committee member Sweetser questioned what the \$35k Park Impact Fee Project fund is for. According to Ms. Strickland, that amount was budgeted for a storage building to be purchased to assist staff because of the abundance of Softball tournaments that take place at the Morgan Sports Center. Adding that the location of the one being used now may eventually be used for Pickle Ball Courts.

The Chairman asked about the line item #19 for the Vintage sidewalk that does not have a project number. According to Ms. Strickland, there is a Development Order for the Vintage Apartments where they gave the City \$290k as a mitigation type program. And the Community Development team is waiting on some items to get finalized before the city can move forward with the ROW work.

Mr. Zunguze explained this a contribution for public improvements and once the period for performance has past, staff will do their work to finalize the project and use the funds for the sidewalks.

**5. COMMITTEE MEMBER REPORTS:**

Committee member Sandstead – Thanked staff getting the owner of the land that was cleared out and cleaned between her antique shop and the U.S. Post Office.

Committee member Sweetser – Asked if anything can be done about the back of the property that is for sale that includes the Dollar General Store and Olde Time Pottery. According to Mr. Zunguze, that is next, and staff will be working closely with the City Attorney to try as best as possible to get the owner to do something, within his rights, to help improve the appearance of that general area.

**7. DIRECTOR’S REPORT:**

According to Mr. Zunguze, Harbor Capacity Study is currently underway, and the Steering Committee is meeting monthly. He informed the members that at the meeting last month, they came up with a list of issues that they would like to see addressed in the harbor area such as, parking and water quality. And they will continue to work on those and other issues prior to making recommendations to Council. Also, the Harbor Capacity Study will really start this summer once the busy tourist season gets going for the professionals to be able to survey and determine the necessary results of the study.

Mr. Zunguze also informed the Agency members that City Council has authorized the funding for staff to update the Land Development Code. After which, staff will be bringing it before them to outline how they should proceed with the Town Center.

➤ **Next meeting is May 19, 2021.**

**ADJOURNMENT:**

Having no further discussions, the meeting was adjourned at 6:55 PM.

Adopted and approved \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Lockwood Wernet, Chairman

\_\_\_\_\_  
Kim Montgomery, Deputy City Clerk

**MINUTES  
HARBOR COMMUNITY REDEVELOPMENT  
AGENCY ADVISORY COMMITTEE MEETING  
APRIL 14, 2021 - 5:30 PM  
DESTIN CITY HALL BOARDROOM**

**1. CALL TO ORDER:**

Vice Chairman Green called the meeting to order at 5:30 p.m. on Wednesday, April 14, 2021 in the Destin City Hall Board Room.

**2. ROLL CALL & PLEDGE OF ALLEGIANCE:**

**Present**

James Green  
Casey Jones  
Jan Best  
Ian Blaise

**Members Absent**

Mike Buckingham  
Sandy Trammell  
Mike Raim

**Staff Present**

Kim Montgomery, Deputy City Clerk  
Lauren Witt, Principal Planner  
Louis Zunguze CD Director  
Daniel Butler, Planner  
Don Smith, City Engineer

**3. MINUTES: March 10, 2021**

**Motion to approve the minutes of the March 10, 2021 as corrected was made by Committee member Best with Committee member Jones providing the seconded. The motion passed with a 4-0 vote for approval.**

**4. OLD BUSINESS:**

➤ **Harbor CRA Master Plan**

According to Mr. Butler, based on their last motion from the previous meeting, staff would like to know if they would prefer to review the Plan in regard to consistency with the Comprehensive Plan and as well as the plan itself after staff has added the necessary inclusions or in chapters.

According to Committee member Best, they never did get a chance to completely review the Plan in its entirety. Noting there is a lot that they didn't get to review and comment on. She stated that she would like to review her concerns with staff in a one-on-one meeting.

Vice Chairman Green stated that he would like to review her comments and asked that it be placed on a next agenda for review and discussion. He also suggested taking it in chapters at a time.

➤ **2021 Work Plans**

Mr. Butler explained that from their last meeting, the work plan for Historical Plaques was added. And will be incorporated into the Wayfinding Plan.

Committee member Blaise asked what measures are being put in place for the Prevention of Rogue Operators in the Establishing Harbor Regulations Work Plan Item.

According to Mr. Forgione he and his staff are aware certain operations and asked if there are any violators that anyone in the public sees, he encourages them to contact the Code Compliance Department.

## DRAFT

Adding that some of the complaints that are coming in are vague in description and there is not a lot that can be done unless the FL number, business name and location is reported. He commented on how complaints that come in just stating a blue boat with people on it in the harbor does not help at all. He also mentioned that he has gotten authorization from the City Manager and soon his department will be able to run tags in house. Additionally, he informed the member that there is not a lot he can do about the ones that are operating outside of the city's jurisdiction. However, he has recently caught a couple running out of Joe's Bayou. And the Sheriff's Office does assist his staff with these issues.

The Vice Chairman added that the Coastguard has cracked down on the illegal Charters that are working the in the waters of the State.

Committee member Best spoke Kudos to Committee Blaise's business that he runs in the harbor and how it is one of the few that is a respectful business and polite to everyone. Committee member Blaise thanked her and stated that its very important to both him and his staff.

### ➤ **Development Project Update**

Mr. Butler explained to the members that in their binders are the Development projects that have been approved in the Harbor CRA District.

The Vice Chairman asked about the status of the Capt. Royal Melvin Heritage Park.

According to the City Engineer, Don Smith, the footers have been poured and in the next 2-3 weeks the slabs should be poured. And is still on schedule to be finished by October 31<sup>st</sup>.

Vice Chairman Green asked about the bottom area where the Seafood Festival is held. According to Mr. Smith, the grant's expiration date is November 1, 2021 so, all the major work has to be done before that date.

The Vice Chairman also asked about the status of the Cross-Town Connector. According to Mr. Zunguze, Council has scheduled a workshop for May 10<sup>th</sup> and encouraged all the members to attend.

### ➤ **Zerbe/Calhoun Historical Update**

Mrs. Witt explained that the ordinance was drafted and recommended for approval by the Local Planning Agency at their March meeting and was brought before City Council for its first reading on April 5<sup>th</sup>, which was approved and will go for its second and final approval by Council on April 19<sup>th</sup>.

## 5. **NEW BUSINESS:**

### ➤ **Harbor Capacity Study Update**

According to Mrs. Witt, at the meeting last month, the members and staff worked on identifying issues currently in the harbor as well as the potential widening of the navigational channel, which was brought before City Council on April 5<sup>th</sup> for direction. And at that April 5<sup>th</sup> meeting, Council directed staff on performing the research and to see what that process would look like based on what the original authorization was. So currently, staff is working with the ACOE representative to find out what it would take to widen the channel.

The Vice Chairman mentioned that he spoke at both of the meetings Mrs. Witt mentioned regarding how important it is to widen the channel being that there has been significant growth since it was first opened. Not to mention that it was way too narrow to begin with and the importance of the environmental standpoint to flush the water out and not just divert it. As well as this would offer more transient slips to the owners if it's widened.

**6. COMMITTEE MEMBER COMMENTS**

➤ **Committee member Jones:**

Spoke of being approached by a few Livery Vessel Business owners questioning how in the middle of the season if they have a boat break down, how are they to exchange it out for one that is working until the broken boat can be repaired. Adding that he was told that there is not a process in place.

