REGULAR MEETING APALACHICOLA CITY COMMISSION TUESDAY, MARCH 8, 2022 – 4:00PM BATTERY PARK COMMUNITY CENTER 1 BAY AVE., APALACHICOLA, FLORIDA 32320

Agenda

You are welcome to comment on any matter under consideration by the Apalachicola City Commission when recognized to do so by the Mayor. Once recognized please rise to the podium, state your name for the record and adhere to the three minute time limit for public comment. Comments may also be sent by email to the City Manager or to Commissioners.

- I. Call to Order
 - Invocation
 - Pledge of Allegiance
- II. Agenda Adoption
- III. Public Comment
- IV. Unfinished Business
 - 1. Resilience Infrastructure Workshop
- V. New Business
 - 1. Volunteer Week Proclamation
- VI. Mayor and Commissioner Comments Reports Attached
- VII. City Manager Communications Report Attached
 - 1. Meeting Room Furniture Action Required
- VIII. Grants Coordinator Communications Report Attached
- IX. Finance Dept. Report Attached
- X. Attorney Communications Report Attached
 - 1. Lafayette Park Lighting Agreement
 - 2. Solid Waste RFP

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XI. Consent Agenda

- **A. Meeting Minutes Adoption** December 21, 2022 Vision Session; January 4, 2022 Regular Meeting; February 10, 2022 Regular Meeting, and February 23, 2022 Special Meeting Minutes.
- **B. Planning and Zoning Minutes** February 2022

XII. Department Reports

XIII. Adjournment

Any person who desires to appeal any decision at this meeting will need a record of the proceeding and for this purpose, may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 48 hours in advance of the meeting

APALACHICOLA CITY COMMISSION REQUEST FOR BOARD ACTION

Meeting Date: March 8, 2022

SUBJECT: Volunteer Week Proclamation

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: 1

Department: Administration Presenter: Travis Wade

BRIEF SUMMARY: John Solomon, Executive Director of the Apalachicola Bay Chamber of Commerce, has requested that the City Commission approve the Volunteer Week Proclamation in recognition of the local volunteers. National Volunteer Week is recognized during the week of April 17 through 23, 2022, and Mr. Solomon requests again this year that the City Commission proclaim April 17 through 23, 2022 as National Volunteer Week in Apalachicola.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Recommend approval

FUNDING SOURCE:

ATTACHMENTS: Volunteer Week Proclamation

STAFF'S COMMENTS AND RECOMMENDATIONS: This Proclamation was adopted last year as well.

Mayor's Proclamation National Volunteer Week April 17th – 23rd, 2022

WHEREAS, the entire community can inspire, equip and mobilize people to take action that changes the world; and

WHEREAS, individuals and communities are at the center of social change, discovering their power to make a difference; and

WHEREAS, during the week of April $17^{th} - 23^{rd}$ 2022 all over the nation volunteers will be recognized for their commitment to service; and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, our Country's volunteer force of 63 million is a great treasure; and

WHEREAS, Volunteers are vital to our future as a caring and productive community; and

WHEREAS, A volunteer saves on a national average \$28.54 an hour for the organization it volunteers for.

WHEREAS, Volunteers give of themselves for no other reason but to make our community better.

NOW, THEREFORE, We, Apalachicola City Commission do hereby proclaim April 17th – 23rd 2022 National Volunteer Week in Apalachicola and also urge our fellow citizens to volunteer in Apalachicola and Franklin County. Also we urge others to recognize those who serve, by tirelessly sharing their time and talent with those in need.

Signed this 8th day of March, 2022.

ATTEST:	FOR THE CITY OF APALACHICOLA
Deborah Guillotte, City Clerk	Brenda Ash, Mayor

"Volunteers do not necessarily have the time; they just have the heart." – Elizabeth Andrew

Commissioner Despina George

Topics for Commissioner Comments for March 8, 2022 regular meeting

1.- Need to revise Resolution 2018-12 re city's audit committee:

There is a need to revamp the composition and duties of the audit committee, as well as a need for a clear understanding of the role of the city commission with respect to the city's annual audit. I'm seeking input and consensus from the city commission, and I request to be tasked to develop a proposal and revised draft resolution for presentation at the April regular meeting.

Issues:

- a) Consider limiting the role of the audit committee to the statutory requirement to provide assistance to the city commission for selection of an audit firm to perform the city's annual audit.
- b) Consider changing the number of commissioners to serve on the audit committee
- c) Consider formalizing the city commission's role in communications with the auditor prior to issuance of the annual audit report.

Link to Florida Auditor General Guidelines:

Microsoft Word - Auditor Selection Guidelines Final 2 .doc (flauditor.gov)

Attachment: Resolution 2018-12

2.- Apalachee Regional Planning Counsel (ARPC) updates:

At last month's regular meeting, Mayor Ash requested that I report to the commission updates from the ARPC board meetings, as I currently serve as our representative on the board.

Link to board packages and minutes from previous meetings:

BOARD PACKAGES | arpc

Attachments: ARPC Board Notes from January, 2022.

