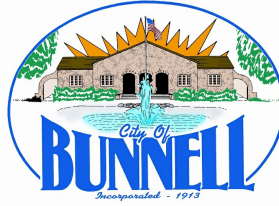


CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR.
CITY MANAGER



Crossroads of Flagler County

COMMISSIONERS:

TONYA GORDON

TINA-MARIE SCHULTZ

PETE YOUNG

BUNNELL CITY COMMISSION MEETING

Monday, March 25, 2024

7:00 PM

1769 East Moody Boulevard (GSB),
Chambers Room
Bunnell, FL 32110

A. Call Meeting to Order and Pledge Allegiance to the Flag

Roll Call

Invocation for our Military Troops and National Leaders

B. Introductions, Commendations, Proclamations, and Presentations:

B.1. Proclamation: Water Conservation Month

B.2. Presentation: Police Department Annual Awards

C. Consent Agenda:

C.1. Approval of Warrant

a. March 25, 2024 Warrant

C.2. Approval of Minutes

a. March 11, 2024 City Commission Meeting Minutes

C.3. Confirmation of Joe Parsons as the Community Development Director

C.4. Request Approval for the Authorization to the East Flagler Mosquito Control District and Contracted Vendors to Conduct Aerial Spraying over Congested Areas within the City Limits.

C.5. Acceptance of the Bunnell Admin / PD Complex – Permanent Stormwater Easement for Lot 4 and Lot 5

D. Public Comments:

Comments regarding items not on the Agenda. Citizens are encouraged to speak; however, comments are limited to four (4) minutes.

E. Ordinances: (Legislative):

- E.1.** Ordinance 2024-06 Amending the Future Land Use Element and the Conservation Element in the City of Bunnell 2035 Comprehensive Plan. - First Reading
- E.2.** Ordinance 2024-07 Amending the City of Bunnell Land Development Code Chapter 18 - Natural Resource Protection and Management and Chapter 34 - Zoning. - First Reading
- E.3.** Ordinance 2024-08 Amending the City of Bunnell Code of Ordinances Chapter 30 - Fees and Chapter 54 - Streets, Sidewalks and Other Public Places. - First Reading

F. Resolutions: (Legislative):

- F.1.** Resolution 2024-04 Amending the City of Bunnell Development Fees
- F.2.** Resolution 2024-05 Granting development impact fee credits for DR Horton related to the public benefit of certain water main improvements to the Grand Reserve community.

G. Old Business: None

H. New Business:

- H.1.** Administrative Order 2024-02 Requesting approval to allow the City of Bunnell Wastewater Treatment Facility Expansion to encroach 25 feet more or less into the northern adjacent property.
- H.2.** Request Approval of the City Health Insurance Enrollment 2024
- H.3.** Request to Pay Flagler County Humane Society for costs outside the Monthly Contracted Amount.

I. Reports:

- **City Clerk**
- **Police Chief**
- **City Attorney**
- **City Manager**

City Manager Report- February 2024

- **Mayor and City Commissioners**

J. Call for Adjournment.

This agenda is subject to change without notice. Please see posted copy at City Hall, and our website www.BunnellCity.us.

NOTICE: If any person decides to appeal any decision made by the City Commission or any of its boards, with respect to any matter considered at any meeting of such boards or commission, he or she will need a record of the proceedings, and for this purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based, 286.0105 Florida Statutes.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the City Clerk at (386) 437-7500 at least 48

hours prior to the meeting date.

THE CITY OF BUNNELL IS AN EQUAL OPPORTUNITY SERVICE PROVIDER.

Posted by City Clerk's office on March 18, 2024



Proclamation

WHEREAS, water is a basic and essential need of every living creature, and water conservation is becoming more critical across our great state; and

WHEREAS, The State of Florida, Water Management Districts and the City of Bunnell are working together to increase awareness about the importance of water conservation; and

WHEREAS, residents are encouraged to keep their home leak-free by repairing dripping faucets, toilet flappers and showerheads; and

WHEREAS, the City of Bunnell and the State of Florida has designated April, historically a dry month when water demands are most acute, as Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of Bunnell has always encouraged and supported water conservation; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, we, the Bunnell City Commission do hereby proclaim the month of April 2024 as "Water Conservation Month" in the City of Bunnell and urge all citizens and businesses to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

Adopted this 25th day of March 2024

Catherine D. Robinson, Mayor

Kristen Bates, CMC, City Clerk



City of Bunnell, Florida

ATTACHMENTS:

Description

Warrant 3/25/2024

Type

Warrant



City of Bunnell, FL

Expense Approval Register

cket: APPKT08375 - 03.25.24 Warrant - Payment

(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
Vendor: Boulevard Tire Center					
	02/16/2024	Boulevard Tire Center	Tire, balance,vavle kit Veh 1...	001-0521-521.4620	486.90
		Vendor Boulevard Tire Center Total:			486.90
Vendor: Bunnell Auto Supply, Inc.					
	01/29/2024	Bunnell Auto Supply, Inc.	Fuel Filter, Trailer Wire, Stro...	402-0534-534.4620	186.90
	01/29/2024	Bunnell Auto Supply, Inc.	DEF Fuel Cap Truck, Gromme...	402-0534-534.4620	175.99
	01/29/2024	Bunnell Auto Supply, Inc.	DEF Fuel Cap Truck, Gromme...	402-0534-534.5200	399.97
	01/29/2024	Bunnell Auto Supply, Inc.	Credit	402-0534-534.4620	-70.00
	02/26/2024	Bunnell Auto Supply, Inc.	Clamp, Cap Screw, Hex Nut, ...	402-0534-534.4620	206.47
	02/26/2024	Bunnell Auto Supply, Inc.	Brake Light Veh 2300	001-0521-521.4620	15.00
	02/26/2024	Bunnell Auto Supply, Inc.	Coupling Truck 941	402-0534-534.4620	13.49
	02/28/2024	Bunnell Auto Supply, Inc.	Coupling, ABS Valve	402-0534-534.4620	358.67
	02/28/2024	Bunnell Auto Supply, Inc.	QWIKFIT Comp FTG ML	402-0534-534.4620	11.49
	02/29/2024	Bunnell Auto Supply, Inc.	Purple Power 5 Gal	401-0533-533.5205	19.50
	02/29/2024	Bunnell Auto Supply, Inc.	Purple Power 5 Gal	404-0535-535.5200	19.49
	03/05/2024	Bunnell Auto Supply, Inc.	Cleves Slip Hook	401-0533-533.5264	36.39
		Vendor Bunnell Auto Supply, Inc. Total:			1,373.36
Vendor: Charter Communications					
	02/21/2024	Charter Communications	Services from 2.26.24-3.25.24	404-0535-535.4100	222.66
		Vendor Charter Communications Total:			222.66
Vendor: Christopher Scott Zwirn					
	02/16/2024	Christopher Scott Zwirn	Holosun 507C, Glock, Glock S...	001-0521-521.5200	1,613.00
	02/28/2024	Christopher Scott Zwirn	Holosun 507K, Optic Plate, Si...	001-0521-521.5200	757.20
		Vendor Christopher Scott Zwirn Total:			2,370.20
Vendor: City of Bunnell - WS O&M					
	01/31/2024	City of Bunnell - WS O&M	02-2050-09 Jan	001-0572-572.4300	161.75
	02/29/2024	City of Bunnell - WS O&M	04-3031-00 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	02-2080-08 Feb	001-0572-572.4300	233.79
	02/29/2024	City of Bunnell - WS O&M	04-3360-01 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	04-3032-00 Feb	001-0572-572.4300	87.98
	02/29/2024	City of Bunnell - WS O&M	02-2060-09 Feb	001-0572-572.4300	236.35
	02/29/2024	City of Bunnell - WS O&M	02-2050-09 Feb	001-0572-572.4300	164.90
	02/29/2024	City of Bunnell - WS O&M	04-2181-00 Feb	001-0572-572.4300	87.49
	02/29/2024	City of Bunnell - WS O&M	04-0170-02 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	03-1541-00 Feb	001-0572-572.4300	88.85
	02/29/2024	City of Bunnell - WS O&M	03-5151-00 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	03-4991-00 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	02-2070-07 Feb	001-0572-572.4300	247.01
	02/29/2024	City of Bunnell - WS O&M	03-0161-00 Feb	001-0572-572.4300	87.11
	02/29/2024	City of Bunnell - WS O&M	06-0327-01 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	03-0545-00 Feb	001-0572-572.4300	87.50
	02/29/2024	City of Bunnell - WS O&M	02-2503-00 Feb	001-0572-572.4300	112.49
	02/29/2024	City of Bunnell - WS O&M	02-3191-00 Feb	001-0572-572.4300	87.30
	02/29/2024	City of Bunnell - WS O&M	03-0370-01 Feb	001-0572-572.4300	136.90
	02/29/2024	City of Bunnell - WS O&M	01-5270-01 Feb	001-0572-572.4300	182.76
	02/29/2024	City of Bunnell - WS O&M	03-0320-01 Feb	001-0572-572.4300	384.19
	02/29/2024	City of Bunnell - WS O&M	01-0040-01 Feb	001-0572-572.4300	1,845.01
	02/29/2024	City of Bunnell - WS O&M	04-1140-01 Feb	001-0572-572.4300	298.45
	02/29/2024	City of Bunnell - WS O&M	03-5260-01 Feb	001-0572-572.4300	215.47
	02/29/2024	City of Bunnell - WS O&M	03-5240-01 Feb	001-0572-572.4300	429.17
		Vendor City of Bunnell - WS O&M Total:			5,698.27

Expense Approval Register			Packet: APPKT08375 - 03.25.24 Warrant - Payment		
(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
Vendor: Communications International Inc					
	02/26/2024	Communications Internation...	Certifications for Radar & Las...	001-0521-521.5200	738.00
			Vendor Communications International Inc Total:		738.00
Vendor: Courtyard Pensacola Downtown					
	03/14/2024	Courtyard Pensacola Downt...	Training April 7-8 2024 Groth,...	001-0521-521.4000	526.50
			Vendor Courtyard Pensacola Downtown Total:		526.50
Vendor: CPH, LLC					
	02/23/2024	CPH, LLC	Services through February 23...	404-0535-535.6200	30,051.50
			Vendor CPH, LLC Total:		30,051.50
Vendor: Culligan Water Products					
	02/28/2024	Culligan Water Products	5 Gal	001-0521-521.4100	40.75
			Vendor Culligan Water Products Total:		40.75
Vendor: DG Hardware, Inc.					
	02/16/2024	DG Hardware, Inc.	Round Base Magnet 22013	402-0534-534.4620	18.53
	02/27/2024	DG Hardware, Inc.	Cable, Hook, Bike Lock, Sprin...	001-0521-521.5200	70.11
			Vendor DG Hardware, Inc. Total:		88.64
Vendor: Environmental Land Services of Flagler County, Inc					
	02/16/2024	Environmental Land Services...	Services through 2.9.24-2.15...	402-0534-534.3400	5,359.69
	02/23/2024	Environmental Land Services...	Services for 2.26.24-2.22.24	402-0534-534.3400	5,713.53
	02/08/2024	Environmental Land Services...	Service date 2.8.24	402-0534-534.3400	535.53
	03/01/2024	Environmental Land Services...	Services through 2.23.24-2.2...	402-0534-534.3400	5,086.37
			Vendor Environmental Land Services of Flagler County, Inc Total:		16,695.12
Vendor: Expert Chemical Sales & Service LLC					
	03/05/2024	Expert Chemical Sales & Serv...	Foam Soap	001-0572-572.5200	192.00
			Vendor Expert Chemical Sales & Service LLC Total:		192.00
Vendor: Flagler Humane Society					
	02/29/2024	Flagler Humane Society	February 2024	001-0562-562.3402	2,240.70
			Vendor Flagler Humane Society Total:		2,240.70
Vendor: Florida Police Chiefs Association					
	02/23/2024	Florida Police Chiefs Associat...	72nd Conference Member Sg...	001-0521-521.5500	400.00
			Vendor Florida Police Chiefs Association Total:		400.00
Vendor: Fred Fox Enterprises, Inc.					
	02/27/2024	Fred Fox Enterprises, Inc.	Hymon Circle Drainage	001-0538-538.6300	6,000.00
			Vendor Fred Fox Enterprises, Inc. Total:		6,000.00
Vendor: Galls Parent Holdings, LLC					
	02/12/2024	Galls Parent Holdings, LLC	Duty Belt - Houser	001-0521-521.5220	83.95
			Vendor Galls Parent Holdings, LLC Total:		83.95
Vendor: Gannett Media Corp					
	02/01/2024	Gannett Media Corp	1.30.24 - 2.1.24	001-0524-524.4800	95.20
			Vendor Gannett Media Corp Total:		95.20
Vendor: Hawkins Inc					
	02/27/2024	Hawkins Inc	Azone - EPA Reg. No. 7870-1	401-0533-533.5205	550.00
	02/27/2024	Hawkins Inc	Azone EPA Reg No 7870-1	401-0533-533.5205	1,518.90
			Vendor Hawkins Inc Total:		2,068.90
Vendor: LOCI Architects, LLC					
	03/11/2024	LOCI Architects, LLC	Nov-Feb Permit Drawing	001-0572-572.3100	1,540.00
			Vendor LOCI Architects, LLC Total:		1,540.00
Vendor: Medi-Quick Urgent Care					
	03/01/2024	Medi-Quick Urgent Care	Lindsey, Zuromski, Ware, Per...	001-0541-541.4900	113.01
	03/01/2024	Medi-Quick Urgent Care	Lindsey, Zuromski, Ware, Per...	401-0533-533.4900	74.99
			Vendor Medi-Quick Urgent Care Total:		188.00
Vendor: Michael Leo Dove					
	02/28/2024	Michael Leo Dove	Services for 2.21.24-2.28.24	118-0524-524.3401	1,245.00
			Vendor Michael Leo Dove Total:		1,245.00

Expense Approval Register

Packet: APPKT08375 - 03.25.24 Warrant - Payment

(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
Vendor: Municipal Emergency Services, Inc					
	02/21/2024	Municipal Emergency Service...	Blue Polo, Embrodier Badge ...	001-0521-521.5220	47.48
			Vendor Municipal Emergency Services, Inc Total:		47.48
Vendor: NextEra Energy Inc					
	02/01/2024	NextEra Energy Inc	37400-05982 Feb 2024	001-0541-541.4300	211.84
	02/19/2024	NextEra Energy Inc	02735-15254 Feb 24	001-0519-519.4300	32.76
	02/29/2024	NextEra Energy Inc	06115-08987 Feb 2024	404-0535-535.4300	39.62
	02/29/2024	NextEra Energy Inc	16455-03937 Feb 2024	001-0541-541.4300	381.28
	02/29/2024	NextEra Energy Inc	16455-03937 Feb 2024	001-0541-541.4300	381.28
	02/29/2024	NextEra Energy Inc	16525-04919 Feb 2024	404-0535-535.4300	7,889.81
	02/29/2024	NextEra Energy Inc	16885-09957 Feb 2024	404-0535-535.4300	42.36
	02/29/2024	NextEra Energy Inc	27076-01973 Feb 2024	404-0535-535.4300	33.02
	02/29/2024	NextEra Energy Inc	27516-03917 Feb 2024	404-0535-535.4300	128.47
	02/29/2024	NextEra Energy Inc	50935-93118 Feb 2024	001-0519-519.4300	88.15
	02/29/2024	NextEra Energy Inc	51926-14112 Feb 2024	001-0519-519.4300	115.99
	02/29/2024	NextEra Energy Inc	56661-53118 Feb 2024	001-0519-519.4300	60.46
			Vendor NextEra Energy Inc Total:		9,405.04
Vendor: PC Construction Company					
	03/11/2024	PC Construction Company	Project WWTF BNR Improve...	404-0535-535.6200	414,312.00
			Vendor PC Construction Company Total:		414,312.00
Vendor: Preferred Governmental Insurance Trust					
	04/01/2024	Preferred Governmental Insu...	Agreement #WC FL1 0182002...	001-2182000	6,850.25
			Vendor Preferred Governmental Insurance Trust Total:		6,850.25
Vendor: Rayco Funding & Development, Inc					
	11/30/2023	Rayco Funding & Developme...	Hauling of Biosolids	404-0535-535.3400	1,575.00
			Vendor Rayco Funding & Development, Inc Total:		1,575.00
Vendor: Rush Truck Centers of Florida Inc					
	02/27/2024	Rush Truck Centers of Florida...	Crosstube Assy-W/Ends	402-0534-534.4620	855.00
	03/03/2024	Rush Truck Centers of Florida...	On site vehicle repair	402-0534-534.4620	2,061.00
			Vendor Rush Truck Centers of Florida Inc Total:		2,916.00
Vendor: SHI International Corp					
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0511-511.5230	91.20
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0511-511.5230	1,070.25
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0512-512.5230	54.72
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0512-512.5230	642.15
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0513-513.5230	1,498.35
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0513-513.5230	127.68
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0514-514.5230	18.24
	02/23/2024	SHI International Corp	Exchange Online Plan 2 GCC	001-0514-514.5230	72.73
	02/23/2024	SHI International Corp	EMS G3 GCC	001-0516-516.5230	6,996.52
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0516-516.5230	72.96
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0516-516.5230	642.15
	02/23/2024	SHI International Corp	Exchange Online Plan 2 GCC	001-0516-516.5230	72.73
	02/23/2024	SHI International Corp	Microsoft Visio P2	001-0516-516.5230	136.46
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0521-521.5230	3,424.80
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0521-521.5230	291.84
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0524-524.5230	556.53
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0524-524.5230	47.42
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0541-541.5230	38.26
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0541-541.5230	449.51
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0549-549.5230	428.10
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0549-549.5230	36.48
	02/23/2024	SHI International Corp	O365 G3 GCC	001-0572-572.5230	214.05
	02/23/2024	SHI International Corp	Exchange Online Plan 2 GCC	001-0572-572.5230	145.46
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	001-0572-572.5230	54.72
	02/23/2024	SHI International Corp	O365 G3 GCC	118-0524-524.5230	428.10
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	118-0524-524.5230	36.48
	02/23/2024	SHI International Corp	Exchange Online Plan 2 GCC	401-0533-533.5230	72.74

Expense Approval Register

Packet: APPKT08375 - 03.25.24 Warrant - Payment

(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
	02/23/2024	SHI International Corp	Microsoft Project P2	401-0533-533.5230	272.92
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	401-0533-533.5230	148.68
	02/23/2024	SHI International Corp	O365 G3 GCC	401-0533-533.5230	1,530.47
	02/23/2024	SHI International Corp	O365 G3 GCC	402-0534-534.5230	214.05
	02/23/2024	SHI International Corp	Exchange Online Plan 2 GCC	402-0534-534.5230	145.46
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	402-0534-534.5230	54.72
	02/23/2024	SHI International Corp	O365 G3 GCC	404-0535-535.5230	1,744.49
	02/23/2024	SHI International Corp	Exchange Online Plan 2 GCC	404-0535-535.5230	72.72
	02/23/2024	SHI International Corp	Microsoft Project P2	404-0535-535.5230	272.92
	02/23/2024	SHI International Corp	Defender O365 P1 GCC	404-0535-535.5230	166.92
	02/27/2024	SHI International Corp	Dell 480GB SSD	001-0516-516.4600	633.31
	02/29/2024	SHI International Corp	BeyondTrust Remote Support	001-0516-516.5230	2,180.75
Vendor SHI International Corp Total:					25,158.04
Vendor: Staples Inc					
	11/08/2023	Staples Inc	Service through 10.16.23-11....	001-0512-512.3400	148.49
	11/08/2023	Staples Inc	Service through 10.16.23-11....	001-0513-513.3400	55.52
	11/08/2023	Staples Inc	Service through 10.16.23-11....	001-0521-521.3400	173.82
	11/08/2023	Staples Inc	Service through 10.16.23-11....	001-0524-524.3400	55.35
	11/08/2023	Staples Inc	Service through 10.16.23-11....	118-0524-524.3400	55.34
Vendor Staples Inc Total:					488.52
Vendor: Staples, Inc					
	02/22/2024	Staples, Inc	Tabs, Post Its, Ink Tricolor, Ink..	001-0512-512.5200	304.18
	02/22/2024	Staples, Inc	Brother Address Labels	001-0512-512.5200	14.39
Vendor Staples, Inc Total:					318.57
Vendor: Tampa Crane & Body Acquisition, LLC					
	12/28/2023	Tampa Crane & Body Acquisit..	curotto can grabber arms	402-0534-534.5264	416.16
	12/29/2023	Tampa Crane & Body Acquisit..	Hub and spindle assembly	402-0534-534.5264	622.45
Vendor Tampa Crane & Body Acquisition, LLC Total:					1,038.61
Vendor: Terry Taylor Ford Company					
	02/23/2024	Terry Taylor Ford Company	Oil Change Veh 1901	001-0521-521.4620	59.99
	02/23/2024	Terry Taylor Ford Company	Oil Change Veh 2005	001-0521-521.4620	59.99
Vendor Terry Taylor Ford Company Total:					119.98
Vendor: The Gaboton Group, LLC					
	02/29/2024	The Gaboton Group, LLC	Retainer - March 2024	001-0511-511.3100	2,000.00
Vendor The Gaboton Group, LLC Total:					2,000.00
Vendor: Vose Law Firm, LLP					
	02/29/2024	Vose Law Firm, LLP	February Legal Fees	001-0514-514.3102	7,000.00
	02/29/2024	Vose Law Firm, LLP	February Legal Fees	001-0524-524.3100	500.00
Vendor Vose Law Firm, LLP Total:					7,500.00
Vendor: Zev Cohen & Associates, Inc.					
	01/10/2024	Zev Cohen & Associates, Inc.	Services through December ...	001-0524-524.3400	4,173.75
	02/09/2024	Zev Cohen & Associates, Inc.	Services through January 31 ...	001-0524-524.3400	1,837.50
Vendor Zev Cohen & Associates, Inc. Total:					6,011.25
Grand Total:					550,086.39

Fund Summary

Fund	Expense Amount
001 - GENERAL FUND	65,160.43
118 - BUILDING DEPT FUND	1,764.92
401 - WATER	4,224.59
402 - SOLID WASTE	22,365.47
404 - SEWER	456,570.98
Grand Total:	550,086.39

Account Summary

Account Number	Account Name	Expense Amount
001-0511-511.3100	Professional Services Ex...	2,000.00
001-0511-511.5230	Software	1,161.45
001-0512-512.3400	Other Contracted Servic...	148.49
001-0512-512.5200	Operating Supplies	318.57
001-0512-512.5230	Software	696.87
001-0513-513.3400	Other Contract Services	55.52
001-0513-513.5230	Software	1,626.03
001-0514-514.3102	Legal Services	7,000.00
001-0514-514.5230	Software	90.97
001-0516-516.4600	Repair/Maint Serv	633.31
001-0516-516.5230	Software	10,101.57
001-0519-519.4300	Utilities	297.36
001-0521-521.3400	Other Contract Services	173.82
001-0521-521.4000	Travel / Per Diem	526.50
001-0521-521.4100	Communications Expense	40.75
001-0521-521.4620	Repair / Maint - Vehicles	621.88
001-0521-521.5200	Operating Supplies	3,178.31
001-0521-521.5220	Uniforms Exp	131.43
001-0521-521.5230	Software	3,716.64
001-0521-521.5500	Training	400.00
001-0524-524.3100	Professional Services Ex...	500.00
001-0524-524.3400	Other Contract Services	6,066.60
001-0524-524.4800	Advertising / Promo Exp...	95.20
001-0524-524.5230	Software	603.95
001-0538-538.6300	Improvements - Other T...	6,000.00
001-0541-541.4300	Utility - Public Services	974.40
001-0541-541.4900	Other Current Chgs & Ob...	113.01
001-0541-541.5230	Software	487.77
001-0549-549.5230	Software	464.58
001-0562-562.3402	Humane Society Contract	2,240.70
001-0572-572.3100	Professional Services Ex...	1,540.00
001-0572-572.4300	Utility - Public Services	5,698.27
001-0572-572.5200	Operating Supplies	192.00
001-0572-572.5230	Software	414.23
001-2182000	WC Payable	6,850.25
118-0524-524.3400	Other Contract Services	55.34
118-0524-524.3401	Bldg/Fire Inspection Exp...	1,245.00
118-0524-524.5230	Software	464.58
401-0533-533.4900	Other Current Chgs & Ob...	74.99
401-0533-533.5205	Operating Supplies Exp -...	2,088.40
401-0533-533.5230	Software	2,024.81
401-0533-533.5264	Small Equipment Purcha...	36.39
402-0534-534.3400	Other Contract Services -...	16,695.12
402-0534-534.4620	Repair/Maint Vehicles - ...	3,817.54
402-0534-534.5200	Operating Supplies	399.97
402-0534-534.5230	Software	414.23
402-0534-534.5264	Small Equipment - Solid...	1,038.61
404-0535-535.3400	Other Contractual Servic...	1,575.00
404-0535-535.4100	Communications	222.66
404-0535-535.4300	Utilities	8,133.28

Account Summary

Account Number	Account Name	Expense Amount
404-0535-535.5200	Operating Supplies	19.49
404-0535-535.5230	Software	2,257.05
404-0535-535.6200	Buildings	444,363.50
Grand Total:		550,086.39

Project Account Summary

Project Account Key	Expense Amount
None	135,774.39
Water Treatment Plan Construction	414,312.00
Grand Total:	550,086.39



City of Bunnell, Florida

ATTACHMENTS:

Description

Proposed Minutes

Type

Minutes

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR
CITY MANAGER



Crossroads of Flagler County

COMMISSIONERS:

TONYA GORDON

TINA-MARIE SCHULTZ

PETE YOUNG

BUNNELL CITY COMMISSION MEETING

Monday, March 11, 2024

7:00 PM

1769 East Moody Boulevard (GSB)
Chambers Room
Bunnell, FL 32110

A. Call Meeting to Order and Pledge Allegiance to the Flag

Mayor Robinson called the meeting to order at 7:00 PM and led the Pledge to the Flag.

Roll Call: Mayor Catherine Robinson; Vice Mayor John Rogers; Commissioner Tina-Marie Schultz; Commissioner Pete Young; City Attorney Paul Waters; City Manager Alvin B. Jackson, Jr; Community Development Director Joe Parsons; Finance Director Kristi Moss; Infrastructure Director Dustin Vost; City Clerk Kristen Bates; Deputy City Clerk Bridgitte Gunnells

Excused: Commissioner Tonya Gordon

Invocation for Our Military Troops and National Leaders:

Police Chaplain Larry Hobbs led the invocation.

B. Introductions, Commendations, Proclamations, and Presentations:

B.1. Proclamation: Problem Gambling Awareness Month

Mayor Robinson read the proclamation into the record.

B.2. Presentation: Donation of AEDs

Chief Brannon stated Commissioner Young proposed the Police Department vehicles be equipped with AEDs (Automated External Defibrillator) at the Commission Advance. Through the generosity of local businesses, the Police Department has received four AEDs. Local businesses who contributed to the costs of getting these AEDs were the following:

1. The Tri Legacy Group
2. SE Cline Construction
3. M & M Development
4. Sizemore Welding
5. 4C Construction
6. Quantum Motors
7. Advent Health Foundation – Palm Coast

Mayor Robinson thanked the donors for caring and being concerned about the community. Vice Mayor Rogers thanked everyone for the donations.

B.3. Presentation: Swearing-In of New Police Officers

Sergeant Groth read brief background statements for the two new officers. Chief Brannon swore in Officer Alan Eaby and Officer Brian Houser.

C. Consent Agenda:

C.1. Approval of Warrant

a. March 11, 2024 Warrant

C.2. Approval of Minutes

a. February 26, 2024 City Commission Meeting Minutes

Motion: Approve the Consent Agenda.

Motion by: Commissioner Schultz

Second by: Vice Mayor Rogers

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

D. Public Comments:

Comments regarding items not on the agenda. Citizens are encouraged to speak; however, comments are limited to four (4) minutes.

None

E. Ordinances: (Legislative): None

F. Resolutions: (Legislative):

F.1. Resolution 2024-02 Approving the Statewide Mutual Aid Agreement (SMAA) with the State of Florida.

City Attorney Waters read the short title into record. City Clerk Bates presented the item to the Board.

Motion: Adopt Resolution 20024-02 and Approve the Statewide Mutual Aid Agreement (SMAA) with the State of Florida.

Motion by: Vice Mayor Rogers

Second by: Commissioner Schultz

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

G. Old Business: None

H. New Business:

H.1 Request Approval to Reallocate Contingency Funds for a Capital Equipment Replacement Purchase and Approval of the Purchase

Infrastructure Director Vost presented the item to the Board.

Motion: Approve to Reallocate Contingency Funds for a Capital Equipment Replacement Purchase and Approval of the Purchase

Amended Motion: Approve to Reallocate Contingency Funds for a Capital Equipment Replacement Purchase and Approval of the Purchase and have staff shop for a higher trade in value.

Motion by: Commissioner Schultz

Second by: Commissioner Young

Board Discussion: Vice Mayor Rogers asked if staff had shopped the trade in amount to try to get more for the item. Staff advised they did not shop the trade in and that it was quoted as part of the purchase price. Vice Mayor Rogers asked Commissioner Schultz if she would

amend her motion to include trying to shop for a higher trade in value. Commissioner Schultz and Commissioner Young agreed to amend their Motion and the Second.

Public Discussion: None

Vote: Motion carried unanimously

I. Reports

- **City Clerk** – Advised the celebration of life for Rob Majak, our Parks and Recreation Supervisor, will be held on March 24th from 10:00 AM to 2:00 PM at JB King Park. The family asks everyone to dress casually and share memories of Rob with his family. The groundbreaking for the Administration Complex will be on March 22nd at 10:30 AM followed by the groundbreaking for Flagler Central Commerce Parkway at 11:30 AM.
- **Police Chief** – Reported the January statistics for the department. He stated the department would be participating in the Spring Bash at JB King Park March 23rd from 10:00 AM to 6:00 PM.
- **City Attorney**- None
- **City Manager**- Requested City Commissioners to help with spreading the word on sponsorship opportunities for the Italian Festival.
- **Mayor and City Commissioners**–
 - **Commissioner Young** – Thanked Chief Brannon for following up AEDs and stated he will help with finding more sponsors to help equip the Police Department.
 - **Commissioner Schultz** – Suggested the Board Members wear their City Commission shirts to the groundbreaking ceremony.
 - **Vice Mayor Rogers** – Thanked Commissioner Young and Chief Brannon for their efforts on obtaining the AEDs. He announced Mayor Robinson will be honored by “She Leads Florida” on March 23rd at noon in Ormond Beach. He said Mayor Robinson was a woman of distinction and a Christian role model.
 - **Mayor Robinson** – None

J. Call for Adjournment.

Motion: Adjourn

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Schultz

Vote: Motion carried unanimously

Catherine D. Robinson, Mayor

Kristen Bates, CMC, City Clerk

Date

Date

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****



City of Bunnell, Florida

Agenda Item No. C.3.

Document Date: 2/27/2024 Amount:
Department: City Manager Account #:
Subject: Confirmation of Joe Parsons as the Community Development Director
Agenda Section: Consent Agenda:

Summary/Highlights:

This is a request to confirm the appointment of Joe Parsons as the Community Development Director effective April 1, 2024.

Background:

The City Charter requires the City Manager to have the Commission confirm the appointment of Department Directors.

From City Charter 4.04:

B. Appoint, and when it is deemed necessary for the good of the City, suspend or remove any City employee or appointed administrative officer provided for by or under the Charter, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter and to authorize any administrative officer to exercise these powers with respect to subordinates in that officer's department, office or agency. Appointment and termination of Department Heads are subject to review and approval of the City Commission.

Staff Recommendation:

City Attorney Review:

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.



City of Bunnell, Florida

Agenda Item No. C.4.

Document Date: 2/28/2024 Amount:
Department: City Clerk Account #:
Subject: Request Approval for the Authorization to the East Flagler Mosquito Control District and Contracted Vendors to Conduct Aerial Spraying over Congested Areas within the City Limits.
Agenda Section: Consent Agenda:
Goal/Priority: Quality of Life

ATTACHMENTS:

Description	Type
Request Letter	Exhibit
Authorization to East Flagler MCD	Exhibit
Authorization for Subcontractors	Exhibit

Summary/Highlights:

This is the annual request from the East Flagler Mosquito District to authorize low-level flights over congested areas within the City of Bunnell boundaries.

Background:

Bunnell citizens pay for mosquito control services via property taxes and part of those services are provided through helicopter services. The use of aerial spraying is the main treatment mode for the District and most such treatments are done to prevent the emergence of saltmarsh mosquitos.

This authorization will allow the East Flagler Mosquito Control District and contracted vendors to carry out low-level flights, 500 feet and below, over congested area within the City.

Staff Recommendation:

Approval of the Authorization to the East Flagler Mosquito Control District and contracted vendors to conduct Aerial Spraying over Congested Areas.

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Reviewed for agenda



Board of Commissioners

Mike Martin
Ralph Lightfoot
Julius Kwiatkowski

Chairman
Secretary
Treasurer

February 27, 2024

Re: Aerial Mosquito Control Operations

To: Flagler County Local Governments:

Each year we request, in compliance with Federal Aviation Administration Regulation 137.51, authorization to fly over congested areas. As you are aware, the citizens you represent pay for mosquito control services via property taxes to the District and part of those services are operations done by helicopter since 1990. To provide services in a timely fashion, we request signed authorization to extend for one year.

This authorization provided by each local government allows the District to carry out low-level flights, 500 feet and below, over congested areas within their boundaries. The helicopter is the main treatment vehicle of the District and most flights are done to prevent the emergence of saltmarsh mosquitoes, survey breeding areas, and apply adulticides when necessary.

The enclosed public notice will be published monthly beginning in March and ending in October and serves to provide ongoing public awareness about aerial operations and further provides contact information.

Please execute the accompanying authorization (Mayor, Manager, etc.) for both the District and, additionally, on letterhead use the sample letter for the back-up contractor and return to our office no later than April 1, 2024.

Additionally, we request you designate a member of your elected body or staff to accompany us on an inspection flight of the District. If no member of your elected body or staff is interested in an aerial tour, then a tour of the facilities and overview of operations can be done without it.

Thank you for your prompt attention to this matter.

Sincerely,

Mark Positano

Mark Positano, Director

East Flagler Mosquito Control District

210 FIN WAY
Palm Coast, Florida 32164

Phone: 386-437-0002
Fax: 386-437-0200

flaglermosquito.gov

Congested Areas Authorization

This authorization recognizes that the East Flagler Mosquito Control District, in the exercise of its public health and safety responsibilities, may fly at low levels (500 feet) over congested areas in connection with its operations. This authorization extends from April 15, 2024 through April 15, 2025.

Signature: _____

Date: 3/25/2024

Print/type name: Catherine D. Robinson

Title: Mayor

Name of local government: City of Bunnell

Return to:

**East Flagler Mosquito Control District
210 Fin Way
Palm Coast, FL 32164**

Please return no later than April 1, 2024.