According to Mr. Forgione, there is a process that has been in place and he will provide that information to him as well as anyone that contacts his department.

➤ **Committee member Blaise:**

Asked about the if the Point One Marina Project was the same thing that Chairman Buckingham mentioned at their last month's meeting.

According to the Vice Chairman, it is not the same and is a private marina on private property.

The City Attorney also stated to Committee member Blaise that he would be glad to speak to him about what he could, outside of the meeting. But since it is a project with a pending Development Applications and is considered a Quasi-Judicial Hearing there is some components that he cannot speak on. But once it is finished at the staff level, there will be a public hearing when it goes before City Council for approval.

Committee member Blaise asked if the project is on the harbor, then how come they cannot speak on it. According to the Vice Chairman, the Harbor CRA District does not include Holiday Isle, where the pending project is located.

➤ **Public Comment:**

None

➤ **DIRECTORS REPORT:**

Mr. Zunguze explained that Council has directed him and his staff to go forward with the update to the Land Development Code, which will impact the Harbor Parking Work Plan Item. And staff will bring forth their proposed remedies, as necessary.

- **Next meeting: May 12, 2021**

**7. ADJOURNMENT:**

DRAFT

Having no further business at this time, the meeting was adjourned at 7:00 PM.

Adopted and approved this \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
James Green, Vice Chairman

\_\_\_\_\_  
Kim Montgomery, Deputy City Clerk

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Consent Agenda  
**AGENDA OUTLINE NUMBER:** 6.E.

---

**TO:** City Council

**THRU:** Joey Forgione, Code Compliance Manager  
Krystal Strickland, Finance Director  
Lance Johnson, City Manager

**FROM:** Webb Warren, Deputy City Manager

**DATE:** 2/11/21

**SUBJECT:** Animal Control Services - 2nd Quarter Information

---

**I. BACKGROUND:** This item is for informational purposes.

In FY 2021, Code Compliance has been working with the City Manager's Office in oversight of the Animal Services Contract(s).

On February 16th, 2021, staff provided an update to Council on the PAWS animal control contract metrics. At the February 16th meeting, council requested additional information to be provided at a meeting in May.

Attached are the latest invoices and information associated with Destin's PAWS contract.

Contract information is always brought forward to Council as part of the annual budgeting process, which will take place during workshops and Council meetings through the remainder of FY21.

**II. DISCUSSION:** PAWS has been Destin's continuous animal control service contractor since at least 1990.

The City of Destin currently has a 3 year contract with PAWS that does not expire till September 20, 2022. PAWS has indicated they would like to request an increase in a new contract.

As requested from Council at the February 16th meeting, staff is providing information on PAWS 1st and 2nd quarter services for FY21 (ATT2).

Okaloosa County has indicated they will be issuing an Request For Bid (RFB) for all County animal control services in Summer 2021.

Fort Walton Beach and Niceville increased their annual animal control service contracts with PAWS for FY21.

Staff will monitor the results of Okaloosa County's animal control services RFB as well as continue to communicate with our peer cities in Okaloosa County on animal control services.

- A. Link to Strategic Goals / Objectives:** High Quality of Life and Safety for Residents.
- B. Effect on Budget (EOB):**
- C. Level of Service (LOS):** Same

**III. CONCLUSION:** All contracts will be brought forward to Council as part of the FY22 Budgeting Process.

**IV. RECOMMENDED MOTION:** None-this item is for informational purposes.

Attachments:

1. ATT1 Sept 21 2020 PAWS Agenda Item
2. ATT2 PAWS FY2021 Services

## CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** September 21, 2020

**TYPE OF AGENDA ITEM:** City Manager Report

---

**TO:** City Council

**THRU:** Webb Warren, Deputy City Manager  
 Krystal Strickland, Finance Director  
 Joey Forgione, Code Compliance Manager  
 Lance Johnson, City Manager

**FROM:** Lorraine Berish, Senior Administrative Coordinator

**DATE:** August 25, 2020

**SUBJECT:** Panhandle Animal Welfare -Animal Control Services Update

---

## **I. BACKGROUND:**

Animal control services for the city have been provided by the Panhandle Animal Welfare Society (PAWS) for many years on a flat rate of \$45,975 per year plus \$75 each for weekend calls.

The 2020 approved contract approved by Resolution 19-14 is good for another 2 years (through September 30, 2022) from our previous renewal due to section 15 of the FY20 contract. For transparency and consistency purposes, staff wanted to bring forward this item for discussion purposes.

Other animal control contracts include Feline Friends of Destin to control the feral cat population within the City for \$10,000 per year, and the Emerald Coast Wildlife Refuge (ECWR) for \$3,000 per year to provide wildlife rehabilitation services. In addition, Okaloosa County TDC contracts with ECWR for routine turtle nest monitoring of all beaches in Okaloosa County.

**II. DISCUSSION:** The existing PAWS contract, authorized by Resolution 19-14, will continue to provide animal control services through FY22.

PAWS: A not-for-profit agency; permitted and licensed for domestic animal control activities (domestic animals are euthanized if not adopted, and feral animals are euthanized)

- Service Areas: Okaloosa County and its municipalities
- Funding Sources: Annual contracts with Okaloosa County and municipalities; contributions

The PAWS annual contract amount is \$45,975 (estimated at \$3.23 per capita). This is the identical amount that was paid in FY2016, FY2017, FY2018, FY2019 and FY2020. In addition, we pay \$75 per call for any weekend service that is required. This historically averages 12 weekend calls for service per year.

Staff has been analyzing the service levels and measurements current PAWS contract. It should be noted that some citizens and businesses have complained about a lack of responsiveness by PAWS during normal hours as well as after-hours.

The new executive director of PAWS recently requested the City increase funding levels from the current \$3.23 per capita to \$7.5 per capita by FY2023, as per the table below, to help them hire adequate staff to improve performance.

	Destin Population	Estimated Rate Per Capita	Annual Contract	% increase over FY2020 Rate
Current	14,247	\$ 3.23	\$ 45,975	
Requested for FY2021	14,247	\$ 5.50	\$ 78,359	70%
Requested for FY2022	14,250	\$ 6.50	\$ 92,625	101%
Requested for FY2023	14,250	\$ 7.50	\$ 106,875	132%

Staff met with Ms. Williams on 9.10.20 and to discuss concerns over past and existing service levels from PAWS for the City of Destin. Staff also expressed concerns of the quality of performance metrics received from PAWS. Ms. Williams took great time to explain some past systematic issues as well as recent corrections and additional proposed solutions to these concerns.

Staff is pleased to see many of the recommendations that Director Tracey Williams is providing to improve their levels of service for Destin in 2021. Staff was able to negotiate to continue the existing contract for PAWS to allow time to monitor performance improvements and to coordinate with our peer cities and Okaloosa County. We need time to analyze opportunities for future animal

control through partnerships, information sharing and improved performance metrics.

At anytime, if staff recommended to seek revisions to this contract, it would be brought before Council at a later date after more recent performance and costs are further evaluated.