3.- Community Redevelopment Agency (CRA) calculations:

I've prepared calculations and other documentation to assist the commission in determining the steps to be taken because of the expiration of the term of the CRA. They are in the package for discussion only.

Attachments: Schedule of repayments to taxing authorities, proforma sample budget amendment, verification of CRA trust fund balances, and schedule of annual TIF revenues deposited to the CRA trust fund.

RESOLUTION NO. 2018-12

A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA, ESTABLISHING AN AUDIT COMMITTEE, ESTABLISHING THE DUTIES OF THE AUDIT COMMITTEE, AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, the City of Apalachicola is required pursuant to Florida Statue 218.391 to establish an Audit Committee to assist the City Commission when selecting an auditor to conduct the annual financial audit.

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

SECTION 1. The City Commission of the City of Apalachicola hereby establishes an Audit Committee whose purpose shall be to assist the Commission in selecting an auditor to conduct the annual financial audit of the City required by Section 218.39, Florida Statutes.

SECTION 2. The Audit Committee shall consist of members chosen by the City Commission. Committee members shall be appointed for a two year term and shall serve without compensation.

SECTION 3. The Audit Committee shall have all the duties set forth in Section 218.391, Florida Statutes, regarding selection of an auditor. The Audit Committee shall further be tasked with attending the auditor's exit conference upon preparation of the draft audit report, and may further be tasked with the following other functions arising therefrom, including: providing recommendations for improved financial practices and reporting, influencing appropriate action against fraud, and enhancing internal and external audit functions.

SECTION 4. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict. If any phrase, clause, sentence, paragraph, section, or subsection of this Resolution shall be declared unconstitutional or invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining phrases, clauses, sentences, paragraphs, sections or subsections of this Resolution.

SECTION 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City of Apalachicola, Florida, this 6th day of November, 2018.

ATTEST:

Deborah Guillotte, City Clerk





RESILIENT INFRASTRUCTURE & DISASTER RESPONSE (RIDER) CENTER - WILL HILL, STRATEGIC INITIATIVES MANAGER

Will Hill, Strategic Initiatives Manager at the RIDER Center, provided an overview of the FAMU RIDER Center and the numerous ways in which their work benefits the Apalachee Region.

The RIDER Center is located on the top floor of the Sliger Building at Innovation Park in Tallahassee. The mission of the RIDER Center is to help communities better plan for, recover from, and cope with the causes and effects of disasters. Their vision is to ensure that everyone in the Apalachee Region is equitably resilient to disaster. Along those lines, their goal is to ensure that their research, lab equipment and faculty are readily available to the rural communities outside of Tallahassee. The RIDER Center consists of eleven (11) in-house faculty, forty (40) graduate students, and thirty (30) affiliate members from FAMU and FSU. There are five (5) core research laboratories at the RIDER Center, including (1) Water Sustainability and Coastal Hazards (WaSCH), which focuses on stormwater runoff, storm surge prediction and evacuation, flood events, and nature-based solutions to flooding in communities; (2) Resilient Materials and Structures (ReMS) which studies the impact of wind on natural and man-made structures; (3) Laboratory of Advanced Operations Research and Resilience Applications (LAORA), which studies logistics, supply chain, evacuation, drones, and road configuration impact on driver behavior; Sustainable Infrastructure Management (SIM), which focuses on how to effectively and efficiently remove debris after a disaster or from a demolition site; and (5) Methane Emissions Reduction Initiative (MERI), which studies landfills and solid waste management.

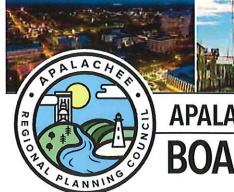
RESENTATION HIGHLIGHT

The RIDER Center is striving for more community collaboration and toward a multinetwork approach that begins and ends with the communities they want to help. Mr. Hill invited all Board members to come tour the RIDER Center and learn more about how their local governments can benefit from the RIDER Center's research initiatives. For further information, Mr. Hill can be contacted via email at jwh09d@fsu.edu or by phone at (239) 297-9695.





NEXT ARPC BOARD MEETING: MARCH 24, 2022











APALACHEE REGIONAL PLANNING COUNCIL

BOARD NOTES: JANUARY 2022

FLORIDA DEPARTMENT OF ECONOMIC **OPPORTUNITY RURAL INFRASTRUCTURE FUND** (RIF) GRANT

ARPC staff assisted Wakulla County with a RIF grant application for a Broadband Feasibility Study, which was awarded. ARPC staff are currently assisting Wakulla County and Liberty County with their RIF-funded Broadband Feasibility Study projects. Moreover, the ARPC has partnered with Florida State University's (FSU) Department of Urban and Regional Planning (DURP) to assist with project implementation.

LEON COUNTY SHERIFF'S OFFICE FAMILY REUNIFICATION PLAN AND EXERCISE

The ARPC has begun working with the Leon County Sheriff's Office in the development of a Family Reunification Plan. This Plan will establish guidelines for the Sheriff's Office to follow when recovering from incidents involving active threat(s)/criminal mass casualty events, and for the deputies to respond and coordinate the debriefing, evidence collection, and reunification process guickly and effectively. Once the Family Reunification Plan has been established, the ARPC will develop and facilitate two exercises: (1) a table-top exercise in March, and (2) a full-scale exercise in June.