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR.
CITY MANAGER



COMMISSIONERS:

TONYA GORDON

TINA-MARIE SCHULTZ

PETE YOUNG

March 25, 2024

To: Clarke and Dynamic Aviation, Inc. and Ag Air Services:

I, Catherine D. Robinson, serving as the Mayor for the City of Bunnell, in the state of Florida, hereby authorize Clarke Environmental Mosquito Management, or their subcontractors, Dynamic Aviation, Inc. and Ag Air Services LLC, to apply insecticides approved and labeled for mosquito control use over congested areas of Flagler County by low-flying aircraft, from March 25, 2024 through December 31, 2024.

Sincerely,

Catherine D. Robinson, Mayor
City of Bunnell



City of Bunnell, Florida

Agenda Item No. C.5.

Document Date: 3/7/2024 Amount:
Department: Engineering Account #:
Subject: Acceptance of the Bunnell Admin / PD Complex – Permanent Stormwater Easement for Lot 4 and Lot 5
Agenda Section: Consent Agenda:
Goal/Priority: Quality of Life, Infrastructure

ATTACHMENTS:

Description	Type
Reciprocal Stormwater Easement	Exhibit

Summary/Highlights:

The proposed pond for the City Hall property extends across the separately owned properties of both Lot 4 and Lot 5 of the Flagler Central Commerce Park Phase 1A Replat. As a condition to receive the required St. Johns River Water Management District (SJRWMD) stormwater permit, the SJRWMD is requiring legal authorization in the form of an easement to allow both properties right of access for operation, grading, construction and/or maintenance the pond which extends onto and over each Lot.

Background:

The City owns fee simple title in and to that certain real property located in the City of Bunnell, County of Flagler, State of Florida identified as Lot 4 of the Flagler Central Commerce Park Phase 1A Replat, Map Book 37, Page 37, of the Public Records of Flagler County, Florida bearing a Parcel ID number of 11-12-30-2260-00000-0040 and having a physical address of 2400 Commerce Parkway, Bunnell, Florida 32110.

Truventure Holdings, LLC., owns fee simple title in and to that certain real property identified as Lot 5 of the Flagler Central Commerce Park Phase 1A Replat, Map Book 37, Page 37, of the Public Records of Flagler County, Florida, bearing a Parcel ID number of 11-12-30-2260-00000-0050 and having a physical address of 2350 Commerce Parkway, Bunnell, Florida 32110.

In order to allow for the Parties to obtain mutually beneficial Permanent Stormwater Easement over the Lot 4 property and the Lot 5 property, the parties must mutually grant right of access for operation, grading, construction and/or maintenance of a stormwater management retention pond located on Lots 4 and 5.

Staff Recommendation:

That the City Commission approves the easements and grants the Mayor / Chair to execute the document.

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved

Prepared by:
Paul Waters, City Attorney
City of Bunnell
604 East Moody Blvd., Unit 6
P.O. Box 756
Bunnell, Florida 32110

Return Recorded copy to:
City of Bunnell
City Clerk
604 East Moody Blvd., Unit 6
P.O. Box 756
Bunnell, Florida 32110

**PERMANENT STORMWATER EASEMENT FOR LOT 4 AND LOT 5
OF FLAGLER CENTRAL COMMERCE PARK PHASE 1A REPLAT**

THIS PERMANENT STORMWATER EASEMENT FOR LOT 4 AND LOT 5 OF FLAGLER CENTRAL COMMERCE PARK PHASE 1A REPLAT is made this _____ day of _____, 2024 by TRUVENTURE HOLDINGS, LLC, a Florida Limited Liability Company, (“TRUVENTURE”) and the CITY OF BUNNELL, a Florida municipal corporation, (“CITY”). TRUVENTURE and the CITY may be individually or collectively referred to as the “Party” or “Parties”,

WITNESSETH

WHEREAS, CITY owns fee simple title in and to that certain real property located in the City of Bunnell, County of Flagler, State of Florida identified as Lot 4 of the Flagler Central Commerce Park Phase 1A Replat, Map Book 37, Page 37, of the Public Records of Flagler County, Florida (the “**Plat**”), bearing a Parcel ID number of 11-12-30-2260-00000-0040 and having a physical address of 2400 Commerce Parkway, Bunnell, Florida 32110 (the “**LOT 4 Property**”), which is more fully described and incorporated herein as **Exhibit “A”**; and

WHEREAS, TRUVENTURE owns fee simple title in and to that certain real property located in the City of Bunnell, County of Flagler, State of Florida identified as Lot 5 of the Flagler Central Commerce Park Phase 1A Replat, Map Book 37, Page 37, of the Public Records of Flagler County, Florida (the “**Plat**”), bearing a Parcel ID number of 11-12-30-2260-00000-0050 and having a physical address of 2350 Commerce Parkway, Bunnell, Florida 32110 (the “**LOT 5 Property**”), which is more fully described and incorporated herein as **Exhibit “A”**; and

WHEREAS, in order to allow for the Parties to obtain mutually beneficial Reciprocal Stormwater Retention Easement over a portion of the Lot 4 Property and the Lot 5 Property totaling 54,458 S.F., TRUVENTURE desires to grant CITY and/or the Flagler Central Commerce Park Owners Association (FCCPOA), and the CITY desires to Grant TRUVENTURE and/or the FCCPOA the right to a Reciprocal Stormwater Retention Easement granting the right of access for operation, grading, construction and/or maintenance of a stormwater management retention pond and under certain conditions more particularly described herein within and upon the Reciprocal Stormwater Retention Easement certain permanent

improvements as more particularly described on Lot 4 Property and Lot 5 Property of Exhibit “B” attached hereto (the **“Permanent Reciprocal Stormwater Retention Easement”**); and

WHEREAS, the Parties desire to provide for certain obligations and create certain non-exclusive perpetual rights, and benefits for the mutual benefit of the Parties, the FCCPOA and occupants thereof (collectively, the **“Occupants”**) and the agents, contractors, employees, customers, visitors, invitees, licensees, and subtenants of such Owners and Occupants (collectively, the **“Permittees”**).

NOW THEREFORE, for and in consideration of the covenants set forth below and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereby agree, each for itself, its successors and assigns, as follows:

AGREEMENT

1. **Recitals.** The foregoing recitals are true and correct and are hereby incorporated into the text of this Agreement.

2. **Grant of Permanent Reciprocal Stormwater Retention Easement.** The Parties do hereby establish, give, grant, reserve, declare and convey for the benefit of the other Party and/or the FCCPOA and their contractors and agents, a perpetual non-exclusive right to access for operation, grading, construction and/or maintenance of a stormwater management retention pond across and over Easement Area for the Lot 4 Property and Lot 5 Property (the **“Permanent Reciprocal Stormwater Retention Easement”**), which is more fully depicted and described in that certain portion totaling 54,458 S.F. of the Lot 4 Property and the Lot 5 Property depicted **Exhibit B**.

3. **Non-Exclusive Use.** PARTIES expressly acknowledge and agree that the Easements granted herein is non-exclusive and PARTIES right to use the Easement Area and Access Improvements is non-exclusive on other Owners and Occupants to use the Easement Area and Access Improvements for ingress and egress to each Owner and Occupant’s respective property. PARTIES shall not block, fence, obstruct or otherwise restrict the use of the Easement Area and Access Improvements by other Owners and Occupants. PARTIES acknowledge and agree the non-exclusive use of the Easement Area and Access Improvements, as defined in this section, is a material condition of this Agreement.

4. **Use of Property.** The Property shall be used only for lawful purposes in conformance with all restrictions imposed by all applicable governmental laws, ordinances, codes, and regulations.

5. **Indemnity.** PARTIES shall defend, indemnify and save harmless the other from any and all liability, damage, expense, causes of action, suits, claims or judgments, arising from accidents, loss, personal injury, death, property damage, or violation of applicable law occurring on or from the Work, use of the Easement Area and Access Improvements and PARTIES’ Property (including, without limitation, reasonable attorneys’ fees and technical consultants’ fees and expenses), except if caused by the act or negligence of the other, its agents, employees or

contractors. The obligations of this paragraph shall not be construed as a waiver of CITY's sovereign immunity and shall be limited to such indemnification and liability limits consistent with the requirements of Sec. 768.28, Fla. Stat., and subject to the procedural requirements set forth therein.

6. Notices. If a party desires to give notice or a request for approval regarding any matter herein, then such notice or request shall be in writing and addressed to the party at the address shown below. Such notice or request may be deposited in the United States mail, certified, or registered, return receipt requested and postage prepaid or sent by Federal Express or comparable overnight mail services. Notice shall be deemed to have been given upon receipt or refusal of delivery of such notice. Either party may change their notice information upon not less than 30 days' advance written notice to the other party.

If to TRUVENTURE:
Truventure Holdings, LLC
Paul M. Hassan
1478 Riverplace Blvd., #2104
Jacksonville, Florida 32207

If to CITY:
City of Bunnell, a Florida municipality
c/o City Manager
P.O. Box 756
Bunnell, FL 32110

7. Covenants Running with the Land. This Agreement shall run with the land and shall inure to the benefit of and be binding upon the Owners and their respective successors and assigns. Once an Owner ceases to own any interest in its property, such Owner shall have no further obligations hereunder with respect to such property except as to obligations and liabilities that accrued with respect to such property during the time that such Owner owned its interest in the property.

8. Amendments. This Agreement may be amended only by a written instrument duly executed by the Parties and the Owners, or their respective successors and/or assigns.

9. Termination. This Agreement, and the Easement granted herein, shall terminate upon the earlier of: (i) written termination of the Agreement by the parties; (ii) conveyance of the Easement Area by TRUVENTURE to Flagler Central Commerce Park Owners Association, Inc., a Florida not for profit corporation; or (iii) conveyance of the Easement Area by TRUVENTURE to the public for the purpose of dedicating the Easement Area as public right-of-way.

10. Severability. If any term or provision of this Agreement, or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or

unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

11. Governing Law. This Agreement shall be governed, construed and enforced in accordance with the laws of the State of Florida.

12. Enforcement. The terms of this Agreement may be enforced by an action for injunctive relief, damages, or both, and the prevailing party in any enforcement action shall be entitled to reasonable attorneys' fees and costs of enforcement. All of the remedies permitted or available under this Agreement or at law or in equity shall be cumulative and not alternative, and the invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right or remedy.

13. Recording. This Agreement shall be recorded in the appropriate office for the recordation of real estate conveyances in Flagler County, Florida.

14. Counterparts. This Agreement may be executed in any number of counterparts and by the separate parties hereto in separate counterparts, each of which when taken together shall be deemed to be one and the same instrument.

15. Successors and Assigns. This Agreement and the rights and obligations created hereunder shall run with the land, and shall be binding upon, and inure to the benefit of, the parties, including their respective successors and assigns. Any reference to the parties herein, unless specified otherwise, also refers to their respective heirs, legal representatives, successors and assigns.

16. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties relating to the subject matter hereof.

**[REMAINDER OF PAGE INTENTIONALLY BLANK]
[SIGNATURES ON FOLLOWING PAGE]**

IN WITNESS WHEREOF, this Agreement has been executed by the duly authorized individuals of TRUVENTURE and the CITY on the date and year first written above.

Signed in the presence of:

Print: _____
Address: _____

Print: _____
Address: _____

TRUVENTURE HOLDINGS, LLC,
a Florida Limited Liability Company

By: [Signature]
Print: Paul Hassan
Title: President
Address: 1478 Riverplace Blvd. #2104
Jacksonville, FL 32207

STATE OF FLORIDA

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 5th day of March, 2024, by Paul Hassan who ☒ is personally known to me or ☐ has produced a drivers' license as identification and who ☐ did ☐ did not take an oath.

[Signature]
Notary Public,

Printed Name Lisa A. Farides

My Commission Expires: 12-14-2025



Signed in the presence of:

**CITY OF BUNNELL, a Florida
municipality**

Print: _____
Address: _____

By: _____
Print: _____
Title: _____
Address: _____

Print: _____
Address: _____

ATTEST:

Kristen Bates, City Clerk

APPROVED AS TO FORM:

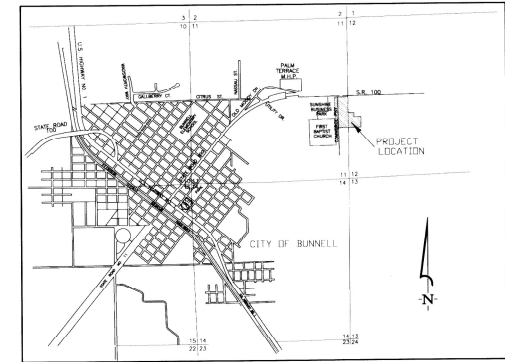
Paul Waters, City Attorney

EXHIBIT A

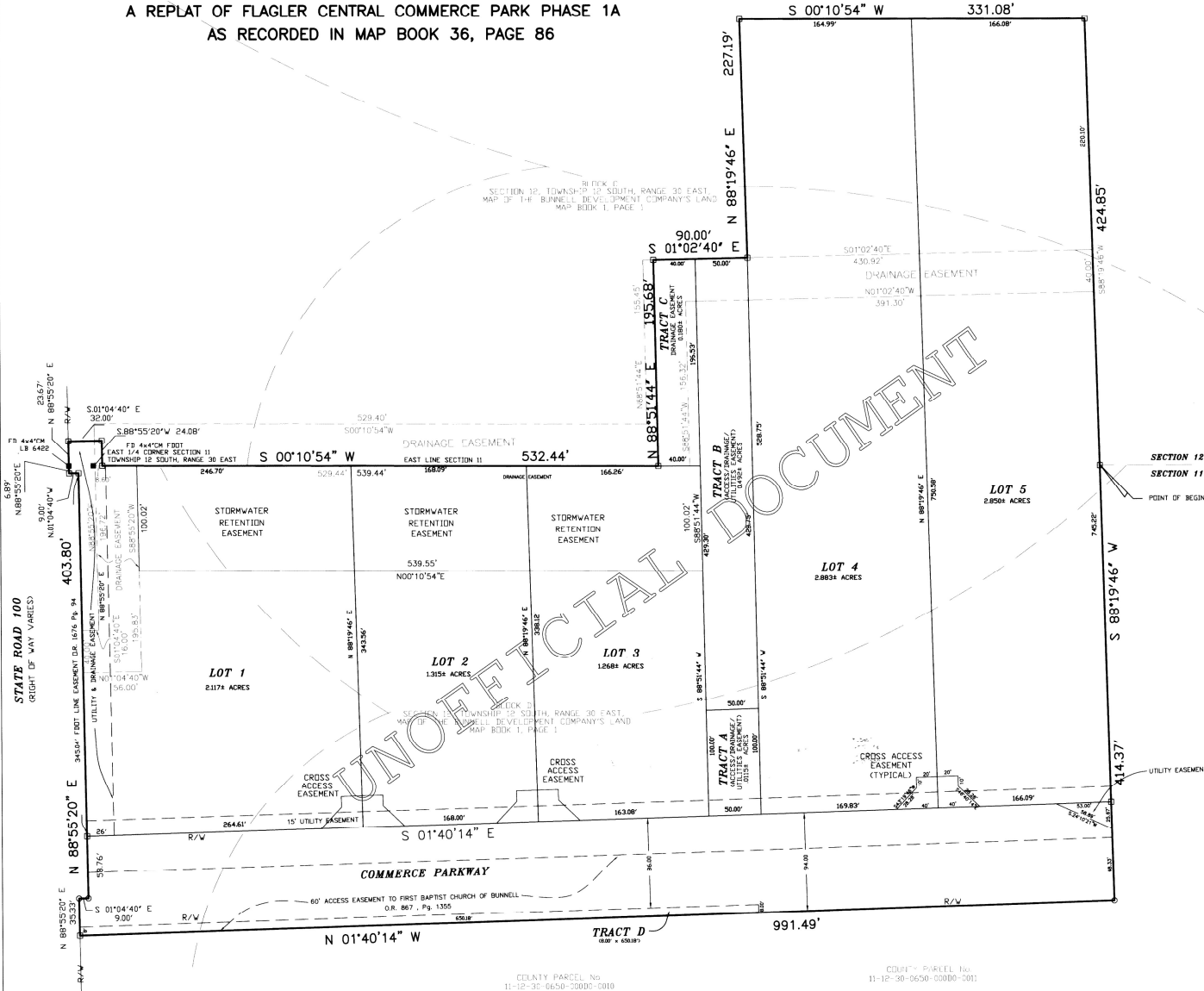
SUBDIVISION PLAT OF FLAGLER CENTRAL COMMERCE PARK PHASE 1A REPLAT

MAP BOOK 37, PAGE 37

IN SECTIONS 11 & 12, TOWNSHIP 12 SOUTH, RANGE 30 EAST
CITY OF BUNNELL, FLAGLER COUNTY, FLORIDA
A REPLAT OF FLAGLER CENTRAL COMMERCE PARK PHASE 1A
AS RECORDED IN MAP BOOK 36, PAGE 86



VICINITY MAP
NOT TO SCALE



LEGEND:
FND FOUND
CM FOUND 4"x4" CONCRETE MONUMENT AS SHOWN
CM FOUND 4"x4" CONCRETE MONUMENT LB 7382
SET PER MAIL AND BOOK PROP - LB 7382
I.R. INTENSIFIED BUSINESS
R/W RIGHT OF WAY
F.D.T. FLORIDA DEPT OF TRANSPORTATION



SCALE: 1"=50'

EAST COAST LAND SURVEYING LB#7382

P.O. BOX 2388, 300 N STATE ST BUNNELL FL 32110
PHONE (386) 437-0123 FAX (386) 437-0114

SUBDIVISION PLAT OF
FLAGLER CENTRAL COMMERCE PARK
PHASE 1A REPLAT

SITUATED IN
SECTIONS 11 AND 12, TOWNSHIP 12 SOUTH, RANGE 30 EAST, CITY OF BUNNELL, FLAGLER COUNTY, FLORIDA
OWNED BY
OARE ASSOCIATES, LLC
1 FLORIDA PARK DRIVE S. ATRIUM SUITE, PALM COAST FL, 32137



City of Bunnell, Florida

Agenda Item No. E.1.

Document Date: 2/8/2024 Amount:
Department: Community Development Account #:
Subject: Ordinance 2024-06 Amending the Future Land Use Element and the
Conservation Element in the City of Bunnell 2035 Comprehensive Plan. -
First Reading
Agenda Section: Ordinances: (Legislative):
Goal/Priority: Quality of Life

ATTACHMENTS:

Description	Type
Ordinance 2024-06 Comprehensive Plan Text Amendments	Ordinance
Ordinance Exhibit "A" - FLU Objective 7	Exhibit
Ordinance Exhibit "B" - FLU Objective 11	Exhibit
Ordinance Exhibit "C" - FLU Objective 13	Exhibit
Ordinance Exhibit "D" - FLU Objective 18.2	Exhibit
Ordinance Exhibit "E" - CON Objective 1.7	Exhibit
Ordinance Exhibit "F" - CON Objective 1.11	Exhibit
Business Impact Estimate (Ord. 2024-06)	Report
Data and Analysis	Report

Summary/Highlights:

This is an administrative proposal to amend the City's Comprehensive Plan to remove the "Conservation-One" future land use designation held in various ownerships. The "Conservation-One" map designations will be replaced with a future land use designation that matches the ones on the balance of the properties. The text of various policies within the Future Land Use and the Conservation Elements within the Comprehensive Plan are being amended to remove the "Conservation-One" future land use designation from the future land use element, rename the "Conservation-Two" as simply "Conservation" and to allow the City to rely on state and federal wetland regulations procedures. This is Phase 3 "A" of a 3-phase effort to rezone properties to an appropriate Bunnell zoning classification.

Background:

The City of Bunnell annexed many thousands of acres of land into its corporate limits in 2006-2007. The City's comprehensive plan was amended to provide future land use designations for the

annexed land. These new land use designations were a one-to-one translation from the Flagler County future use designation that were already on a particular property to the closest City equivalent. The underlying Flagler County zoning was left in place. Up until Phase 1 of this rezoning effort, almost all the annexed lands still retained their obsolete Flagler County zoning. A few properties having no zoning at all are shown on the official zoning map as “ND- No Designation”.

This is a problem because land without City of Bunnell zoning is not covered by the City’s land development code. At the same time, the City does not have the authority to administer the County’s land development code. This makes the remaining Flagler County zoning essentially a holding category and this has meant that property owners have been required to go through zoning changes before they can obtain building permits. Many property owners have had planned projects significantly delayed because they had not anticipated the time and expense associated with a rezoning.

To remedy this situation, the City of Bunnell has embarked on this 3-phase mass rezoning effort. The City’s planning consult was directed to assign proposed Bunnell zoning classifications based on the Future Land Use Map in the City of Bunnell Comprehensive Plan 2035. This is in conformance with Florida law which requires that all land development regulations which include the zoning map to be consistent with the City’s comprehensive plan.

As City staff embarked on the mass rezoning effort it was quickly learned that many landowners were unaware that portions of their property had been for many years designated “Conservation-One”. Although the “Conservation-One” future land use designation authorizes agriculture and residential land uses, its existence on properties has proved to be very controversial and endangered the entire mass rezoning effort. After a series of meetings with various landowners it was determined that the City would remove the “Conservation-One” future land use designation from properties within the City as the final phase of the mass rezoning.

This item is Phase “3-A” of a the 3-phase mass rezoning of properties that is providing Bunnell zoning classifications for properties without City zoning. Phase 1 included those properties without City of Bunnell zoning classifications that did not have any portion of the property designated as Conservation-1 or Conservation-2 on the City’s Future Land Use Map. Phase 1 was concluded in August of 2022. Phase 2 included the non-conservation portions of the properties excluded from Phase 1. Phase 2 was concluded in September 2023.

Phase 3 addresses the remaining portions of the properties that do have conservation designations. This Phase “3-A” address changes to the comprehensive plan and phase “3-B” will complete the rezoning.

Staff held a workshop on April 9, 2023. All the owners of property included in Phases 2 & 3 were notified of the workshop. At the workshop, City Staff and ZCA personnel reviewed the annexation history of the properties, the results of Phase 1 of the mass rezoning, described the plans for Phases 2 & 3 and answered questions.

On February 6, 2024, the Planning, Zoning and Appeals Board recommended approval to the City Commision for this Ordinance.

Staff Recommendation:

Approve Ordinance 2024-06 - First Reading and transmit the proposed changes to the reviewing agencies as specified in F.S. 163.3184(1)(c).

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

ORDINANCE 2024-06

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT TO THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT TO THE CONSERVATION ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, § 163.3161 through s. 163.3215, Florida Statutes, provide for adoption and enforcement of local government comprehensive plans pursuant to the “Community Planning Act”; and

WHEREAS, Chapter 163.3171, Florida Statutes, empowers the City Commission for the City of Bunnell to prepare and enforce a comprehensive plan for the development of the City; and

WHEREAS, the City Commission for the City of Bunnell has amended the City of Bunnell Comprehensive Plan from time to time; and

WHEREAS, the proposed text amendments to the *City of Bunnell 2035 Comprehensive Plan* are part of a 3-phase rezoning effort, “Mass Rezoning Initiative”, to update conservation policies and regulations, to revise conservation Future Land Use and Zoning designations within the City’s limits, and to increase development rights for land owners located in rural areas within the City of Bunnell; and

WHEREAS, on February 6, 2024, the Planning, Zoning and Appeals Board, the City of Bunnell local planning agency, made recommendation to the City Commission for the City of Bunnell for the adoption of the City of Bunnell Comprehensive Plan amendments and to update the City of Bunnell Comprehensive Plan; and

WHEREAS, Section 163.3184, Florida Statutes, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to text amendments and the process for adoption of Comprehensive Plan amendments in accordance with an expedited state review; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Bunnell Comprehensive Plan* including, but not limited to, Section 163.3184, *Florida Statutes*.

WHEREAS, for purposes of the exhibits attached to this Ordinance, red underlined type shall constitute additions to the original text and red ~~striketrough~~ type shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Legislative Findings and Intent

(a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City Staff report and the recitals (whereas clauses) to this Ordinance.

(b) The City of Bunnell has complied with all requirements and procedures of Florida Law in processing and advertising this Ordinance.

Section 2. Text Amendments to the Comprehensive Plan.

The City of Bunnell Comprehensive Plan text amendments attached hereto and incorporated herein as exhibits to this Ordinance, are hereby adopted.

Section 3. Inclusion in the Comprehensive Plan.

The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Comprehensive Plan of the City of Bunnell, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article, or other such appropriate word or phrase in order to accomplish such intentions.

Section 4. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 5. Ratification of Prior Actions.

The prior actions of the City Commission and its agencies in enacting and causing amendments to the *2035 Comprehensive Plan of the City of Bunnell*, as well as the implementation thereof, are hereby ratified and affirmed.

Section 6. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, it shall not be held or impair the validity of the ordinance or effect of any other action or part of this Ordinance.

Section 7. Conflicts.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. Codification/Instructions to Code Codifier.

It is the intention of the City Commission of the City of Bunnell, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Bunnell, Florida *2035 Comprehensive Plan*, in terms of amending the Future Land Use Element and the Conservation Element.

Section 9. Effective Date.

The Comprehensive Plan amendments set forth herein shall not become effective, in accordance with Section 163.3184(3)(c)(4), Florida Statutes, until 31 days after the state planning agency notifies the City that the plan amendment adoption package is complete. If this ordinance is legally challenged within thirty (30) days after adoption, it shall not become effective until a final order is issued by the Department of Economic Opportunity or the Administrative Commission, whichever is later.

First Reading: approved on this _____ day of _____, 2024

Second Reading/Final Reading: adopted on this _____ day of _____ 2024

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal:

Kristen Bates, CMC, City Clerk

Exhibit A – FLU Objective 7 Comprehensive Plan Text Amendments

Future Land Use Element

FLU Objective 7

The City shall ensure that future development and redevelopment activities are located in appropriate areas of the City through a Future Land Use Map Series included as **Appendix A** of this element that contains the Future Land Use Map (FLUM), which forms the basis for consideration of future land use plan amendments. The Future Land Use Map Series, along with the City's land development regulations, shall reduce or eliminate existing land uses that are inconsistent with the community's character.

FLU Policy 7.1

The City shall consider the compatibility of adjacent future land use categories during the land use plan amendment process. The City shall consider potential maximum densities and intensities and the appropriate transition of uses, densities and intensities.

FLU Policy 7.2

The City shall discourage the continuation of nonconforming uses to the extent established in the land development regulations. Redevelopment of the property will include and evaluation of consistency with the current FLUM and zoning district, as well as adjacent land use and zoning districts.

FLU Policy 7.3

The City Commission may approve the development of housing that is affordable, as defined in Chapter 420.0004, Florida Statutes, on any parcel in a residential, commercial or industrial land use and zoning category.

FLU Policy 7.4

The adopted FLUM contains and identifies appropriate locations for the following land use categories which were established to prevent urban sprawl, provide for the protection of natural, historical, and agricultural resources and maximize economic development:

Exhibit A – FLU Objective 7 Comprehensive Plan Text Amendments

Future Land Use Element

Future Land Use Categories

Future Land Use Categories	Maximum Density/Intensity (per gross acre)
Residential Land Use	
Single-Family Low Density	4 units per acre
Single-Family Medium Density	8 units per acre
Multi-Family	Min: 8 units per acre; Max 20 units per acre
Residential Mixed Use	12 units per acre/ 0.2 FAR
Commercial Land Use	
Commercial-Low	0.2 FAR/if mixed-use 12 units per acre
Commercial-Medium	0.4 FAR/if mixed-use 20 units per acre
Industrial Land Use	
Industrial	0.5 FAR
Agricultural Land Use	
Agricultural Community Commercial	1 unit per acre/ 0.4 FAR
Agricultural Community Industrial	0.5 FAR
Agricultural	1 unit per acre
Agriculture & Silviculture	1 unit per 5 acres
Rural Estates	1 unit per acre
Open Land Use	
Conservation One	1 unit per 5 acres
Conservation Two	Not Developable
Recreation	N/A
Public Land Use	
Public	0.6 FAR
Institutional	0.5 FAR

Exhibit B – FLU Objective 11 Comprehensive Plan Text Amendments

Future Land Use Element

FLU Objective 11

Open Land Use Category. The open land use category is established for the long-term protection and preservation of publicly or privately owned lands that contain valuable and threatened natural resources, such as wetlands, uplands, floodplains, potential greenway corridors, other unique ecological communities, and for recreational uses

FLU Policy 11.1

~~**Conservation One (CON-1).** Consists of all lands deemed environmentally significant to be verified by appropriate jurisdictional field analysis, and regulated by applicable jurisdictional oversight, but not under a conservation easement or other permanent protection; only activities outlined in the City's Comprehensive Plan or limited by applicable regulating jurisdictions, but which may include agricultural uses, and could be applied to wetlands, uplands, and greenway corridors. The established density in CON-1 category is one unit per five acres; however, permitted units are required to be developed on adjacent uplands or Category II wetlands per the adopted wetlands policies or transferred as allowed by future amendments to this plan unless this results in a denial of all reasonable use of the property. This category is created by the City to designate the City's existing conservation area, as well as, to specifically designate the Conservation acreage annexed into the City from Flagler County.~~

FLU Policy 11.12

Conservation Two (CON-2). Consists of all lands under conservation easement or other permanent protection where only activities specified in the easement are permitted.

FLU Policy 11.23

Recreation (REC). The recreation category is established to provide sufficient space for public and private parks that are open to the public for active and passive recreational use.

FLU Policy 11.34

The recreational land use category is intended to accommodate existing public parks and recreation areas as well as committed public and semi-public open spaces.

FLU Policy 11.45

Recreational uses shall be allowed in other categories as support uses.

Exhibit C – FLU Objective 13 Comprehensive Plan Text Amendments

Future Land Use Element

FLU Objective 13:

Agricultural Land Use Category. Encourage the agricultural lifestyle within the municipal limits of the City.

FLU Policy 13.1:

Protection of Agricultural Uses

The City shall implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the agricultural lifestyle presently enjoyed in Flagler County as they are annexed into the municipal limits of the City of Bunnell.

FLU Policy 13.2:

Protection of Bona Fide Agricultural Uses

The City shall encourage the continuation and preservation of bona fide agricultural uses and enterprises as they are annexed into the municipal limits per the Florida Right to Farm Act, F.S. 823.14 .

FLU Policy 13.3:

Agricultural Primacy

The City shall encourage the continuation of agricultural operations. Agricultural uses on lands that have an agricultural exemption from the Flagler County Property Appraiser will be considered to have “primacy” in the area. Primacy means that conflicts between such agricultural lands and other non-agricultural uses will be resolved in favor of the agricultural interests.

FLU Policy 13.4:

Land Development Code Provisions to Accommodate Agricultural Uses

The City shall develop and enforce Land Development Code provisions regarding the “Agricultural” and “Rural Estates” series of land uses to the appropriate agricultural zoning classification.

FLU Policy 13.5:

Buffering Requirements between Agricultural and Non-Agricultural Uses

The City shall develop and enforce Land Development Code regulations regarding buffering requirements for the protection of agricultural uses from non-agricultural uses.

FLU Policy 13.6

Scenic Corridors in Agricultural Areas

The City shall develop Land Development Code regulations that protect the rural and scenic character of the roadway corridors within the City of Bunnell. A scenic corridor overlay will help regulate land development, as they transition from agricultural to non-agricultural uses,

Exhibit C – FLU Objective 13 Comprehensive Plan Text Amendments

Future Land Use Element

along major roadways to improve or protect the rural character of the area. The overlay corridor classification shall extend 200 feet on each side of the road right-of-way for non-residential and non-agricultural development and 100 feet on each side of the road right-of-way for residential developments, which will generally correspond to the building, parking, and clearing setbacks unless specifically determined that a particular structure or activity that is located upon property assigned the classification uniquely reinforces the rural character of the area. The scenic corridor will establish land development regulations that address the following, but not limited to:

- Signage;
- Landscaping;
- Façade treatments;
- Buffering;
- Parking;
- Ingress/Egress management;
- Utility placement;
- Storm water retention ponds;
- Building setbacks;
- Fences, walls, and similar treatments locations; and
- Lighting.

FLU Policy 13.7

Agricultural Land Uses

The following land uses promote the agricultural industry and lifestyle within the City of Bunnell at a maximum density of one (1) dwelling unit per acre.

Agricultural Community Commercial (ACC)

A land use category permitting limited commercial services to serve the agricultural community, as identified on the Future Land Use Map series. The intent is to not encourage strip commercial but to provide some commercial industry that would immediately support the agricultural community and the residents of the area. Minimum lot size shall be 1 acre and density shall be limited to one (1) unit per acre maximum. Intensity of development for allowable non-residential land uses shall be limited to either 1: a maximum coverage of forty (40%) and thirty-five feet in height or 2: a floor area ratio of .4.

As a part of the ACC, design guidelines, which emphasize the rural character, shall be developed as the Land Development Code regulations.

Land uses allowed in the ACC shall include, but not limited to:

- Convenience Stores with gas pumps;
- Feed stores;
- Farmer's Market and/or co-op;
- Ornamental horticulture, floriculture and nursery products, wholesale and retail;
- Commercial establishments that support agricultural activities;
- Churches;

Exhibit C – FLU Objective 13 Comprehensive Plan Text Amendments

Future Land Use Element

- Public/private elementary, middle, and high schools;
- Recreational uses; and
- Private hunting clubs and public hunting areas.
- Special exception uses, residential dwellings as an accessory to the commercial structure, kennels, and veterinary offices with or without boarding.

Agriculture (AG)

A land use category permitting a range of agricultural and/or agricultural related uses, and accommodating very low-density residential development at a minimum density of one (1) dwelling unit gross per acre.

Such uses include, but not limited to:

- Bona-fide agricultural uses;
- Silviculture uses;
- Ornamental horticulture, floriculture and nursery products, wholesale and retail;
- Livestock;
- Single-family residences;
- Churches and country clubs;
- Private/Public elementary, middle, and high schools;
- Recreational uses; and
- Private hunting clubs and public hunting areas.
- Solar Facilities, as defined in FS 163.3205(2); and
- Special exception uses, such as cemeteries, kennels, migrant farm housing, and public utility structures.

FLU Policy 14:

The City shall adopt land development regulations, which reflect very low density residential uses at a maximum of one (1) dwelling unit per gross acre. Notwithstanding this density limit, the LDC may contain language that will allow density bonuses for the permanent preservation of wetlands.

Rural Estates (RE)

The Rural Estates future land use category is intended to serve as a transitional land use between agricultural, residential, and urban uses. This land use is established to allow the development of large lot single-family estates as a desired final land use. A minimum lot size of one (1) acre shall be required.

Lots sizes of less than one (1) acre may be permitted with an accompanying Planned Development zoning; provided however, that density shall be computed on the basis of one (1) dwelling unit per gross acre; provided, further, however, that clustering shall not cause incompatibility with adjacent parcels and shall be directed internal to the parcel.