**A. Link to Strategic Goals / Objectives: Strategic Plan 2020:**

Strategic Focus 2025 -

Financially sound city providing service value

High quality of life and safety for residents

**B. Effect on Budget (EOB):** Animal control contracts have historically been budgeted at \$60,000 per year. Additional funds were included in the FY2021 budget in anticipation of rising costs and rising citizen complaints about animal control issues.

The PAWS contract will be paid on a monthly basis upon receipt of monthly invoices and activity reports. The ECWR & Feline Friends contracts will be paid on a quarterly basis, upon receipt of invoices and performance reports.

0156272-534000 Animal Control Contracts	\$ 100,000
FY21 Tentative Appropriation	100,000
0156272-534000 Animal Control Contracts	13,000
Previous Expenses/Encumbrances	13,000*
Available Program Budget	87,000
0156272-534000 Animal Control Contracts	45,975
This Agreement	45,975
FY 21 Remaining Program Budget	\$ 41,025

\*Feline Friends and Emerald Coast Wildlife contracts

**C. Level of Service (LOS):** The 2020 approved contract will provide continued and associated animal control services for the City through Sept 30, 2022. The City at any time can terminate this agreement with 30 days

written notice.

**III. CONCLUSION:** Animal control is an integral service provided to the residents of Destin. Staff would like to continue to work with the new PAWS director, peer cities and Okaloosa County, as well as Code Compliance staff to evaluate service levels and to create improved performance metrics for Council and staff. Staff would like to bring back a first quarter report for FY2021 for discussion at a February 2021 council meeting.

**IV. RECOMMENDED MOTION:** I move for staff to provide a FY2021 First Quarter Report to Council on the PAWS Contract no later than the last meeting in February 2021.

Attachments:

1. PAWS FY20 Contract
2. Resolution 19-14 PAWS Contract FY 2020
3. Service Reports Oct. 1, 2020-Aug. 31, 2020

PAWS  
752 Lovejoy Rd NW  
Fort Walton Beach, FL 32548  
US  
850-243-1525  
ashleyeasybooks@gmail.com  
www.paws-shelter.org

# Invoice



**Panhandle  
Animal  
Welfare  
Society**

BILL TO  
City Of Destin  
4200 Two Trees Rd  
Destin, FL 32541

SHIP TO  
City Of Destin  
4200 Two Trees Rd  
Destin, FL 32541

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
Destin dec2020 DESTIN 12-20	01/07/2021	\$3,831.25	02/01/2021	Due on receipt	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
City of Destin	Monthly Billing for animal control services	1	3,831.25	3,831.25
BALANCE DUE				<b>\$3,831.25</b>



**OK TO PAY**  
PO# 21019 VENDOR# 315  
AMOUNT \$ 3831.25  
ORG 0156272 OBJ 534000  
PROJECT \_\_\_\_\_  
APPROVER / DATE Joey Forgione

**Animal Services at PAWS**  
**Animal Intake Totals for destin**  
**12/1/2020 to 12/31/2020**

			2020		Total
			Dec	Total	
CAT	STRAY	OTC	2	2	2
		Total	2	2	2
	Total		2	2	2
Total			2	2	2

CAT / STRAY / OTC ,  
A216496      A216497

Animal intakes between 12/1/2020 and 12/31/2020 for destin

As of: 1/7/2021 9:15:52AM  
STRAY

<u>intake</u>	<u>intake type</u>	<u>intake subtype</u>	<u>animal id</u>	<u>animal type</u>	<u>crossing</u>	<u>outcome type</u>	<u>outcome</u>	<u>Days her</u>
12/23/2	STRAY	OTC	A216496	CAT	SAND DUNE CT	TRANSFER	12/29/20	6
12/23/2	STRAY	OTC	A216497	CAT	SAND DUNE CT	TRANSFER	12/29/20	6

2.00

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 12/1/2020 and 12/31/2020**  
**(activities completed on weekends are highlighted in gray)**

**DESTIN**

A20-016925-1 Type: ASST/POLICE Priority: DAILY Geo: Juris: DESTIN Activity: 12/4/20 2:57 pm  
 Activity Address: 743 HARBOR BVD DESTIN FL 32541 Completed: 12/4/20 3:07 pm  
 Comment/Crossin SERVICE DOG NEEDS TO BE PICKED UP, OWNER IS BEING TAKEN TO HOSPITAL

Caller:

Qty.	Result	Qty.	Result
1	MC	0	
1	IMPND	0	
0		0	

A20-016908-1 Type: INV/OTHER Priority: DAILY Geo: Juris: DESTIN Activity: 12/2/20 2:32 pm  
 Activity Address: 611 SEA VIEW CIR DESTIN FL 32541 Completed: 12/2/20 3:10 pm  
 Comment/Crossin DOG AT THIS RESIDENCE IS NOT LEASHED AND POOPS IN THEIR YARD ALL THE TIME  
 Caller: ALEXIS EDMUNTON 611 SEA VIEW CIR DESTIN, FL 32541

Caller:

Qty.	Result	Qty.	Result
1	NOTIC	0	
0		0	
0		0	

A20-016967-1 Type: ASST/POLICE Priority: DAILY Geo: Juris: DESTIN Activity: 12/10/20 9:36 am  
 Activity Address: 44 COUNTRY CLUB DR DESTIN Completed: 12/10/20 4:30 pm  
 Comment/Crossin WOMAN ATTACKED BY DOG WHILE WALKING HER OWN DOG.

Caller:

Qty.	Result	Qty.	Result
1	MC	0	
1	MCO	0	
1	STLC	0	

A20-016981-1 Type: STRAY/ROAM Priority: DAILY Geo: Juris: DESTIN Activity: 12/11/20 11:34 am  
 Activity Address: 17000 EMERALD COAST PKY DESTIN FL Completed: 12/11/20 4:30 pm  
 Comment/Crossin DOG APPEARS TO BE MALNOURISHED/MANGE  
 Caller: CONNIE CONNIE BELAIRE PARK DESTIN, FL 32541

Caller:

Qty.	Result	Qty.	Result
1	GOA	0	
0		0	
0		0	

A20-017015-1 Type: INV/BITE Priority: DAILY Geo: Juris: DESTIN Activity: 12/15/20 8:42 am  
 Activity Address: 824 CANNON LN DESTIN FL 32541 Completed: 12/15/20 4:30 pm  
 Comment/Crossin DOGS FROM 828 BIT THE CALLER BACK IN MARCH AND A OFFICER DID NOT RESPOND DOGS AR  
 Caller: JEAN GIGLIO 824 CANNON LN DESTIN, FL 32541

Caller:

Qty.	Result	Qty.	Result
1	MCO	0	
1	STLC	0	
0		0	

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 12/1/2020 and 12/31/2020**  
**(activities completed on weekends are highlighted in gray)**

Total Activities for DESTIN: 5

## EUTHANASIA TOTAL

12/1/2020 - 12/31/2020

CRESTVIEW Total: 2

CAT 2

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
BEHAV OBS	1	A216133	LH HOLDING	DOMESTIC SH	/	U	AW				12/1/2020	7
MEDICAL	1	A216524	LH HOLDING	DOMESTIC SH	1 / 0	U	535				12/28/2020	0

Average CC's per CAT :

Average wieght per CAT :