REVOLVING LOAN FUND RECIPIENT UPDATE!

ARPC PROGRAM HIGHLIGH Ms. Sandra Charleston, owner of Crowning Glory, LLC, a custom embroidery company and a REVIVE! RLF borrower, received a full-ride scholarship to Domi Station's Spring 2022 Gear Up Business Incubation Program. The six-month, self-



paced, online and in-person educational program will teach Ms. Charleston the ins and outs of running a business alongside the help of Domi Station's online entrepreneurial resources and vast mentor network. RLF Manager Jana Williams will be auditing the program on behalf of the ARPC, as well.

JACKSON COUNTY STATE HOUSING **INITIATIVES PARTNERSHIP (SHIP)**

The ARPC is excited to announce a partnership with Jackson County to administer its State Housing Initiatives Partnership (SHIP) program. Since July 2021, the ARPC has been working with Jackson County residents to coordinate needed housing repairs, as well as to assist first- time home buyers with purchasing a home ARPC staff is currently working with fifteen (15) residents to provide home repairs. Notably, ARPC staff has also assisted a total of five (5) residents with the purchase of a new home -- providing closing, down payment, and other associated costs. This assistance greatly reduces the residents' monthly mortgage obligation and, most importantly, affords them the opportunity of a lifetime: home ownership!

WOMEN WEDNESDAYS SPEAKER SERIES

In the interest of education and awareness leading up to the 850 Industrial Hemp Summit 2022, ARPC staff has coordinated a Women Wednesdays Speaker Serie on March 2, 2022.

The PowHER of Hemp Bringing Industrial Hemp to the 850!

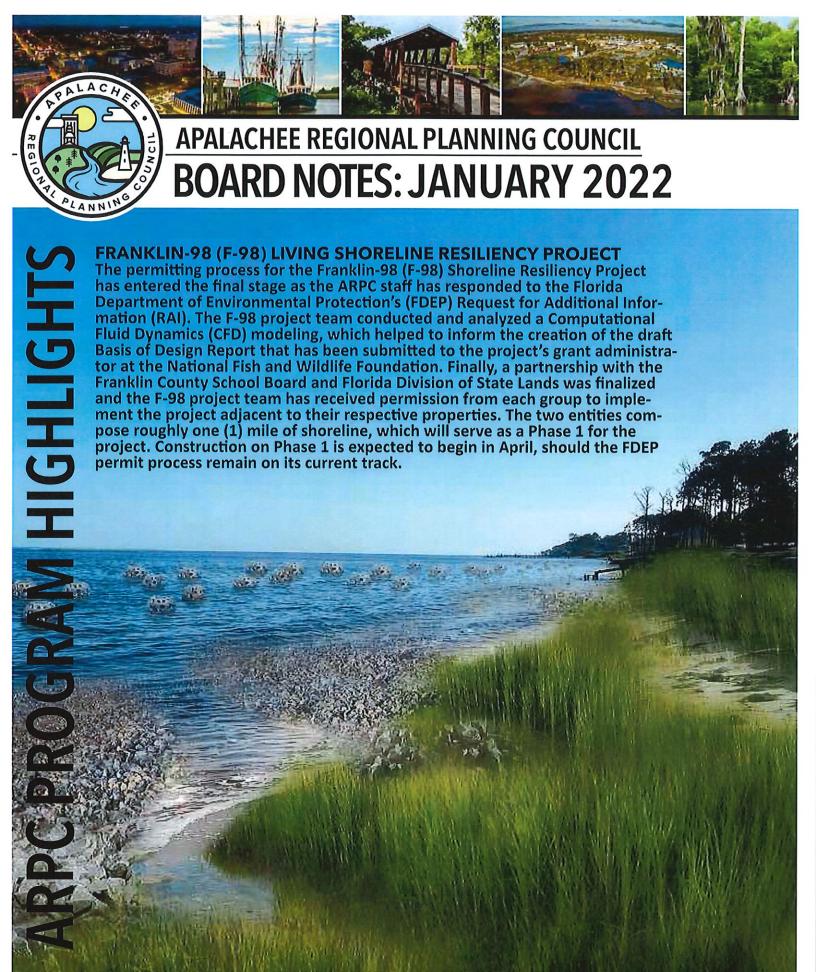
Did you know that anything made from wood, cotton, or petroleum can be made from hemp? And that hemp is the strongest natural fiber in the world, naturally resistant to mold, ultraviolet light, and fire?

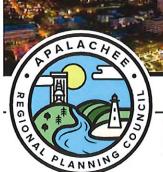
As the industrial hemp industry reemerges from decades of stagnation, the potential for growth and innovation is limitless. The versatility of industrial hemp lends itself well to value-added agricultural production, and the environmental benefits of this incredible plant are staggering!