Such uses include, but not limited to:

- Single-family residences on a minimum of one (1) acre;

Exhibit C – FLU Objective 13 Comprehensive Plan Text Amendments

Future Land Use Element

- Churches;
- Private/Public elementary, middle, and high schools;
- Recreational uses; and Special exception uses, such as utility structures and horses and their accessory uses/structures.

FLU Policy 15:

Agricultural Community Industrial (ACT).

The agricultural community industrial category shall accommodate industrial uses in the agriculture community, similar to the industrial category, providing that the uses do not interfere with Agricultural uses. This category shall provide industrial uses to support the economic viability of the agricultural community and the residents of the area. Appropriate uses include agricultural, recreation, public and institutional uses and conservation areas.

Intensity of development for allowable land uses shall be limited to 0.5 FAR and 50% impervious surface maximum.

FLU Policy 16:

Agriculture and Silviculture (AG&S).

The agriculture and silviculture land use category shall accommodate a range of agricultural and/or agricultural related uses, and accommodating low density residential development, including modular, mobile and manufactured homes at a maximum density of one (1) dwelling unit per five (5) acres. Notwithstanding this density limit, the LDC may contain language that will allow density bonuses for the permanent preservation of wetlands. Appropriate uses include agricultural, recreation, public and institutional uses, PUD developments, conservation areas, participation in the City rural preservation program, including rural nodes, conservation communities, clustering and mixed-use. This category is created by the City to specifically designate the Agriculture and Timberlands (Ag&T) acreage annexed into the City from Flagler County.

Such uses include, but not limited to:

- Bona-fide agricultural uses;
- Silviculture uses;
- Ornamental horticulture, floriculture and nursery products, wholesale and retail;
- Livestock;
- Single-family residences;
- Churches;
- Passive recreational uses; and
- Private hunting clubs and public hunting areas;
- Special exception uses, such as cemeteries, kennels, seasonal farm housing; and,
- Other similar uses.

Exhibit C – FLU Objective 13 Comprehensive Plan Text Amendments

Future Land Use Element

FLU Policy 16.1:

The City of Bunnell will allow a family homestead for a grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child or grandchild on property designated Agriculture provided that the homestead parcel is not less than 20,000 square feet. A family homestead shall only be granted one time to an individual family member and that family member shall not sell or dispose of the family homestead for a period of five (5) years.

FLU Policy 16.2

The City shall amend the Land Development Code (LDC) to include Minor Rural Subdivision provisions applying to minor rural subdivisions, which shall address, at a minimum:

- Provision of adequate access to all parcels;
- Deed restrictions and disclaimer requirements acknowledging the government services that will not be provided to the development;
- Wildfire vulnerability prevention requirements, including mitigation measures addressing building design and materials, site design, and landscaping (including defensible space requirements and plant materials).

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

FLU Objective 18.2

The specific intent is to limit new rural communities in order to protect agricultural land and discourage the proliferation of urban sprawl. New low density-rural estate and new rural communities shall only be permitted when consistent with the adopted Comprehensive Plan, and the Land Development Code.

FLU Policy 18.2.1

The City shall plan its rural area to prevent urban sprawl by restricting development of lands within the rural area of the City through plan policies that ensure compact rural development and protection for agricultural lands and ecologically significant areas. The approval of development within the rural area is predicated upon compliance with the objectives and policies that prescribe the development options within these objectives and policies. The following criteria shall be used for approving new development within the rural area:

- During the 2035 planning horizon, the majority of the rural area shall remain as large tracts of agricultural land with some low density residential. Continued agriculture and silviculture will be emphasized in diverse forms.
- The character of the rural areas shall be maintained as predominantly agrarian, contain compact nodes of residential development with supporting commercial services.
- The majority of the City's population in this area will be a clustered mix of low density conservation developments, and compact rural nodes that will not negatively impact the existing large tracts of agricultural land and ecologically significant lands.

FLU Policy 18.2.2

No more than six (6) clustered developments within the rural area shall be allowed within the planning timeframe. A comprehensive plan amendment is required to add to the number of clustered developments or to increase the amount of development permitted by the existing policies. All clustered development within the rural area shall be subject to the following guidelines and standards:

- The clustered development must be immediately contiguous to an existing, publicly maintained arterial road.
- The development shall not be located close enough to existing agriculture to be affected by noise, odors, dust/debris, or any other occurrence or activity related to normal agriculture operations.
- The development may participate in the rural preservation program
- Lots within the development area shall not exceed one (1) acre in size but may be less when served by water and sewer.
- The total site must be divided so that 60% is open space 40% is developable. The clustered development must be entirely within the 40% and cannot exceed 300 acres. Therefore, the entire development footprint cannot exceed 750 acres.

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

- Standard developments as described by Policy 17.2.7 shall not exceed 375 units, any proposal above this threshold will require a large scale land use plan amendment; unless,
- The development participates in the City’s rural preservation program according to Policy 17.2.8. In this case the development shall not exceed 600 units, any proposal above this threshold will require a large scale land use plan amendment or DRI review, if applicable.
- The total number of units proposed shall not exceed the need demonstrated by the data and analysis of the Comprehensive Plan for the planning timeframe unless it is demonstrated through data and analysis gathered by a professionally accepted and applied methodology, that additional need exists for growth and economic development purposes.

FLU Policy 18.2.3

Within the planning timeframe the City shall establish incentives such as clustering bonuses, reduced fees, abbreviated review timelines, transfer of development rights, selling of fee simple development rights or the selling of off-setting density allocations to steer new development away from natural resources.

FLU Policy 18.2.4

The City shall establish clustered communities to provide rural residential or mixed use alternatives in the form of rural nodes or conservation communities to promote the conservation of natural resources and reduce greenhouse gases. When established clustered communities shall promote the creation of a greenway network to connect or preserve viable agriculture and natural resources as development occurs.

FLU Policy 18.2.5

To further protect the City’s natural resources, rural nodes may be established to provide for housing and employment options in the rural and agricultural areas of Bunnell. The goals of rural nodes may:

- Improve the viability of continued agricultural operations, reduce development pressure on prime agricultural land, and provide a mechanism for the long-term protection and conservation of land.
- Allow clustering of permitted lots, reduced lot sizes, limited neighborhood commercial and appropriate industrial uses, and incentives to support and direct agriculture and conservation land.

FLU Policy 18.2.6

The Land Development Regulations shall provide standards for development in those lands designated as Agriculture and Silviculture (Ag&S) to address the following criteria for development approval:

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

- A. Rural and agricultural uses shall be protected from intrusion upon by other permitted uses (such as residential and commercial) and compatibility with those uses must be assured. Compatibility and protection for the rural area will be accomplished using buffering, setbacks, and incentives included within the proposed development.
- B. Clustering is the preferred design for new rural development. Clustering will protect the characteristics of the rural area through the following goals:
 - 1. Support continued agriculture by reducing development pressure on farmland and creating economic opportunity for existing agriculture operations.
 - 2. Provide recreational and habitat corridors through linked open space networks.
 - 3. Achieve flexibility, efficiency, and cost reduction in the provision of services and infrastructure.
- C. Appropriate locations for rural nodes and conservation developments shall be considered for approval upon meeting, or providing an economically feasible plan to meet, the following minimum criteria:
 - 1. Direct access to the existing transportation network including interstates, U.S. routes, state roads, city roads, county roads, and active railways. These may include:
 - Old Haw Creek Road;
 - CR 205, CR 302, CR 304, CR 305;
 - SR 100/SR 20, SR 11; and
 - US 1.
 - 2. Access to potable water and sanitary sewer.
 - 3. Within a ten minute response time zone to proposed or existing City of Bunnell emergency services facilities.
- D. Rural nodes and Conservation Developments will be subject to specific design and performance criteria to achieve at a minimum:
 - 1. The protection of the natural environment and integration with the topography and natural features of the site.
 - 2. The creation of usable interconnected open space and recreational facilities on the development site that encourage the establishment of a greenway corridor.
 - 3. Clustered areas with higher net densities than may be allowed through conventional zoning, with development organized along a density and intensity gradient suitable to the site and surrounding uses.
 - 4. A sense of community through:
 - a. Well-defined centers and edges, with public space or civic use as an organizing element around which other development is located.
 - b. An integrated range of housing types and lot sizes to serve a variety of age and income groups.
 - 5. Safe, comfortable, and convenient pedestrian and bicycle connectivity.

FLU Policy 18.2.7

New development in the rural area shall occur in the following forms, except as otherwise permitted by this comprehensive plan.

- A. Traditional Family homesteads per provisions in the LDC.

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

- B. Traditional development at the base density of the Agriculture and Silviculture (Ag&S) land use category (formerly Flagler County Agriculture and Timberlands) at 1 unit per 5 acres, per rural subdivision provisions in the LDC.
- C. Conservation rural subdivisions that promote agriculture and compact rural development, residential subdivisions in the rural area may achieve greater density through the rural preservation program process as defined in Policy 17.2.8.
 - 1. Conservation rural subdivisions shall be designed to protect the characteristics and features of the City through the following goals:
 - a. Protect natural and historical resources;
 - b. Encourage functional active and passive recreational areas;
 - c. Maintain significant areas for silviculture and agriculture;
 - d. Minimize land use conflicts through buffering and landscaping;
 - e. Provide wildlife habitat corridors through linked open space networks, such as greenway corridors; and
 - f. Achieve flexibility, efficiency, and cost reduction in the provision of services.
 - 2. Conservation rural subdivisions shall meet the following minimum requirements:
 - a. Clustering residential units on forty percent (40%) of the land area to retain sixty percent (60%) or more of the parcel as protected open space in an agricultural protection agreement, conservation easement or other protection instrument;
 - b. A minimum of 100 acres in land area;
 - ~~c. Protection of Category I wetlands and required wetland buffers except as required for access;~~
 - c. Avoidance, to the greatest extent feasible, of ~~Category I~~ **Category II** wetlands and required wetland buffers and historical and cultural resources; and,
 - d. Paved road access and internal paved roads that meet updated rural road standards.
 - 3. Density of Conservation rural subdivisions shall be calculated based on the following guidelines:
 - a. For Conservation rural subdivisions not connected to potable water and sanitary sewer the base density of one (1) unit per five (5) acres will determine the appropriate density.
 - i. As incentive for clustering an additional two (2) dwelling units shall be added to the allowable base density.
 - ii. As incentive for clustering an additional one (1) unit per five (5) acres will be assigned for all lands placed in conservation easement or other protection instrument.
 - iii. As incentive for clustering an additional one (1) dwelling unit per ten (10) acres will be assigned for non-conservation set asides (Ag and Rec).
 - iv. A Conservation rural subdivision may not exceed a gross density of one (1) dwelling unit per one (1) acre. Gross density is defined

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

- as the total number of units divided over the total land area, regardless of actual development area.
- b. For Conservation rural subdivisions connected to sanitary sewer and potable water the base density will be one (1) unit per five (5) acres.
 - i. As incentive for clustering additional density may be achieved through the rural preservation program described in FLU Policy 17.2.8.
4. Open Space area (the 60%) in Conservation rural subdivision shall be designated, protected, and maintained as undeveloped conservation, agriculture, or recreational uses. Open Space shall be selected and designed according to the following guidelines:
- a. Greenway corridors, avoided ~~Category I and II~~ wetlands and required wetland buffers, and natural, historical, and cultural resources shall be included as part of the designated Open Space area.
 - b. Agricultural areas may be included as part of the designated Open Space area after resource protection criteria are met. Agricultural uses are encouraged to be included as part of the designated Open Space area.
 - c. Open Space shall be designed as a contiguous area to eliminate or minimize fragmentation and promote the formation of linked greenway corridors with existing or potential Open Space areas on adjacent properties.
 - d. Conservation rural subdivisions shall provide a buffer between the Open Space and the developed portions to minimize the potential for negative impacts from the Development Area on the Open Space within the project or adjacent to the project.
 - i. In such cases where the required Open Space buffer overlaps additional required buffers one buffer may be used to perform both functions.
 - ii. When one buffer is used to fulfill overlapping buffering requirements the greater buffer width shall take precedence.
 - e. Open Space shall be configured to permit continued agriculture or silviculture uses, or recreation uses, and can include stormwater management facilities.
 - f. Development Areas of Conservation rural subdivisions shall be compact, contiguous, and clustered on forty percent (40%) of the land area. Development amenities such as swimming pools or community centers shall be included within the forty percent (40%).
 - g. The Conservation rural subdivisions shall be compact and contiguous and shall not be scattered throughout the gross parcel. It shall be configured to create internal connectedness through integrated Open Space within the subdivision parcel. The location of residential development lots shall be arranged in a context-sensitive manner to form a contiguous pattern, and clustered to preserve the function and purpose of the on-site natural resources to the maximum extent practicable to preserve Greenway Corridors and to potentially provide connection to Greenway Corridors on abutting properties.

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

- h. The Development Area (40%) within the Conservation rural subdivisions shall provide a buffer to minimize the potential for negative impacts from the Development Area on the undeveloped (60% agricultural or other protected lands) area within the project or adjacent to the project, such that the long-term continuance of uses in either area is not threatened by such impacts.
 - i. In such cases where the required Development Area buffer overlaps additional required buffers one buffer may be used to perform both functions.
 - ii. When one buffer is used to fulfill overlapping buffering requirements the greater buffer width shall take precedence.
 - i. The undeveloped area means that 60% area set aside that cannot be developed as part of the Conservation rural subdivisions. Uses permitted in these areas are agriculture, silviculture, conservation, greenway corridor or recreation, and can include stormwater management facilities.
 - j. In an effort to reduce greenhouse gases, and trips on the roads, conservation rural subdivisions may contain commercial uses as described by the Commercial-Low Intensity (COM-L) land use category with a maximum intensity of 0.2 FAR, 50% impervious surface maximum, and residential uses as a minimum of 70% to a maximum of 90% of the development area in an effort to introduce a mix of uses.
- D. Rural node developments shall follow the provisions outlined in C. above except as described below.
 - 1. Rural node development must be on central utilities.
 - 2. A minimum of 300 acres in land area.
 - 3. As incentive for clustering an additional four (4) dwelling units shall be added to the allowable base density.
 - 4. As incentive for clustering an additional one (1) dwelling unit per five (5) acres will be assigned for non-conservation set asides (Ag and Rec).
 - 5. In an effort to reduce greenhouse gases, and trips on the roads, rural node developments shall contain commercial uses as described by the Commercial-Low Intensity (COM-L) land use category with a maximum intensity of 0.2 FAR, 60% impervious surface maximum, and residential uses as a minimum of 60% to a maximum of 80% of the development area in an effort to introduce a mix of uses.

FLU Policy 18.2.8

The rural preservation program also includes incentives to preserve resources, encourage efficient development and preserve open space if connected to central utilities.

- Resource based preservation incentives:
 - Agricultural land setaside .3 du per acre incentive
 - Greenway Corridor .3 du per acre incentive
 - Wetland setaside .2 du per acre incentive
 - Floodplain setaside .1 du per acre incentive

Exhibit D – FLU Objective 18.2 Comprehensive Plan Text Amendments

Future Land Use Element

- Recreation and Open Space .1 du per acre incentive
- Efficient development incentives:
 - Firewise/waterwise/Greenwise .3 du per acre incentive
 - Clustered development .2 du per acre incentive
 - Central utilities .3 du per acre incentive
(Potable water, sanitary sewer, reclaim water)
 - Mixed use .2 du per acre incentive
- Preservation of open space incentives:
 - Increase open space ratio 70/30 .3 du per acre incentive
 - Increase open space ratio 80/20 .4 du per acre incentive
 - Increase open space ratio 90/10 .5 du per acre incentive

Incentives are totaled based on the development proposal, and limited by Policies 17.2.2 and 17.2.9. All development design standards outlined in Policy 17.2.7 apply.

FLU Policy 18.2.9

Development within the rural area shall be permitted consistent with the comprehensive plan map and policies to the extent that the supporting roadway network of the City has available capacity within the adopted LOS standards. The level of service for any given facility (potable water, sanitary sewer, solid waste, drainage, parks, schools, and roadway links) shall not be reduced below the standards established by the City's adopted Comprehensive Plan.

- A facility impact analysis shall be required at the time of the development application or subdivision application development review, prior to the issuance of a development order, to determine the extent of impact that any development may have on the capacity of the facility system.
- All necessary facility improvements, including, but not limited to, right-of-way acquisition, roadway widening, traffic signalization, pedestrian and bicycle facilities, water lines, sewer lines, lift stations, school capacity or other such facilities that accrue due to the impact of a development, shall be provided by the developer and be in place prior to the issuance of the certificate of occupancy. This policy may be satisfied by contractual agreements that establish the timing of improvements and financial responsibilities of all parties.
- The City shall not construct water or sewer line extensions or new roadways other than arterials and collectors in the rural area at public expense. The City shall assume operation and maintenance responsibilities only on water, sewer or roadways facilities dedicated to, and meeting the standards of, the City.

Exhibit E – CON Objective 1.7 Comprehensive Plan Text Amendments

Conservation Element

CON Objective 1.7

The City shall conserve protect and appropriately use and protect wildlife, native wildlife habitat and environmentally sensitive areas.

CON Policy 1.7.1

The City shall seek to increase its conservation areas, through land acquisition, when possible, incentives for protective easements, and other mechanisms through the rural preservation program acreage to ensure the preservation of natural communities and listed animal species habitat.

CON Policy 1.7.2

The City shall work closely with the Florida Fish and Wildlife Conservation Commission (FFWCC) and private landowners to increase the public's knowledge of habitat protection and best management practices to protect endangered and threatened species, as well as species of special concern.

CON Policy 1.7.3

The City shall notify the FFWCC of the presence of any roosting, nesting or frequented habitat areas for endangered or threatened wildlife occurring within its jurisdiction.

CON Policy 1.7.4

The City's Land Development Code (LDC) shall establish regulations to ensure the protection of areas of native vegetation, wildlife habitat and endangered and threatened species, including the following:

- Developers shall be required to identify wildlife habitat and endangered and threatened species as part of the development review process, and they shall be required to submit mitigation measures for review as part of the City's development review process.
- The City shall require proposed development to utilize and preserve existing topographic contours to the maximum extent feasible in project design.
- The City shall require proposed development to assess the potential of creating or adding to greenway corridors within their project to adjacent land or adjacent jurisdictions in an effort to incrementally build protected corridors.

CON Policy 1.7.5

The City shall regulate the following activities in areas identified as being environmentally sensitive and in areas containing endangered and/or threatened wildlife:

- The removal, excavation or dredging of soil, sand, gravel, minerals, organic matter or materials of any kind;

Exhibit E – CON Objective 1.7 Comprehensive Plan Text Amendments

Conservation Element

- The changing of existing drainage characteristics, sedimentation patterns, flow patterns or flood retention characteristics;
- The disturbance of the environmentally sensitive area's water level or water table by drainage, impoundment or other means;
- The dumping or discharging of material, or the filling of an environmentally sensitive area with material;
- The placing of fill or the grading or removal of material that would alter topography;
- The destruction or removal of plant life that would alter the character of an environmentally sensitive area or wildlife habitat; and
- The undertaking of an activity that results in a significant change of water temperature, a significant change of physical or chemical characteristics of environmentally sensitive area water sources, or the introduction of pollutants.

CON Policy 1.7.6

The City shall encourage new developments to protect existing native vegetation in common areas and buffer zones and shall encourage additional planting of native plant species to enhance sparse vegetation in common areas and buffer zones.

CON Policy 1.7.7

The City shall cooperate with federal and state environmental and wildlife preservation agencies in their efforts to protect fish populations within the City's lakes and to promote environmental management activities that enhance fish propagation through natural processes or by managed fish restocking.

CON Policy 1.7.8

Annually, the City shall obtain updated maps from FFWCC showing the locations of unique natural areas and of habitat for endangered and threatened species and species of special concern.

CON Policy 1.7.9

The City shall coordinate with Flagler County to ensure the protection of environmentally sensitive areas that cross jurisdictional boundaries.

CON Policy 1.7.10

The City will encourage the restoration of degraded natural areas through the restoration of natural communities, restoration of natural hydrology and removal of non-native vegetation through the development review process.

Exhibit E – CON Objective 1.7 Comprehensive Plan Text Amendments

Conservation Element

CON Policy 1.7.11

The City shall protect any natural preservation property identified in the recreation and open space element.

CON Policy 1.7.12

In an effort to protect and enhance wetlands, surface waters, listed species, large range mammal habitat, natural hydrologic connections, and large expanses of native vegetation, the concept of a greenway corridor shall be encouraged throughout the City. Greenway corridors shall be a part of an incentive-based method for protecting natural resources and shall be implemented by goals, objectives and policies within the Future Land Use and Conservation Elements and the future land use map series.

CON Policy 1.7.13

The creation of greenway corridors shall be implemented by the Comprehensive Plan and the Future Land Use Map Series in an effort to identify generalized locations of ecologically significant areas within the City.

- Policies regarding greenway corridors have been designed to:
 1. Protect Category I wetlands and required wetland buffers;
 2. Protect surface and ground water quality;
 3. Protect listed species and large range mammal habitat;
 4. Protect flood storage and floodplain capacity;
 5. Provide for site analysis including, but not limited to, soil suitability, topographic relief, and geologic characteristics; and,
 6. Provide protected, natural corridors which facilitate wildlife movement, conserve natural hydrologic connections, and which link to other protected areas such as parks, conservation lands, and water bodies.
- The Future Land Use Map Series shall be used in its entirety to illustrate generalized potential corridor locations. Actual boundaries will be established during the development review process. The potential corridor shall be reviewed to determine the appropriate boundaries in relation to a proposed development based upon site-specific information and features and other related data. At a minimum, the greenway corridor(s) shall include:
 1. ~~Category I~~ Quality of wetlands and associated buffers;
 2. Surface waters;
 3. 100 year floodplain;
 4. Significant habitat;
 5. Significant geologic features; and
 6. All lands under permanent protection agreements.
- In addition to the Future Land Use Map Series, data from the Florida Fish and Wildlife Commission (FWC), Florida Natural Area Inventory (FNAI), or other recognized conservation organizations shall be used to determine appropriate areas for inclusion in

Exhibit E – CON Objective 1.7 Comprehensive Plan Text Amendments

Conservation Element

the greenway corridor(s). The following features will also be considered during the development review process in order to achieve the required conservation acreage:

1. ~~Category H w~~Wetlands and associated buffers;
 2. 500 year floodplain;
 3. Steep slopes;
 4. Large-range mammal habitat;
 5. Listed species habitat;
 6. Prime agriculture land; and,
 7. Land that provides a connection between areas of high ecological value.
- Management plans shall provide for the retention of the natural function of the ecologically significant lands within the greenway corridor and shall be required for all developments containing these resources. Management strategies for greenway corridors shall be developed by landowners in conjunction with planned developments and may include, but are not limited to:
 1. Prescribed burning;
 2. Control of invasive species;
 3. Agriculture and Silviculture activities according to BMPs, with particular emphasis on maintenance and improvement of water quality, and the function of natural systems;
 4. Provision for listed species habitat needs, including restricting, at appropriate times, intrusions into sensitive feeding and breeding areas; and,
 5. Cooperative efforts and agreements to help promote or conduct certain management activities, such as cleanups, maintenance, public education, observation, monitoring and reporting.
 - The City shall facilitate planning across multiple parcels or jurisdictions that protect greenway corridors.

CON Policy 1.7.14

Through the Comprehensive Plan the City shall create options and incentives, such as, but not limited to, the rural preservation program and development transfers to maintain open space and potential greenway corridors, and to maximize preservation of wetlands, floodplains, associated uplands, and areas referred to in FLU Policy 1.1.6, and the Conservation Element.

Exhibit F – CON Objective 1.11 Comprehensive Plan Text Amendments

Conservation Element

CON Objective 1.11

The City of Bunnell will protect and manage wetlands and the natural functions of wetlands in accordance with Section 163.3177(6)(d), F.S., by implementing the following policies:

~~CON Policy 1.11.1~~

- ~~1. Category I wetlands will meet one of the following criteria and will be classified as Conservation land use category:
 - ~~a. Any wetland of any size that has a direct hydrological connection to a lake or navigable water course and is located adjacent to such water course.~~
 - ~~b. Any isolated uninterrupted wetland 250 acres or larger.~~
 - ~~c. Any wetland of any size that provides critical habitat for Federal and/or State-listed threatened or endangered species.~~~~
- ~~2. Category II wetlands will meet all of the following criteria:
 - ~~a. Isolated and disturbed wetlands that are five acres or more.~~
 - ~~b. Wetland that are less than 250 and do not otherwise qualify as a Category I wetlands.~~~~
- ~~3. Jurisdictional wetland lines will be field verified for Category I and Category II wetlands.~~

CON Policy 1.11.12

No development will be allowed in areas assigned Conservation land use category, except the following uses:

1. Existing uses within wetland areas may continue, but shall not be allowed to expand except as provided for elsewhere in this Comprehensive Plan and the City Land Development Regulations, subject to permitting by St. Johns River Water Management District (SJRWMD) or Florida Department of Environmental Protection (DEP).
2. Activities designated for the purpose of conserving or protecting natural resources or environmental quality, including areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, commercially or recreationally valuable fish and shellfish, or protection of vegetative communities or wildlife habitats.
3. New development and redevelopment that shall have no significant impact on the wetlands such as passive recreation, trails, wooded boardwalks, construction of wildlife management shelters, discharge structures from upland developments, utility crossings; footbridges; observation decks and similar structures not requiring dredging and/or filling for their placement or maintenance.
4. Allow for Insect Control Structures, storm water management structures, as well as Utility installation with temporary impacts to the wetlands.
5. Setbacks shall be of 25 feet average with 15 feet minimum from the jurisdictional wetland line. Setbacks of less than 25 feet must be justified.

Exhibit F – CON Objective 1.11 Comprehensive Plan Text Amendments

Conservation Element

CON Policy 1.11.~~23~~

The fragmentation of large wetland community associations shall be discouraged by allowing for density transfers, conservation easements, transfer of development rights, fee simple acquisition, and encouraging development clustering away from the wetlands and the use of planned unit development as tools to enhance conservation.

CON Policy 1.11.~~34~~

The City will discourage any disturbance or development in wetlands. The City will encourage development away from wetland areas by providing Development Transfer Rights from affected wetlands to the adjacent properties. The densities transferred from the wetland areas shall be at the densities allowed to the adjacent receiving properties.

CON Policy 1.11.~~45~~

All wetlands on any proposed development site must be identified and classified as part of the City's application process prior to the issuance of development orders which permit site alteration.

CON Policy 1.11.~~56~~

Wetlands area will be delineated based on the procedures contained in Section 373.421(1) F.S. The precise delineation of these areas shall be determined through site- specific studies and field determination through the permitting and review process.

CON Policy 1.11.~~67~~

City of Bunnell shall coordinate with the FDEP, USACE and SJRWMD to identify and regulate wetland areas under their respective jurisdiction. When ~~Category-II~~ wetlands that are being utilized by listed species for nesting or reproduction are proposed for alteration, the proposal must be submitted to the Florida Fish and Wildlife Conservation Commission for review and recommendations.

CON Policy 1.11.~~78~~

Removal, encroachment, and alteration of ~~Category-II~~ wetlands are presumed to be allowed pursuant to the requirement of SJRWMD, ~~or~~ FDEP, and USACE shall be in compliance with the following policies.

1. Appropriate justification for the proposed alteration is provided to the City;
2. Such activity complies with the requirements of all Federal, State and regional agencies claiming jurisdiction over wetland alteration;
3. Adequate mitigation of any adverse hydrological and physical alterations is provided in accordance with the requirements of the agencies claiming jurisdiction over the wetland;

Exhibit F – CON Objective 1.11 Comprehensive Plan Text Amendments

Conservation Element

4. Setbacks shall be 25 feet average with 15 feet minimum from the jurisdictional wetland line. Setbacks of less than 25 feet must be justified;
5. The following activities are permitted in wetland setback areas provided they are consistent with a permit obtained from the agency with jurisdiction over the wetland;

Construction of boardwalks/catwalks for direct access to water bodies; construction of wildlife management shelters; discharge structures from upland developments; utility crossings; foot bridges; observation decks and similar structures not requiring dredging and/or filling for their placement and maintenance.

CON Policy 1.11.~~89~~

The City shall retain in its land development regulations provisions for mandatory site plan review for all development proposed in State ~~and Federal~~ jurisdictional wetlands. The regulations include appropriate standards for mitigation of adverse impacts to wetlands values and the provision that if reasonable use of property, restoration of the disturbed wetlands and/or creation of new wetlands will be required in accordance with the rules and criteria of FDEP and SJRWMD. Verification of permit approval from these agencies as required shall be a condition of a final development order by the City.

CON Policy 1.11.~~940~~

The purpose of mitigation is to offset environmental impacts for the public good. Mitigation activities approved by federal, state or regional agencies are supported by the City. Mitigation shall be as permitted by the SJRWMD. Prioritization of mitigation shall be as determined by SJRWMD current policies or as amended in the future.

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Bunnell has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Bunnell may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

ORDINANCE 2024-06

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT TO THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN; PROVIDING FOR AMENDMENT TO THE CONSERVATION ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - ☒ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Bunnell hereby publishes the following information:

1. **A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This Ordinance is to amend the Comprehensive Plan to amend the Conservation and Future Land Use Elements to update the regulations.

2. **An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) **An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

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- (b) **Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

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- (c) **An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

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3. **A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

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4. **Additional information the governing body determines may be useful (if any):**

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Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.

Background Data & Analysis

FLU Policy 7.4

Amends the table of Future Land Use Categories to remove the “Conservation-One” future land use designation and change the name of “Conservation-Two” FLUM designation to “Conservation”. This is a consequence of removing the description of the Conservation-One future land use designation in FLU Policy 11.1 and a name change in FLU Policy 11.2.

FLU Policy 11.1

Deletes the text of FLU Policy 11.1 describing the “Conservation-One” future land use designation from the comprehensive plan. The “Conservation-One” future land designation operates as an agricultural district allowing residential densities of up to one unit per five acres and is similar to the “Agricultural & Silviculture” future land use designation. It does direct residential development away from some wetlands but allowed housing to be developed in “Category II” wetlands. This mention of Category II wetlands refers to a system of wetland categorization that was developed by the U.S. Army Corps of Engineers (USACE) and the Environmental Protection Agency (EPA) to determine the regulatory jurisdiction of wetland areas under the Clean Water Act. But this methodology is not the currently used by State and Federal regulators to define wetlands. The state of Florida uses the Florida Unified Wetland Delineation Methodology (Chapter 62-340, F.A.C.) to define wetlands as a whole and then uses the Uniform Mitigation Assessment Method (UMAM) to place an appropriate value on those wetlands. (373.414(18), F.S.). UMAM provides a standardized procedure for assessing the ecological functions provided by wetlands and other surface waters, the amount that those functions are reduced by a proposed impact, and the amount of mitigation necessary to offset that loss. If the City of Bunnell were to retain this language it would commit the City of Bunnell to maintaining its own regulatory scheme for evaluating wetlands that it does not have the resources or expertise to implement. A more appropriate strategy is to rely on the established state and federal regulatory apparatus.

FLU Policy 11.2

Amends the text of Policy 11.2 renaming the “Conservation-Two” future land use designation as the “Conservation” future land designation. This is a true conservation designation as normally understood by the public and landowners in which resources are protected by easements or other forms of permanent protection.

FLU Policy 13.7

Amends the description of the “Agriculture (AG)” future land designation to allow the establishment of a density bonus. The “Agriculture” future land use designation allows densities up to 1 unit per acres. The added language will allow the creation of a density bonus in the land development code that will provide densities higher than one unit per acre in return for the permanent preservation of wetlands.

There is current language in the LDC that does allow onsite “transfers” of density to the uplands portions of a site in return for wetlands preservation, but this language has never been utilized. Given that the City has not used a “net” density approach to calculating densities, the current transfer language is not an incentive to preserve wetlands.

FLU Policy 14

Amends the description of the “Rural Estates (RE)” future land designation to allow the establishment of a density bonus in return for the permanent preservation of wetlands. The “Rural Esates (RE)” future land use designation allows densities up to 1 unit per acres.

FLU Policy 16

Amends the description of the “Agriculture and Silviculture (AG&S)” future land designation to allow the establishment of a density bonus in return for the permanent preservation of wetlands. The “Agriculture and Silviculture (AG&S)” future land use designation allows densities up to 1 unit per 5 acres.

FLU Policy 18.2.7

Amends this policy which relates to new development in rural areas deleting references to Category I and Category II wetlands in a description of Conservation Rural Subdivisions. The removal of the Category I & II leaves language indicates that the design of Conservation Rural Subdivision will avoid impacts to wetlands to the “greatest extent feasible” instead of distinguishing between the various categories.

Con Policy 1.7.13

Amends language related to the creation of “greenway” corridors to eliminate references to Category I and Category II wetlands.

CON Policy 1.11.1

Deletes the language that describes Category I and Category II wetlands. Deleting this language means that the City of Bunell will not have its own wetland definitions but will rely on the State of Florid and the water management district to use the Florida Unified Wetland Delineation Methodology (Chapter 62-340, F.A.C.) to define wetlands.

CON Policy 1.11.7

Removes a reference to Category II wetlands in a policy related to wetland alterations presumed to be allowed pursuant to the requirements of the SJRWMD and FDEP. In addition, the amendment adds a specific reference to the USACE in the policy recognizing that the federal agency has a significant role in wetland regulation. This policy change will allow the City of Bunnell to relay on the expertise and resources of these agencies to regulate wetlands.

CON Policy 1.11.9

Adds a reference to the federal government in policy that requires site plan approval for any development that will impact jurisdictional wetlands.



City of Bunnell, Florida

Agenda Item No. E.2.

Document Date: 2/8/2024 Amount:
Department: Community Development Account #:
Subject: Ordinance 2024-07 Amending the City of Bunnell Land Development Code
Chapter 18 - Natural Resource Protection and Management and Chapter 34 -
Zoning. - First Reading
Agenda Section: Ordinances: (Legislative):
Goal/Priority: Quality of Life

ATTACHMENTS:

Description	Type
Ordinance 2024-07 LDC Text Amendments	Ordinance
Business Impact Estimate (Ord. 2024-07)	Exhibit

Summary/Highlights:

This is an administrative proposal to amend the City of Bunnell Land Development Code to streamline and simplify language related to the regulation of wetlands, eliminate the C-1 Conservation zoning district, rename the C-2 Conservation zoning district, add a density bonus to the AG&S zoning district and modify the density bonus in the AG zoning district to encourage the preservation of wetlands.

Background:

This item is part of Phase "3-A" of a the 3-phase mass rezoning of properties that is providing Bunnell zoning classifications for properties without City zoning. Phase 1 included those properties without City of Bunnell zoning classifications that did not have any portion of the property designated as Conservation-1 or Conservation-2 on the City's Future Land Use Map. Phase 1 was concluded in August of 2022. Phase 2 included the non-conservation portions of the properties excluded from Phase 1. Phase 2 was concluded in September 2023. Phase 3 addresses the remaining portions of the properties that do have conservation designations. In addition to map changes, the mass rezoning involves text changes to the comprehensive plan and the land development code. Phase "3-A" is addressing changes to the comprehensive plan's future land use map, the text of policies in the future land use and conservation elements and these changes to the land development. This phase "3-B" will complete the rezoning through changes to the zoning map once the comprehensive changes are complete. Each of the proposed land development code changes is explained below.