## EUTHANASIA TOTAL

12/1/2020 - 12/31/2020

FT WALTON BEACH Total: 28

CAT 25

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
INJURED	1	A216547	CLINIC BIG	DOMESTIC SH	0 / 2	M	CC/SO		1.00	0.10	12/30/2020	0
MEDICAL	1	A215081	LH HOLDING	DOMESTIC SH	0 / 11	M	AW				12/7/2020	63
MEDICAL	1	A215129	LH HOLDING	DOMESTIC SH	0 / 7	M	AW				12/7/2020	60
BEHAV OBS	1	A215106	LH HOLDING	DOMESTIC SH	/	F	AW				12/1/2020	56
MEDICAL	1	A215759	LH HOLDING	DOMESTIC LH	/	M	AW				12/1/2020	14
MEDICAL	1	A215760	LH HOLDING	DOMESTIC LH	/	M	AW				12/1/2020	14
MEDICAL	1	A215761	LH HOLDING	DOMESTIC LH	/	F	AW				12/1/2020	14
MEDICAL	1	A215792	LH HOLDING	DOMESTIC MH	0 / 4	M	AW				12/1/2020	14
MEDICAL	1	A215798	LH HOLDING	DOMESTIC SH	0 / 4	M	AW				12/1/2020	14
MEDICAL	1	A215879	CAT ROOM	DOMESTIC SH	8 / 2	N	TK				12/1/2020	12
INJURED	1	A215902	ET RM	DOMESTIC MH	/	U	TK				12/1/2020	8
MEDICAL	1	A216079	LH HOLDING	DOMESTIC SH	0 / 4	M	AW				12/1/2020	1
FERAL	1	A216087	CAT ROOM	DOMESTIC SH	/	F	TK				12/1/2020	0
MEDICAL	1	A215777	LH HOLDING	DOMESTIC MH	10 / 2	F	AW				12/7/2020	20
BEHAV OBS	1	A216027	LH HOLDING	DOMESTIC SH	/	U	AW				12/7/2020	12
MEDICAL	1	A215815	HALL	DOMESTIC SH	/	U	TS				12/9/2020	22
MEDICAL	1	A216276	ET RM	DOMESTIC SH	/	U	DK				12/12/2020	1
MEDICAL	1	A216277	ET RM	DOMESTIC SH	/	U	TK				12/13/2020	2
MEDICAL	1	A215556	LH HOLDING	DOMESTIC SH	1 / 2	F	SH			3.00	12/16/2020	44
FERAL	1	A216332	CAT ROOM	DOMESTIC SH	/	U	TS				12/18/2020	1
MEDICAL	1	A216441	CLINIC BIG	DOMESTIC SH	/	U	SO		2.50		12/18/2020	0
MEDICAL	1	A216216	LH HOLDING	DOMESTIC SH	2 / 1	F	AS				12/20/2020	13
MEDICAL	1	A216236	CAT ROOM	DOMESTIC SH	7 / 1	M	TS				12/23/2020	15
FERAL	1	A216350	CAT ROOM	DOMESTIC SH	/	U	TS				12/28/2020	10
FERAL	1	A216476	CAT ROOM	DOMESTIC SH	/	U	TS				12/28/2020	9

## EUTHANASIA TOTAL

12/1/2020 - 12/31/2020

4.00

Average CC's per CAT : 1.75

Average wieght per CAT :

DOG 3												
REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
BEHAV OBS	1	A215648	LH08	PIT BULL	/	M	AW				12/7/2020	31
BEHAV OBS	1	A215756	LH16	ROTTWEILER MIX	1 / 2	F	AW				12/7/2020	20
BEHAV OBS	1	A214035	S09	LABRADOR RETR MIX	5 / 6	M	MLD				12/7/2020	131

Average CC's per DOG :

Average wieght per DOG :

**EUTHANASIA TOTAL**

12/1/2020 - 12/31/2020

---

Animals euthanized	30
--------------------	----

3.50
------

# DESTIN12-20

Final Audit Report

2021-01-08

Created:	2021-01-08
By:	Sharon Gardner (sgardner@cityofdestin.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAdcbVbccN9_c5hofgwQuLpKM4HW_XrmoG

## "DESTIN12-20" History

-  Document created by Sharon Gardner (sgardner@cityofdestin.com)  
2021-01-08 - 2:27:21 PM GMT- IP address: 70.191.191.143
-  Document emailed to Joey Forgione (jforgione@cityofdestin.com) for signature  
2021-01-08 - 2:27:42 PM GMT
-  Email viewed by Joey Forgione (jforgione@cityofdestin.com)  
2021-01-08 - 2:29:49 PM GMT- IP address: 66.210.216.210
-  Document e-signed by Joey Forgione (jforgione@cityofdestin.com)  
Signature Date: 2021-01-08 - 2:30:03 PM GMT - Time Source: server- IP address: 66.210.216.210
-  Agreement completed.  
2021-01-08 - 2:30:03 PM GMT

PAWS  
 752 Lovejoy Rd NW  
 Fort Walton Beach, FL 32548  
 US  
 850-243-1525  
 ashleyeasybooks@gmail.com  
 www.paws-shelter.org

Invoice



**Panhandle  
 Animal  
 Welfare  
 Society**

**BILL TO**  
 City Of Destin  
 4200 Two Trees Rd  
 Destin, FL 32541

**SHIP TO**  
 City Of Destin  
 4200 Two Trees Rd  
 Destin, FL 32541

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
Destin 11/20	12/01/2020	\$3,831.25	12/11/2020	Due on receipt	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
City of Destin	Monthly Billing for Animal Control Service	1	3,831.25	3,831.25
<b>BALANCE DUE</b>				<b>\$3,831.25</b>

**OK TO PAY**

PO# 21019 VENDOR# 315  
 AMOUNT \$ 3831.25  
 ORG 0154272 OBJ 534000  
 PROJECT \_\_\_\_\_  
 APPROVER / DATE \_\_\_\_\_



Animal Services at PAWS  
 Animal Intake Totals for destin  
 11/1/2020 to 11/30/2020

			2020		Total
			Nov	Total	
CAT	STRAY	FIELD	1	1	1
		OTC	1	1	1
		Total	2	2	2
	Total	2	2	2	
DOG	STRAY	FIELD	1	1	1
		OTC	2	2	2
		Total	3	3	3
	Total	3	3	3	
Total			5	5	5

CAT / STRAY / FIELD  
A215726

CAT / STRAY / OTC  
A211419

DOG / STRAY / FIELD  
A215724

DOG / STRAY / OTC  
A215665      A215667

**Animal intakes between 11/1/2020 and 11/30/2020 for destin**

As of: 12/4/2020 2:20:48PM  
**STRAY**

<u>intake</u>	<u>intake type</u>	<u>intake subtype</u>	<u>animal id</u>	<u>animal type</u>	<u>crossing</u>	<u>outcome type</u>	<u>outcome</u>	<u>Days here</u>
11/6/20	STRAY	FIELD	A215726	CAT	AIRPORT RD VET	TRANSFER	11/12/20	6
11/18/20	STRAY	OTC	A211419	CAT	OFF HWY 98	RTO	11/18/20	0
11/6/20	STRAY	FIELD	A215724	DOG	AIRPORT RD VET	RTO	11/7/20	1
11/2/20	STRAY	OTC	A215665	DOG	US 98	RTO	11/6/20	4
11/2/20	STRAY	OTC	A215667	DOG	EMERALD COAST PKY	RTO	11/3/20	1