Join County Commissioner Kristin Dozier as she moderates a fascinating panel of diverse women professionals working in this burgeoning industry. Help us bring industrial hemp home to the 850!

PANELISTS:

- Ashley Guy, Tallulah CBD+Juicebar
- Cette Barnhart, Seed Time Harvest Farms
- Brianna Kilcullen, ANACT















BOARD NOTES: JANUARY 2022



850HEMP 2022 SUMMIT

Geoffrey W. Whaling,
Chair of the National
Hemp Association,
will be joining us as
a Keynote Speaker for
the 850 Industrial Hemp
Summit, April 26-28, 2022!
Presented by Apalachee Regional Planning Council

REGISTER TODAY!

Early Bird Registration extended through March 25th!

Through combined efforts, communities throughout the Region have an opportunity to emerge at the forefront of the industrial hemp industry. The industrial hemp industry is an excellent opportunity to diversify the Apalachee Region's agricultural options, create new jobs, and help build a thriving and sustainable economy. As such, ARPC is proud to bring the second 850 Industrial Hemp Summit to the Region, April 26th-28th, 2022!



FEATURED SPEAKERS

- Geoffrey Whaling National Hemp Association, Chair
- Holly Bell FDACS, Cannabis Director
- Steven Hall FDACS, General Counsel
- Dr. Eric Rohrig
 FDACS, Division of Plant Industry,
 Bureau Chief
- Dr. Zhou
 FAMU, Associate Professor, College of Agriculture and Food
 Sciences (CAFS)
- Matthew Mizereck
 FAMU, Hemp Planting Site Monitor,
 Industrial Hemp Research Pilot Program
- Ashley Guy
 Tallulah CBD+Juicebar
- Cetta Barnhart
 Seed Time Harvest Farms
- Brianna Kilcullen Founder, ANACT
 - * Confirming additional speakers

FEATURED TOPICS

- State of the Hemp Industry
- Why Hemp!
- Farming & Genetics
- Market Opportunity in Northwest Florida (Fiber & Textiles; Oils, Grains, Food & Beverage)
- Hemp and Housing
- Hemp Challenges and Opportunities
- Future of Hemp in Florida

City of Apalachicola CRA

Repayment to Taxing Authorities

Repayment to the county:

1 Increment revenues rece	ived after tl	he 9/30/19	CRA	termination date:
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FY 19/20	\$ 43,159
FY 20/21	53,823
FY 21/22	68,305

\$ 165,287

2.- Proration of cash and receivables as of the

9/30/19 termination date:

Cash	\$ 47,503
Receivable from COA	161,253
	208,756

Percentage increment revenues contributed by

the county through 9/30/19

(County 82,981, City 125,775)	<u>x 39.75</u>	<u>82,981</u>
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Repayment to county <u>\$ 248,268</u>

Repayment to the city:

Trust fund balance at 3/02/22	\$ 362,402
Less, amount due to the county	(248,268)
Repayment to city	\$ 114.134

City of Apalachicola

Proforma Budget Amendment for CRA Termination

(For discussion only)

Revenues:

Repayment from CRA from trust fund	<u>\$ 114,134</u>
Expenses:	
Eliminate city's increment revenue contribution for FY 21/22	59,380
Increase city expense for salaries and benefits amounts	
previously reimbursed by CRA (7 months x ½ salary/benefits)	(16,756)
Increase city expense for capital improvements (Holy Family	
Roof, etc.)	(156,758)
	<u>\$ 114,134</u>