Sec. 18-52 Wetlands

Section 18 is the LDC's primary protection language for the protection of wetlands. It largely ignores the existence of federal and state agencies wetland regulations. It applies to all wetlands regardless of size and isolation. It includes a wetland mitigation component of two times the wetland disturbance and requires mitigation be in the vicinity of the disturbance. State and federal agencies will not support this approach because it runs counter to state and federal agency mitigation requirements which rely on regional mitigation banks. Although the comprehensive plan and the federal agencies allow the averaging of buffer widths, this section set it a 25' minimum width. It vests all decision making related to disturbances, mitigation, and buffer width reductions at the City Commission level when most site plans do not go to the City Commission. More importantly it doesn't provide any real standards or guidance for these decisions. The practical effect of enforcing these regulations as written would mean that the City would be on its own and have to hire the expertise to do so or use consultants. The proposed changes to section 18-52 will allow the City to rely on the state and federal permitting agencies and their well-established permit processes for the regulation of wetlands. Subsection 18-52(c) refers to a buffer for FDEP jurisdictional wetlands, but then it had a buffer requirement that differs from the FDEP standard. This has been corrected. Subsection 18-52(e) had references to policies not in the current version of the conservation element. Those references have been deleted.

Section 34-106 AG&S Agricultural and Silviculture district

A new subsection 34-106(i) is added to the AG&S adding a density bonus return for the permanent preservation of wetlands. This new language provides up to a maximum 20% density bonus for the preservation of wetlands. One unit is awarded for each 5 acres preserved. There is language that allows for a reduction in the minimum lot size, but no more than a 40% reduction.

Section 34-107 AG Agricultural

Under Subsection 34-107(d) Building Site Area Regulations the AG district has language that describes an existing density transfer. The AG has a residential density of 1 unit per gross acre and then goes on to explain that density may be transferred to upland portions of the property. This is normal practice in any system of density that is based on gross acreage. Density is calculated over the entire project area. This is therefore not a significant incentive to preserve wetlands by just transferring density to the more developable portions of the property. The subsection does indicate, but not very clearly, that the minimum lot size may be reduced to help with the transfer. However, it does require centralized utilities when net density exceeds dwelling per acre. Given the cost of providing utilities to such the low-density development, this provision has not incentivized any development. The language relating to wetlands has been removed from Subsection 34-107(d). A new subsection 34-107(h) Wetland Preservation Density Bonus is added. This new language provides up to a maximum 20% density bonus for the preservation of wetlands. One unit is awarded for each 5 acres preserved. There is language that allows for a reduction in the minimum lot size, but no more than a 40% reduction.

Section 34-125 C-1 Conservation district

The proposed changes to Section 34-125 remove the C-1 Conservation from the LDC. This zoning district doesn't really do preserve wetlands. It does have language in the purpose and intent section that says residential density is to be located on the uplands or category II wetlands. This mention of Category II wetlands refers to a system of wetland categorization that was developed

by the U.S. Army Corps of Engineers (USACE) and the Environmental Protection Agency (EPA) to determine the regulatory jurisdiction of wetland areas under the Clean Water Act. But this methodology is not the currently used by State and Federal regulators to define wetlands.

Section 34-126 C-2 Conservation district

The proposed changes to Section 34-126 rename the C-2 Conservation district as simply the C Conservation district and clarifies that easements must be recorded in the public records of Flagler County.

On February 6, 2024, the Planning, Zoning and Appeals Board recommended approval to the City Commission for this Ordinance.

Staff Recommendation:

Approve Ordinance 2024-07 Amending the City of Bunnell Land Development Code Chapter 18 - Natural Resource Protection and Management and Chapter 34 - Zoning. - First Reading

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

ORDINANCE 2024-07

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENT TO SECTION 18-52 WETLANDS; PROVIDING FOR AMENDMENT TO VARIOUS SECTIONS WITHIN CHAPTER 34 – ZONING; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Bunnell to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Chapters 166 and 163, Florida Statutes, include authority to enact regulations to protect the health, safety and welfare, and interests of the citizens of the City; and

WHEREAS, the City has amended policies within the Future Land Use and Conservation Elements of the City of Bunnell 2035 Comprehensive Plan; and

WHEREAS, Section 163.3194(1)(b), Florida Statutes, requires land development regulations to be amended to be consistent with the adopted Comprehensive Plan, or element or portion thereof; and

WHEREAS, Section 163.3174(4)(c), Florida Statutes, requires the local planning agency to review proposed land development regulations and amendments, and make recommendations to the governing body as to the consistency of the proposal with the adopted Comprehensive Plan, or element or portion thereof; and

WHEREAS, on February 6, 2024, the Planning, Zoning and Appeals Board, the City of Bunnell local planning agency, made recommendation to the City Commission for the City of Bunnell for the adoption of the City of Bunnell Land Development Code amendments and to update the City of Bunnell Land Development Code; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, these text amendments are enacted as Phase 3A of a three-phase City rezoning initiative to rezone various properties annexed into the City of Bunnell in 2006-2007 from an unincorporated zoning designation to a proper City of Bunnell zoning designation; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, and ~~strikethrough~~ type shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Legislative Findings and Intent.

(a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City staff report and the recitals (whereas clauses) to this ordinance.

(b) The City of Bunnell has complied with all requirements and procedures of Florida Law in processing and advertising this Ordinance.

(c) This Ordinance is internally consistent with the Comprehensive Plan text amendments relating to the Future Land Use and Conservation Elements in the 2035 Comprehensive Plan.

Section 2. Amendment to Chapter 18, Land Development Code.

Chapter 18 Natural Resource Protection and Management in the City of Bunnell Land Development Code is hereby amended as follows:

Sec. 18-52. - Wetlands.

(a) No excavation or filling shall be undertaken within a wetland ~~unless~~ without obtaining a state or federal wetland alteration permit unless the activity is exempt from permitting and applicant has presented an agency exemption letter to the City. ~~the city commission finds, on the basis of reasonable evidence, that there are no practical alternatives to the filling. Examples of situations where such activities may be permitted include the need to provide access to property, to provide utilities, and to create a building site on an approved lot. Where any such disturbance of a wetland is permitted, it shall be the minimum disturbance necessary to meet the needs of the use. No excavation or other disturbance shall be permitted in a floodway. Except where specifically permitted by the city commission, no native wetland vegetation shall be disturbed.~~

~~(b) Where disturbance is permitted, new wetland areas shall be created at a minimum rate of two times the area of wetlands destroyed. New wetland areas shall be in the vicinity of the areas destroyed and, at maturity, shall be functionally related (in terms of elevation, hydrology, and vegetation) to the remaining wetlands in the area. Where the city commission finds that it is impractical to create such replacement wetlands, it may make alternative mitigation requirements.~~

~~(b) (e)~~ A buffer area shall be retained in its natural state surrounding connected (i.e., FDEP jurisdictional) wetlands. Such buffer shall be an minimum average of 25 feet in width with a minimum width of no less than 15 feet ~~except where the city commission finds that it is impractical to maintain that width, as per Chapter 373 Florida Statutes, and Section 12.2.7 of the St. John's River Water Management District Applicant's Handbook: Management and Storage of Surface Waters. Buffer~~

areas shall not be disturbed except to provide for surface water management areas.

~~(c) (d)~~ Modifications to wetlands shall ensure that predevelopment water flow (rate and quantity) is maintained to preserve wetland viability.

~~(d) (e)~~ Wetlands management shall conform to standards included in the comprehensive plan ~~(specifically including conservation element policies 2.3 and 4.2).~~

Section 3. Amendment to Chapter 34, Land Development Code.

Chapter 34 Zoning in the City of Bunnell Land Development Code is hereby amended as follows:

Sec. 34-81. Establishment of zoning districts.

For the purpose of this chapter, the city is hereby divided into zoning districts, as follows:

Agricultural:

AG&S Agricultural and silviculture district

This district is appropriate for areas designated as AG&S on the future land use map of the comprehensive plan.

AG Agricultural district

This district is appropriate for areas designated AG on the future land use map of the comprehensive plan.

ACI Agricultural community industrial district

This district is appropriate for areas designated ACI on the future land use map of the comprehensive plan.

ACC Agricultural community commercial district

This district is appropriate for areas designated ACC on the future land use map of the comprehensive plan.

RE Rural estate district

This district is appropriate for areas designated RE on the future land use land map of the comprehensive plan.

Residential:

R-1 Single-family residential district

This district is appropriate for areas designated as single-family low density on the future land use map of the comprehensive plan.

R-2 Multifamily residential district

This district is appropriate for areas designated as single-family medium density on the future land use map of the comprehensive plan.

R-3 Multifamily residential (zero lot line) district

This district is appropriate for areas designated as single-family medium density on the future land use map of the comprehensive plan.

R-3A Multifamily residential district

This district is appropriate for areas designated as multifamily on the future land use map of the comprehensive plan.

R-3B Multifamily residential district

This district is appropriate for areas designated as multifamily on the future land use map of the comprehensive plan.

RMU Residential mixed use district

This district is appropriate for areas designated as residential mixed use or multifamily on the future land use map of the comprehensive plan.

Commercial:

B-1 Business district

This district is appropriate for areas designated as commercial or commercial high on the future land use map of the comprehensive plan.

B-2 Business district

This district is appropriate for areas designated as commercial or commercial low on the future land use map of the comprehensive plan.

O-1 Office, medical and related service district

This district is appropriate for areas designated as commercial or commercial low on the future land use map of the comprehensive plan.

Industrial:

L-1 Light industrial district

This district is appropriate for areas designated as industrial on the future land use map of the comprehensive plan.

L-2 Heavy industrial district

This district is appropriate for areas designated as industrial on the future land use map of the comprehensive plan.

Public:

P Public district

This district is appropriate for areas designated as public on the future land use map of the comprehensive plan.

Conservation:

~~C-1 Conservation district~~

~~This district is appropriate for areas designated as C-1 conservation on the future land use map of the comprehensive plan.~~

C-2 Conservation district

This district is appropriate for areas designated as C-2 conservation on the future land use map of the comprehensive plan.

Planned unit development:

This district is appropriate in several land use categories as determined by the planning, zoning and appeals board.

RP-PUD Rural preservation PUD

This district is appropriate for areas designated as AG&S on the future land use map of the comprehensive plan.

Sec. 34-106. - AG&S Agricultural and Silviculture District.

- (1) *Purpose and intent.* The purpose of this district is to permit a range of agricultural and/or silvicultural uses and to accommodate very low density residential development at a concentration of one dwelling unit per five acres. The intent of this district is to support and enhance the agricultural character and lifestyle of

existing low density areas while encouraging the continuation of agricultural and silvicultural activities as a primary use in the rural area of the city, and to promote the protection of natural resources and wildlife habitat.

(2) *Permitted principal and accessory uses and structures:*

- (1) Single-family residences, mobile and modular homes, and accessory uses;
- (2) Agricultural and silvicultural uses;
- (3) Nurseries, wholesale and retail;
- (4) Greenhouses;
- (5) Churches and their accessory uses;
- (6) Country clubs, hunting clubs, hunting areas, shooting ranges, golf courses;
- (7) Passive and active recreation facilities;
- (8) Public and private schools;
- (9) Farmers markets;
- (10) Equestrian facilities including riding academies, riding stables/grounds, boarding, and dude ranches;
- (11) Energy solution facilities;
- (12) Special care housing;
- (13) Public facilities;
- (14) Historic sites and museums;
- (15) Animal shelters, and kennels;
- (16) Veterinarian offices with or without boarding;
- (17) Participation in the rural preservation program including clustered conservation developments and rural nodes in accordance with the City of Bunnell Comprehensive Plan policies;
- (18) Rural subdivisions as outlined in the supplemental regulations;
- (19) Home occupations;
- (20) Farm machinery, manufacturers, and repair;
- (21) Machine shops, welding or soldering shops;
- (22) Sawmills, lumberyards, hardware and building supplies retail and wholesale sales;
- (23) Cemeteries subject to the following criteria:

1. The property must abut and be granted access from a public road.
2. The cemetery shall be buffered from adjacent properties by natural vegetation or shrubs a minimum of four feet high.
3. All structures shall be setback 50 feet from all property lines.

(24) Animal or wildlife rescues or sanctuaries;

(25) Accessory dwellings (e.g., guest houses, caretaker's quarters, security stations, etc.) subject to the following criteria:

1. Accessory dwellings shall remain accessory to and under the same ownership as the principal dwelling.

(26) Seasonal farm worker housing;

(27) Family homesteads as outlined in the supplemental regulations;

(28) Daycares;

(29) Grain blending and packaging;

(30) Cold storage and frozen lockers, freezing, packaging, and distribution;

(31) Agriculture related wholesale sales and distribution, product processing, storage, including packaging food products and fruit and vegetable handlers and processors, feed and seed products for distribution, and fertilizer facilities beyond that required for normal day to day agricultural operations; and

(32) All permitted uses allowed in the Agriculture (Ag) zoning district.

(3) *Permitted special exceptions:*

(1) Mining, excavation and fill operations over four acres [under four acres normally exempt from the SJRWMD regulations as of this date adopting Ordinance 2012-03 not included as a special exception]; and

(2) Junkyards meeting the minimum requirements listed below:

1. The materials or vehicles are visually screened from roadways and neighboring properties by a solid fence of six-foot in height or thick vegetation buffer.
2. Materials or stacked vehicles greater than six feet in height shall be setback from all property lines a minimum of ten feet.
3. Materials or stacked vehicles shall not exceed 15 feet in height.
4. Junkyards shall not be visible from US1, State Road 100, or State Road 11; and

5. The special exception must be reviewed by the city commission at an advertised public hearing to evaluate its compatibility with the surrounding area.
- (3) Any uses by special exception in the Agriculture (AG) zoning district; and
- (4) Other uses and structures not listed above that with certain restrictions can be compatible uses with other uses in the district as approved by the planning, zoning and appeals board.
- (4) *Area regulations for single-family residences within the AG&S district shall be as follows:*
 - (1) Minimum lot size. Five acres.
 - (2) Minimum lot width. 200 feet.
 - (3) Maximum lot coverage. 35 percent for all principal and accessory buildings.
 - (4) Building setbacks. These are considered minimum setbacks, but may be increased if appropriate to prevent interference with agricultural operations and appropriate buffers.
 1. *Front yard.* There shall be a front yard of not less than 25 feet measured from the front property line to the front building line.
 2. *Side yard.* There shall be a side yard of not less than ten feet for all residential and accessory buildings. All other permitted buildings shall have a side yard of not less than 20 feet. In the case of corner lots, no building and no addition to a building shall be erected or placed nearer than 20 feet to the side street line of any such lot.
 3. *Rear yard.*
 1. There shall be a rear yard of all main buildings of not less than 20 feet from the rear building line to the rear lot line.
 2. Accessory buildings, such as garages, shall have a rear yard of not less than ten feet, measured from the rear building line of such garage or accessory building to the rear lot line.
- (5) *Area regulations for commercial uses within the AG&S district shall be as follows:*
 - (1) Minimum lot size. Half acre.
 - (2) Minimum lot width. None.
 - (3) Maximum lot coverage. 40 percent for all principal and accessory buildings.
 - (4) Building setbacks.
 1. Front yard. There shall be a front yard of not less than 25 feet measured from the property line to the front building line.

2. Side yard.
 1. There shall be a side yard of not less than ten feet.
 2. When a commercially used lot in the AG&S district abuts a residential use there shall be a 30-foot buffer area on the commercial property.
3. Rear yard.
 1. There shall be a rear yard of not less than ten feet.
 2. Where a commercially used lot in the AG&S district abuts a residential use there shall be a 30-foot buffer area on the commercial property.
- (6) Height regulations. No main building or towers (except agricultural structures) associated with residential buildings and/or accessory structures shall exceed 35 feet in height. No buildings or towers (except agricultural structures) associated with commercial use shall exceed 50 feet in height; except wireless communication facilities per section 34-271.
- (7) Off-street parking. Off-street parking shall be as regulated in article V, division 2 of this chapter.
- (8) Buffers. Residential developments abutting bona-fide agricultural uses shall be buffered to minimize visual, odor and noise impacts customarily associated with agricultural operations. Buffers must be located on the residential parcel. Buffers may vary in width but shall not be less than 50 feet wide at their narrowest point. Buffers shall incorporate any combination of fencing and landscape material necessary to create an opaque barrier with a minimum height of six feet above the grade of the residential structure. In multi-phased developments, where agricultural use on a phase(s) is projected to continue until that/those phase(s) is/are developed, temporary buffers shall be required. Since the type/intensity of the abutting agricultural use may vary, so will the appropriate type of temporary buffer. Temporary buffers are subject to the review and approval of the PZA board and certificates of occupancy may not be issued until such temporary buffers are in place. The PZA board may establish a time limit on the use of temporary buffers after which the buffers must meet the permanent buffer requirements. The PZA board shall review buffers and barriers associated with rural preservation developments as part of the specific project application. Buffers must be designed with a minimum of a 50-foot clear visibility zone at ingress and egress points.
- (9) Wetland preservation density bonus. A density bonus of up to a maximum of 20 percent of the allowed density based on the properties total acreage is permitted in return for the permanent preservation of wetlands onsite. One bonus unit is permitted for each 5 acres of wetlands preserved. The wetlands along with an upland buffer with an average width of no less than 25 feet and a minimum width of no less than 15 feet shall be placed in a restrictive covenant, conservation easement, or other instrument recorded in the official records of Flagler County

intended to insure the permanent preservation of the wetland and buffer in their natural state. All bonuses shall be in whole numbers only. Fractions shall be converted upward, if ½ or more of a whole unit. The minimum lot size may be reduced up to 40% to accommodate the total number units permitted.

Sec. 34-107. - AG Agricultural District.

- (a) *Purpose and intent.* The purpose of this district is to permit a range of agricultural and/or agricultural related uses in designated areas and to accommodate low density residential development at a maximum concentration of one dwelling unit per acre. The intent of this district is to preserve and enhance an agricultural lifestyle while facilitating orderly and sustainable development.
- (b) *Permitted principal and accessory uses and structures.* Within the agricultural district, no building, structure or land shall be used except for one or more of the following uses:
- (1) Agricultural uses;
 - (2) Silviculture uses;
 - (3) Ornamental horticulture, floriculture and nursery products, wholesale and retail;
 - (4) Livestock;
 - (5) Equestrian facilities including riding academies, riding stables/grounds, and boarding facilities;
 - (6) Single-family residences, mobile and modular homes, and accessory uses;
 - (7) Country clubs;
 - (8) Passive and active recreational uses;
 - (9) Hunting clubs and hunting areas, and shooting ranges;
 - (10) Special care housing;
 - (11) Churches and their accessory uses;
 - (12) Energy solution facilities;
 - (13) Farmer's market;
 - (14) Public/private educational facilities;
 - (15) Home occupations;
 - (16) Family homesteads, as outlined in the supplemental regulations;
 - (17) Rural subdivisions, as outlined in the supplemental regulations; and

- (18) Other similar and/or compatible uses and structures not listed above that are determined to be compatible with the scope of the district.
- (c) *Permitted special exception.* Permitted special exceptions in the AG district shall be as follows:
 - (1) Cemeteries.
 - a. The property should abut and be granted access from a public road.
 - b. The cemetery shall be buffered from adjacent properties by natural vegetation or shrubs a minimum of four feet high.
 - c. All structures shall be setback 50 feet from all property lines.
 - (2) Veterinarian offices, animal shelters, pet rescues, animal hospitals and kennels;
 - (3) Seasonal farm worker housing;
 - (4) Public/private utility structures; and
 - (5) Other uses and structures not listed above that with certain restrictions can be compatible uses with other uses in the district as approved by the planning, zoning, and appeals board.
- (d) *Area regulations.* Area regulations within the AG district for single-family residential residences shall be as follows:
 - (1) Minimum lot size. One acre.
 - (2) Minimum lot width. 100 feet.
 - (3) Maximum lot coverage.
 - a. Residential dwellings and buildings accessory thereto shall cover not more than 50 percent of the lot area.
 - b. All other main and accessory buildings, shall cover not more than 50 percent of the lot area.
 - (4) Building setbacks:
 - a. *Front yard.* There shall be a front yard of not less than 25 feet measured from the front property line to the front building line.
 - b. *Side yard.* There shall be a side yard of not less than ten feet for all residential and accessory buildings. All other permitted buildings shall have a side yard of not less than 20 feet. In the case of corner lots, no building and no addition to a building shall be erected or placed nearer than 20 feet to the side street line of any such lot.
 - c. *Rear yard.*

1. There shall be a rear yard of all main buildings of not less than 20 feet from the rear building line to the rear lot line.
 2. Accessory buildings, such as garages, shall have a rear yard of not less than ten feet, measured from the rear building line of such garage or accessory building to the rear lot line.
- (e) *Building site area regulations.* The residential density of the AG district is one dwelling unit per gross acre. ~~AG district parcels that are proposed for residential development may include jurisdictional wetlands. A density transfer of one dwelling unit per one acre of wetland to the upland portion of the parcel is permitted provided that the wetland is placed in a conservation easement to insure the perpetual preservation/protection of the wetland. In addition,~~ If a portion of the parcel is intended to remain in agricultural use for perpetuity, and that portion of the parcel is placed in an agricultural easement, a density transfer of one unit per one acre of land within the agricultural easement is permitted. If as a result of a wetland and/or agricultural easement density transfer, the net density of the residential development exceeds two dwelling units per net acre, these developments shall require the provision of central water and wastewater services. In no event shall the minimum building site area be less than 10,000 square feet nor have a lot width of less than 80 feet at the front of the building line.
- (f) *Height regulations.* No main building or towers (except agricultural structures) associated with residential buildings and/or accessory structures shall exceed 35 feet in height to the bottom of the third story windows, as applicable or as defined; except wireless communication facilities per Chapter 34-271.
- (g) *Off-street parking.* Off-street parking shall be as regulated in article V, division 2 of this chapter.
- (h) *Buffers.* Residential uses abutting bona-fide agricultural uses shall be buffered to minimize visual, odor and noise impacts customarily associated with agricultural operations. Buffers must be located on the property proposing new construction, a change of use or a PUD. Buffers may vary in width but must not be less than 30 feet wide at their narrowest point. Buffers shall incorporate any combination of fencing and landscape material or native vegetation necessary to create an opaque barrier with a minimum height of six feet above the grade of the nearest residential structure. In multi-phased developments, where agricultural use on a phase(s) is projected to continue until that/those phase(s) is/are developed, temporary buffers shall be required. Since the type/intensity of the abutting agricultural use may vary, so will the appropriate type of temporary buffer. Temporary buffers are subject to the review and approval of the planning, zoning and appeals board and certificates of occupancy shall not be issued until such temporary buffers are in place. The planning, zoning and appeals board may establish a time limit on the use of temporary buffers after which the buffers must meet the permanent buffer requirements above. Buffers must be designed with a minimum of a 50-foot clear visibility zone at ingress and egress points.

- (i) Wetland preservation density bonus. A density bonus of up to a maximum of 20 percent of the allowed density based on the properties total acreage is permitted in return for the permanent preservation of wetlands onsite. One bonus unit is permitted for each 5 acres of wetlands preserved. The wetlands along with an upland buffer with an average width of no less than 25 feet and a minimum width of no less than 15 feet shall be placed in a restrictive covenant, conservation easement, or other instrument recorded in the official records of Flagler County intended to insure the permanent preservation of the wetland and buffer in their natural state. All bonuses shall be in whole numbers only. Fractions shall be converted upward, if ½ or more of a whole unit. The minimum lot size may be reduced up to 40% to accommodate the total number units permitted.

Sec. 34-125. - ~~G-1 Conservation district.~~ RESERVED

- (a) ~~*Purpose and intent.* The purpose of the conservation district is to support the ecological integrity of natural resources and wildlife. This district is intended to provide preservation sensitive lands and to conserve important natural, ecological, and unique habitat resources with residential development at a concentration of one unit per five acres. All residential density must be transferred to developable uplands or category II wetlands based on an appropriate jurisdictional survey.~~
- (b) ~~*Permitted principal and accessory uses and structures.* The following uses may be permitted provided they do not adversely affect natural resource function and ecological integrity within the area:~~
- ~~(1) Parks or other passive recreation activities;~~
 - ~~(2) Hunting clubs and hunting areas;~~
 - ~~(3) Scenic, historic, wildlife, or scientific preserves;~~
 - ~~(4) Scientific and educational activities;~~
 - ~~(5) Single family residences, mobile and modular homes, and accessory uses;~~
 - ~~(6) Agricultural or silvicultural uses; and~~
 - ~~(7) Other uses demonstrated to be compatible with natural resource protections.~~
- (c) ~~*Permitted special exceptions:*~~
- ~~(1) Animal sanctuaries;~~
 - ~~(2) Seasonal farm worker housing;~~
 - ~~(3) Family homesteads as outlined in the supplemental regulations; and~~
 - ~~(4) Accessory dwellings (e.g., guest houses, caretaker's quarters, security stations, etc.) subject to the following criteria:~~
 - ~~a. Accessory dwellings shall remain accessory to and under the same ownership as the principal dwelling.~~
- (d) ~~*Area regulations for single family residences within the G-1 district shall be as follows:*~~

- ~~(1) Minimum lot size. Five acres.~~
- ~~(2) Minimum lot width. None.~~
- ~~(3) Maximum lot coverage. Thirty percent for all principal and accessory buildings.~~
- ~~(4) Building setbacks. Buffers and setbacks may also be established by applicable regulating jurisdictional agency depending upon an appropriate jurisdictional survey.~~
 - ~~a. Front yard. There shall be a front yard of not less than 25 feet measured from the front property line to the front building line.~~
 - ~~b. Side yard. There shall be a side yard of not less than 10 feet for all residential and accessory buildings. All other permitted buildings shall have a side yard of not less than 20 feet. In the case of corner lots, no building and no addition to a building shall be erected or placed nearer than 20 feet to the side street line of any such lot.~~
 - ~~c. Rear yard:~~
 - ~~1. There shall be a rear yard of all main buildings of not less than 20 feet from the rear building line to the rear lot line.~~
 - ~~2. Accessory buildings, such as garages, shall have a rear yard of not less than ten feet, measured from the rear building line of such garage or accessory building to the rear lot line.~~
- ~~(e) Height regulations. No main building or towers (except agricultural structures) associated with residential buildings and/or accessory structures shall exceed 35 feet in height, except wireless communications facilities per section 34-271.~~
- ~~(f) Off-street parking. Off-street parking shall be as regulated in article V, division 2 of this chapter.~~
- ~~(g) Buffers. Residential developments abutting conservation uses shall be buffered to minimize impacts to the natural environment. Buffers must be located on the residential parcel. Buffers may vary in width but must not be less than 25 feet wide at their narrowest point. Buffers shall maintain native vegetation as much as practicable or as required by the appropriate jurisdictional agency. In multi-phased developments, where conservation use on a phase(s) is projected to continue until that/those phase(s) is/are developed, temporary buffers shall be required. Since the type/intensity of the abutting residential use may vary, so will the appropriate type of temporary buffer. Temporary buffers are subject to the review and approval of the PZA and appropriate jurisdictional agency. The PZA board may establish a time limit on the use of temporary buffers after which the buffers must meet the permanent buffer requirements. Certificates of occupancy may not be issued until such temporary buffers are established. Buffers between residential uses and agricultural uses shall meet requirements established in subsection 34-106(h).~~

Sec. 34-126. - C-2 Conservation district.

- (a) *Purpose and intent.* The purpose of the C-2-Conservation district is to support the ecological integrity of the natural resources and wildlife. This district is intended to provide lasting support to environmentally sensitive lands and to conserve important natural and ecological resources from development. Impacts or uses allowed within the C-2 Conservation district must be outlined in the conservation easement or other permanent protection instrument.

Section 4. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 5. Codification.

The provisions of this Ordinance shall become and be made a part of the *Bunnell Land Development Code* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word; provided, however, that sections 1, 4, 5, 6, 7, and 8 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 6. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Severability.

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

Section 8. Effective Date.

This Ordinance shall take effect upon the effective date of Ordinance 2024-06

First Reading: approved on this _____ day of _____, 2024.

Second Reading/Final Reading: adopted on this _____ day of _____ 2024.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal: _____
Kristen Bates, CMC, City Clerk

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Bunnell has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Bunnell may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

ORDINANCE 2024-07

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL LAND DEVELOPMENT CODE; PROVIDING FOR AMENDMENT TO SECTION 18-52 WETLANDS; PROVIDING FOR AMENDMENT TO VARIOUS SECTIONS WITHIN CHAPTER 34 – ZONING; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - ☒ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

Business Impact Estimate Form
Form Revised 09/28/23
Page 1 of 2

Note to Staff: This form should be completed and included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City’s website by the time notice of the proposed ordinance is published.

The City of Bunnell hereby publishes the following information:

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This Ordinance is to update the Land Development Regulations regarding wetlands and conservation to be compliant with the Comprehensive Plan.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

--

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

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- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

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- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

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- 4. Additional information the governing body determines may be useful (if any):**

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Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.



City of Bunnell, Florida

Agenda Item No. E.3.

Document Date: 2/20/2024 Amount:
Department: Community Development Account #:
Subject: Ordinance 2024-08 Amending the City of Bunnell Code of Ordinances
Chapter 30 - Fees and Chapter 54 - Streets, Sidewalks and Other Public
Places. - First Reading
Agenda Section: Ordinances: (Legislative):
Goal/Priority: Organizational Excellence

ATTACHMENTS:

Description	Type
Ordinance 2024-08 Amending Code of Ordinances Chapter 30 and Chapter 54	Ordinance
Business Impact Estimate (Ord. 2024-08)	Exhibit

Summary/Highlights:

This Ordinance is to amend sections in the Code of Ordinances relating to administrative/application fees for vacating of streets, alleys, or public right-of-way.

Background:

When staff was conducting the fee study to increase the development fees, it was discovered that one of the fees in the development fee schedule was in conflict with an administrative fee contained within the Code of Ordinances relating to vacating streets, alleys, and/or public right-of-way. Having this conflict can cause issues when processing applications.

With the development fees increasing, it was crucial to ensure there is a uniform price for each service. The proposed changes to chapters 30 and 54 in the Code of Ordinances will be making certain the administrative/application fees for processing vacation of streets, alleys, and/or public right-of-way are only established by resolution and not by ordinance.

Staff Recommendation:

Approve Ordinance 2024-08 Amending the City of Bunnell Code of Ordinances Chapter 30 - Fees and Chapter 54 - Streets, Sidewalks and Other Public Places. - First Reading

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE BUNNELL CODE OF ORDINANCE; PROVIDING FOR AMENDMENT TO CHAPTER 30 - FEES; PROVIDING FOR AMENDMENT TO CHAPTER 54 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES; REVISING LANGUAGE ASSOCIATED WITH ADMINISTRATIVE FEES; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Bunnell to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Chapters 166 and 163, Florida Statutes, include authority to enact regulations to protect the health, safety and welfare, and interests of the citizens of the City; and

WHEREAS, the *Bunnell Code of Ordinances* provides for a variety of fees; and

WHEREAS, the *Bunnell Code of Ordinances* provides a process for requests for vacation of streets, alleys, or rights-of-way; and

WHEREAS, the City Commission of the City of Bunnell finds it is in the best interest and welfare of the citizens of the City to amend the fees to avoid conflicts with any fee resolutions; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Amendment to Chapter 30, Code of Ordinances.

Chapter 30 of the Bunnell Code of Ordinance is hereby amended as follows:

Sec. 30-411. - ~~Fee for processing request to vacate street, alley or public right-of-way.~~ Reserved.

~~The fee required by section 54-1 is \$125.00.~~

Section 2. Amendment to Chapter 54, Code of Ordinances.

Chapter 54 of the Bunnell Code of Ordinance is hereby amended as follows:

Sec. 54-1. Requests for vacation of streets, alleys or rights-of-way.

- (a) All requests to vacate any public street, alley or right-of-way shall be in writing and notarized, shall be addressed to the city, shall include the legal description of all properties physically adjoining the land sought to be vacated and shall bear the printed name, address and notarized signature of the person making the request.
- (b) All requests shall include a cashier's check, certified check or money order, which will not be refundable, in the amount established by ~~section 30-411~~. resolution as approved by the City Commission.
- (c) All requests shall include the name and address of all property owners who own land abutting the street, alley, or right-of-way sought to be vacated.
- (d) Any approval by the city commission to vacate any street, alley or right-of-way shall be in ordinance form and in compliance with F.S. § 166.041.
- (e) The city shall provide notice by certified mail to all persons whose property abuts the portion of the public street, alley or right-of-way proposed to be vacated, postmarked no less than ten days prior to the public hearing on the proposal. Such notice shall state the time and place at which the city commission will conduct a public hearing on the proposal, together with a copy of the proposed ordinance.
- (f) The applicant must state to the city commission the reason for the request to vacate. The applicant must also submit a proposed site plan that shows the future use of the vacated street, alley or right-of-way.
- (g) No street shall be vacated unless it is in the public interest or unless such street is no longer required for public use.
- (h) There shall be no charge for the vacation of any street, alley or right-of-way except for the administrative costs as shown in subsection (b) of this section.
- (i) Prior to the final reading of the ordinance, the planning and zoning board shall review all requests for vacating streets, alleys and public places and report its comments to the city commission.

Section 3. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative forms, policies, procedures, processes and rules.

Section 4. Codification.

The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Bunnell Code of Ordinance* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that

Sections 3, 4, 5, 6, and 7 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 5. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application 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 enactment.

First Reading: approved on this _____ day of _____, 2024.

Second Reading/Final Reading: adopted on this _____ day of _____ 2024.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal: _____
Kristen Bates, CMC, City Clerk

Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City of Bunnell has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City of Bunnell may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

Proposed ordinance’s title/reference:

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE BUNNELL CODE OF ORDINANCE; PROVIDING FOR AMENDMENT TO CHAPTER 30 - FEES; PROVIDING FOR AMENDMENT TO CHAPTER 54 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES; REMOVING ANY FEES AND REVISING ANY ASSOCIATED LANGUAGE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

Applicable Exemptions:

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:
 - ☒ Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
 - ☐ Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - ☐ Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - ☐ Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Business Impact Estimate:

The City of Bunnell hereby publishes the following information:

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

This Ordinance is to remove the processing fee for Right-of-Way vacation applications to avoid conflicts with development fees that are established by resolution and to avoid any public confusion as to what fee is to be assessed.

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the municipality, including the following, if any:**

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:**

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:**

- (c) An estimate of the municipality's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs:**

- 3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:**

- 4. Additional information the governing body determines may be useful (if any):**

Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.



City of Bunnell, Florida

Agenda Item No. F.1.