**5.00**

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 11/1/2020 and 11/30/2020**  
**(activities completed on weekends are highlighted in gray)**

**DESTIN**

A20-016640-1 Type: INV/WEL CK Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 410 LEE LN DESTIN FL 32541 Activity: 10/29/20 3:14 pm  
 Comment/Crossin WEL CHK ON DOG AT THIS ADDRESS. OWNER HAS MEDICAL ISSUES -NEIGHBORS FEED IT AND Completed: 11/2/20 12:40 pm  
 Caller: HEATHER UNKN 411 LEE DR DESTIN, FL 32541

Qty.	Result	Qty.	Result
1	NOTIC	0	
0		0	
0		0	

A20-016714-1 Type: STRAY/CONF Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: 900 AIRPORT RD DESTIN FL 32541 Activity: 11/6/20 1:07 pm  
 Comment/Crossin STRAY DOG AND BLIND CAT DROPPED OFF AT CLINIC Completed: 11/6/20 1:27 pm  
 Caller: DESTIN AIRPORT VET 900 AIRPORT RD DESTIN, FL 32541

Qty.	Result	Qty.	Result
1	MC	0	
2	IMPND	0	
0		0	

A20-016763-1 Type: STRAY/ROAM Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 204 ANN CIR DESTIN FL 32541 Activity: 11/12/20 10:46 am  
 Comment/Crossin LOTS OF RABBITS MULTIPLYING IN AREA, NEED TRAPS Completed: 11/12/20 4:30 pm  
 Caller: JAMIE UNKN 204 ANN CIR DESTIN, FL 32541

Qty.	Result	Qty.	Result
1	MC	0	
0		0	
0		0	

A20-016767-1 Type: INV/BARK Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 64 INDIAN BAYOU DR DESTIN FL 32541 Activity: 11/12/20 1:30 pm  
 Comment/Crossin SMALL DOG AT THIS ADDRESS LEFT OUTSIDE BARKING CONSTANTLY. PLEASE EDUCATE AND DR Completed: 11/12/20 4:30 pm  
 Caller: NANCY KEEGAN 4368 OLD BAYOU TRL DESTIN, FL 32541

Qty.	Result	Qty.	Result
1	EDUC	0	
0		0	
0		0	

A20-016803-1 Type: OWNED/ROAM Priority: DAILY Geo: N Juris: DESTIN  
 Activity Address: 69 COUNTRY CLUB DR DESTIN FL Activity: 11/17/20 3:24 pm  
 Comment/Crossin BLACK DOG AT THIS ADDRESS CONSTANTLY IN THE ROAD. ALMOST HIT SEVERAL TIMES TODAY Completed: 11/17/20 4:43 pm  
 Caller:

Qty.	Result	Qty.	Result
0	MC	0	
0	CTP	0	
0	NOTIC	0	

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 11/1/2020 and 11/30/2020  
(activities completed on weekends are highlighted in gray)**

**DESTIN**

A20-016818-1 Type: STRAY/ROAM Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: 662 HARBOR BVD DESTIN FL Activity: 11/19/20 11:52 am  
 Comment/Crossin STRAY DOG RUNNING AROUND THE COMPLEX Completed: 11/19/20 12:31 pm  
 Caller:

Qty.	Result	Qty.	Result
1	COMP	0	
0		0	
0		0	

A20-016866-1 Type: ASST/POLICE Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 769 HARBOR BVD DESTIN FL Activity: 11/23/20 8:00 am  
 Comment/Crossin SO ARRESTED A WOMAN WHO HAD A DOG Completed: 11/23/20 9:30 am  
 Caller:

Qty.	Result	Qty.	Result
1	IMPND	0	
0		0	
0		0	

A20-016869-1 Type: INV/NEG Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 793 HARBOR BVD DESTIN FL 32541 Activity: 11/28/20 4:16 pm  
 Comment/Crossin WHITE NISSAN VERSA -FILLED WITH TRASH, DIRTY CAT BOXES AND 6 FERAL CATS. CAR IS Completed: 11/30/20 3:20 pm  
 Caller: SUSAN CHESEBRO 793 HARBOR BVD DESTIN, FL 32541

Qty.	Result	Qty.	Result
1	NOTIC	0	
0		0	
0		0	

Total Activities for DESTIN: 8

# EUTHANASIA TOTAL

11/1/2020 - 11/30/2020

CRESTVIEW Total: 2

CAT 2

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days in Shelter
	1	A215714	LH HOLDING	DOMESTIC SH	/	U	AW				11/5/2020	0
INJURED	1	A216075	CLINIC SM	DOMESTIC LH	5 / 1	M	VM				11/20/2020	0

Average CC's per CAT :

Average weight per CAT :

## EUTHANASIA TOTAL

11/1/2020 - 11/30/2020

FT WALTON BEACH Total: 30

CAT 30

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
MEDICAL	1	A215813	ACO	DOMESTIC SH	/	N	TS				11/25/2020	8
MEDICAL	1	A215742	CLINIC BIG	DOMESTIC SH	6 / 1	M	SH				11/30/2020	17
BEHAV OBS	1	A215824	LH HOLDING	DOMESTIC SH	2 / 1	U	AW				11/17/2020	0
BEHAV OBS	1	A215725	LH HOLDING	DOMESTIC MH	0 / 9	F	AW				11/18/2020	6
BEHAV OBS	1	A215789	LH HOLDING	DOMESTIC SH	2 / 1	F	KH				11/18/2020	1
BEHAV OBS	1	A215793	LH HOLDING	DOMESTIC SH	/	F	AW				11/18/2020	1
MEDICAL	1	A212410	ACO	DOMESTIC SH	/	N	TS				11/19/2020	234
MEDICAL	1	A214435	ACO	DOMESTIC SH	0 / 4	F	TS				11/20/2020	85
MEDICAL	1	A215734	CAT ROOM	DOMESTIC SH	/	F	TS				11/20/2020	2
MEDICAL	1	A215735	CAT ROOM	DOMESTIC SH	/	U	TS				11/20/2020	2
MEDICAL	1	A215503	CAT ROOM	DOMESTIC SH	/	F	TS				11/2/2020	4
BEHAV OBS	1	A215394	LH HOLDING	DOMESTIC SH	2 / 1	M	AW				11/4/2020	9
BEHAV OBS	1	A215568	LH HOLDING	DOMESTIC SH	/	U	AW				11/4/2020	2
MEDICAL	1	A215197	CLINIC BIG	DOMESTIC SH	/	U	TK				11/15/2020	34
MEDICAL	1	A215637	LH HOLDING	SIAMESE	/	M	AW				11/17/2020	12
MEDICAL	1	A215723	LH HOLDING	DOMESTIC SH	/	F	AW				11/17/2020	5
BEHAV OBS	1	A214670	LH HOLDING	DOMESTIC SH	0 / 7	U	AW				11/9/2020	56
BEHAV OBS	1	A214779	LH HOLDING	DOMESTIC SH	0 / 3	U	AW				11/9/2020	49
BEHAV OBS	1	A215011	LH HOLDING	DOMESTIC SH	1 / 1	F	AW				11/9/2020	39
BEHAV OBS	1	A215293	LH HOLDING	DOMESTIC SH	1 / 2	F	AW				11/9/2020	21
BEHAV OBS	1	A215464	LH HOLDING	DOMESTIC SH	1 / 1	F	AW				11/9/2020	13
MEDICAL	1	A215528	HOLDING	DOMESTIC SH	/	U	TS				11/9/2020	11
MEDICAL	1	A215529	HOLDING	DOMESTIC SH	/	U	TS				11/9/2020	11
BEHAV OBS	1	A215549	LH HOLDING	DOMESTIC SH	/	F	AW				11/9/2020	7
MEDICAL	1	A215573	HOLDING	DOMESTIC SH	/	F	TS				11/9/2020	7
MEDICAL	1	A215576	HOLDING	DOMESTIC SH	/	U	TS				11/9/2020	7