CITY OF APALACHICOLA REDEVELOPMENT TRUST FUND 192 COACH WAGONER BLVD APALACHICOLA FL 32320

02/28/22 *****7711 IMAGES 5 CYCLE-031

Banking with You in Mind

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Tax Increment Revenues City of Apalachicola CRA													
													Total Deposits
	02	2014	32	2015	2016	2017		2018	2019		2020	2021	To CRA
Budgeted Taxable Value (DR-420 Preliminary Values)	\$ 31,	31,376,822	\$ 33,	33,227,135 \$	34,595,427	\$ 37,443,906	\$ 90	38,584,825	\$ 39,961,108	\$	40,915,846	\$ 44,671,006	
Base Year Taxable Value	\$ 31,	31,376,822	\$ 31,	31,376,822 \$	\$ 31,376,822	\$ 31,376,822	22 \$	31,376,822	\$ 31,376,822	\$	31,376,822	\$ 31,376,822	
Budgeted Tax Increment Value	\$	1	\$ 1,	\$ 818'058'1	3,218,605	\$ 6,067,084	84 \$	7,208,003	\$ 8,584,286	\$	9,539,024	\$ 13,294,184	
Final Taxable Value (after VAB Petitions - DR-422 Values)	\$	٠	\$ 33,	33,101,535 \$	34,478,897	\$ 37,289,990	\$ 06	38,425,884	\$ 39,012,910	\$	41,185,429	TBD	
Final Tax Increment Value	Z	N/A	\$ 1,	1,724,713 \$	3,102,075	\$ 5,913,168	\$ 89	7,049,062	\$ 7,636,088	s	9,808,607	TBD	
Percentage Proportion of which Payment is Based		%56		%56	856		%56	856	%56	١٥.	%56	856	
							_						
BUDGETED													
Budgeted Dedicated Increment Value	\$	•	\$ 1,	1,850,313 \$	3,218,605	\$ 6,067,084	84 \$	7,208,003	\$ 8,584,286	\$	9,539,024	\$ 13,294,184	
Estimated County Millage Rate Used in Budget Process	Z	N/A		6.4705	6.3065	6.3065	165	6.3065	6.2679	6	5.9494	5.7761	
Budgeted CRA Distribution	N	N/A	S	11,374 \$	19,283	\$ 36,349	\$ 64	43,184	\$ 51,115	ş	53,914	\$ 72,949	
FINAL/ACTUAL							_						
Final Dedicated Increment Value	s	٠	\$ 1,	1,724,713 \$	3,102,075	\$ 5,913,168	\$ 89	7,049,062	\$ 7,636,088	s	9,808,607	TBD	
Adopted County Millage Rate Used in Budget Process	N	N/A		6.3065	6.3065	6.3065	99	6.2679	5.9494	Ę.	5.7761	5.4707	
Amount of Payment to CRA - County (less 5%)	\$		\$	10,333	\$ 18,585	\$ 35,427	\$ 12	41,974	\$ 43,159	\$	53,823	\$ 68,305	\$ 271,605
									A STATE OF THE STA		×		
Date of payment from Frankin County)	02/16/16	71/2017	12/18/2017	117	12/18/2018	12/17/2019	6	3/2/2021	TBD	

Total \$ 583,547

- | \$ 15,327 | \$ 27,567 | \$ 53,952 | \$ 64,316 | \$ 71,016 | \$ 79,764 | \$ - | \$

Amount of Payment to CRA - City (less 5%)

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March 2022 City Manager Updates

<u>Finance Clerk Sara Gregory:</u> Ms. Gregory has taken another job in the healthcare field and has provided the City with 30 days notice. Her last day with the City of Apalachicola will be March 16, 2022. Ms. Gregory has been an asset to the City and has stepped up to help in issues involving the Finance Department, Water Department, Wastewater Treatment Plant, as well as others. Code Enforcement Officer Angela Creamer, who has finance experience in previous positions, is currently being trained to move into Ms. Gregory's position upon her departure.

Old Library (6th Street): Work continues at the old Library to prepare it to serve as the Commission's meeting room. New doors have been installed, the A/C has been serviced, a wall has been added, new electrical has been installed, and flooring has been ordered.

<u>Former AHS Library space</u>: As the number of City staff has grown, we have outgrown the space in the front office of City Hall. Therefore, space in the former AHS library has been renovated for office space, a workspace for projects and grants, as well as a conference room. The walls were painted, electrical has been repaired, air conditioning was added and carpet is being ordered.

Legislative Appropriations: The Mayor and I met with Senator Ausley and Representative Shoaf regarding the City's Legislative Appropriations requests. The City filed two requests, including a \$600,000 request for I&I studies of the wastewater and stormwater systems, and \$1.1 million to fund the engineering and design of the City's wastewater treatment plant. The engineering request does not look like it will be approved. The request for I&I studies is still a possibility, but could be funded at less than the requested amount.

<u>Duke Energy Economic Development:</u> I met with representatives from Duke Energy's Economic Development staff, The Great Northwest, Opportunity Florida, and staff from Franklin County to discuss economic development opportunities at property owned by the City and County near the airport. Duke Energy has assigned economic development staff to assist the City and County in determining the feasibility of using the City's 95 acre parcel, and adjacent property owned by Franklin County for economic development. Based on factors including, proximity to the airport, rail lines, the Gulf of Mexico, Highway 98, and the City's reuse water facility, and others, the contractor will determine the marketability of that property to industrial interests.

<u>Water Department Warning Letter:</u> The Florida Department of Environmental Protection issued a Warning Letter to the City of Apalachicola on December 21, 2021, regarding issue with the Potable Drinking Water System. With the assistance of Dewberry Engineering, the City responded to the Warning Letter on February 7, 2022. A copy of the response to the warning letter is appended to this update.

<u>Wastewater Treatment Plant Warning Letter:</u> The Florida Department of Environmental Protection issued a February 9, 2022 Warning Letter to the City citing issues at the Wastewater Treatment Plant from a compliance evaluation inspection conducted on December 15, 2021. A telephone conference was conducted with FDEP, Dewberry Engineers, and City staff on February 24, 2022, which served as the City's initial response to the warning letter, but an official response is being drafted with the assistance of Dewberry Engineers and the WWTP's Lead Operator William Cox. The WWTP warning letter is appended to this update.