Document Date: 2/20/2024 Amount:
Department: Community Development Account #:
Subject: Resolution 2024-04 Amending the City of Bunnell Development Fees
Agenda Section: Resolutions: (Legislative):
Goal/Priority: Increase Economic Base, Financial Stability/Sustainability

ATTACHMENTS:

Description	Type
Resolution 2024-04 Amended Development Fees	Resolution
Community Development Department Revenue vs Expenses	Report

Summary/Highlights:

This Resolution is to update the current development fees and establish new fees for Community Development Services.

Background:

City staff has researched and studied the surrounding area municipalities' development fees and as a result, created an updated fee schedule. This resolution establishes new fees for services that were previously not being charged and provides for an increase to the current development fees. The 20 municipalities/jurisdictions in this study were reviewed and compared to the City in the following characteristics: population size, municipal size, distance from Bunnell, and municipal type (rural, urban, suburban, etc.). These jurisdictions include:

- Flagler County
- City of Palm Coast
- City of Flagler Beach
- City of Crescent City
- City of Palatka
- City of St. Augustine Beach
- Town of Interlachen
- City of Umatilla
- City of Hawthorne
- City of Belleview
- City of Bushnell
- City of Newberry
- City of Davenport

- City of Crystal River
- Town of Dundee
- City of Fellsmere
- City of Mulberry
- City of Gretna
- City of Chipley
- City of Port St. Joe

There are 33 new fees listed on the fee schedule. These are to differentiate certain application types and for other services that were not previously being charged for. The increases to the current fees, along with the ones newly established, will provide a projected revenue increase of about 80% to the Community Development Department (the project revenue is based on projects in the talks of submitting applications and projects that are being phased such as a subdivision. This does not include fees that are dependent on information of a project, such as number of lots created or project area, nor does it include the number of potential resubmittals a project may have.); however, the General Fund will still be supplementing to the department.

Staff has met with key stakeholders within the building and development community between the months of October and December. It was unanimously agreed these fees were acceptable for the anticipated growth of the City.

Having the increased fees helps offset the amount that the General Fund supplements to the department and better prepares the City to be able to offset costs for future development. Staff plans on performing a fee analysis on an annual basis to determine if an increase is needed. This will occur until the General Fund barely supplements or is completely rid from the department's fund.

A community meeting was held on August 31, 2023 to inform the public of the proposed fees and to receive any input they may have.

Staff Recommendation:

Adopt Resolution 2024-04 amending the Development Fee Schedule.

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

RESOLUTION 2024-04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA AMENDING RESOLUTION 2020-30 AND ESTABLISHING NEW DEVELOPMENT FEES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is essential to the efficient administration of the City's Community Development Department for the City to update its development fees; and

WHEREAS, the City of Bunnell's Code of Ordinance Sec. 30-1 states the City Commission has the authority to set development costs by resolution; and

WHEREAS, the Bunnell City Commission has determined there is a need to amend the City's development application fees to maintain and increase the level of service the City provides to the public; and

WHEREAS, the development fees will be evaluated at the beginning of the fiscal year on an annual basis to ensure the City's Community Development Department is self-sufficient.

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

Section 1. Development Fees.

Development fees for the City of Bunnell shall be assessed as outlined in Exhibit "A".

Section 2. Conflicts.

All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

Section 3. Severability.

If any provisions of the Resolution or the application thereof to any person or circumstance are held invalid, the remainder shall nevertheless be given full force and effect, and to this end the provisions of this Resolution are declared severable.

Section 4. Effective Date.

This Resolution shall become effective immediately upon its passage and adoption.

DULY ADOPTED by the City Commission of the City of Bunnell, Florida, on the ____th day of _____, 2024.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal:

Kristen Bates, CMC, City Clerk

Exhibit “A”

Development Fee Schedule

Site Plan Reviews

Minimal Site Plan*	\$500.00
Minor Site Plan*	\$1,500.00
Major Site Plan**	\$3,000.00
Per Acreage of Developable Area	\$50.00

Site Plan Resubmittal

1 st Resubmittal	Free
2 nd Resubmittal	\$300.00
3 rd Resubmittal	\$600.00
4 th and all subsequent Submittals	\$900.00

Site Plan Amendment

Minor amendment	\$250.00
Major Amendment	\$500.00

**Staff and/or Technical Review Committee (TRC) Approval Only.*

***Planning, Zoning and Appeals Board Approval Required.*

Note: If the plans are found to still contain discrepancies after the 1st resubmittal, then a meeting between staff and the applicant will be required before resubmitting the plans again.

Note: Minor amendments to an approved site plan are approved by the Community Development Director so long as its within the limitations as described in section 22-5 of the Land Development Code. If it is beyond the limitations described in the LDC, it will be considered as a major amendment and must be approved in the same manner as a major site plan.

Concurrency Review

Commercial/Industrial	\$250.00
Multi-Family Project	\$250.00

PUD \$1,050.00

Comprehensive Plan Amendments

Small-Scale FLUM Amendment \$1,500.00
Per Acreage Adjustment \$25.00

Large-Scale FLUM Amendment \$2,500.00
Per Acreage Adjustment \$35.00

Text Amendment to Comprehensive Plan \$1,000.00

Note: In cases where there are multiple contiguous properties under the same ownership, one application including all subject properties may be filed with the City and only one fee will be assessed, provided all required information is submitted.

Zoning Map Amendments

Small-Scale Rezoning \$1,500.00
Per Acreage Adjustment \$25.00

Large-Scale Rezoning \$2,500.00
Per Acreage Adjustment \$35.00

PUD* \$5,000.00
Per Acreage Adjustment \$45.00

PUD Amendments \$1,000.00

**An application to rezone to PUD district is required to include the following: rezoning application, conceptual plan with developer application, and a PUD developer agreement. The requirements for the PUD district are outlined in the Land Development Code (LDC) Chapter 34, Article IV, Division 2 – Planned Unit Development. The associated fees for a PUD developer agreement are included in the base fee.*

Note: In cases where there are multiple contiguous properties under the same ownership, one application including all subject properties may be filed with the City and only one fee will be assessed, provided all required information is submitted.

Map Amendment Bundles

Small-Scale Amendment & Rezoning* \$2,100.00
Per Acreage Adjustment \$25.00

Large-Scale Amendment & Rezoning** \$3,500.00
Per acreage Adjustment \$35.00

Note: In cases where there are multiple contiguous property owners for contiguous properties, one application including all contiguous properties may be filed with the City and only one fee will be assessed, provided all property owners consent to the application.

Subdivisions

Vacation of Plat	\$500.00
Replat of Recorded Subdivision*	\$500.00
Lot Split/Reconfiguration Request	\$75.00

Major Subdivision

Preliminary Plat*	\$1,500.00
Final Plat*	\$2,200.00
Per Lot Adjustment	\$35.00
2 nd and all subsequent Resubmittals	\$400.00

Minor Subdivision

Final Plat*	\$1,500.00
Per Lot Adjustment	\$25.00
2 nd and all subsequent Resubmittals	\$250.00

Rural Subdivision

Minor (Non-Platted)**	\$700.00
Major (Final Plat Only)*	\$1,000.00
Per Lot Adjustment	\$20.00
2 nd and all subsequent Resubmittals	\$200.00

**Applicant to record all Plats/Replats and provide the book and page number to the City upon recording.*

***An administrative order will be required for a minor rural subdivision that will be recorded with the Flagler County Clerk of Court once it has been approved by the City Commission*

Note: Costs for the City reviewing surveyor shall be paid by the applicant as invoiced by the City. Plat/Replat will not be scheduled for final approval by the City Commission until this cost is paid by the applicant.

Special Exceptions

Residential Use	\$500.00
Mixed-use	\$1,000.00
Non-Residential Use	\$1,500.00
Modification to approved Special Exception	\$500.00

Note: Special Exceptions require approval from the Planning, Zoning and Appeals Board.

Variance

Residential	\$500.00
Non-Residential	\$1,500.00

Note: Variances require approval from the Planning, Zoning and Appeals Board.

Agreements

Development of Regional Impact (DRI)	\$1,500.00
Per Acre Adjustment	\$25.00
(Or Fraction thereof plus \$5.00 per Dwelling Unit)	
Amendment/Notice of Proposed Change	\$500.00
Per Acre Adjustment	\$20.00
(Or Fraction thereof impacted by the proposed change plus \$5.00 per additional Dwelling Unit)	
Developer Agreement	\$1,500.00
Amendment/modification/extension	\$600.00

Voluntary Annexation Requests

Per Parcel	No Cost
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Voluntary Contraction (Deannexation) Requests

Per Parcel	\$1,800.00
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Other Fees

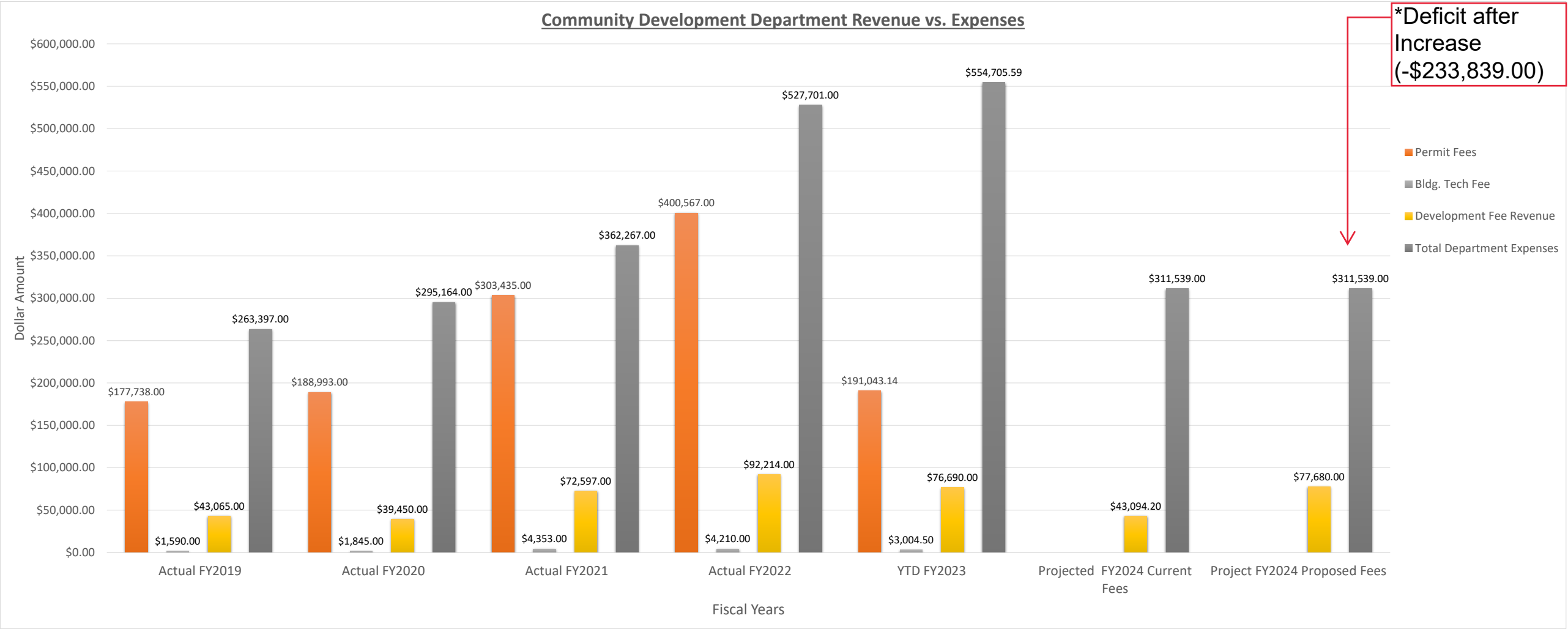
Zoning Verification Letter	\$50.00
Letter of Determination	\$200.00
Title/Lien Search Request (per address point)	\$30.00
Vacate street/alley/public right-of-way	\$500.00
Appeals of all Administrative Decisions	No Cost
Pre-application Meeting Request	No Cost

Note: All costs incurred by the City including but not limited to advertising, recording fees, postage, required notifications, engineering, surveying, legal and any other associated costs shall be invoiced to the applicant by the City and must be paid in full before any final approval.

<u>Revenues</u>	Actual FY2019	Actual FY2020	Actual FY2021	Actual FY2022	YTD FY2023	Projected FY2024 Current Fees	Project FY2024 Proposed Fees
Permit Fees	\$177,738.00	\$188,993.00	\$303,435.00	\$400,567.00	\$191,043.14		
Bldg. Tech Fee	\$1,590.00	\$1,845.00	\$4,353.00	\$4,210.00	\$3,004.50		
Other Dev Fees	\$43,065.00	\$39,450.00	\$72,597.00	\$92,214.00	\$76,690.00	\$43,094.20	\$77,680.00
Total	\$222,393.00	\$230,288.00	\$380,385.00	\$496,991.00	\$270,737.64	\$43,094.20	\$77,680.00

Expenses							
Comm Dev	\$263,397.00	\$295,164.00	\$362,267.00	\$527,701.00	\$554,705.59	\$311,539.00	\$311,539.00
Total	\$263,397.00	\$295,164.00	\$362,267.00	\$527,701.00	\$554,705.59	\$311,539.00	\$311,539.00
Surplus/Deficit	-\$41,004.00	-\$64,876.00	\$18,118.00	-\$30,710.00	-\$283,967.95	-\$268,444.80	-\$233,859.00

Building permitting fees are separated into its own budget for FY23/24 and forward





City of Bunnell, Florida

Agenda Item No. F.2.

Document Date: 2/29/2024 Amount: \$41,848.98
Department: Community Development Account #: 401F-3242100
Subject: Resolution 2024-05 Granting development impact fee credits for DR Horton related to the public benefit of certain water main improvements to the Grand Reserve community.
Agenda Section: Resolutions: (Legislative):

ATTACHMENTS:

Description	Type
Exhibit A	Exhibit
Exhibit B	Exhibit
Resolution 2024-05 Dr Horton Impact Fee Credit	Resolution

Summary/Highlights:

D.R. Horton made certain improvements to the water main system at the “Grand Reserve” community as necessary to maintain the city’s required fire flows.

Background:

During the Phase 1A project close out of the Grand Reserve community, the as-built fire flow reports came back lower than the City required fire flows. To remedy this safety concern in a prompt fashion, the City agreed to assist DR Horton with the public benefit construction costs of a 10” watermain interconnect between the 10” watermain on Old Moody Blvd, across Joanne B King Park and to the new 8” watermain located in Cul-de-Sac at Grand Par Ct.

The improvements to the water main system had a private benefit to the residents of the “Grand Reserve” community and a public benefit to the citizens of the City of Bunnell. It is well established under Florida Law that public funds cannot be utilized for private purposes.

To determine the public benefit of the water main improvements, the City of Bunnell commissioned CPH Engineering to conduct a fire flow analysis of the water main system improvements. The analysis determined that the improvements to the water main system provided a public benefit of 26%.

The itemized invoice for said improvements totals \$160,957.60 and the total developer impact fee credits shall be valued at \$41,849.00, which is 26% of the total water main improvement costs.

Staff Recommendation:

That the City Commission authorize the City Manager effectuate the intent of this resolution.

City Attorney Review:

Approved.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

EXHIBIT "A"



JD WEBER CONSTRUCTION
UNDERGROUND UTILITIES



PAGE 1 OF 1

November 25, 2019 Revised 3/24/20

To: D.R. Horton
Attn: Shane Ricci

**GRAND RESERVE WATER MAIN EXTENSION
BUNNELL, FL
PER LATEST PLANS DATED 2/26/20**

1.	Main piping				
A.	10" PVC DR - 18	2160	LF	39.41	85,125.60
B.	Restrained joint fittings	1	LS	9,730.00	9,730.00
C.	Bacteriological cleanace	1	LS	1,640.00	1,640.00
2.	10" Gate valve w/ box	2	EA	2,197.00	4,394.00
3.	Connect to existing main				
A.	12" x 10" Tapping Sleeve & Valve	1	EA	9,170.00	9,170.00
B.	10" Cut In	1	EA	3,474.00	3,474.00
4.	Open cut & repair Citrus Ave				
A.	Repair asphalt and base	122	SY	79.00	9,638.00
B.	Maintenance of traffic	1	LS	3,370.00	3,370.00
5.	Silt fence	1200	LF	1.60	1,920.00
6.	Restoration				
A.	Sod	1	LS	9,600.00	9,600.00
B.	Seed & mulch	1780	SY	0.80	1,424.00
7.	Clearing & grubbing	1	LS	13,792.00	13,792.00
8.	Survey layout & as-bult drawings	1	LS	3,200.00	3,200.00
9.	Mobilization	1	LS	4,480.00	4,480.00
Grand Total:					\$ 160,957.60

EXHIBIT "B"



500 West Fulton Street
Sanford, FL 32771
Phone: 407.322.6841
Fax: 407.330.0639

Memo

Date: February 6, 2024
To: Dustin Vost
Organization: City of Bunnell Utility Department
From: CPH, LLC
Re: Update WaterCAD Fire Flow Model & Analysis
CPH Job No.: B19705

CPH, LLC was retained for the purpose of updating the existing City of Bunnell WaterCAD Model to reflect recent changes in the City's Water Distribution System, specifically as they relate to fire flow demands. The purpose of this Memo is to report on the outcome of the fire flow modeling scenario *only*. Fire flow testing is done to assess how the Water Distribution System reacts to being "stress tested", if you will, to evaluate the System's effectiveness in responding to emergency situations. Fire flow testing is conducted by running the WaterCAD Model at Max Day Flow (MDF) plus fire flow.

The number and location of the fire hydrants in the Water Distribution System were determined using available as-built/record drawings, as well as, spot-checking using Google Earth.

The demand on the Water Distribution System during the modeled fire flow analysis was 279 gallons per minute (gpm). The resulting WaterCAD Model output for the existing distribution system fire flow scenario demonstrated that 46 of 171 fire hydrants failed, which is about 27%. Adding the 10" water main to the Grand Reserve development (Boxed in orange on Figures 1-3), the resulting WaterCAD Model output for the fire flow scenario demonstrated that 44 of 171 fire hydrants failed, which is about 26%. The overall fire flow (available) to the north was increased by 26% in the 10" main and 11% in the 8" main with the addition of the 10" water main, although the fire hydrant failure was only decreased by 1%. The fire flow analysis modeled was based on 500 gpm – 1,000 gpm demand applied to each of the hydrants. **Figure 1** through **Figure 3** represents where fire hydrant nodes failed and passed. The exact fire flow model output results are tabulated in **Table 1**.

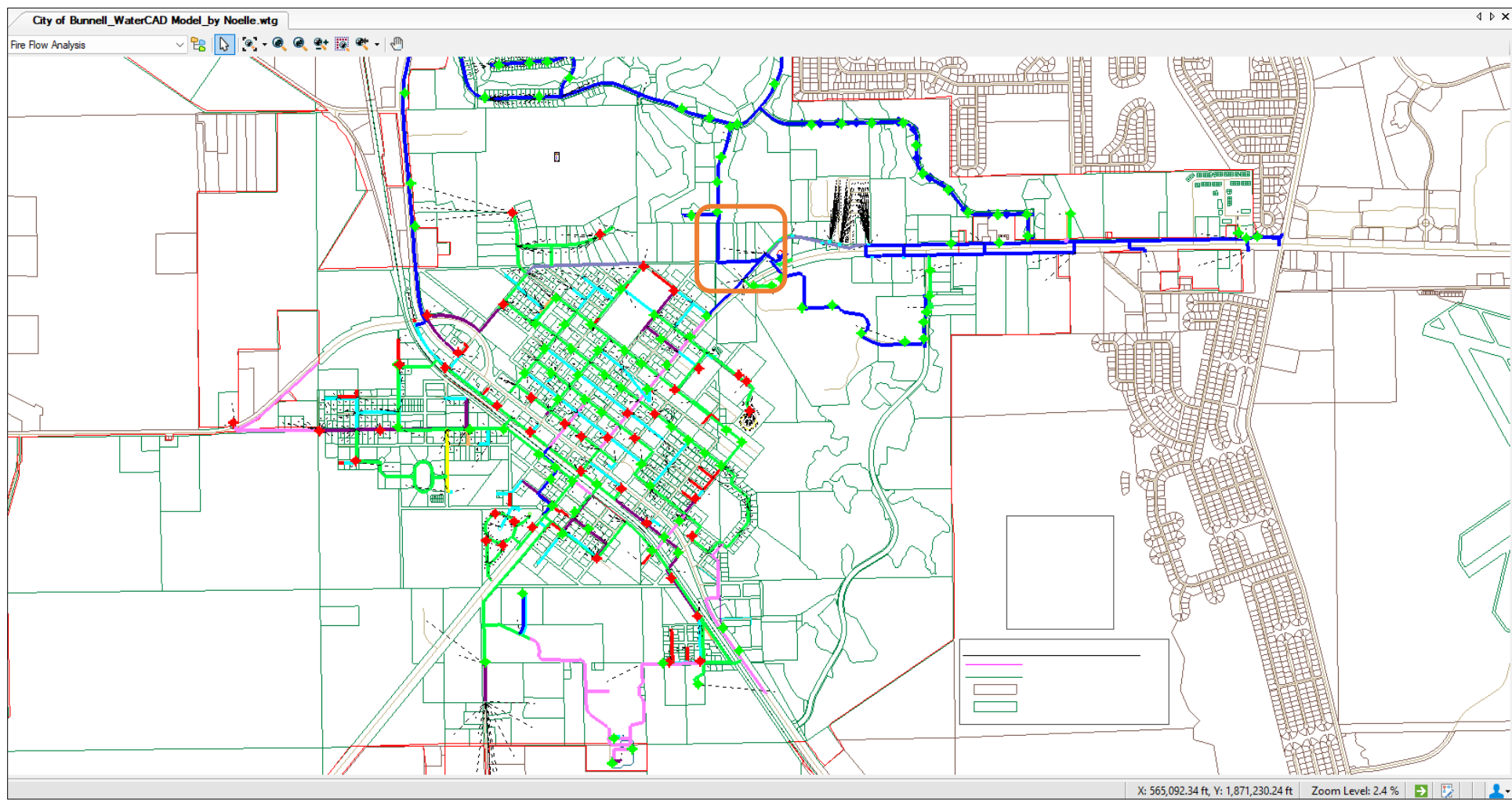


Figure 1: Fire Flow Analysis Water Distribution System

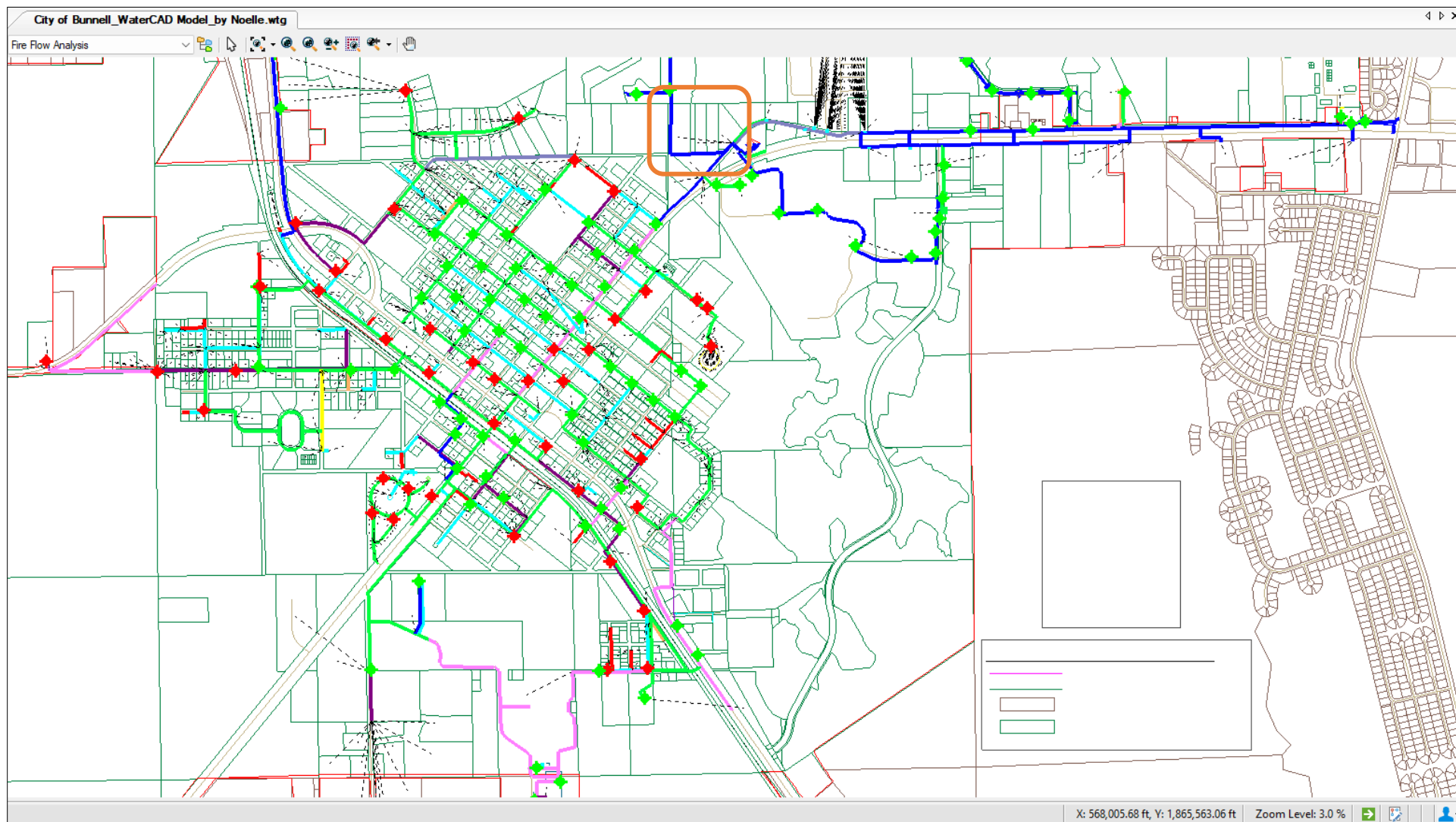


Figure 2: Fire Flow Analysis Water Distribution System

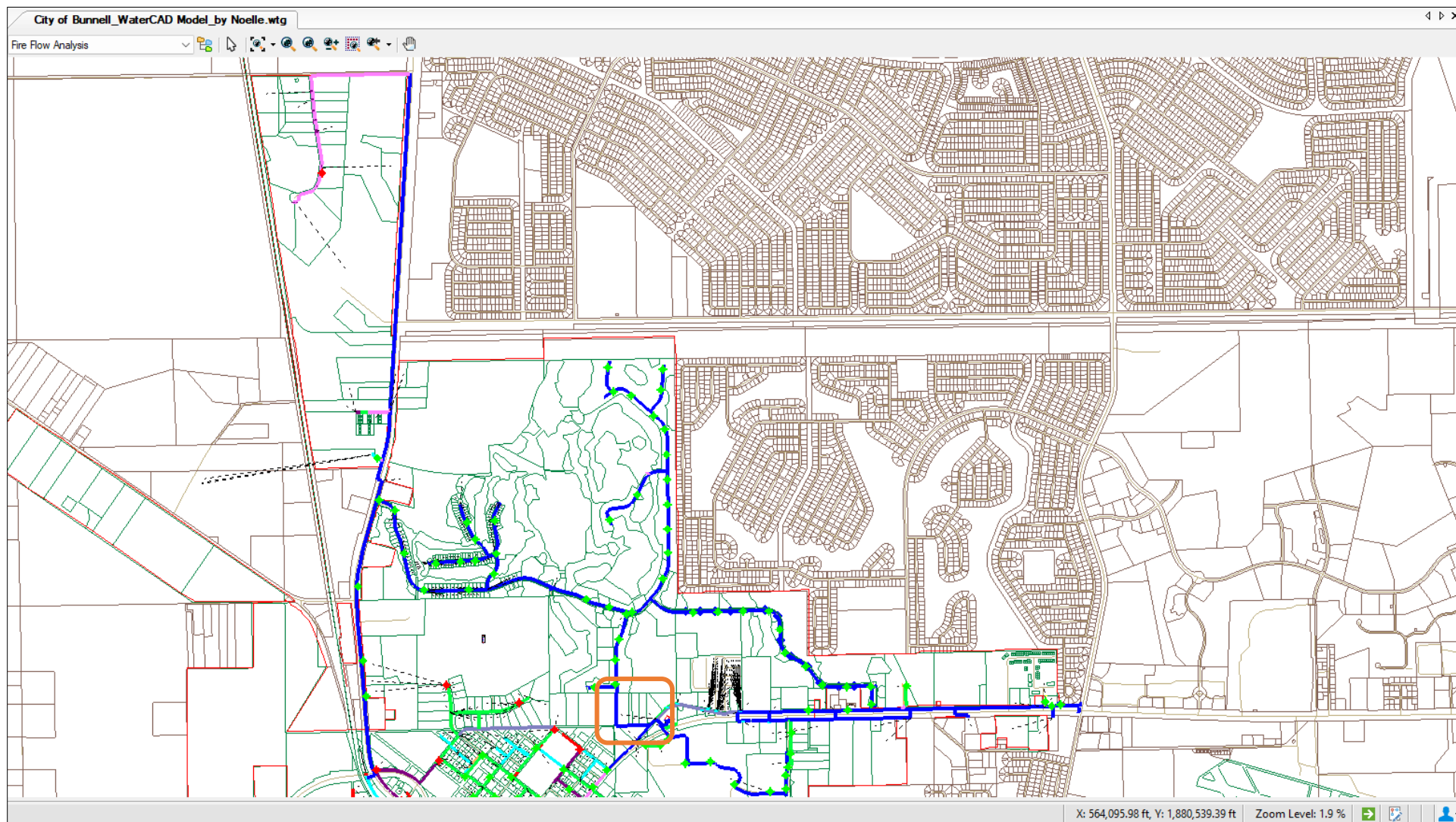


Figure 3: Fire Flow Analysis Water Distribution System

Table 1: Fire Flow Analysis Results

Label	Fire Flow Iterations	Satisfies Fire Flow Constraints?	Fire Flow [Needed] (gpm)	Fire Flow [Available] (gpm)	Pressure [Residual Lower Limit] (psi)	Pressure [Calculated Residual] (psi)	Junction w/ Min Pressure [System]	Is Fire Flow Run Balanced?	Velocity of Max Pip (ft/s)	Pipe w/Max Velocity
H-5	3	TRUE	500	525	20	20	J-372	TRUE	5.95	P-529
H-6	3	TRUE	500	563	20	20	J-18	TRUE	6.39	P-530
H-8	3	TRUE	500	619	20	20	J-70	TRUE	7.03	P-420
H-11	3	TRUE	500	652	20	20	J-324	TRUE	7.4	P-535
H-12	3	TRUE	500	701	20	20	J-327	TRUE	7.95	P-536
H-13	6	TRUE	500	772	20	22	J-327	TRUE	8.76	P-537
H-19	5	TRUE	500	560	20	21	J-101	TRUE	6.45	P-409
H-22	4	TRUE	500	701	20	20	J-327	TRUE	7.95	P-362
H-23	2	TRUE	500	501	20	20	J-129	TRUE	6.64	P-136
H-24	4	TRUE	500	706	20	20	J-327	TRUE	8.02	P-548
H-29	3	TRUE	500	604	20	20	J-43	TRUE	6.85	P-554
H-30	3	TRUE	500	583	20	20	J-784	TRUE	6.62	P-555
H-31	3	TRUE	500	573	20	20	J-784	TRUE	6.51	P-556
H-32	5	TRUE	500	606	20	20	J-784	TRUE	6.88	P-557
H-33	3	TRUE	500	547	20	20	J-161	TRUE	6.43	P-173
H-34	3	TRUE	500	539	20	20	J-31	TRUE	7.06	P-501
H-37	4	TRUE	500	742	20	20	J-327	TRUE	8.42	P-562
H-38	4	TRUE	500	749	20	20	J-101	TRUE	8.6	P-409
H-43	4	TRUE	500	702	20	20	J-191	TRUE	7.96	P-570
H-44	4	TRUE	500	731	20	20	J-327	TRUE	8.3	P-573
H-45	4	TRUE	500	742	20	20	J-327	TRUE	8.42	P-574
H-46	4	TRUE	500	758	20	20	J-327	TRUE	8.6	P-575
H-47	20	TRUE	500	757	20	20	J-327	TRUE	8.59	P-576
H-48	4	TRUE	500	751	20	20	J-327	TRUE	8.53	P-577
H-49	4	TRUE	500	790	20	20	J-327	TRUE	8.96	P-578
H-50	4	TRUE	500	766	20	20	J-327	TRUE	8.69	P-579
H-55	3	TRUE	500	698	20	20	J-327	TRUE	7.92	P-586
H-56	3	TRUE	500	664	20	20	J-288	TRUE	7.53	P-587
H-57	3	TRUE	500	648	20	20	J-287	TRUE	7.36	P-588

H-58	19	TRUE	500	629	20	20	H-141	TRUE	7.14	P-589
H-61	3	TRUE	500	511	20	20	J-222	TRUE	6.07	P-455
H-63	4	TRUE	500	791	20	20	J-327	TRUE	8.98	P-598
H-64	4	TRUE	500	790	20	20	J-327	TRUE	8.97	P-599
H-65	4	TRUE	500	738	20	20	J-206	TRUE	8.38	P-600
H-66	19	TRUE	500	704	20	20	J-760	TRUE	7.99	P-601
H-67	5	TRUE	500	645	20	23	J-760	TRUE	7.43	P-311
H-74	3	TRUE	500	684	20	20	J-281	TRUE	7.76	P-613
H-75	4	TRUE	500	722	20	20	J-294	TRUE	8.19	P-614
H-76	4	TRUE	500	760	20	20	J-327	TRUE	8.63	P-615
H-77	4	TRUE	500	737	20	20	J-327	TRUE	8.37	P-616
H-78	3	TRUE	1,000	1,022	20	20	J-327	TRUE	11.59	P-617
H-80	3	TRUE	500	576	20	20	J-238	TRUE	8.56	P-480
H-81	11	TRUE	1,000	1,146	20	20	J-327	TRUE	13	P-620
H-82	3	TRUE	500	718	20	20	J-235	TRUE	13.98	P-255
H-83	3	TRUE	500	526	20	20	J-282	TRUE	6	P-231
H-85	11	TRUE	1,000	1,325	20	20	J-327	TRUE	15.04	P-624
H-86	3	TRUE	1,000	1,211	20	20	H-87	TRUE	13.78	P-394
H-87	11	TRUE	500	860	20	20	J-271	TRUE	9.8	P-395
H-91	3	TRUE	500	641	20	20	J-302	TRUE	7.27	P-642
H-92	4	TRUE	1,000	1,425	20	20	J-397	TRUE	16.17	P-651
H-93	4	TRUE	1,000	1,447	20	20	H-92	TRUE	16.42	P-653
H-94	4	TRUE	1,000	1,452	20	20	J-399	TRUE	16.48	P-655
H-95	2	TRUE	500	1,000	20	33	J-714	TRUE	11.35	P-801
H-96	2	TRUE	500	1,000	20	32	J-714	TRUE	11.35	P-802
H-97	2	TRUE	500	1,000	20	31	H-139	TRUE	11.35	P-803
H-98	2	TRUE	500	1,000	20	29	H-139	TRUE	11.35	P-804
H-99	3	TRUE	500	960	20	28	H-139	TRUE	10.89	P-805
H-100	18	TRUE	500	909	20	29	J-714	TRUE	10.32	P-806
H-101	4	TRUE	500	867	20	27	J-714	TRUE	9.84	P-807
H-102	5	TRUE	500	830	20	27	J-714	TRUE	9.42	P-808
H-103	28	TRUE	500	794	20	27	H-139	TRUE	9	P-809
H-104	28	TRUE	500	763	20	28	H-139	TRUE	8.66	P-810
H-105	28	TRUE	500	736	20	27	H-139	TRUE	8.35	P-811