# EUTHANASIA TOTAL

11/1/2020 - 11/30/2020

MEDICAL	1	A215580	HOLDING	DOMESTIC SH	/	U	TK	11/9/2020	7
MEDICAL	1	A215650	LH HOLDING	DOMESTIC SH	1 / 1	M	AW	11/9/2020	3
MEDICAL	1	A215726	CAT ROOM	DOMESTIC SH	/	U	TS	11/12/2020	0
MEDICAL	1	A215691	CAT ROOM	DOMESTIC SH	/	U	TS	11/13/2020	3

Average CC's per CAT :

Average wieght per CAT :

# EUTHANASIA TOTAL

11/17/2020 - 11/30/2020

HURLBURT FLD Total: 1

CAT 1

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
FERAL	1	A215814	CAT ROOM	DOMESTIC SH	/	F	TK				11/17/2020	6

Average CC's per CAT :

Average wieght per CAT :

# EUTHANASIA TOTAL

11/1/2020 - 11/30/2020

NICEVILLE Total: 1

CAT 1

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
FERAL	1	A215923	CAT ROOM	DOMESTIC SH	/	U	TS				11/24/2020	6

Average CC's per CAT :

Average weight per CAT :

## EUTHANASIA TOTAL

11/1/2020 - 11/30/2020

OKALOOSA CO Total: 4

CAT 4

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
MEDICAL	1	A189952	CAT HOUSE	DOMESTIC SH	4 / 10	N	SH		2.00		11/30/2020	1,400
	1	A216070	LH HOLDING	DOMESTIC SH	0 / 3	U	AW				11/20/2020	0
INJURED	1	A215716	HOLDING	DOMESTIC SH	/	F	SH				11/6/2020	0
MEDICAL	1	A212349	FOSTER	DOMESTIC SH	/	N	TK				11/15/2020	239
									2.00			

Average CC's per CAT: 2.00

Average wieght per CAT :

# EUTHANASIA TOTAL

11/1/2020 - 11/30/2020

---

Animals euthanized	38	2.00
--------------------	----	------

PAWS  
 752 Lovejoy Rd NW  
 Fort Walton Beach, FL 32548  
 US  
 850-243-1525  
 ashleyeasybooks@gmail.com  
 www.paws-shelter.org

Invoice



**Panhandle  
 Animal  
 Welfare  
 Society**

**BILL TO**  
 City Of Destin  
 4200 Two Trees Rd  
 Destin, FL 32541

**SHIP TO**  
 City Of Destin  
 4200 Two Trees Rd  
 Destin, FL 32541

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
Destin10/20	11/01/2020	\$3,831.25	11/01/2020	Due on receipt	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
City of Destin	Monthly billing for Animal Control Contract	1	3,831.25	3,831.25
<b>BALANCE DUE</b>				<b>\$3,831.25</b>



**OK TO PAY**

PO# \_\_\_\_\_ VENDOR# 315

AMOUNT \$3831.25

ORG 0156272 OBJ 534000

PROJECT \_\_\_\_\_

APPROVER / DATE \_\_\_\_\_






# DESTIN10-20

Final Audit Report

2020-11-18

Created:	2020-11-18
By:	Sharon Gardner (sgardner@cityofdestin.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAJJ8F1ELD3MV2qqML3uaUfqfdvPtcwmtD

## "DESTIN10-20" History

-  Document created by Sharon Gardner (sgardner@cityofdestin.com)  
2020-11-18 - 7:00:07 PM GMT- IP address: 70.191.191.143
-  Document emailed to Joey Forgione (jforgione@cityofdestin.com) for signature  
2020-11-18 - 7:00:28 PM GMT
-  Email viewed by Joey Forgione (jforgione@cityofdestin.com)  
2020-11-18 - 9:38:32 PM GMT- IP address: 174.240.133.157
-  Document e-signed by Joey Forgione (jforgione@cityofdestin.com)  
Signature Date: 2020-11-18 - 9:38:53 PM GMT - Time Source: server- IP address: 174.240.133.157
-  Agreement completed.  
2020-11-18 - 9:38:53 PM GMT

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 10/1/2020 and 10/31/2020  
(activities completed on weekends are highlighted in gray)**

**DESTIN**

A20-016379-1	Type: STRAY/ROAM	Priority: DAILY	Geo: S	Juris: DESTIN	Activity: 10/1/20 1:08 pm
Activity Address: MIMOSA AV DESTIN FL					Completed: 10/1/20 2:44 pm
Comment/Crossin STRAY BLACK CHIHUAHUA CHARGING VEHICLES.					
Caller:					
Qty.	Result	Qty.	Result		
1	MC	0			
1	GOA	0			
0		0			
A20-016380-1	Type: STRAY/INJ	Priority: DAILY	Geo: S	Juris: DESTIN	Activity: 10/2/20 8:50 am
Activity Address: 1000 E HWY 98 DESTIN FL					Completed: 10/2/20 8:57 am
Comment/Crossin STRAY BLK AND WHITE DOG INJURED.					
Caller:					
Qty.	Result	Qty.	Result		
1	MC	0			
1	IMPND	0			
0		0			
A20-016441-1	Type: STRAY/SICK	Priority: DAILY	Geo: S	Juris: DESTIN	Activity: 10/8/20 4:31 pm
Activity Address: 20 RUE D'ETRATAT DESTIN FL					Completed: 10/8/20 4:45 pm
Comment/Crossin STRAY SICK CAT LAYING ON CALLERS TABLE ON FRONT PORCH. BLACK IN COLOR					
Caller:					
Qty.	Result	Qty.	Result		
1	MC	0			
1	IMPND	0			
0		0			
A20-016506-1	Type: INV/WEL CK	Priority: DAILY	Geo: S	Juris: DESTIN	Activity: 10/15/20 9:16 am
Activity Address: 81 POMPANO ST DESTIN FL					Completed: 10/15/20 1:38 pm
Comment/Crossin OWNER OD'D IN HOSPITAL. CALLER SAYS THERE ARE 2 DOGS LEFT IN THE RESIDENCE. TERR					
Caller:					
Qty.	Result	Qty.	Result		
1	MC	0			
3	IMPND	0			
0		0			
A20-016535-1	Type: OWNED/ABAN	Priority: DAILY	Geo:	Juris: DESTIN	Activity: 10/19/20 8:53 am
Activity Address: 220 MISTY CT DESTIN FL 32541					Completed: 10/19/20 3:35 pm
Comment/Crossin NO ONE HAS BEEN THERE IN DAYS AND THE DOGS KEEP BARKING WELL CHECK					
Caller: MONICA MADEL 218 MISTY CT DESTIN. FL 32541					
Qty.	Result	Qty.	Result		
1	UTMC	0			
1	NOTIC	0			
0		0			