FLORIDA DEPARTMENT OF **Environmental Protection**

Jeanette Nuñez

Lt. Governor

Ron DeSantis

Governor

Shawn Hamilton Secretary

Northwest District 160 W. Government Street, Suite 308 Pensacola, Florida 32502

December 21, 2021

Travis Wade, City Manager City of Apalachicola 192 Coach Wagoner Blvd. Apalachicola, Florida 32320 twade@cityofapalachicola.com

Re: Warning Letter

> City of Apalachicola Facility ID No. 1190150 Franklin County

Dear Mr. Wade:

On July 28, 2021, a meeting was held where we indicated violations to the existing executed consent order. An email was sent following the meeting outlining the deficiencies.

https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=32.1383836.1]&[profile=Enforcement Legal]

On November 17, 2021, a file review was completed, and the following consent order deficiencies were identified:

- Paragraph 5.b) within 60 days implement the approved flushing plan in accordance with paragraph 5.a) Due 9/11/2020. Provide documentation that the approved flushing plan has been implemented. To date this is out of compliance.
- Paragraph 5.c) within 90 days you shall initiate monthly sampling for TTHMS. Submit results within 10 days following the end of the month, or within 10 days following receipt of results. Due Monthly beginning 10/11/2020. Provide sampling results for all months beginning October 2020. To date this is out of compliance.
- Paragraph 5.d) Permit hydrogen peroxide treatment permanently if results of pilot study are sufficient to show a substantial reduction in TTHM levels in the monthly results due within 30 days of the conclusion of the pilot study. May submit request to extend length of study. 90 day extension request submitted for study. You indicated the study was abandoned and will not be permitted. The results of the study were received; however, the follow up questions sent February 17, 2021 were not addressed. Provide DEP with a written update to add to the record of the consent order.
- Paragraph 5.e) If, within 180 days (by 1/9/2021), increased flushing and hydrogen peroxide addition to the System is not effective in lowering the TTHM results below the MCL, then the facility shall install additional treatment to the System within 30 months (01/13/2023). Required permitting must be submitted by 01/23/2021 (within 194 days).

City of Apalachicola 1190150 Warning Letter Page 2 of 3

The application must be made complete by 2/6/2021 (within 208 days). Provide status of permit application submittal. To date this is out of compliance.

- Paragraph 5.f) Due 1/13/2023 (within 33 months) shall complete all corrective actions
 to resolve MCL exceedances. Provide an update on the progress being made to meet
 this deadline. To date this is out of compliance.
- Paragraph 5.g) Public Notices (PN) requirement, due every 90 days until in compliance, submit to the Department within 10 days of issuing each PN. The last PN submitted to the Department was on 12/10/2020. Provide documentation of all PN requirements for 2021. To date this is out of compliance.
- Paragraph 5.h) Quarterly reports, due within 10 days following the end of each quarter.
 To date this is out of compliance. Provide overdue reports for the following quarters:
 - o 4th Quarter 2020 Report due 01/10/2021
 - o 1st Quarter 2021 Report due 4/10/2021
 - o 2nd Quarter 2021 Report due 7/10/2021
 - 3rd Quarter 2021 Report due 9/10/2021
 - o 4th Quarter 2021 Report due 1/10/2022*
- Paragraph 6. Within 30 days you shall submit a written estimate of corrective actions. Due 8/12/2020. To date this is out of compliance.
- Paragraph 11. Stipulated penalty amount of \$500/day for failure to comply with paragraphs 5, 7, 8, 9, 25, and Exhibit III. Payment due within 90 days of written demand.
- Paragraph 25. Publication- Due within 10 days of publication. Publication was due 7/23/20/ Provide documentation of this publication. To date this is out of compliance.

Also, the Department issued an <u>In-Kind approval letter</u> on May 14, 2021. As stated in the approval letter, the in-kind project must be completed within 180 days of this approval letter (by November 10, 2021. The letter further states that you must notify the Department within 15 days of completing the in-kind project and include supporting information verifying the project was completed in accordance with the approved proposal.

In accordance with the In-Kind Project – Exhibit III, of the Executed Second Amended Consent Order:

- Paragraph I. f. Project must be completed within 180 days. 11/10/2021 Due date. Provide documentation. To date this is out of compliance.
- Paragraph I. h. In the event the City fails to timely submit information, fails to complete
 project, or fails to comply with any provisions of this paragraph, project option forfeited,
 entire penalty due within 30 days of Department notice. If project is terminated and penalty
 paid in full, no additional penalties shall be assessed for failure to complete this paragraph
 requirements.
- Paragraph I. i. Within 15 days of completing, notify the Department of project completion verifying it was completed in accordance with the proposal, and show actual costs incurred.

City of Apalachicola 1190150 Warning Letter Page 3 of 3

• Paragraph I. j. If upon review of completion, project cannot be completed, Department shall notify Respondent in writing reasons preventing project acceptance. Respondent shall correct and redress all matters at issues and submit new completion within 15 days of receipt. If upon review of new submittal, in-kin project still incomplete or not in accordance with approved proposal, in-kind project shall be forfeited, and penalties shall be due within 30 days of Department notice. To date this is out of compliance.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to sections 403.860, Florida Statutes.