H-106	14	TRUE	500	671	20	29	H-139	TRUE	7.62	P-812
H-107	14	TRUE	500	665	20	29	H-139	TRUE	7.55	P-813
H-108	14	TRUE	500	668	20	28	H-139	TRUE	7.58	P-814
H-109	14	TRUE	500	668	20	27	H-139	TRUE	7.59	P-815
H-110	5	TRUE	500	671	20	22	J-714	TRUE	7.61	P-816
H-111	5	TRUE	500	671	20	22	H-139	TRUE	7.61	P-817
H-112	3	TRUE	500	670	20	20	H-139	TRUE	7.61	P-818
H-113	19	TRUE	500	670	20	20	H-139	TRUE	7.6	P-819
H-114	3	TRUE	500	668	20	20	J-538	TRUE	7.59	P-820
H-115	19	TRUE	500	670	20	20	H-139	TRUE	7.61	P-821
H-116	3	TRUE	500	663	20	20	J-534	TRUE	7.52	P-822
H-117	3	TRUE	500	660	20	20	J-555	TRUE	7.49	P-830
H-120	2	TRUE	500	1,000	20	31	J-714	TRUE	11.35	P-895
H-121	2	TRUE	500	1,000	20	33	H-139	TRUE	11.35	P-899
H-122	2	TRUE	500	1,000	20	35	H-139	TRUE	11.35	P-906
H-123	2	TRUE	500	1,000	20	35	H-139	TRUE	11.35	P-909
H-124	2	TRUE	500	1,000	20	22	J-623	TRUE	11.35	P-926
H-125	10	TRUE	500	850	20	20	J-643	TRUE	9.65	P-947
H-126	2	TRUE	500	1,000	20	21	J-623	TRUE	11.35	P-950
H-127	5	TRUE	500	671	20	22	J-714	TRUE	7.61	P-953
H-128	5	TRUE	500	655	20	22	J-647	TRUE	7.43	P-954
H-129	5	TRUE	500	633	20	21	J-647	TRUE	7.18	P-955
H-130	3	TRUE	500	609	20	20	J-647	TRUE	6.91	P-956
H-132	5	TRUE	500	671	20	21	H-139	TRUE	7.61	P-1000
H-133	6	TRUE	500	857	20	24	J-327	TRUE	9.72	P-1001
H-134	2	TRUE	500	1,000	20	23	J-623	TRUE	11.35	P-1021
H-135	3	TRUE	500	553	20	20	J-707	TRUE	6.28	P-1026
H-136	3	TRUE	500	607	20	20	J-647	TRUE	6.89	P-1033
H-137	19	TRUE	500	645	20	20	J-714	TRUE	7.32	P-1038
H-138	5	TRUE	500	631	20	21	J-714	TRUE	7.16	P-1041
H-139	3	TRUE	500	611	20	20	J-714	TRUE	6.93	P-1044
H-140	13	TRUE	500	615	20	30	J-714	TRUE	6.98	P-1047
H-141	3	TRUE	500	522	20	20	J-180	TRUE	5.93	P-1105
H-142	5	TRUE	500	613	20	21	J-647	TRUE	6.96	P-1110

H-143	3	TRUE	500	608	20	20	J-63	TRUE	6.9	P-1111
H-144	3	TRUE	500	584	20	20	J-63	TRUE	6.62	P-1112
H-145	3	TRUE	500	564	20	20	J-63	TRUE	6.4	P-1113
H-147	3	TRUE	500	638	20	20	J-43	TRUE	7.23	P-1115
H-148	3	TRUE	500	650	20	20	J-43	TRUE	7.38	P-1116
H-149	3	TRUE	500	587	20	20	J-804	TRUE	6.66	P-1104(1)
H-150	3	TRUE	500	673	20	20	J-327	TRUE	13.95	P-505(2)
H-151	4	TRUE	500	719	20	20	J-327	TRUE	8.16	P-1119
H-152	2	TRUE	500	1,000	20	37	J-714	TRUE	11.35	P-1120
H-153	2	TRUE	500	1,000	20	36	H-139	TRUE	11.35	P-1121
H-154	2	TRUE	500	1,000	20	36	H-139	TRUE	11.35	P-1122
H-155	2	TRUE	500	1,000	20	34	J-714	TRUE	11.35	P-1123
H-156	2	TRUE	500	1,000	20	33	J-714	TRUE	11.35	P-1124
H-157	14	TRUE	500	692	20	27	H-139	TRUE	7.85	P-1087
H-158	14	TRUE	500	692	20	26	H-139	TRUE	7.85	P-1089
H-159	13	TRUE	500	692	20	25	H-139	TRUE	7.85	P-1090
H-160	13	TRUE	500	692	20	24	H-139	TRUE	7.85	P-1093
H-161	5	TRUE	500	692	20	23	J-714	TRUE	7.85	P-1095
H-162	5	TRUE	500	692	20	21	H-139	TRUE	7.85	P-1101
H-163	19	TRUE	500	691	20	20	H-139	TRUE	7.84	P-1103
H-164	5	TRUE	500	692	20	22	H-139	TRUE	7.85	P-1112
H-165	5	TRUE	500	692	20	21	H-139	TRUE	7.85	P-1113
H-166	19	TRUE	500	691	20	20	J-775	TRUE	7.84	P-1117
H-167	3	TRUE	500	677	20	20	J-775	TRUE	7.68	P-1118
H-168	3	TRUE	500	667	20	20	J-775	TRUE	7.57	P-1119
H-169	4	TRUE	500	685	20	20	J-762	TRUE	7.77	P-1120
H-170	19	TRUE	500	673	20	21	J-762	TRUE	7.63	P-1121
H-171	3	TRUE	500	653	20	20	J-762	TRUE	7.41	P-1122
H-1	3	FALSE	500	182	20	20	J-581	TRUE	4.73	P-414
H-2	3	FALSE	500	245	20	20	J-14	TRUE	5.83	P-120
H-3	3	FALSE	500	493	20	20	J-55	TRUE	5.59	P-527
H-4	3	FALSE	500	177	20	20	J-51	TRUE	18.12	P-513
H-7	4	FALSE	1,000	522	20	20	J-315	TRUE	5.92	P-531
H-9	4	FALSE	1,000	600	20	20	J-54	TRUE	6.8	P-533

H-10	3	FALSE	1,000	706	20	20	J-327	TRUE	8.02	P-534
H-14	3	FALSE	500	413	20	20	J-87	TRUE	4.78	P-409
H-15	3	FALSE	500	408	20	20	J-89	TRUE	4.72	P-409
H-16	3	FALSE	500	408	20	20	J-89	TRUE	4.73	P-409
H-17	3	FALSE	500	410	20	20	J-87	TRUE	4.75	P-409
H-18	3	FALSE	500	445	20	20	J-120	TRUE	5.11	P-1008
H-20	3	FALSE	500	465	20	20	J-101	TRUE	5.38	P-409
H-21	3	FALSE	1,000	679	20	20	J-327	TRUE	7.7	P-545
H-25	3	FALSE	500	446	20	20	J-32	TRUE	10.22	P-498
H-26	3	FALSE	500	270	20	20	J-33	TRUE	13.31	P-498
H-27	3	FALSE	500	190	20	20	J-38	TRUE	15.18	P-495
H-28	3	FALSE	500	50	20	20	J-47	TRUE	5.27	P-41
H-35	4	FALSE	1,000	474	20	20	J-303	TRUE	6.87	P-505(2)
H-36	3	FALSE	1,000	580	20	20	J-177	TRUE	6.58	P-561
H-39	3	FALSE	1,000	775	20	20	J-327	TRUE	8.8	P-564
H-40	3	FALSE	1,000	759	20	20	J-327	TRUE	8.62	P-565
H-41	3	FALSE	1,000	791	20	20	J-327	TRUE	8.97	P-566
H-42	3	FALSE	1,000	704	20	20	J-283	TRUE	7.99	P-567
H-51	3	FALSE	1,000	864	20	20	J-327	TRUE	9.8	P-580
H-52	3	FALSE	1,000	850	20	20	J-327	TRUE	9.65	P-583
H-53	3	FALSE	1,000	733	20	20	J-327	TRUE	8.32	P-584
H-54	3	FALSE	1,000	760	20	20	J-327	TRUE	8.62	P-585
H-59	3	FALSE	500	361	20	20	J-142	TRUE	9.19	P-457
H-60	3	FALSE	1,000	669	20	20	J-327	TRUE	7.6	P-591
H-62	3	FALSE	1,000	880	20	20	J-327	TRUE	9.98	P-597
H-68	4	FALSE	1,000	481	20	20	J-760	TRUE	5.56	P-311
H-69	3	FALSE	1,000	164	20	20	J-251	TRUE	4.22	P-274
H-70	3	FALSE	1,000	142	20	20	J-252	TRUE	3.65	P-274
H-71	18	FALSE	500	421	20	21	J-760	TRUE	4.88	P-311
H-72	3	FALSE	500	369	20	20	J-65	TRUE	4.3	P-311
H-73	3	FALSE	500	358	20	20	J-274	TRUE	4.17	P-311
H-79	3	FALSE	1,000	833	20	20	J-241	TRUE	9.45	P-618
H-84	3	FALSE	500	451	20	20	J-213	TRUE	5.14	P-231
H-88	3	FALSE	1,000	605	20	20	J-390	TRUE	7.09	P-451

H-89	3	FALSE	1,000	512	20	20	J-390	TRUE	6.04	P-451
H-90	3	FALSE	500	485	20	20	J-563	TRUE	5.73	P-451
H-118	3	FALSE	500	351	20	20	J-229	TRUE	7.63	P-856
H-119	3	FALSE	500	181	20	20	J-581	TRUE	4.72	P-414
H-131	3	FALSE	500	394	20	20	J-670	TRUE	4.47	P-997
H-146	3	FALSE	500	236	20	20	J-772	TRUE	5.63	P-120

RESOLUTION 2024-_____

A RESOLUTION OF THE CITY OF BUNNELL FLORIDA, APPROVING THE GRANTING OF DEVELOPMENT IMPACT FEE CREDITS FOR D.R. HORTON RELATED TO THE PUBLIC BENEFIT OF CERTAIN WATER MAIN IMPROVEMENTS TO THE GRAND RESERVE COMMUNITY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 30-538, Article XIX, Chapter 30 of the Bunnell Code of Ordinances permits the City of Bunnell to grant a credit against an impact fee required for development permits; and

WHEREAS, Article VII, Section 10 of the Florida Constitution provides that neither the state nor any county, school district, municipality, special district, or agency of any of them, shall lend or use its taxing power or credit to aid any corporation, association, partnership or person; and

WHEREAS, D.R. Horton made certain improvements to the water main system at the “Grand Reserve” community. The itemized invoice for said improvements totals \$160,957.60. A copy of said invoice is attached hereto and made a part hereof and labeled as **Exhibit “A”**; and

WHEREAS, the improvements to the water main system had a private benefit to D.R. Horton, the developer of the “Grand Reserve” community and a public benefit to the citizens of the City of Bunnell. It is well established under Florida Law that public funds should not be utilized for private purposes; and

WHEREAS, The City of Bunnell agrees to reimburse D.R. Horton in the form of developer impact fee credits for the portion of the water main improvements that serve a public purpose.

WHEREAS, To determine the public benefit of the water main improvements, the City of Bunnell commissioned CPH Engineering to conduct a fire flow analysis of the water main system improvements. The analysis determined that the improvements to the water main system provided a public benefit of 26%. A copy of the fire flow analysis is attached hereto and made a part hereof and labeled as **Exhibit “B”**.

WHEREAS, the total developer impact fee credits shall be valued at \$41,849.00, which is 26% of the total water main improvement costs.

NOW, THEREFORE, BE IT RESOLVED by the City of Bunnell City Commission the following:

Section 1. That above recitals and the attached Exhibits are hereby approved and adopted.

Section 2. That the City Manager or his designee shall grant D.R. Horton \$41,849.00 in developer impact fee credits.

Section 3. As a condition to providing said developer impact fee credits, D.R. Horton shall not violate any condition of any building permit, development agreement, development plans or any local, state, or federal ordinances, statutes or laws related to the continued development and construction of the Grand Reserve community.

Section 4. That this Resolution shall become effective immediately upon its adoption.

DULY PASSED AND ADOPTED by the City Commission of the City of Bunnell, Florida, at a regular meeting on this _____ day of March 2024.

City of Bunnell, Florida

Catherine D. Robinson, Mayor

Approved as to Form:

Vose Law Firm, City Attorney

Attest:

Kristen Bates, City Clerk

Seal:



City of Bunnell, Florida

Agenda Item No. H.1.

Document Date: 2/26/2024 Amount:
Department: Community Development Account #:
Subject: Administrative Order 2024-02 Requesting approval to allow the City of Bunnell Wastewater Treatment Facility Expansion to encroach 25 feet more or less into the northern adjacent property.
Agenda Section: New Business:
Goal/Priority: Infrastructure

ATTACHMENTS:

Description	Type
Administrative Order 2024-02 Wastewater Treatment Facility Encroachment	Exhibit
Admin Order Exhibit "A" - Location Map	Exhibit

Summary/Highlights:

This is a request to allow the City's Wastewater Treatment Facility Expansion to encroach 25+/- feet into the northern adjacent property. The Wastewater Treatment Facility is located at 200 Tolman Street and the northern property is located at 300 Tolman Street.

Background:

The City of Bunnell is currently under contract to expand the Wastewater Treatment Facility and the construction will begin in the coming weeks. The plans are currently at the 90% stage, and it was then when it was realized the expansion will be crossing over the northern property line by 25+/- feet. The City owns the northern adjacent property and is where the Public Works Department is located. Staff has determined the encroachment will not infringe on the day-to-day operations of the Public Works Department as it will only be encroaching onto a dirt path and not any crucial operating areas.

The need for an increase in sewer capacity is a priority to keep up with the growth the City is experiencing and any delay in starting this project will be a delay for potential developments.

The civil site plans for this project were approved by the Planning, Zoning and Appeals Board on March 5th, 2024.

Staff Recommendation:

Approve Administrative Order 2024-02.

City Attorney Review:

Approved

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

**CITY OF BUNNELL, FLORIDA
CITY COMMISSION
ADMINISTRATIVE ORDER NO. 2024-02**

**AN ORDER OF THE CITY OF BUNNELL CITY COMMISSION
ALLOWING FOR THE EXPANSION OF THE CITY OF BUNNELL
WASTEWATER TREATMENT FACILITY, LOCATED AT 200 TOLMAN
STREET, TO ENCROACH 25 FEET MORE OR LESS INTO THE
NORTHERN PROPERTY, OWNED BY THE CITY OF BUNNELL AND
LOCATED AT 300 TOLMAN STREET; PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the City of Bunnell, a municipality located within Flagler County, Florida (hereinafter the "Owner"), owns certain real property assigned Tax Parcel Identification Numbers 10-12-30-0850-02150-0000 (hereinafter "Parcel 1") and 10-12-30-0850-02110-0000 (hereinafter "Parcel 2"); and

WHEREAS, Parcel 1 is addressed as 200 Tolman Street and Parcel 2 is addressed as 300 Tolman Street; and

WHEREAS, Parcel 1 currently has a zoning designation of P, Public District and Parcel 2 currently has a zoning designation of L-1, Light Industrial District; and

WHEREAS, both Parcel 1 and 2 are currently developed; and

WHEREAS, Ordinance 1990-14 vacated Ninth Street from Tolman Street to Canal Street; and

WHEREAS, the City of Bunnell is undergoing construction on Parcel 1 for the Wastewater Treatment Facility (WWTF) Expansion Project; and

WHEREAS, the WWTF Expansion major site plan was assigned Case No. MJSP 2024-01 and has received major site plan approval from the Planning, Zoning and Appeals Board on March 5, 2024; and

WHEREAS, the WWTF Expansion will be encroaching 25+/- feet into Parcel 2; and

WHEREAS, on March 25th, 2024, the City Commission conducted a duly noticed public hearing for this Administrative Order and staff presented conclusions and findings of fact:

1. The WWTF Expansion is needed to maintain the level of service the City provides to the public.
2. This Administrative Order will allow the WWTF Expansion to encroach onto Parcel 2 25+/- feet at the most according to the civil site plan set, specifically sheet C4, that was approved on March 5, 2024, .

3. The WWTF Expansion is meeting all requirements outlined in the Comprehensive Plan and Land Development Code.
4. The City will rezone Parcel 2 in the future to be compliant with the adopted Comprehensive Plan.
5. All procedural and substantive requirements of City Code regarding this Administrative Order have been satisfied.

NOW THEREFORE, the City of Bunnell, Florida hereby authorizes this Administrative Order allowing for the expansion of the City Wastewater Treatment Facility to encroach 25+/- feet into Parcel 2 and directs that this Administrative Order be recorded in the public records of Flagler County and shall run with the real property as generally depicted in Exhibit "A" attached hereto and incorporated herein by reference, to serve as a covenant and restriction on the property.

IF THIS ADMINISTRATIVE ORDER IS NOT RECORDED WITHIN ONE YEAR OF THE DATE OF APPROVAL, THEN IT SHALL BECOME NULL AND VOID.

ANY FURTHER DEVELOPMENT ACTION ON THIS LAND, DEPICTED IN EXHIBIT "A", OTHER THAN WHAT IS AUTHORIZED BY THIS ADMINISTRATIVE ORDER MUST ABIDE BY THE REQUIREMENTS FOR LAND DEVELOPMENT AS DEFINED BY THE CITY'S LAND DEVELOPMENT REGULATIONS AND FLORIDA STATUTES.

Section 1.

The above recitals are true and correct and are fully incorporated herein by reference.

Section 2.

The encroachment of 25+/- feet by the City of Bunnell Wastewater Treatment Facility expansion onto Parcel 2 is hereby approved.

Section 3.

This Administrative Order shall become effective immediately upon adoption.

ORDERED at a meeting of the City Commission of the City of Bunnell on the ____ day of _____ 2024.

This Administrative Order is hereby approved by:

Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

Attest:

Seal:

Kristen Bates, CMC, City Clerk

Exhibit "A"

Location Map





City of Bunnell, Florida

Agenda Item No. H.2.

Document Date: 2/26/2024 Amount:
Department: Human Resources Account #: Various
Subject: Request Approval of the City Health Insurance Enrollment 2024
Agenda Section: New Business:

Goal/Priority: Increase Economic Base, Financial Stability/Sustainability, Quality of Life, Organizational Excellence

ATTACHMENTS:

Description	Type
FHCP Renewal Contract	Contract
Dental Renewal Letter	Contract
2024 EAP Renewal Contract	Contract

Summary/Highlights:

This is a request to renew the City's Health Insurance plans, including Dental, Life, EAP, and VSP, with providers for the 5/1/2024 to 4/30/2025 benefit year.

Background:

Based on City health trends and data, there are some increases for certain plans. The rates are as follows:

- FHCP Medical increase 9.7%. (Contract attached)
- USABLE Life remains at the current rates. (Contract current until 2025)
- Florida Combined Dental remains at the current rates. (Contract current until 2025)
- VSP increase remains at the current rates. (Contract current until 2025)
- New Directions (EAP) remains at the current rates. (Contract attached)

The City did plan/budget for a possible rate increase in the current budget and will include the additional funds in the upcoming budget.

Staff Recommendation:

Approval of the renewal of City Health Insurance Plans with Florida Health Care Plans for Dental and Life, USABLE, VSP, and EAP.

City Attorney Review:

Approved

Finance Department Review/Recommendation:

Approval of the renewal of City Health Insurance Plans with Florida Health Care Plans for Dental and Life, USABLE, VSP, and EAP.

City Manager Review/Recommendation:

Approved.

February 27, 2024

Dear Benefits Manager,

It is Florida Health Care Plans' continued pleasure to provide health care coverage to **CITY OF BUNNELL**, employees.

FHCP is proud to once again claim top honors in the News-Journal Reader's Choice Award as the "Best HMO Around". This honor reflects our commitment to offer the highest quality medical care and service to our members' at the most affordable price.

FHCP strives to provide the most competitive rates available. Please be advised that the renewal rates for this organization were determined based on the cost factors for the current employee census. If the actual census or employees who participate in FHCP changes significantly, this could have a material impact on rates, either positive or negative. If based on actual enrollment, rates reflect a greater than 10% variance; FHCP reserves the right to make necessary adjustments.

I have attached the following contract documents for your group for this renewal period.

- FHCP Large Group Insurance Contract
- Employer Application
- Group Contract Information Page that provides the plan rates
- Applicable Rider(s)
- Summary of Benefit and Coverage (SBC) Document(s)

Please confirm the **CITY OF BUNNELL'S** acceptance of FHCP coverage by:

- 1) Reviewing and signing the attached FHCP Large Group Insurance Contract.
- 2) Completing and signing the attached Employer Application.
- 3) Reviewing and signing the attached Group Contract Information page.

Please return these documents to me **as soon as possible**, along with your member enrollment spreadsheet or applications. You can scan and email the signed contract documents to jen.ferreira@bcbsfl.com.

If you have any questions, please feel free to contact me at 386-615-5076, or **John Bierworth**, your Account Management Specialist at **386-615-5073**.

Sincerely,

Jen Ferreira, Sales Resource Specialist

Attachments

FLORIDA HEALTH CARE PLAN, INC.
2450 Mason Avenue
Daytona Beach, FL 32114

Group Insurance Contract
(herein called the Contract)

Florida Health Care Plan, Inc., (hereinafter called FHCP), agrees to provide the health care services described under the provisions of the Group Plan as further described in the applicable Certificate of Coverage, Schedule of Benefits, and other applicable documents, to all Covered Employees of the Employer and their Covered Dependents. The provision of services is subject to all of the terms on this page and those that follow, including any limitations, restrictions or exclusions, as well as any amendments made a part of this Group Plan.

The Employer may act on behalf of all eligible employees and dependents. Every act by, agreement made with, or notice given to the Employer will be binding on all Covered Employees and Covered Dependents.

This Group Plan is issued in consideration of the application of the Employer and payment of Premium in advance by the Employer at FHCP's corporate office in Daytona Beach, FL 32114.

This Group Plan is effective on the Group Effective Date shown on the Group Plan Information Page. The first Premium covers the period starting on the Group Effective Date.

The parties hereto have caused this Agreement to be executed by their duly authorized officers or agents.

FLORIDA HEALTH CARE PLAN, INC.

By: _____ Date: 02/27/2024
Marie Atanasoski
CFO
Florida Health Care Plan, Inc.

GROUP / EMPLOYER

By: _____ Date: _____
Authorized Representative

CITY OF BUNNELL Group #: 704 Effective Date: 05/01/2024
Company Name

1. Responsibilities of the Employer

The Employer acknowledges and warrants that is eligible for the health care coverage provided under this Group Plan by virtue of being an Employer, as defined in the Florida Statutes and applicable law, at the time this Group Plan is issued. The Employer shall offer to all eligible employees the opportunity to become a Covered Employee under this Group Plan. Such offer shall be made in such a fashion that employees are made aware, and understand, that this Group Plan contains a benefit structure that may require the use of a Primary Care Physician and/or Participating Providers.

The Employer shall pay FHCP the applicable Premium as further described herein. The Employer may require an employee to pay some portion of the Premium. However, the Employer must contribute the same percentage toward the cost of all health benefit plans established and maintained by the Employer.

2. Responsibilities of FHCP

In consideration of the payment of Premium by the Employer, FHCP shall provide coverage for Covered Employees and, if applicable, their Covered Dependents. In doing so, FHCP may enter into agreements with providers of health care, one or more other Group Policies or insurers and such other individuals and entities as may be necessary to enable FHCP to fulfill its obligations under this Group Plan.

FHCP agrees to provide coverage without discrimination because of race, color, national origin, age, disability, religion, or sex or any other basis prohibited by law.

3. Employee Eligibility

Subject to any Eligibility Exceptions noted on the Group Plan Information Page or other applicable documents, an individual becomes eligible for coverage on the date they complete any applicable waiting period established by the Employer, as shown on the Group Plan Information Page or other applicable documents. The waiting period is the length of time an individual must wait before becoming eligible for coverage.

If an eligible person is currently covered under any other Plan issued by FHCP, or any other health benefit plan established and maintained by the Employer, they will not be considered eligible for coverage under this Group Plan.

4. Commencement of Coverage

On the Group Plan Effective Date as shown on the Group Plan Information Page, FHCP agrees to provide the coverage stipulated in this Group Plan, Certificates of Coverage, Schedule of Benefits, and other applicable documents to all Covered Employees and, if applicable, their Covered Dependents, if any. Such coverage begins on the Covered Person's effective date, which will be the first of the month after the receipt and approval of the application by FHCP, unless this Group Plan specifies a date other than the first of the month (See Special Enrollees, Late Enrollees, and Dependent Effective Date provisions of the Certificate of Coverage). FHCP accepts no liability for benefits related to expenses incurred prior to the Covered Person's effective date or after the Covered Person's termination date, which will be on the last day of the coverage month, except as described in the Extension of Benefits provision or as specified in the Terms of Renewal and Termination provisions.

5. Minimum Participation Requirements

Employer must maintain a minimum enrollment agreed upon by FHCP. If these participation requirements are not satisfied, FHCP reserves the right to terminate this Group Plan after giving the Employer forty-five (45) days written notice prior to the Group's anniversary date.

FHCP reserves the right to request evidence of employee and dependent coverage under other plans to verify eligibility and compliance with this Provision.

6. Termination of this Plan by the Employer

The Employer may terminate this Group Plan as of any Premium due date and should give FHCP at least forty-five (45) days prior written notice. In such event, no benefits will be provided on or after such termination date, except as specifically set forth in this Group Plan.

7. Termination of this Plan by FHCP

FHCP may terminate this Group Plan as of any Premium due date if the Employer has not paid the entire required Premium by the end of the Grace Period as set forth herein. However, if the Employer has given FHCP prior written notice in advance of an earlier date of termination, this Group Plan will terminate as of that earlier date. The Employer is liable to FHCP for any unpaid Premium for the time the Group Plan was in force, or for any amounts otherwise due FHCP.

If the Group's coverage is terminated for any reason set forth in this Group Plan, FHCP will mail the Employer a written notification that this Group Plan has terminated. This notification will disclose the date of termination and the reason(s) for termination. It is the Employer's obligation to immediately notify each Covered Person of any such termination.

8. Terms of Renewal

This Group Plan is a guaranteed renewable Plan. This means the Plan renews each year on the Group Plan Anniversary Date shown on the Group Plan Information Page. FHCP guarantees the Employer the right to renew the Group Plan each year, at the Employer's option, with the exception of non-payment of Premium or loss of eligibility. FHCP will give the Group at least forty-five (45) days advance written notice of our intent to non-renew this Group Plan, if one of the following circumstances has occurred:

- A. The Employer fails to timely pay Premium or contributions in accordance with the terms of this Group Plan;
- B. The Employer fails to comply with material provisions of this Group Plan which relates to rules for contribution or participation;
- C. FHCP ceases offering this Plan to all policyholders;
- D. The Employer and enrollees no longer work or reside in the service area of FHCP or in the area in which FHCP is authorized to do business;
- E. The Employer has performed an act or practice that constitutes fraud or made an intentional misrepresentation of material fact under the terms of this Group Plan;
- F. FHCP is required to by applicable law.

9. Discontinuance of this Plan

FHCP may discontinue offering this particular Group Plan if:

- A. FHCP provides at least ninety (90) days notice to each policyholder and to participants

- and beneficiaries covered under the Plan prior to renewal; and
- B. FHCP offers each policyholder the option to purchase other coverage currently being offered by FHCP.

10. Discontinuance of all Coverage in the GroupMarket

FHCP may discontinue offering all coverage in Florida if:

- A. We provide notice to the Office of Insurance Regulation (hereinafter called Office) and each Employer and enrollee 180 days prior to renewal; and
- B. All health coverage issued or delivered for issuance in Florida is discontinued and coverage under such health coverage is not renewed.

11. PREMIUM.

Employer shall pay FHCP Premium for services rendered in accordance with this Agreement.

- A. **Premium:** means any payments or amounts required by a health contract for coverage, by whatever name called. This includes but is not limited to any monthly subscription fee.
- B. **Premium Due Date**
After the Group Effective Date shown on the Group Plan Information Page, the Premium due date will be the first day of each month.
- C. **Payment of Premium**
The first Premium payment is due on the Effective Date shown on the Plan Information Page. Each following Premium payment is due monthly unless the Employer and FHCP agree on some other method and/or frequency of payment. Premium payments should be sent to FHCP's home office or the billing address provided by FHCP.

12. The Grace Period

This Plan has a 10-day grace period. A grace period means that if any required Premium is not paid on or before the date it is due, it may be paid during the grace period immediately following that Premium due date. During the grace period, the Plan will stay in force. The grace period does not apply to the Premium due on the Effective Date, or if the Employer has given FHCP written notice that the Plan is to be terminated prior to the Premium due date. If the Premium is not paid by the end of the grace period, the Plan may terminate as of the date the payment was due. Any late payment penalties are subject to Department of Insurance approval.

13. Monthly Premium Statement

FHCP will prepare a monthly statement of the Premium due on or before the Premium due date. This monthly statement will also reflect any pro rata Premium charges and credits resulting from changes in the number of Covered Persons and changes in the amounts of coverage that took place in the previous month. If a Covered Person becomes ineligible for coverage under this Group Plan for any reason, the Employer shall, if possible, provide FHCP with prior written notice of such ineligibility. However, in any event, written notice of such ineligibility shall be provided by the Employer to FHCP no later than thirty (30) days after such ineligibility. In the event that notice of termination of a Covered Person, or a decrease in coverage, is received by FHCP more than one month after the termination or decrease, retroactive credit will be limited to premium paid after date of termination or decrease in coverage.

FHCP's billing cycle is as follows:

1. If members are added on or before the 15th of the month, they are billed for the

whole month. If members are added on or after the 16th of the month, they are not billed for that month.

2. If members are canceled on or before the 15th of the month, they will not be billed for that month. If members are canceled on or after the 16th of the month, they are billed for the whole month.

This is called the “wash cycle”. If you have any questions, please call the FHCP Enrollment Department at 386-676-7176 or 1-800-352-9824 ext. 7176 during business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.

[This provision is subject to FHCP billing policies, protocols, and procedures which may change from time to time.]

14. Simplified Accounting

Premium adjustments will be made on the monthly Premium statement date that is the same as or next follows the date:

- A. A person becomes covered;
- B. The amount of coverage on a Covered Person changes, but not due to a revision of the coverage plan; or
- C. A person ceases to be covered.

15. Changes in Premium

No change in Premium rates will be made for the first twelve (12) months that this Group Plan is in effect. A change in Premium rates will not be made more often than once in a twelve

(12) month period. FHCP will give the Employer written notice of any changes in Premium rates at least thirty (30) days prior to the Group's renewal date.

16. Incorrect Premium Payment

Any Premium adjustment made due to the correction of an error in the Premium payment will be made without interest on the next Premium due date after the facts are made known to FHCP.

17. Entire Plan

The entire agreement is made up of this document, the Employer's application for coverage, Certificate of Coverage, Schedule of Benefits, and any amendments, riders, or certificates attached hereto along with the applications for all Covered Employees and their covered dependents, or any other documents mutually agreeable by both FHCP and Employer to be incorporated herein. All statements made by the Employer or by a Covered Employee are considered to be representations, not warranties. This means that the statements are considered to have been made in good faith. No such statement will void this Plan, reduce the benefits it provides, or be used in defense to a claim for coverage unless it is contained in a written application and a copy is furnished to the person making such statement.

18. Time Limits for Certain Defenses

After two years from the effective date of this Plan, no misstatement made by the Employer, except a fraudulent misstatement made in the Employer's application for this Plan, may be used to

void this Plan. After two years from a Covered Person's effective date, no misstatement made by the Covered Person, except a fraudulent misstatement on his or her application, may be used to deny a claim for any benefit which begins after the end of the two- year period from the Covered Person's effective date.

19. Employer as FHCP's Agent for Limited Purposes

The Employer is considered to be an agent of FHCP only for the following purposes:

- A. Collecting employee enrollment information;
- B. Collecting any required employee contribution; and
- C. Giving out Certificates of Coverage or other coverage information to the Covered Employees.

20. Administration

The Employer must provide FHCP with the information it needs to administer this Group Plan and to compute the Premium due. Failure of the Employer to provide this information will not void or continue a Covered Person's coverage. FHCP has the right to examine the Employer's records on any issues necessary for the proper administration of this Group Plan at any reasonable time while this Group Plan is in force.

21. Financial Responsibilities of the Employer

FHCP reserves the right to recover any benefit payments made to or on behalf of any individual whose coverage has been terminated. Recovery efforts will relate to benefit payments made for services or supplies rendered subsequent to the Covered Person's termination date and prior to the date notice of coverage termination by the Employer. The Employer shall cooperate with and support such recovery efforts.

In the event that the Employer does not comply with the notice requirements set forth in the Premium Statement section, the Employer shall be solely liable to FHCP to the extent of any payment made on behalf of such individual for services or supplies rendered subsequent to the date notice of a Covered Person's termination was due.

22. Certificates of Coverage

FHCP will issue Certificates of Coverage for each Covered Employee. The certificate will describe the benefits provided and the limitations of this Group Plan. Nothing in the certificate will change or void the terms of this Group Plan.

The Employer agrees that, if requested by FHCP, the Employer will distribute to Covered Persons, the Certificate of Coverage and any amendments or endorsements to it, other coverage materials and notices applicable to all or any Covered Persons.

23. Changes to this Group Plan

FHCP may change this Group Plan from time to time as required by applicable state and federal laws and subject to Office approval. No change to this Group Plan will be effective unless made by an amendment or rider that has been signed by an officer of FHCP. No agent may change this Group Plan or waive any of its provisions.

If FHCP increase the cost share for any benefit or delete, amend or limit any of the benefits to

which a Covered Person is entitled to under this plan, We will give the Group forty-five (45) days written notice prior to renewal. The Group will not be notified if benefits are increased or if the Group requests any changes, deletions or limitations.