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 10/1/2020 and 10/31/2020  
(activities completed on weekends are highlighted in gray)**

**DESTIN**

A20-016622-1 Type: ASST/POLICE Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 4100 INDIAN BAYOU TRL DESTIN Activity: 10/27/20 3:08 pm  
 Comment/Crossin DOG FIGHT AT THE DESTIN DOG PARK. 15 YEAR OLD GIRL BIT Completed: 10/27/20 3:22 pm

Caller:

Qty.	Result	Qty.	Result
1	MCO	0	
1	CTP	0	
2	GOA	0	

---

A20-016642-1 Type: INV/WEL CK Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: 33 HARBOR BVD DESTIN FL Activity: 10/29/20 3:59 pm  
 Comment/Crossin DOG LOCKED IN BLK CHRYSLER VOYAGER FOR 30 MINUTES OUTSIDE OF BUSINESS Completed: 10/29/20 4:52 pm

Caller:

Qty.	Result	Qty.	Result
1	CANCL	0	
0		0	
0		0	

---

Total Activities for DESTIN: 7

**Animal Services at PAWS**  
**Animal Intake Totals for destin**  
**10/1/2020 to 10/31/2020**

			2020		Total
			Oct	Total	
CAT	STRAY	FIELD	1	1	1
		OTC	2	2	2
		Total	3	3	3
	Total	3	3	3	
DOG	STRAY	FIELD	1	1	1
		OTC	2	2	2
		Total	3	3	3
	Total	3	3	3	
Total			6	6	6

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 10/1/2020 and 10/31/2020**  
 (activities completed on weekends are highlighted in gray)

**DESTIN**

A20-016379-1 Type: STRAY/ROAM Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: MIMOSA AV DESTIN FL Activity: 10/1/20 1:08 pm  
 Comment/Crossin STRAY BLACK CHIHUAHUA CHARGING VEHICLES. Completed: 10/1/20 2:44 pm  
 Caller:   
 Qty. Result Qty. Result  
 1 MC 0  
 1 GOA 0  
 0

A20-016380-1 Type: STRAY/INJ Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: 1000 E HWY 98 DESTIN FL Activity: 10/2/20 8:50 am  
 Comment/Crossin STRAY BLK AND WHITE DOG INJURED. Completed: 10/2/20 8:57 am  
 Caller:   
 Qty. Result Qty. Result  
 1 MC 0  
 1 IMPND 0  
 0

A20-016441-1 Type: STRAY/SICK Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: 20 RUE DETRATAT DESTIN FL Activity: 10/8/20 4:31 pm  
 Comment/Crossin STRAY SICK CAT LAYING ON CALLERS TABLE ON FRONT PORCH. BLACK IN COLOR Completed: 10/8/20 4:45 pm  
 Caller:   
 Qty. Result Qty. Result  
 1 MC 0  
 1 IMPND 0  
 0

A20-016506-1 Type: INV/WEL CK Priority: DAILY Geo: S Juris: DESTIN  
 Activity Address: 81 POMPANO ST DESTIN FL Activity: 10/15/20 9:16 am  
 Comment/Crossin OWNER OD'D IN HOSPITAL. CALLER SAYS THERE ARE 2 DOGS LEFT IN THE RESIDENCE. TERR Completed: 10/15/20 1:38 pm  
 Caller:   
 Qty. Result Qty. Result  
 1 MC 0  
 3 IMPND 0  
 0

A20-016535-1 Type: OWNED/BAN Priority: DAILY Geo: Juris: DESTIN  
 Activity Address: 220 MISTY CT DESTIN FL 32541 Activity: 10/19/20 8:53 am  
 Comment/Crossin NO ONE HAS BEEN THERE IN DAYS AND THE DOGS KEEP BARKING WELL CHECK Completed: 10/19/20 3:35 pm  
 Caller: MONICA MADEL 218 MISTY CT DESTIN, FL 32541  
 Qty. Result Qty. Result  
 1 UTM/C 0  
 1 NOTIC 0  
 0

**LIST OF ACTIVITIES WITH COMPLETE DATE BETWEEN 10/1/2020 and 10/31/2020**  
 (activities completed on weekends are highlighted in gray)

**DESTIN**

A20-016622-1    Type: ASST/POLICE    Priority: DAILY    DESTIN    Geo:    Juris: DESTIN    Activity: 10/27/20 3:08 pm  
 Activity Address: 4100 INDIAN BAYOU TRL    Completed: 10/27/20 3:22 pm  
 Comment/Crossin DOG FIGHT AT THE DESTIN DOG PARK 15 YEAR OLD GIRL BIT

Caller:    Qty. Result    Qty. Result  
 1    MCO    0  
 1    CTP    0  
 2    GOA    0

A20-016642-1    Type: INV/WEL CK    Priority: DAILY    DESTIN FL    Geo: S    Juris: DESTIN    Activity: 10/29/20 3:59 pm  
 Activity Address: 33 HARBOR BVD    Completed: 10/29/20 4:52 pm  
 Comment/Crossin DOG LOCKED IN BLK CHRYSLER VOYAGER FOR 30 MINUTES OUTSIDE OF BUSINESS

Caller:    Qty. Result    Qty. Result  
 1    CANCL    0  
 0       0  
 0       0

Total Activities for DESTIN: 7

CAT / STRAY / FIELD  
A215248

CAT / STRAY / OTC  
A215198 A215199

DOG / STRAY / FIELD  
A215119

DOG / STRAY / OTC  
A215513 A215541

Animal intakes between 10/1/2020 and 10/31/2020 for destin

As of: 11/9/2020 11:42:05AM  
STRAY

<u>intake</u>	<u>intake type</u>	<u>intake subtype</u>	<u>animal id</u>	<u>animal type</u>	<u>crossing</u>	<u>outcome type</u>	<u>outcome</u>	<u>Days here</u>
10/8/20	STRAY	FIELD	A215248	CAT	RU D'ETRATAT	DIED	10/13/20	5
10/6/20	STRAY	OTC	A215198	CAT	LEGION DR	TRANSFER	10/12/20	6
10/6/20	STRAY	OTC	A215199	CAT	LEGION DR	TRANSFER	10/12/20	6
10/2/20	STRAY	FIELD	A215119	DOG	HWY 98 E	TRANSFER	10/9/20	7
10/24/2	STRAY	OTC	A215513	DOG	BAYOU DR	RTO	10/24/20	0
10/26/2	STRAY	OTC	A215541	DOG	MISTY CT	TRANSFER	11/2/20	7