Please respond in writing within **15 days** of your receipt of this Warning Letter. Please direct your written response to Erin Rasnake via email at Erin.Rasnake@FloridaDEP.gov. The Department is interested in resolving these deficiencies as quickly as possible.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

Elizabeth Mullins Orr

Elizabeth William OM

Director

EMO/ER

Enclosures: Executed Second Amended Consent Order, Approved In-Kind project, and email correspondence.

c: Ron Nalley, City of Apalachicola (mailey@cityofapalachicola.com)
Robert Graham, City of Apalachicola (robertgraham@cityofapalachicola.com)
Michael Wahlquist, Plant Operator (michael.wahlquist@gmail.com)
Sterling Carroll, Florida Rural Water Association (sterling.carroll@frwa.net)

Mayor Brenda Ash

Commissioners
Anita Grove
Adriane Elliott
Despina George
Donna Duncan



192 Coach Wagoner Boulevard . Apalachicola, Florida 32320 . 850-653-9319 . Fax 850-653-2205 . www.cityofapalachicola.com

City Manager Travis Wade

City Clerk Deborah Guillotte

> City Attorney Dan Hartman

February 7, 2022

Florida Department of Environmental Protection, Northwest District Mrs. Elizabeth Mullins Orr, Director 160 W. Government Street, Suite 308 Pensacola, FL 32502

RE: Warning Letter - City of Apalachicola Facility ID 1190150

Dear Mrs. Orr,

Please see our responses in red below to the warning letter issued on 12/21/21:

- Paragraph 5.b) within 60 days implement the approved flushing plan in accordance with paragraph 5.a) Due 9/11/2020. Provide documentation that the approved flushing plan has been implemented. To date this is out of compliance.
 Please find attached the quarterly flushing logs for 2021. It is our understanding the Florida Rural Water submitted an RAI response on 8/13/2020 outlining additional flushing procedures in which FDEP provided comments to. It is also our understanding that these comments have not been addressed. The City will review the previously submitted flushing plan with their engineering consultant and FDEP to determine the proper procedure moving forward. Additionally, the City will develop a procedure for properly documenting the flushing activities.
- Paragraph 5.c) within 90 days you shall initiate monthly sampling for TTHMS. Submit results within 10 days following the end of the month, or within 10 days following receipt of results. Due Monthly beginning 10/11/2020. Provide sampling results for all months beginning October 2020. To date this is out of compliance.

 Please find attached the monthly sampling reports for TTHMs. We are unable to provided sampling results for one (1) sample point for the months of February through April of 2021.
- Paragraph 5.d) Permit hydrogen peroxide treatment permanently if results of pilot study are
 sufficient to show a substantial reduction in TTHM levels in the monthly results due within 30
 days of the conclusion of the pilot study. May submit request to extend length of study. 90 day
 extension request submitted for study. You indicated the study was abandoned and will not
 be permitted. The results of the study were received; however, the follow up questions
 sent February 17, 2021 were not addressed. Pro-vide DEP with a written update to add to
 the record of the consent order.

The hydrogen peroxide pilot study was discontinued in October of 2021 as it didn't show substantial reduction in TTHMs. To reduce TTHMs, the City is taking the following actions:

- Hydrant flushing. Please see response to Paragraph 5.b.
- · Lowering chlorine dosage at the water plant.
- Design and permitting of a chlorine booster station between the water plant and Bay City to further reduce the chlorine feed at the water plant.
- Paragraph 5.e) If, within 180 days (by 1/9/2021), increased flushing and hydrogen per-oxide addition to the System is not effective in lowering the TTHM results below the MCL, then the facility shall install additional treatment to the System within 30 months (01/13/2023). Required permitting must be submitted by 01/23/2021 (within 194 days).
 See comment under 5d.

The application must be made complete by 2/6/2021 (within 208 days). Provide status of permit application submittal. To date this is out of compliance.

 Paragraph 5.f) Due 1/13/2023 (within 33 months) shall complete all corrective actions to resolve MCL exceedances. Provide an update on the progress being made to meet this deadline. To date this is out of compliance.
 See comment under 5d.

Paragraph 5.g) Public Notices (PN) requirement, due every 90 days until in compliance, submit to the Department within 10 days of issuing each PN. The last PN submitted to the Department was on 12/10/2020. Provide documentation of all PN requirements for 2021. To date this is out of compliance.

Please find attached documentation of PN for the 1st, 2nd and 4th quarters of 2021. We do not have record of the 3rd quarter 2021 submittal. Additionally, the notice mailed on 2/3/21 was recorded on the 4th quarter of the 2020 FDEP PWS Certification of Delivery Public Notice as well as the notice mailed on 5/4/21 was recorded on the first quarter of the 2021 FDEP PWS Certification of Delivery Public Notice. The City is working to ensure that the correct forms are being mailed and documented moving forward for 2022.