24. Misstatements

If information about a Covered Person is misstated, FHCP may adjust the Premium to correctly reflect the true information. If the misstatement affects the amount of the Covered Person's coverage, the true information may be used to determine the correct amount of coverage.

25. Worker's Compensation

This Plan does not affect or take the place of Workers' Compensation.

26. Assignment

Neither this Plan, nor the benefits provided under this Plan, may be assigned except as otherwise specifically described in this Plan.

27. Certificate of Coverage Provisions made part of this GroupPlan

The remainder of the Group Plan consists of the provisions shown in the Certificate of Coverage issued to Covered Employees under this Group Plan. These provisions are made a part of the Group Plan. Amendments, if any, changing the provisions of the Certificate of Coverage are also made a part of the Group Plan.

28. Service Area

The Service Area shall consist of the counties in which FHCP is authorized and licensed to do business.

29. Blue Cross Blue Shield Association

Subscriber, or Group Subscriber on behalf of itself and its participants hereby expressly acknowledges its understanding this policy/Agreement constitutes a contract solely between Subscriber and Florida Health Care Plans, which is an independent corporation operating under a license from the Blue Cross and Blue Shield Association, an association of independent Blue Cross and Blue Shield Plans, (the "Association") permitting Florida Health Care Plans to use the Blue Cross and/or Blue Shield Service Mark[s] in Florida and that Florida Health Care Plans is not contracting as the agent of the Association. Subscriber, or Group Subscriber on behalf of itself and its participants further acknowledges and agrees that it has not entered into this policy/Agreement based upon representations by any person other than Florida Health Care Plans and that no person, entity, or organization other than Florida Health Care Plans shall be held accountable or liable to Subscriber, or Group Subscriber for any of Florida Health Care Plans obligations to Subscriber, or Group Subscriber created under this policy/Agreement. This paragraph shall not create any additional obligations whatsoever on the part of Florida Health Care Plans other than those obligations created under other provisions of this agreement.

30. Retroactive Enrollment Activity

Requests for retroactive enrollment activity shall be submitted in writing to FHCP's Enrollment Department and shall include an explanation for the retroactive request. Such requests are only granted in FHCP's sole discretion. Parties acknowledge that granting of requests may be subject to certain reporting requirements under state or federal guidelines. FHCP reserves the right, in its sole discretion, to process reversal of any claims payments made during the retroactive termination period. Parties acknowledge that individual members may be billed for reversed claims.

EMPLOYER APPLICATION

PLEASE FORWARD COMPLETED APPLICATION TO:
FLORIDA HEALTH CARE PLANS, ATTN.: MARKETING DEPARTMENT, 1340 RIDGEWOOD AVENUE, HOLLY HILL, FL 32117
IF YOU SHOULD HAVE ANY QUESTIONS, PLEASE GIVE US A CALL AT 386-676-7110 or 1-800-232-0578.

I. GROUP INFORMATION: (PLEASE PRINT)

Application and all necessary requirements must be received by the 15th of the month prior to effective date.

LEGAL GROUP NAME _____

"DOING BUSINESS AS" (DBA), IF DIFFERENT _____ GROUP NO(S). _____

STREET ADDRESS _____

CITY/STATE/ZIP _____ PHONE # _____

MAILING ADDRESS _____

(IF DIFFERENT FROM ABOVE)

CITY/STATE/ZIP _____ EMAIL _____

GROUP CONTACT PERSON _____ TITLE _____ FAX # _____

FEDERAL TAX ID# _____ NATURE OF BUSINESS _____ SIC# _____ EXCLUSIVE: ☐ Yes ☐ No

IF NO, OTHER CARRIER _____ AND # OF EMPLOYEES ENROLLED _____

WORKER'S COMP CARRIER _____

CURRENT CARRIER _____ EFFECTIVE DATE _____ TERM DATE _____

PRIOR CARRIER _____ EFFECTIVE DATE _____ TERM DATE _____

II(a). EMPLOYMENT DATA:

Number of employees choosing:

HMO Coverage _____

POS Coverage _____

Triple Option Coverage _____

Waive Coverage _____

Total number of eligible employees: _____

Number of employees:

Employed part-time _____

Serving new hire period _____

Residing out-of-area _____

Retired _____

Eligible for Cobra _____

II(b). ELIGIBILITY RULES:

A. Employee must work _____ or more hours per week to be eligible.

B. Retirees Covered: ☐ Yes ☐ No

C. Eligibility Waiting Period: _____ of month following _____ days of eligible employment.

D. Have you employed 20 or more employees for 20 weeks or more during the last calendar year? ☐ Yes ☐ No

III. COVERAGE SELECTION FOR ALL ELIGIBLE EMPLOYEES:

EFFECTIVE DATE ____/____/____ (mm/dd/yyyy)

EMPLOYER CONTRIBUTION TO FHCP: (MINIMUM 50% REQUIRED) SINGLE _____ % DEPENDENT _____ %

LARGE GROUP: (51+ employees)

50% Participation Required

SMALL GROUP: (1-50 employees)

70% Participation Required

PLAN CODE(S)

HMO _____

POS _____

Triple Option _____

HDHP _____

APPLICABLE RIDERS

☐ Dental

☐ Vision

☐ Pharmacy

☐ Wellness (Gym)

☐ WFW _____

☐ Other _____

SMALL GROUP COMPLETE

☐ One Life ☐ 2-50

☐ I reviewed state mandated plans available to small groups, I elect to choose other coverage for my business.

☐ Domestic Partnership Coverage

☐ COBRA Administration (Available to groups with 20+ employees)

IV. AGENT INFORMATION:

AGENT NAME (please print) _____ E-mail Address: _____

STATE OF FLORIDA LICENSE NO. _____

EMPLOYER/AGENCY (if commissions are paid to entity) _____

ADDRESS _____

CITY / STATE / ZIP _____

PHONE # _____ FAX # _____

SIGNATURE _____ DATE _____

V. EMPLOYER CERTIFICATION:

The Employer named above hereby applies for Employer Group Health Benefit Plan membership in FHCP on behalf of its eligible members and their eligible dependents who elect to enroll in FHCP. If accepted, this Employer Enrollment Form, Employee Enrollment Forms, the executed FHCP Employer Group Health Benefit Plan Contract, and Certificates of Coverage for the selected benefit plan, constitute the entire Contract between the Group and FHCP. The Employer agrees to pay any and all monthly subscription fees associated with the coverage chosen for their employees. The Employer is a group employer and eligible for coverage under the applicable section of the Florida Statutes and approved by the Department of Financial Services. I certify that I have read the statements on this form or that they have been read to me, and that all the information was provided by me and is true and complete to the best of my knowledge. I understand that any material misrepresentation or material omission contained herein may be used to reduce or deny a claim or service or void the contract; I understand that no agent can modify this application, waive the answers to any questions, or suggest or complete the answers thereto. ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD, OR DECEIVE ANY INSURER, FILES A STATEMENT OF CLAIM OR ANY APPLICATION CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION IS GUILTY OF A FELONY OF THE THIRD DEGREE.

Company Name: _____

Authorized Person's Name: _____ Title: _____

Authorized Person's Signature: _____ Date: _____

FOR FHCP USE ONLY:

MARKETING

Commissions: ☐ Yes ☐ No

Approved: _____ Date: _____

ENROLLMENT

Group No: _____ Check No: _____

Plan Codes: _____ Approved By: _____

Rider Codes: _____ Date: _____

Amount Received: _____

CONTRACT INFORMATION PAGE

Employer Name: CITY OF BUNNELL Group Number(s): 704
Group Plan(s): HMO'S

Group Effective Date: 10/01/2005

Contract Anniversary Date: 05/01/2024 - 04/30/2025

Eligibility Exceptions: N/A

of Eligible Employees:

Applicable Options:

- ☐ Vision Rider
☐ Dental Rider
☒ Pharmacy Rider \$3/10/30/55
☒ COBRA Coverage
☒ WFW effective 6/1/2013 Co-pay \$5.00
☐ Wellness Services Rider effective
☒ Preferred Fitness Gym Rider 5/1/2012
☐ Religious/Moral Contraception
Objection

Employer Contribution Method: PERCENTAGE (% or flat) Employee 100% Dependent 0%

Waiting Period: First of the month following 60 days of eligible employment.. **Terminate:** Last day of billing cycle.

Rate Schedule

Group Plan	HMO T23	HMO T66		
Rx & Rx Code	\$3/10/30/55 RX (G5)	\$3/10/30/55 RX (G5)		
Single	\$956.99	\$845.29		
SP w/ any # Children	\$1,856.56	\$1,639.85		
Couple	\$1,856.56	\$1,639.85		
Family	\$2,287.22	\$2,020.23		

Florida Health Care Plan, Inc. (hereinafter called FHCP) agrees to provide the health care services described under the provisions of this Group Insurance Contract (herein called the Contract) and the FHCP Group Member Handbook (which by reference thereto is made a part thereof) for all Covered Employees o Employer and their covered dependents. The provision of services is subject to all of the terms on this page, those that follow, and the FHCP Group Member Handbook, including any limitations, restrictions or exclusions, as well as any amendments made a part of this Contract.

The Employer may act on behalf of all eligible employees and dependents. Every act by, agreement made with, or notice given to the Employer will be binding on all Covered Employees and Covered Dependents.

The contract is issued in consideration of the application of the Employer and payment of subscription fees in advance by the Employer. This Contract is effective on the Contract Anniversary Date shown above. The first subscription fees cover the period starting on the Contract Anniversary Date.

Signed for Florida Health Care Plan, Inc., Florida to take effect on the Contract Anniversary Date for delivery in the State of Florida.

BY:

Marie Atanasoski
CFO
Florida Health Care Plan, Inc.

Jenevieve Ferreira

Witness

Date: 02/27/2024

BY:

Name : Catherine D. Robinson
Title: Mayor
Group Name: City of Bunnell

Witness

Date:



PREFERRED FITNESS CERTIFICATE

This Preferred Fitness Certificate is designed to complement your FHCP benefit plan and provide fitness center access and other services to further members' wellness which include:

Fitness Center (Gym) access for eligible members:

Covered members will have access to FHCP contracted fitness centers in our service areas. Please refer to the FHCP Certificate of Coverage for a listing of our service areas.

- FHCP members have access to all contracted fitness centers.
- FHCP members may visit as many contracted fitness centers as they would like and are not restricted on the number of facilities they may join or the number of times they may visit.
- FHCP members must provide their FHCP insurance card to check in and register at contracted facilities.
- FHCP members must abide by all rules and policies of the contracted fitness centers.
- Please check with the specific fitness center for the ages accepted at the fitness facility.
- A list of contracted fitness centers can be found on our website at fhcp.com, or you can contact FHCP's Member Services Department at the contact information below.

Member Portal including Welcome to Wellness:

Members are offered online health information through the Member Portal that includes a large variety of general health and wellness topics. Included are:

- Online Personal Health assessment
- Interactive tools
- Preventive care information
- Quizzes
- Online access to programs and information
- A comprehensive library of health-related topics in English and Spanish

If you have any questions or would like additional information, please contact the Florida Health Care Plans Member Services Department at:

386.615.4022 • 1.877.615.4022
www.fhcp.com



An Independent Licensee of the Blue Cross and Blue Shield Association



Florida
Health Care
Plans®

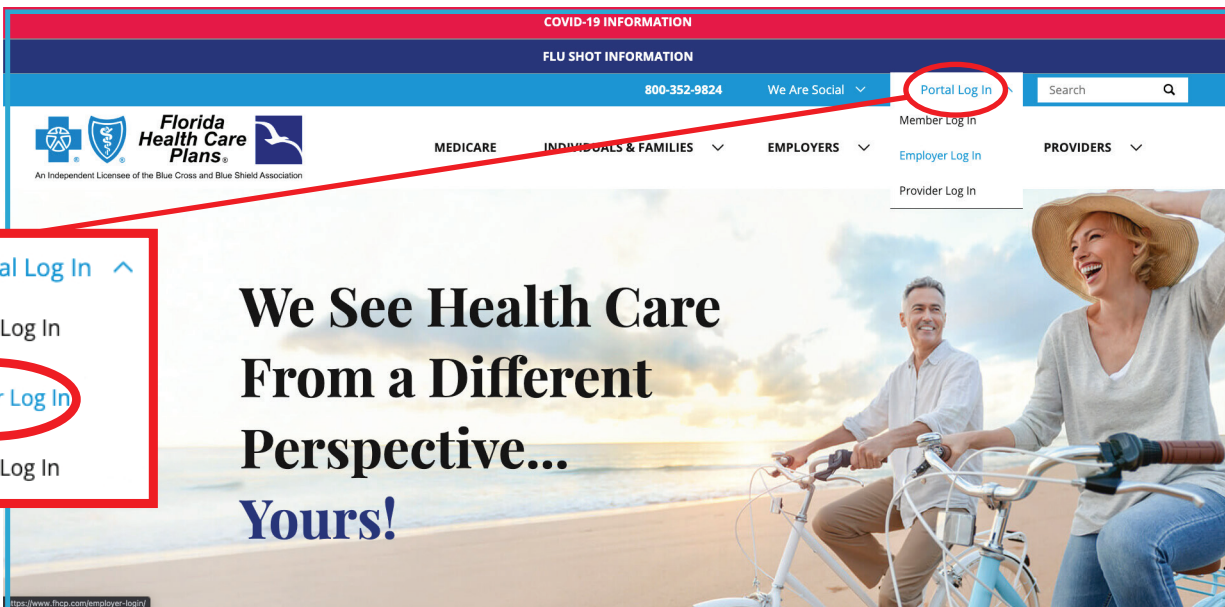


An Independent Licensee of the Blue Cross and Blue Shield Association

FHCP EMPLOYER PORTAL SIGN-UP INSTRUCTIONS

1

VISIT FHCP.COM AND CLICK THE "PORTAL LOG IN" BUTTON ON THE TOP, THEN CHOOSE "EMPLOYER LOG IN" FROM THE DROP DOWN MENU.



OR YOU CAN LOOK FOR THIS BUTTON UNDER **EMPLOYERS**:

Portal Log In

2

Employer Group Log In

* Indicates Required Field

Username* Password*

[FORGOT PASSWORD](#) | [FORGOT USERNAME](#)

[Trouble Logging In?](#) | [Help](#) | [Email Customer Service](#) | Call 1-877-814-9909

IMPORTANT NOTE: If you are a new employer, your portal account will be unavailable until 48 hours after enrollment completion with FHCP. If you require assistance with logging into your portal account, please contact technical support at 1-877-814-9909.

NEXT, YOU WILL COME TO THIS PAGE. BE SURE TO CLICK "**NEW GROUP REGISTRATION**" TO CREATE YOUR NEW ACCOUNT. ALL EMPLOYERS WILL NEED TO CREATE AN ACCOUNT WITH FHCP TO LOGIN.

YOU WILL NEED YOUR GROUP TAX ID NUMBER TO REGISTER FOR YOUR ACCOUNT.
ONCE YOU FOLLOW THE STEPS, FHCP WILL CONFIRM YOUR REGISTRATION.
YOU WILL NOW BE ACTIVATED AND ABLE TO USE YOUR ACCOUNT!

TIPS

- USE ONLY SUPPORTED BROWSERS
(UPDATED FIREFOX, CHROME, SAFARI AND INTERNET EXPLORER)
- JOT YOUR USER NAME AND PASSWORD DOWN AND KEEP IT IN A SAFE LOCATION



Florida
Health Care
Plans®



An Independent Licensee of the Blue Cross and Blue Shield Association

FHCP EMPLOYER PORTAL SIGN-UP INSTRUCTIONS

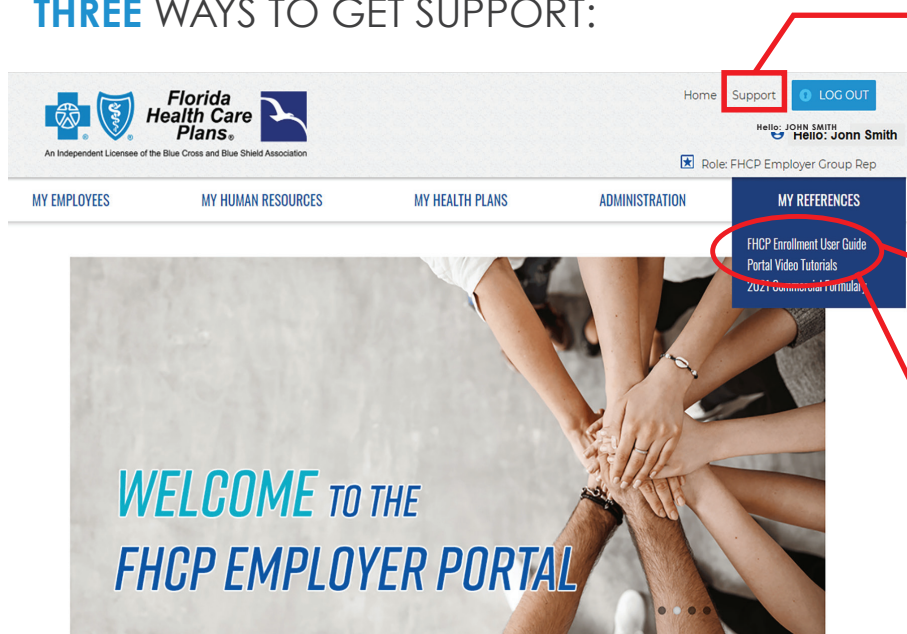
3

FEATURES AVAILABLE IN THE EMPLOYER PORTAL

- SELECT AN EMPLOYEE AND VIEW THEIR DEMOGRAPHICS
- VERIFY BENEFITS AND ELIGIBILITY COVERAGE AND DEDUCTIBLE AND OUT-OF-POCKET ACCUMULATORS FOR AN EMPLOYEE AND/OR DEPENDENTS
- REQUEST REPLACEMENT OR TEMPORARY ID CARDS FOR EMPLOYEE AND/OR DEPENDENTS
- VIEW/ACCESS BENEFIT DOCUMENTS FOR SELECTED EMPLOYEE
- SUBMIT ELECTRONIC "CHANGE ENROLLMENT" TRANSACTIONS TO FHCP
- SUBMIT ELECTRONIC "TERMINATE ENROLLMENT" TRANSACTIONS TO FHCP
- SUBMIT ELECTRONIC "INITIAL ENROLLMENT (ADD)" TRANSACTIONS TO FHCP
- REQUEST/VIEW/DOWNLOAD AN EMPLOYEE ROSTER REPORT

THREE WAYS TO GET SUPPORT:

4



1- CLICK **SUPPORT** TO FIND IMPORTANT FHCP PHONE NUMBERS

2- **ACCESS** THE ENROLLMENT USER GUIDE FOR INSTRUCTIONS ON EACH FUNCTION

3- **ACCESS** VIDEO TUTORIALS FOR INSTRUCTIONS ON EACH FUNCTION

PLEASE NOTE: After you have registered for the portal, you will be sent a confirmation email informing you of available resources and how to register for training. **FHCP Strongly recommends** that you attend training before submitting enrollment changes.



Florida Combined Life

An Independent Licensee of the
Blue Cross and Blue Shield Association

January 25, 2024

Loiry Nesheiwat
City of Bunnell
PO Box 756
Bunnell, FL, 32110

RE: Group Policy Number:
PL1576

Renewal Date: May 01, 2024

Dear Loiry Nesheiwat :

Thank you for choosing Florida Combined Life Insurance Company, Inc. for your group Dental Insurance benefits. We value you as a customer and appreciate your business.

Your Group Dental Insurance Plan is about to renew. We have completed our annual review of your coverage with FCL, taking into account a variety of factors that affect rate development. After careful consideration and analysis, we have established your renewal rates for the next plan year. Your current and renewal rates are shown below. The renewal rates will take effect on your renewal date and are guaranteed for the following 12 months, subject to the terms and conditions of your group contract.

BlueDental Choice True Group PL1576

	Current Rates	New Rates
Employee	\$ 25.35	\$ 25.35
Employee + Spouse	\$ 52.07	\$ 52.07
Employee + Child(ren)	\$ 54.33	\$ 54.33
Family	\$ 81.17	\$ 81.17

We look forward to continuing our relationship well into the future. Should you have any questions regarding this letter, please contact your local Florida Blue representative or contact our office at UWGroupExistingBusin@lsvusa.com.

Sincerely,

Group Dental Underwriting

cc:

Sales Rep: Kimberly Hylton



EMPLOYEE ASSISTANCE PROGRAM

Renewal Term Purchase Order

This Renewal Term Purchase Order is considered part of, and shall be governed by the initial Employee Assistance Program Agreement ("Agreement") between the Employer, and New Directions Behavioral Health, L.L.C. ("New Directions").

The rate and frequency at which Employer will compensate New Directions for the Program Services to be provided to the Employer during the Renewal Term, as outlined in the Agreement, is stated below. All Program Services are described in more detail within the Agreement.

Employer: City of Bunnell

Address: 604-4 E. Moody Blvd Unit 4, Bunnell, FL 32110

Renewal Term: 5/1/2024 to 4/30/2025

PEPM Rate: \$ 2.52, per employee, per month ("PEPM"), to be invoiced and paid Quarterly.

Payment Terms: Payment of Program Fees is due to New Directions within thirty (30) days of the date of the New Directions invoice.

Standard Program Services:

Service	Quantity
EAP Counseling Session Model	6 Sessions ¹
WorkLife Services	Included
Digital Behavioral Health Tools	Included
Training and/or Critical Incident Response Hours (face-to-face or virtual)	1 hours annually

On-Request Services and Fees:

On-Request Service	Rate
Training Hours	\$350.00 per representative, per hour
Critical Incident Response	\$350.00 per clinician, per hour
DOT/SAP Referrals	\$800.00 per case referred to New Directions
Fitness For Duty Examination	Dependent upon specific FFD referral, to be quoted at time of Employer request
Hard Copy Communication Materials	To be quoted at the time of Employer request

¹ Unless otherwise required or limited by state law, this is the maximum number of short term counseling sessions per member/per issue, which includes evaluation and assessment session(s). California residents are limited to a maximum of 3 sessions every 6 months.

New Directions Behavioral Health, L.L.C.

By: _____

Printed Name: _____

Title: _____

Date: _____

Employer

By: _____

Printed Name: _____

Title: _____

Date: _____



City of Bunnell, Florida

Agenda Item No. H.3.

Document Date: 3/11/2024 Amount: \$750.00
Department: City Clerk Account #:
Subject: Request to Pay Flagler County Humane Society for costs outside the Monthly Contracted Amount.
Agenda Section: New Business:
Goal/Priority: Financial Stability/Sustainability

ATTACHMENTS:

Description	Type
Invoice- Wasabi	Exhibit
FHS Case Report	Exhibit

Summary/Highlights:

In accordance with Contract 2021-02 signed in January 2021 and extended in 2023, the Flagler Humane Society is requesting the City assist or pay for the housing and veterinary costs for dogs which were confiscated for their health and well-being within the Bunnell City limits in two different cases.

From Contract 2021-02 (signed January 25, 2021):

5. Extraordinary Circumstances such as Rabies Impoundment, Confiscated Animals, Animal Cruelty Cases and other Similar Unforeseen Circumstances:

FHS will provide space for the confinement, observation, and care of any animal meeting the extraordinary circumstances identified in this section. When the animal's imminent welfare, safety and life are at risk, cost of care shall not affect the action to be taken by FHS. FHS will immediately notify the City of the need to be on the next available City Commission agenda to obtain approval of a negotiated amount for extraordinary animal care costs that may exceed the flat monthly fee for needed animal control and shelter services. Unless alternative rates are agreed to during the City Commission meeting, costs for these extraordinary circumstances will be charged at a

rate of \$90 for the first five (5) days and \$30 per day thereafter per animal. The City reserves the right to seek alternative options for care to reduce costs. The City agrees to provide legal services and representation in animal cruelty and neglect cases. FHS shall not bill any additional costs to the City for assistance with investigation and preparation and litigation of these cases.

Background:

This is a request from the Flagler Humane Society to pay the confiscation and care costs for a dog, Wasabi, removed from the care of its owner in January 2024.

In January 2024, Wasabi was removed from the custody of its owner and placed into quarantine at Flagler Humane Society (FHS). After quarantine FHS visited Ms. Flores, the owner, in jail and advised her that Wasabi would be declared dangerous and suggested that she surrender him. She declined and attempted to make other arrangements, but ultimately realized that she was in no position to fight to keep a dog that she had made dangerous. Wasabi was signed over to the custody of FHS and on 2-9-24 was humanely euthanized.

The City did not budget more than the monthly service amount for animal control services. This additional amount would need to come from the General Fund operating budget. At this time, there are no excess funds within the account for the Humane Society to utilize for these costs.

Staff Recommendation:**City Attorney Review:**

Approved

Finance Department Review/Recommendation:

Approval of payment in the amount of \$750 to the Flagler County Humane Society,

City Manager Review/Recommendation:

Approved.



Flagler Humane Society
1 Shelter Dr
Palm Coast, FL 32137 US
+1 3864451814
acarotenuto@flaglerhumanesociety.org

Invoice

BILL TO

Kristen Bates
City of Bunnell
PO Box 756
Bunnell, FL 32110

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
977AB	02/29/2024	\$750.00	04/10/2024	Net 30	

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	City of Bunnell	Animal boarding & quarantine for 25 days Wasabi	1	750.00	750.00

BALANCE DUE

\$750.00



Flagler Humane Society
1 Shelter Drive
Palm Coast, Florida 32137 USA
adopt@flaglerhumanesociety.org
www.flaglerhumanesociety.org
Tel.: 386-445-1814

Printed: 03/08/2024 03:41PM By: AWADE

Case Details

Case # **C0008359345**

Reference #

Status **Closed**

Case Date/Time **01/15/2024 02:00PM** Reported

Jurisdiction **City of Bunnell**

Category **Incident**

Type **ANIMAL VS HUMAN BITE CASE**

Subtype

Officer **Officer Katie Share**

Review Date

4600 E Moody Blvd 16E, Bunnell, 32110, Florida, United States

Location Type **RESIDENCE**

Directions

Result By Date/Time

Result Comments

Created By **mmichaels**

Created **01/15/2024 01:52PM**

Last Updated By **kshare**

Updated **02/14/2024 12:51PM**

Animal Info **terrier grey named Wasabi**

Person Info **FCSO Dispatchers**

Case Animals

Animal #: **A0050396489** |

Animal ID: **A0050396489**

ARN:

Chip #:

Type:

Declawed: **N**

Animal Memos: **Yes**

Name: **Wasabi**

DOB: **6/10/2017**

Current Age: **6 Y 8 M 27d**

Age Group: **Adult**

Bitten: **Bite History**

Case Memos: **No**

Types: **Dog**

Breeds: **Terrier/Mix**

Colors: **Black/White**

Pattern:

Primary Role: **Suspect**

Conditions: **No**

Gender: **Male**

Altered: **N**

Size: **M**

Weight: **0**

Secondary Role: **Suspect**

Violations: **No**

Ownership / Guardianship

Person #	Date From	Person Name	Phone	Address	City
P0010923202	6/11/2022	Stephanie Gra	(386) 801 3553	4600 E Moody Blvd 16E	Bunnell, City of Bunnell, FLAGLER FL 32110

Case Persons

Person #: **P0026276318** | **Bunnell Police Dept.**

P0026276318

Bunnell Police Dept., 386-437-7508 200 S Church Street
Bunnell, 32110, City of Bunnell, FLAGLER, FL - Home Primary Role:Complainant Secondary Role: Complainant
Animal Owner: No , Person Reporting:No ,Property Owner:No

Person #: **P0030164839** | **Flagler County Sheriffs Office**

P0030164839

Flagler County Sheriffs Office, 386-313-4911 901 E Moody Boulevard
Bunnell, 32110, City of Bunnell, FLAGLER, FL - Home Primary Role:Complainant Secondary Role: Complainant
Animal Owner: No , Person Reporting:Yes ,Property Owner:No

Person #: **P0044828689** | **Roberto DeSiderio-Monte Ferro**

P0044828689

Roberto DeSiderio-Monte Ferro, [REDACTED] - Home Primary Role:Victim Secondary Role: Complainant
Animal Owner: No , Person Reporting:Yes ,Property Owner:No

Person #: **P0044828869** | **Jennifer Flores**

P0044828869

Jennifer Flores, [REDACTED] 4600 E. Moody Blvd. 16E
Bunnell, 32110, City of Bunnell, FLAGLER, FL - Home Primary Role:Suspect Secondary Role: Suspect
Animal Owner: No , Person Reporting:Yes ,Property Owner:No

Case Memo(s)

Memo #	Reference	Reference #	Memo Type Memo Subtype	Created Date/Time	Created By	Updated Date/Time	Updated By	Review Date/Time
7625392	Case		OFFICERS REPORT OFFICER KATIE SHARE	01/15/2024 01:30AM	kshare	01/15/2024 01:30AM	kshare	

EMERGENCY CALL - AGGRESSIVE PITBULL BIT A GENTLEMAN DURING A DOMESTIC DISTURBANCE. THE WOMAN TOLD THE DOG TO BITE THE GENTLEMAN SEE FILE FOR NEWS REPORT WITH DETAILS

I, Officer Katie Share, responded to the location and spoke with deputies on scene. They stated that the lady had herself and the dog in the house and won't come out. They stated that they may have to make entry into the house and that I should be on standby. I waited in my vehicle until I was asked to remove the dog from the residence. I went to the apartment and observed blood in the entryway of the house. The dog was in a crate by the front door. There was a teenager on scene that lives in the house. I asked him if he was able to put the dog in the van for me so that I didn't have to catchpole the dog. The teenager placed the dog in the van for me. I obtained owner and victim information from the on scene deputy. The dog was transported to FHS for quarantine. The teenager's father was at the residence and asked about how to get the dog back. I had to catchpole the dog to remove him from my van and he acted scared. I noticed that the dog has infected ears and it was red around the backside of the ears. The dog appears to be older. The dog was placed in a holding kennel at FHS.

7623565	Case		DISPATCHER REPORT MARYANN MICHAELS	01/15/2024 02:05PM	mmichaels	01/15/2024 02:05PM	mmichaels	
---------	------	--	---------------------------------------------	-----------------------	-----------	-----------------------	-----------	--

TRIED CALL BITE VICTIM TWICE AND GOT THE ANSWER MACHINE BUT UNABLE TO LEAVE A MESSAGE.

7624169	Case		DISPATCHER REPORT MARYANN MICHAELS	01/16/2024 11 23AM	mmichaels	01/16/2024 11 23AM	kshare	
---------	------	--	---------------------------------------------	-----------------------	-----------	-----------------------	--------	--

I CALLED CITY OF BUNNELL POLICE TO GET THE REPORT TO GET THE VICTIMS ADDRESS. THE OFFICER STATED THEY DON'T HAVE IT YET BUT THEY PROVIDED ANOTHER PHONE NUMBER AND I CALLED THAT NUMBER AND LEFT A MESSAGE.

7624314	Case		DISPATCHER REPORT MARYANN MICHAELS	01/16/2024 12 35PM	mmichaels	01/16/2024 12 35PM	mmichaels	
---------	------	--	---------------------------------------------	-----------------------	-----------	-----------------------	-----------	--

I RECEIVED A CALL BACK FROM VICTIM ROBERTO DESIDERIO, I ASKED IF HE COULD EMAIL ME PHOTO'S OF HIS BITES AND HE SAID HE WOULD DO THAT LATER TODAY. HE SAID HE HAS BITES ALL OVER HIM WITH STITCHES AND HE SAID ONE BITE HIT AN ARTERY AND THE HOSPITAL HAD TROUBLE STOPPING THE BLEEDING. HE SAID SUSPECT KEPT TELLING HER DOG TO ATTACK ME AND HE WAS HAVING DIFFICULT TRYING TO GET AWAY FROM HIM SINCE SHE HAD HIM IN HER APARTMENT AND WASN'T ALLOWING HIM TO LEAVE. HE SAID THE DOG WAS ALWAYS KEPT IN A CRATE AND IT HAS MAJOR EAR INFECTION AND SHE HAS TRAINED IT TO BE MEAN.

7625758	Case		DISPATCHER REPORT MARYANN MICHAELS	01/17/2024 12:26PM	mmichaels	01/17/2024 12:26PM	mmichaels	
---------	------	--	---------------------------------------------	-----------------------	-----------	-----------------------	-----------	--

I CALLED VICTIM BACK THIS MORNING ROBERTO TELLING HIM HADN'T RECEIVED PICTURES OF HIS WOUNDS, HE TOLD ME HE JUST GOT THEM AND ASKED FOR MY EMAIL ADDRESS AND THAT HE WOULD SEND THEM.

7625763	Case		DISPATCHER REPORT MARYANN MICHAELS	01/17/2024 12:28PM	mmichaels	01/17/2024 12:28PM	mmichaels	
---------	------	--	---------------------------------------------	-----------------------	-----------	-----------------------	-----------	--

-I RECEIVED A VOICE MESSAGE FROM A JASIMINE WANTING TO KNOW ABOUT WASABI, I CALLED HER BACK AT [REDACTED] SHE WANTED TO KNOW ABOUT GETTING THE DOG BACK, I TOLD HER THAT IT WAS STILL UNDER INVESTIGATION AND SHE COULD CALL US BACK, SHE IS A RELATIVE OF THE SUSPECT.

7634713	Case		DISPATCHER REPORT MARYANN MICHAELS	01/25/2024 11 09AM	mmichaels	01/25/2024 11 09AM	mmichaels	
---------	------	--	---------------------------------------------	-----------------------	-----------	-----------------------	-----------	--

I RECEIVED A CALL FROM VICTIM ROBERTO ASKING HOW WASABI WAS DOING AND I TOLD HIM OK. HE ASKED WHAT WAS GOING TO HAPPEN TO THE DOG AND I SAID THE OFFICER IS STILL DOING HER INVESTIGATION. I ASKED HOW HE WAS FEELING AND HE SAID OK AND THAT IT WAS JUST GOING TO TAKE SOMETIME FOR HIM TO HEAL.

HE THEN PROCEEDED TO TELL ME THAT JENNIFER FLORES USED THE DOG ANOTHER TIME TO ATTACK ANOTHER BOYFRIEND THE SAME WAY SHE USED TO DOG ON HIM. I ASKED WHEN DID THAT HAPPEN AND HE SAID A YEAR AGO. I ASKED IF HE WAS WILLING TO WRITE US A STATEMENT AND HE SAID HE WOULD. I TOLD HIM ONCE IT WAS COMPLETE TO LET US KNOW AND WE COULD NAVE IT NOTORIZED. I THEN LOOKED UP JENNIFERS ARREST RECORD AND SAW IN JUNE OF 2022 SHE WAS ARRESTED FOR DOMESTIC BATTERY IN THE CITY OF BUNNELL. I EMAILED THE CITY OF BUNNELL POLICE DEPARTMENT TO HAVE THEM EMAIL ME THAT OFFICERS REPORT AND THAT IS WHAT I AM WAITING ON. I WILL THEN GIVE IT TO OFFICER SHARE WHO IS DOING THIS INVESTIGATION.