6.00

# EUTHANASIA TOTAL

10/1/2020 - 10/31/2020

**FT WALTON BEACH Total: 27**

**CAT 26**

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
MEDICAL	1	A214273	CAT ROOM	DOMESTIC MH	10 / 3	S	CLINIC				10/5/2020	0
MEDICAL	1	A214830	HALL	DOMESTIC LH	/	U	TS				10/5/2020	10
MEDICAL	1	A214831	HALL	DOMESTIC SH	/	U	TS				10/5/2020	10
MEDICAL	1	A214834	HALL	DOMESTIC SH	/	U	TS				10/5/2020	27
MEDICAL	1	A214624	CAT ROOM	DOMESTIC SH	/	U	TK				10/6/2020	27
MEDICAL	1	A214625	CAT ROOM	DOMESTIC LH	/	U	TK				10/6/2020	15
MEDICAL	1	A214786	CAT ROOM	DOMESTIC SH	/	U	TK				10/6/2020	8
FERAL	1	A214909	CAT ROOM	DOMESTIC SH	/	U	TK				10/6/2020	8
TOO YOUNG	1	A214931	CAT ROOM	DOMESTIC SH	/	F	TK				10/6/2020	4
MEDICAL	1	A215029	CAT ROOM	DOMESTIC SH	/	U	TK				10/6/2020	4
MEDICAL	1	A215030	CAT ROOM	DOMESTIC SH	/	U	TK				10/6/2020	4
MEDICAL	1	A215031	CAT ROOM	DOMESTIC SH	/	U	TK				10/6/2020	4
MEDICAL	1	A215032	CAT ROOM	DOMESTIC SH	/	U	TK				10/7/2020	6
MEDICAL	1	A215010	LH HOLDING	DOMESTIC SH	/	U	AW				10/7/2020	5
FERAL	1	A215018	CAT ROOM	DOMESTIC SH	/	U	TS				10/9/2020	10
MEDICAL	1	A214959	CAT ROOM	DOMESTIC SH	/	U	TS				10/17/2020	5
MEDICAL	1	A215195	ADOPTION 1	DOMESTIC SH	0 / 1	M	DK				10/20/2020	20
MEDICAL	1	A214982	LH HOLDING	DOMESTIC SH	/	U	AW				10/27/2020	7
FERAL	1	A215409	CAT ROOM	DOMESTIC SH	/	U	TS				10/28/2020	9
MEDICAL	1	A215289	CAT ROOM	DOMESTIC SH	/	U	TS				10/28/2020	9
MEDICAL	1	A215298	CAT ROOM	DOMESTIC SH	/	U	TS				10/28/2020	9
MEDICAL	1	A215368	CAT ROOM	DOMESTIC SH	/	M	TS				10/29/2020	7
MEDICAL	1	A215377	CLINIC SM	DOMESTIC SH	/	U	TS				10/30/2020	16
MEDICAL	1	A215237	LH HOLDING	DOMESTIC MH	0 / 4	M	AW				10/30/2020	1
FERAL	1	A215502	CAT ROOM	DOMESTIC MH	/	F	TS				10/31/2020	1
MEDICAL	1	A215091	CLINIC BIG	DOMESTIC SH	0 / 2	U	DK				10/31/2020	25

**EUTHANASIA TOTAL**

10/1/2020 - 10/31/2020

Average CC's per CAT :

Average wieght per CAT :

DOG 1

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
AGGRESSIVE	1	A215146	S19	PIT BULL	/	M	CM				10/14/2020	2

Average CC's per DOG :

Average wieght per DOG :

## EUTHANASIA TOTAL

10/1/2020 - 10/31/2020

OKALOOSA CO Total: 10

CAT 10

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days in Shelter
MEDICAL	1	A215127	HOLDING	DOMESTIC SH	/	U	VM				10/2/2020	0
MEDICAL	1	A215535	HOLDING	DOMESTIC SH	/	U	SH				10/27/2020	1
MEDICAL	1	A215473	LH HOLDING	DOMESTIC SH	0 / 1	U	AW				10/22/2020	1
MEDICAL	1	A215474	LH HOLDING	DOMESTIC SH	0 / 1	U	AW				10/22/2020	1
FERAL	1	A215175	CAT ROOM	DOMESTIC SH	/	U	TK				10/13/2020	8
FERAL	1	A215183	CAT ROOM	DOMESTIC SH	/	F	TK				10/13/2020	8
FERAL	1	A215185	CAT ROOM	DOMESTIC SH	/	F	TK				10/13/2020	8
FERAL	1	A215186	CAT ROOM	DOMESTIC SH	/	F	TK				10/13/2020	8
FERAL	1	A215209	CAT ROOM	DOMESTIC SH	/	U	TK				10/13/2020	6
MEDICAL	1	A215196	CLINIC BIG	DOMESTIC SH	/	U	SH				10/8/2020	2

Average CC's per CAT :

Average wieght per CAT :

# EUTHANASIA TOTAL

10/1/2020 - 10/31/2020

OKALOOSA CO Total: 10

CAT 10

REASON	INTAKE TOTAL	ID	KENNEL	BREED	YRS/MO	SEX	BY	WEIGHT	DOSE	Dose 2	Euth Date	Days In Shelter
MEDICAL	1	A215127	HOLDING	DOMESTIC SH	/	U	VM				10/2/2020	0
MEDICAL	1	A215335	HOLDING	DOMESTIC SH	/	U	SH				10/27/2020	1
MEDICAL	1	A215473	LH HOLDING	DOMESTIC SH	0 / 1	U	AW				10/22/2020	1
MEDICAL	1	A215474	LH HOLDING	DOMESTIC SH	0 / 1	U	AW				10/22/2020	1
FERAL	1	A215175	CAT ROOM	DOMESTIC SH	/	U	TK				10/13/2020	8
FERAL	1	A215183	CAT ROOM	DOMESTIC SH	/	F	TK				10/13/2020	8
FERAL	1	A215185	CAT ROOM	DOMESTIC SH	/	F	TK				10/13/2020	8
FERAL	1	A215186	CAT ROOM	DOMESTIC SH	/	F	TK				10/13/2020	8
FERAL	1	A215209	CAT ROOM	DOMESTIC SH	/	U	TK				10/13/2020	6
MEDICAL	1	A215196	CLINIC BIG	DOMESTIC SH	/	U	SH				10/8/2020	2

Average CC's per CAT : \_\_\_\_\_ Average weight per CAT : \_\_\_\_\_

**EUTHANASIA TOTAL**

10/1/2020 - 10/31/2020

---

Animals euthanized	37
--------------------	----

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.A.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember Braden

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.B.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember Ramswell

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.C.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember Destin

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.D.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember Overdier

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.E.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember Hebert

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.F.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember King

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.G.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Councilmember Schmidt

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Council Discussion Item  
**AGENDA OUTLINE NUMBER:** 7.G.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** 1) Helicopter Operations  
2) Charter Review

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.H.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Mayor Gary Jarvis

---

**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:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.I.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** Land Use Attorney

---

**I. BACKGROUND:**

**II. DISCUSSION:**

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

**III. CONCLUSION:**

**IV. RECOMMENDED MOTION:**

Attachments:

None

CITY OF DESTIN



# AGENDA ITEM

**COUNCIL MEETING DATE:** May 17, 2021  
**TYPE OF AGENDA ITEM:** Presentation  
**AGENDA OUTLINE NUMBER:** 7.J.

---

**TO:** City Council

**THRU:**

**FROM:**

**DATE:**

**SUBJECT:** City Attorney

---

**I. BACKGROUND:**

**II. DISCUSSION:**

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

**III. CONCLUSION:**

**IV. RECOMMENDED MOTION:**

Attachments:

None