7638051	Case		DISPATCHER REPORT MARYANN MICHAELS	01/29/2024 08:27AM	mmichaels	01/29/2024 08:27AM	mmichaels	
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7640833	Case		DISPATCHER REPORT MARYANN MICHAELS	01/31/2024 10 38AM	mmichaels	01/31/2024 10 38AM	mmichaels	
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PER OFFICER SHARES REQUEST I CONTACTED THE FLAGLER COUNTY JAIL TO MAKE HER AN APPOINTMENT FOR TOMORROW AT 1 30PM TO SPEAK TO JENNIFER FLORIES. I EMAILED OFFICER SHARE BACK THAT I MADE HER APPOINTMENT.

7656392	Case		OFFICERS REPORT OFFICER KATIE SHARE	02/01/2024 01 30PM	kshare	02/01/2024 01 30PM	kshare	
---------	------	--	----------------------------------------------	-----------------------	--------	-----------------------	--------	--

I, Officer Katie Share, responded to the jail to speak to Ms Flores concerning her dog, Wasabi I e plained to her why I was there and that a decision needed to be made concerning Wasabi. I explained to her that we would be declaring the dog dangerous due to the injuries. I was able to show her on my phone pictures of the injuries She was in disbelief that the dog could have done that We discussed that due to the criminal charges she has against her for using the dog as a weapon that we would not be allowing her to get the dog back and did she have anyone that would be willing to take the dog and the responsibilities of the dangerous dog classification? She stated that she would speak to her sister and see what she can do I gave her a week to see what she can come up with or the dog would be euthanized. She agreed and asked that we allow her son to be there with the dog for the euthanasia I agreed to this She surrendered the dog for disposition on the following Wednesday

* Wasabi was euthanized that following Friday.

Photo(s)

Wound 01/15/24 Arm Right;Dorsal x



Download

Close



Wound 01/15/24 Arm Left



Download

Close

After Visit Summary



Wound 01/15/24 Arm Right;Ant... x



Download

1 file downloaded.

Open file

Close



City of Bunnell, Florida

ATTACHMENTS:

Description
City Manager Report

Type
Exhibit

City Manager's Monthly Report



Bentley the Bunnell Boa at Municipal Park

Dr. Alvin B. Jackson, Jr.
City Manager
For February 2024

Published: March 2024

City Announcement

2024 UPCOMING EVENTS

The City of Bunnell will be co-hosting or hosting the following events in the upcoming year. Mark you calendar and stay tuned to the City's website and Facebook page for information and updates.

- ⇒ March 22, 2024 at 10:30 AM: Groundbreaking new Administration Complex
- ⇒ March 22, 2024 at 11:30 AM: Groundbreaking Flagler Central Commerce Parkway
- ⇒ March 23, 2024: Spring Break BASH @ JB King Park starting at 10 AM [co-hosted with Beach 92.7]
- ⇒ April 22, 2024: State of the City @ Chambers Meeting Room Government Services Building starting at 6:00 PM
- ⇒ October 19 & 20, 2024: Bunnell Italian Festival @ Flagler County Fairgrounds; Saturday 10 AM to 10 PM; Sunday 10 AM to 6 PM
 - Accepting applications for vendors, entertainment and sponsors now
 - <https://bunnellitalianfestival.com/>
- ⇒ December 13, 2024: Christmas in Bunnell @ JB King Park starting at 5:00 PM



City Commission Mission Statement

The City Commission of the City of Bunnell is dedicated to providing its citizens, businesses and visitors with quality services that ensure Life, Liberty and the Pursuit of Happiness!

Core Values

The following are the core values for the City of Bunnell:

- Loyalty to the team, the objectives, and the mission.
- Teamwork. Cultivate a “we environment.”- Be passionate team player.
- Communication. Share information freely, maintain an on-going dialog.
- Respect individual strengths; Embrace diversity.
- Empathy. Care about people.
- Always determine what is important to team members.
- Honor everyone. Demonstrate respect for all persons.
- Say “thank you.” Show appreciation in every way possible.
- Self-Control. Stay open, ask questions & maintain clam demeanor in the face of every challenge.
- Have a forgiving spirit.
- Professionalism always. Maintain a positive attitude & a pleasing personality.
- Cultivate creativity.
- Seek great personal satisfactions in helping others succeed.
- Be an active listener– quick to hear, slow to speak.
- Be a person of fairness & justice to all.
- Have an action plan, including results oriented goals with measurable outcomes.
- Create a culture of warmth & belonging, where everyone is welcome.
- Have fun; create an environment where employees can think big & excel.
- Integrity: to be honest, open, ethical & fair.
- Fiscal accountability: to be good stewards of agency funds.



Mission Statement

The City of Bunnell will provide its residents, businesses, visitors, partners and staff with value centric leadership to create a safe, sustainable, attractive, strong and vibrant community while building on our rich heritage as the foundation to improve the City's economic future and to achieve the highest possible quality of life for the overall community through the exemplary services we provide.

Vision Statement

The City of Bunnell commits to building on its heritage, while enhancing a high quality of life for all its citizens. We pledge to work in collaboration with our residents and business community to foster pride in the City, develop a vibrant and diverse economy and a thoughtful plan for the future.

Park Updates, Facility Rentals and Garage Sale Permits

All City parks are open. Parks operate during daylight hours (ie. dawn to dusk).

The City is accepting applications for the rental of parks and other available facilities. Applicants are required to turn in a completed application with sufficient time to process the rental request. Applications can be obtained at the Bunnell Customer Service Office located at 604 E. Moody Blvd. Unit 6 or on the City website www.bunnellcity.us under FORMS.



FACILITY ALERTS

- Coquina City Hall located at 200 S. Church Street is not currently available to rent.
 - The remediation of the hall was completed.
 - Design is complete and approved by both the State and Federal governments. Because of the historic designation on this building, any design plans need to be approved by the State and Division of Historical Resources.
 - The RFP for construction was re-released in August and the City is working on a contract with a construction company so the first phase of the restoration of the hall can begin.
 - To fully restore Coquina City Hall (given current construction costs), the City will need to invest over \$1 million into the facility,
- Municipal Park is at its new location: 1307 E. Howe Street (former Clegg Property)

Garage Sale Permits:

The City is accepting requests for Garage Sale Permits. Residents need to make their request to the Utility Billing Department. Per the City Code of Ordinance, there is a limit on the total number of garage sale permits that can be issued to a property/address point in a calendar year. Speak with the staff in Utility Billing for any questions regarding Garage Sale Permits 386-437-7500 x 3.

Information Technology

Had a meeting with the County concerning fiber optic to the new building. They are working on getting pricing. This will improve the connectivity of our PD to the County hosted Computer Aided Dispatch (CAD) system. They are also talking about possibly being a backup internet system for us in the event our primary goes down.

Received the final quotes for our annual hardware refresh. The PO issued, and order has been placed. Awaiting delivery of new devices.

Recently received notice, the software we use for agenda management was purchased by another company, and that company is phasing out Novus Agenda. Worked with the Clerk, and vendor on the upgrade. We will not be migrating to the new system. So will have to download and place on a webpage, the last year or so of the various agendas on the website. Will be scheduling this later in the year.

Been working with our security consultant. We have scheduled a "Blue Team" assessment of our network. Also reviewed a number of vulnerabilities identified by some of the software we received from the state as part of the cyber security grant.

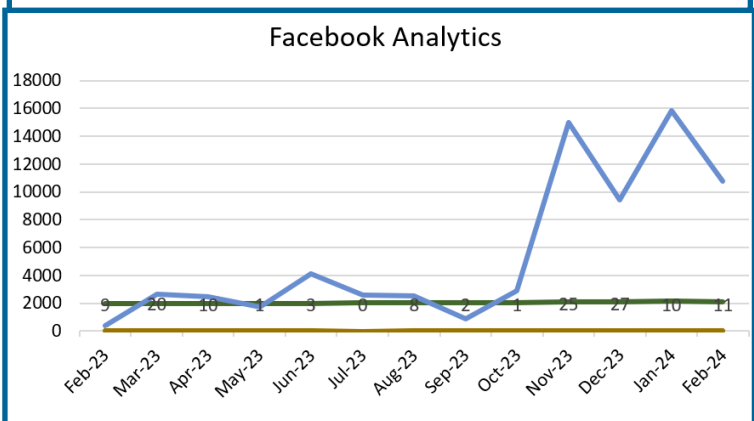
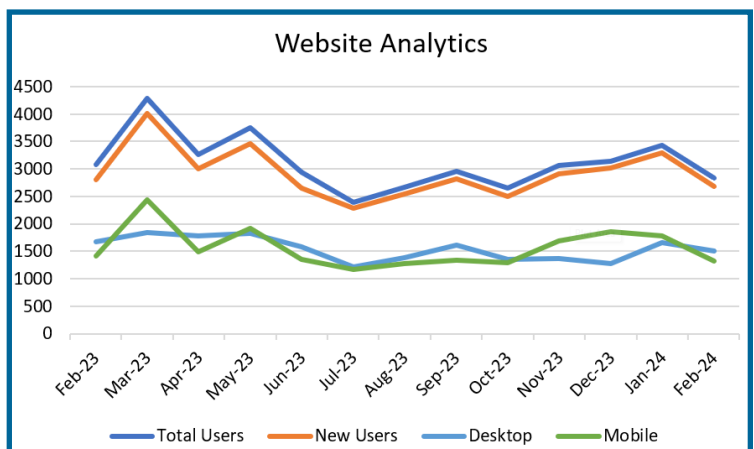
It does not look as if year 2 of the grant is going to happen. Evidently the money is allocated in the state budget, but as of yet, the legislators have not released it. Even if it gets released, the State will not be purchasing the software. Year 2 they will provide the funds, which complicates things a bit, as we will have to go through our own purchasing policy, and keep the documentation for years. As such I have contacted the various vendors in an effort to get some quotes lined up just in case.

It does not look as though year 3 of the grant is going to be allocated in the state budge this year. So chances are we will revert back to what we had before the grant.

Updating as needed the Bunnell Italian Festival website. We include the vendors who have registered for the event, and identify, and link to the websites of those who have sponsored the event.

Top 10 web pages:

- | | |
|--------------------|----------------------------------|
| 1. Home Page | 6. Agendas |
| 2. Open Positions | 7. Solid Waste: Holiday Schedule |
| 3. Advanced Search | 8. Bids |
| 4. Police Dept. | 9. Volunteer Boards |
| 5. Building Dept. | 10. Contacts Directory |



City Clerk Office

The City Clerk Office published and noticed agendas for the City's Public meetings held in February. Public Meetings are City Commission meetings, workshops and Executive Strategy Sessions, Union Meetings, and any Volunteer Board meetings such as the Planning, Zoning and Appeals Board and Code Enforcement Board.

The Clerk's Office also worked on the following issues throughout the month:

- Working with Loci Architects for the design for reconstruction of Coquina City Hall and on-going contact with Department of State for the Historical Resources Grant for the restoration of Coquina City Hall. Contract was awarded to the Collage Companies. Permit for the reduced scope of work was issued by the Building Department.
- Planning for the Bunnell Administration and Police Department Groundbreaking ceremony.
- On-going planning and organizational activities for the Bunnell Italian Festival.
- 35 hours responding to records requests (*for those exceeding 30 minutes*)
- Starting planning and work for the State of the City Address.

Business Tax Receipts (BTRs)

All notices for FY 23/24 were mailed out to the address of record for each registered business the last week of June. If you have questions about BTR renewal, please contact the Deputy City Clerk at 386-263-8981.

Businesses should have paid their BTR Renewal fees by **September 30, 2023** to avoid paying penalties and/or code enforcement action. Florida Statute and the City's Code of Ordinance require penalties be added to a BTR if not paid by **September 30th**. The required penalties are as follows: 10% October 1st; 15% November 1st; 20% December 1st; and 25% January 1st. The City does not have the authority to waive penalties.

Code Enforcement action for those businesses that have not paid their renewal fees have been initiated.

In the month of February, the City collected \$4,423.99 in BTR and Fire Inspection fees; this includes the fees for FY23/24 renewals and newly issued local business tax receipts.

Businesses with questions about their BTR should call the City Clerk Office at 386-437-7500 x 5 or email the Deputy Clerk at bgunnells@bunnellcity.us

ANNIVERSARIES:

The City acknowledges and celebrates the following for their continued commitment to the City and her citizens and business owners:

Ronnie Jones—2/22/2010

Donnie Wines—2/17/2014

Mary Anne Atwood—2/8/2016

Bridgette Gunnells—2/6/2020

David Brannon—2/28/2022

Richard Coury—2/13/2023

Jason Zuromski—2/20/2023

Louis Granda—2/20/2023



NEW EMPLOYEES: The City wants to give a warm welcome to our newest employees:

Alan Eaby—2/12/2024

Brian Houser—2/12/2024

John Perrone—2/13/2024

WE ARE HIRING. OPEN POSITIONS:

Police Officers

Utilities Crew Chief

Utilities Maintenance Technician I

Utilities Maintenance Technician II

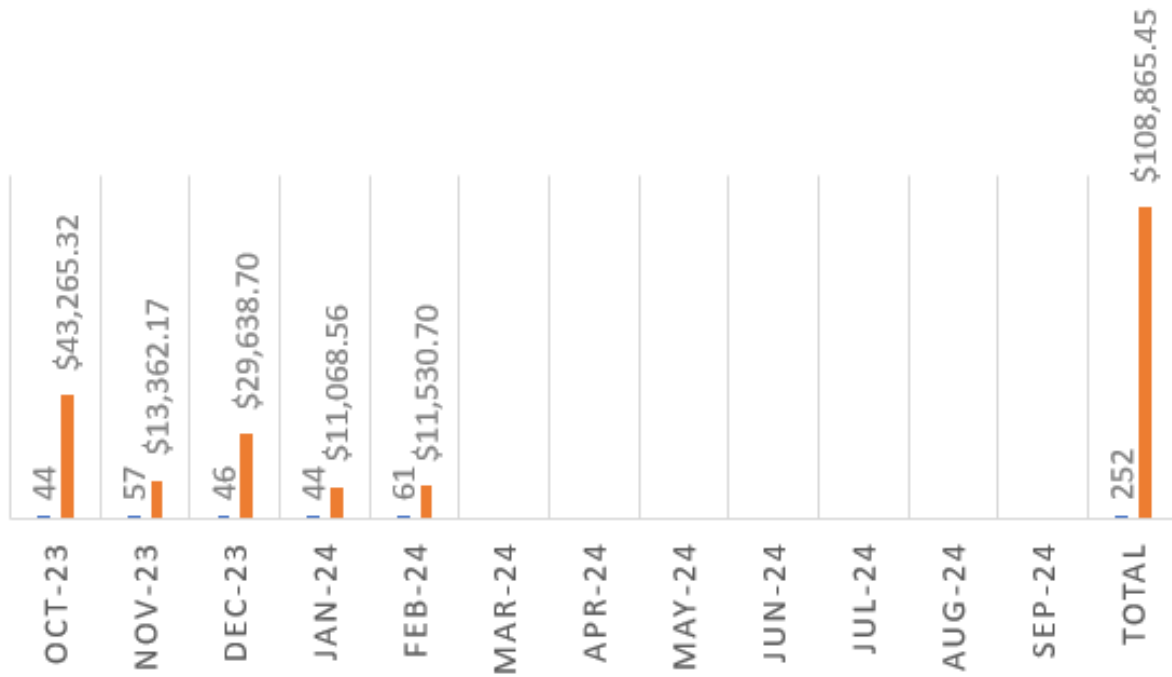
Utilities Maintenance Technician III



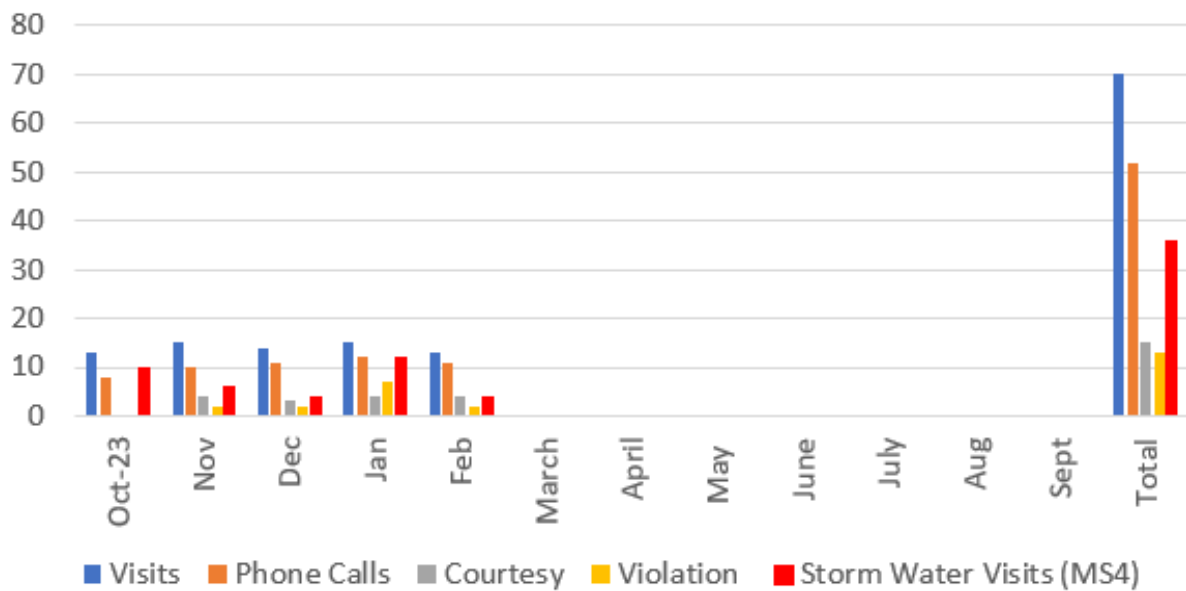
Community Development

PERMITS

■ # of Permits ■ Permit Amount

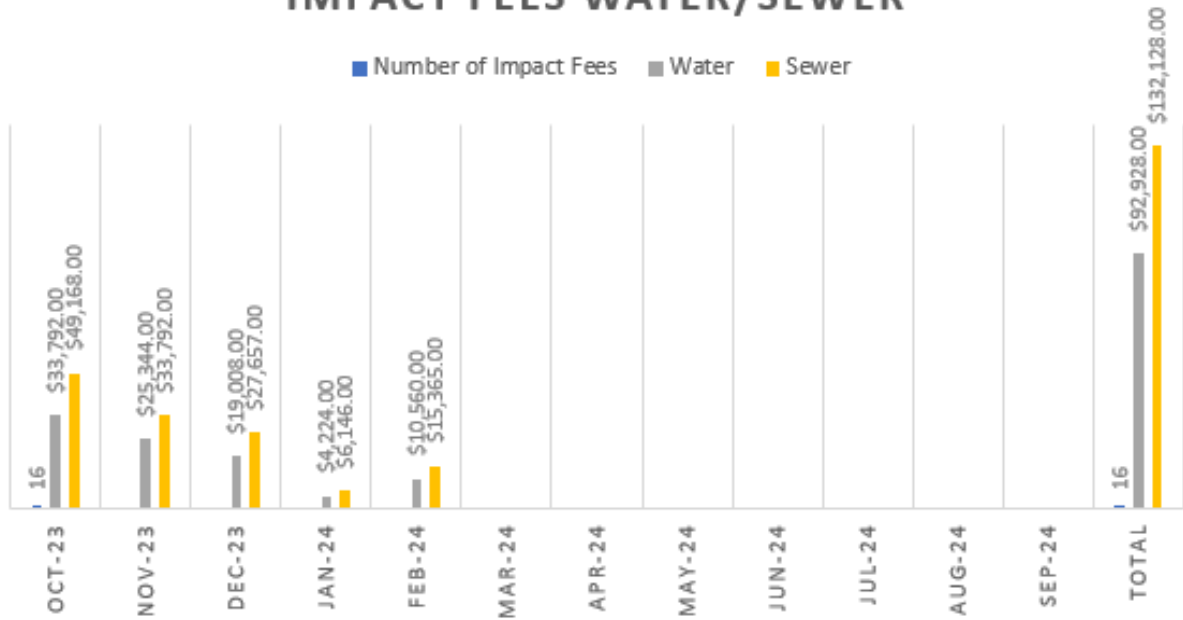


Code Enforcement

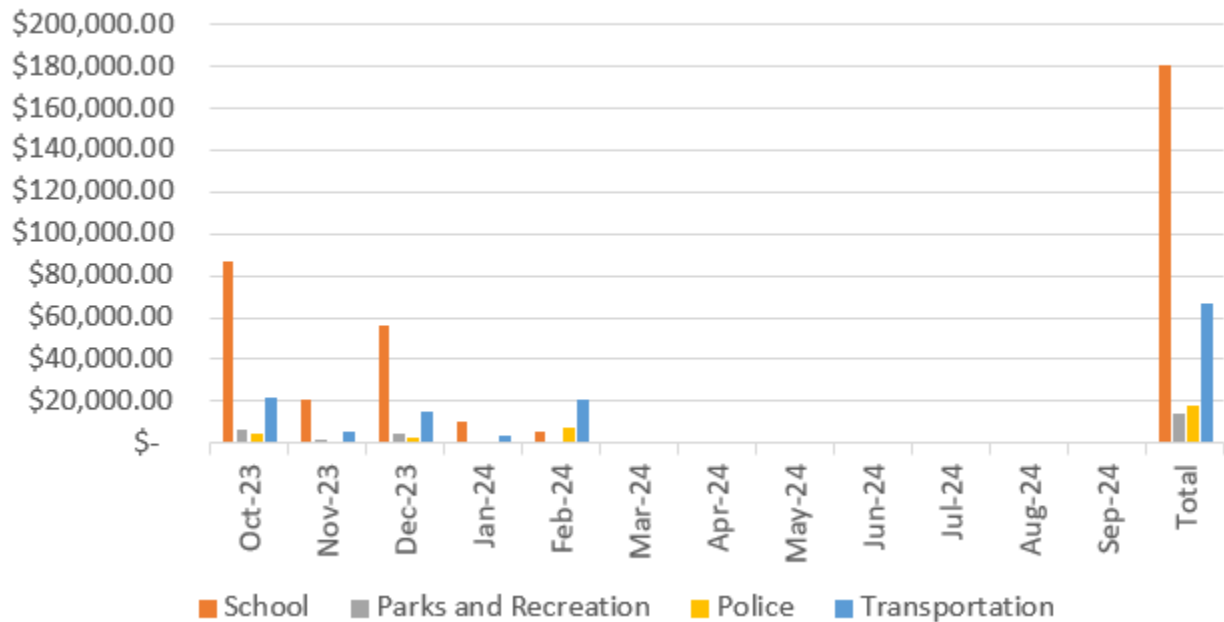


Community Development

IMPACT FEES WATER/SEWER



Impact Fees General Fund



Projects

Grant Projects:

Expense

Grant Amt

Community Development Block Grant (CDBG) - Hymon:

\$ 25,250

\$ 700,000

This project would install underground storm conveyance pipes and catch basins along both sides of Hymon Circle allowing rainwater to properly drain instead of consistently flooding the residents' front yards. Also, included in this project would be the clearing and widening of the main drainage canal running from E. Short St. and Hymon Circle south along US1 to our MS4 outfall. This will increase drainage capacity for the entire southeastern quadrant of the city. Finally, a dirt service road would be constructed to access the canal for future maintenance by the city.

The City was awarded a twelve (12) month time extension in order to allow for construction of the project. The new expiration date is January 31, 2025. SJRWMD permits received. Plans and specs under review.

HMGP Permanent Generator:

\$ 300,000

Purchase and installation of a 150kw backup generator with 500-amp ATS and docking station. When the new Administration/PD building is constructed, this will ensure the City of Bunnell's Police Department and essential staff are able to conduct operations in the event of loss of power during natural emergencies.

RFI No 1 received. Answers/confirmations submitted.

Master Plan Projects / Capital Projects:

Expense

Funding Amt

Wastewater Treatment Plant Rehab/Expansion Construction:

\$448,208

\$ 33,820,022

The project entails design, permitting, funding assistance, and construction administration services to rehabilitate the existing plant and expand the treatment capacity to 1.20 MGD.

90% estimate received and under review. Construction agreement under review

GRP/GIS Mapping (MP)

\$9,365

\$100,000

Ground Penetrating Radar (GPR) and Geographic Information System (GIS). Accurately map underground water and sewer lines.

Information being collected and input into the system.

MP Brackish Water RO

\$4,500,000

Design and construct a reverse osmosis (RO) system to treat brackish water and conduct a pilot study to determine the most effective treatment for the RO system. The City of Bunnell operates two brackish potable water wells (#7 and #8) that provide groundwater from the Upper Floridian Aquifer to blend with source water from the confined surficial aquifer. This Project will address brackish water by utilizing RO to treat and distribute finished water. By implementing an RO system, the levels of Total Dissolved Solids (TDS) and Chlorides (Cl) will be reduced, improving finished water quality, and allowing full use of Wells 7 and 8. The City has requested assistance under this authorization to design and construct an RO system and its associated components including: raw water main installation; RO skid installation and associated piping; and valves and controls. Construction will also cover structural additions/modifications to house the RO skid.

RFQ Site Visit completed final inquiries/addenda deadline reached. Submittal deadline and opening to be held March 5th.

Projects (Cont)

Master Plan Projects / Capital Projects:	Expense	Funding Amt
Lift Station SCADA (MP): <i>Provide SCADA to existing city-maintained lift stations. Supervisory Control and Data Acquisition system to interface with existing City-maintained lift stations and allow automatic notification of component failures.</i>		\$140,000
PO sent to vendor; processing the order.		

Capacities WTP/WWTP

- Capacity for the WWTP for January 2024 was 79% with a total of 2.73" of rainfall. Total influent flow for the month was 14.701MG, with a Daily Average flow of 0.474MGD. Maximum daily flow was 01/12/2024 at 0.6788MGD, 113% capacity for the day.
- Total Reclaim Flows January 2024= 9.907MG with Daily Average flow of 0.320MGD.
- The WTP produced 11.600MG of drinking water, with a daily production average of 0.376MGD in January 2024. Maximum daily flow was 0.587MGD
- Billed meters January 2024- 2219

In-House Projects:	Expense	Funding Amt
N/A		

Planned Projects:	Expense	Funding Amt
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New Well Installation - #3R (CIP): <i>Well #3 2022-23 rehab revealed extensive damage. New well needs to be installed.</i>		\$425,000
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Approved in FY24 budget.

WTP Well RTU/SCADA (MP): <i>Remote Terminal Units are used in commercial and industrial systems throughout the world. Typical applications include the Supervisory Control and Data Acquisition systems used by electric, water and wastewater utilities. This would allow remote control of the City's raw water wells.</i>		\$95,000
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Approved in FY24 budget.

Wendy's Lift Station Pump Replacement (MP): <i>Replace smaller capacity pump at Wendy's lift station No 14.</i>		\$48,000
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Approved in FY24 budget.

S Anderson Lift Station Upsize (MP): <i>Pump Upsize to 10hp for WWTP rehab/expansion.</i>		\$60,000
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Approved in FY24 budget.

Projects (Cont)

Planned Projects:

Expense

Funding Amt

CL2 Injector Improvements (MP):

\$56,000

Currently, the delay between injecting and monitoring Chlorine and Ammonia is negatively impacting their respective dosing rates; therefore, inhibiting the overall disinfection process.

Approved in FY24 budget.

WTP CUP Modification (MP):

\$100,000

Per the Master Plan, a Consumptive Use Permit modification should be submitted to account for growth exceeding that which the current permit water supply allocation is based on.

Approved in FY24 budget

WTP Pump House Rehab (CIP):

\$75,000

Age and deteriorating Pump House is in need of extensive repairs.

Approved in FY24 budget.

Capacities WTP/WWTP:

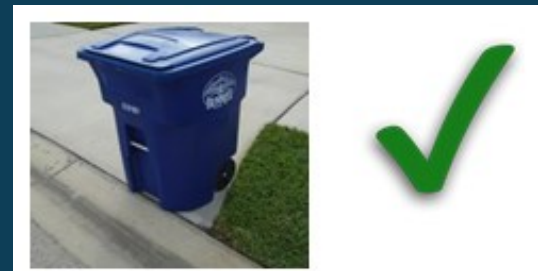
- Capacity for the WWTP for February 2024 was 73% with a total of 3.46" of rainfall. Total influent flow for the month was 12.698MG, with a Daily Average flow of 0.438MGD. Maximum daily flow was 02/18/2024 at 0.675MGD, 112% capacity for the day.
- Total Reclaim Flows February 2024= 9.225MG with Daily Average flow of 0.328MGD.
- The WTP produced 10.500MG of drinking water, with a daily production average of 0.339MGD in February 2024. Maximum daily flow was 0.615MGD
- Billed meters February 2024- 2242

Solid Waste

SERVICE	AMOUNT COLLECTED	TRUCK LOADS
Residential Garbage	95.85 Tons	7.37
Residential Recycle	29.37 Tons	2.26
Yard Waste	50Yards	2.5
Commercial Garbage	222.20 Tons	17.09
Commercial Cardboard	22.29 Tons	1.71
Scrap Metal	1.74 Tons	.49
Construction & Demolition and Bulk debris	27.36 Tons	7.82
Waste Tires	0 Tons	0

Cart Placement Regulations and Guidelines

- ⇒ Face lid opening of cart toward the street (handles & wheels facing house)
- ⇒ Place front of cart within 3 feet of street edge
- ⇒ Allow 2 to 3 feet of clearance on each side of all carts and ANY obstruction
- ⇒ Do NOT fill carts with construction debris, dirt or yard waste
- ⇒ It is recommended to place carts out the night before. The driver is not able to turn around if your cart is not out when the truck has passed your location
- ⇒ Do not place carts near parked cars, fences, mailboxes, trees, other carts, or any other obstruction that could interfere with the truck picking up your cart.



Failing to follow the guidelines may result in service interruption (i.e. the City won't be able to collect your solid waste that day)

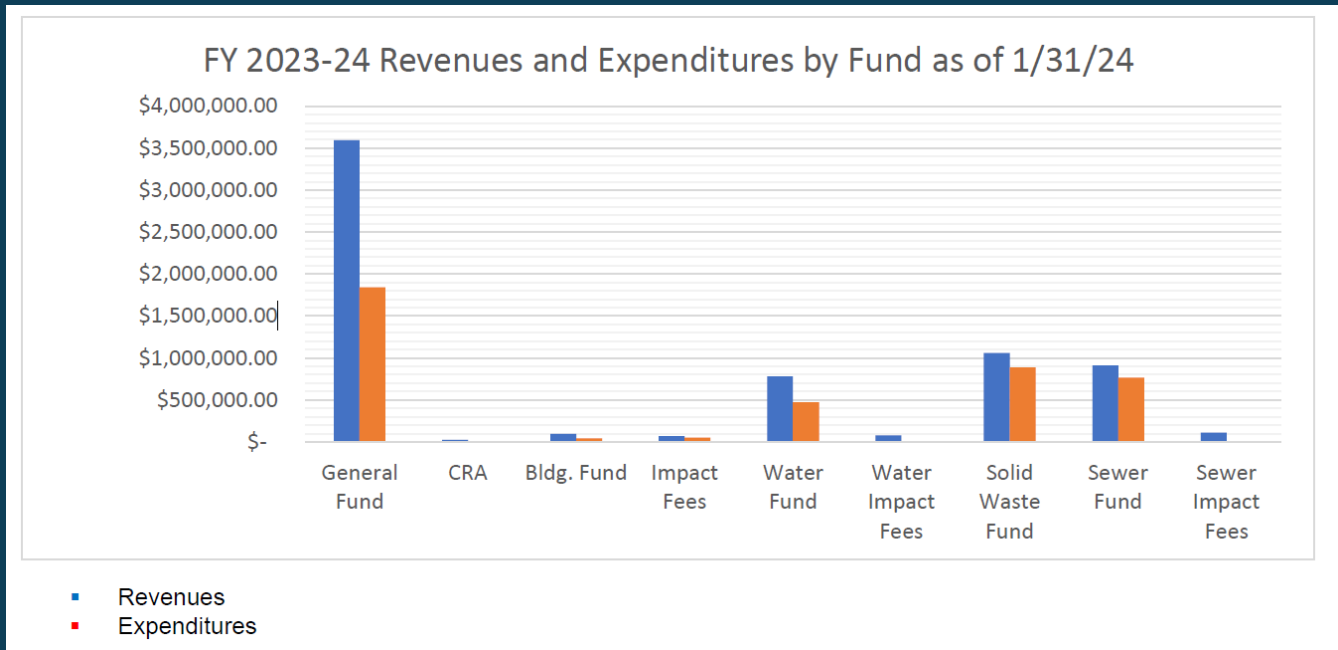
Solid Waste Fiscal Year Comparisons

	FY 20/21	FY 21/22	FY 22/23	FY 23/24 (as of 1/31/24)
Commercial Solid Waste	1995.58 Tons	2374.65 Tons	2622.54 Tons	1101 Tons
Residential Solid Waste	1546.61 Tons	1446.87 Tons	1527.89 Tons	611.6 Tons
Cardboard & Recycle	623.3 Tons	582.61 Tons	594.12 Tons	260.73 Tons
Yard Waste	1153 Yards	1203 Yards	3333 Yards	310 Yards
Construction & Debris (C&D)	574.58 Tons	319 Tons	346.56 Tons	123.26 Tons
Scrap/Misc.	4.27 Tons	16.44 Tons	29.26 Tons	6.31 Tons
Yearly Total	5897.34	5942.57	8450.37	2412.93

Finance Department

BUDGET PERFORMANCE FY 2023/2024

January was the fourth month of Fiscal Year 2023/2024. The approved 2023/2024 budget, including amendments, totals \$41,598,323 and includes all anticipated revenues, expenditures and reserves of the city from October 1, 2023 through September 30, 2024. The chart shows year to date revenues and expenditures by fund.



General Fund – The General Fund has total revenue of \$3,594,341 while expenditures currently total \$1,844,635. The General Fund's primary source of revenue is Ad Valorem (Property Taxes) and receipts generally occur at the end of November or beginning of December which allow for cashflow to fund expenditures for the rest of the fiscal year.

CRA Fund – The CRA Fund has total revenue of \$26,779. There are no current expenditures.

Building Fund - The Building Fund has total revenue of \$96,720. The expenditures total \$44,456.

Impact Fees – This fund accounts for Law Enforcement, Parks and Recreation and Transportation impact fees. Current revenue totals \$71,618 and expenditures are \$53,168.

Water Fund – The Water Fund has total revenue of \$781,916. The expenditures total \$473,417.

Water Impact Fees – The Water Impact Fee Fund has total revenue of \$80,820. The expenditures total \$0.

Solid Waste Fund – The Solid Waste Fund has revenues of \$1,059,605 and expenditures of \$889,974.

Sewer Fund – The Sewer Fund has total revenue of \$912,168. The expenditures total \$768,007.

Sewer Impact Fees - The Sewer Impact Fee Fund has total revenue of \$114,787. The expenditures total \$0.