- Paragraph 5.h) Quarterly reports, due within 10 days following the end of each quarter. To date this is out of compliance. Provide overdue reports for the following quarters:
 - o 4th Quarter 2020 Report due 01/10/2021
 - o 1st Quarter 2021 Report due 4/10/2021
 - o 2nd Quarter 2021 Report due 7/10/2021
 - o 3rd Quarter 2021 Report due 9/10/2021
 - o 4th Quarter 2021 Report due 1/10/2022*

None of the requested quarterly reports have been completed to date. However, the first of the quarterly reports is attached. The City will use this template moving forward for quarterly reporting.

- Paragraph 6. Within 30 days you shall submit a written estimate of corrective actions. Due 8/12/2020. To date this is out of compliance.
 To reduce TTHMs within the system, the City has authorized Dewberry to design and permit a chlorine booster system with residual analyzer. The system will allow chlorine reduction at the plant which will reduce overall TTHMs in the system. Once the system has been designed, the City will provide FDEP a total cost for construction.
- Paragraph 11. Stipulated penalty amount of \$500/day for failure to comply with para-graphs 5,
 7, 8, 9, 25, and Exhibit III. Payment due within 90 days of written demand.
 No comment.

Paragraph 25. Publication- Due within 10 days of publication. Publication was due 7/23/20/
 Provide documentation of this publication. To date this is out of compliance.
 See attached proof of publication dated 8/13/2020.

In accordance with the In-Kind Project - Exhibit III, of the Executed Second Amended Consent Order:

- Paragraph I, f. Project must be completed within 180 days. 11/10/2021 Due date. Provide documentation. To date this is out of compliance.
 Please find attached the documentation of the labor and material costs for In-Kind Fire Hydrant Replacement project.
- Paragraph I. h. In the event the City fails to timely submit information, fails to complete project, or
 fails to comply with any provisions of this paragraph, project option forfeited, entire penalty due
 within 30 days of Department notice. If project is terminated and penalty paid in full, no additional
 penalties shall be assessed for failure to complete this paragraph requirements.
 See comment under Paragraph I.f.
- Paragraph I. i. Within 15 days of completing, notify the Department of project completion verifying it
 was completed in accordance with the proposal, and show actual costs incurred.
 See comment under Paragraph I.f.

Sincerely,

Travis Wade City Manager



FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Shawn Hamilton Secretary

Northwest District 160 W. Government Street, Suite 308 Pensacola, Florida 32502

February 9, 2022

Brenda Ash, Mayor City of Apalachicola One Avenue E Apalachicola, Florida 32320 bash@cityofapalachicola.com

RE: Warning Letter

Apalachicola WWTF Facility ID: FLA038857 Franklin County

Dear Mayor Ash,

A compliance evaluation inspection was conducted at your facility, Apalachicola WWTF, on December 15, 2021. During this inspection, possible violations of Section 403, Florida Statutes, Chapters 62-620, 62-160, 62-600, 62-300, 62-604, 62-640, 62-699, and 62-555, Florida Administrative Codes, were observed.

Please reference the attached inspection report for a detailed account of the deficiencies and recommendations for corrective actions.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121 and 403.161(2), Florida Statutes.

Please respond in writing within 15 days of receipt of this Warning Letter. Your written or emailed response shall be directed to Erin Rasnake via email at Erin.Rasnake@FloridaDEP.gov or by phone at (850) 595-0688 and shall include the following information:

- Describe what happened to cause the deficiencies noted in the inspection report,
- Describe actions taken to remediate these deficiencies, and
- Describe actions taken, or to be taken, to prevent future deficiencies of this nature.

Based on our review of the submitted information, a meeting or teleconference may be required. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred.

Apalachicola WWTF Facility ID: FLA038857 Warning Letter Page 2 of 2

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

Elizabeth Mullin OM
Elizabeth Mullins Orr

Director

EMO/ER/jlm

Oculus Link to NOV:

https://depedms.dep.state.fi.us:443/Oculus/servlet/shell?command=getEntity&[guid=38.1052021.1]&[profile=Enforcement Legal]

Enclosures: Inspection Report

Photo Log

c: Robert Graham, City of Apalachicola (robertgraham@cityofapalachicola.com)

William Cox, City of Apalachicola (wcox@cityofapalachicola.com)

Travis Wade, City Manager (twade@cityofapalachicola.com)

APALACHICOLA CITY COMMISSION REQUEST FOR BOARD ACTION

Meeting Date: March 8, 2022

SUBJECT: Meeting Room Furniture

AGENDA INFORMATION:

Agenda Location: New Business

Item Number: 1

Department: Administration
Contact: Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: I have received a quote from Executive Office Supply for a desk for the Commission for the Old Library/new meeting location. Also included are tables for staff, and a podium.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Request approval

FUNDING SOURCE: General Fund

ATTACHMENTS: Quote for above-referenced items

STAFF'S COMMENTS AND RECOMMENDATIONS:

Executive Office Furniture



Billy Holder Executive Office Furniture 241 E Harrison St. Tallahassee FL, 32301 Phone (850) 224-9476 Fax (850) 224-3886

DATE 3/1/2022 Quotation # Customer ID

TOTAL | \$

9,257.07

Quotation For:

Franklin County Board of Commissioners

Prepared By Billy Holder Cell # 850-631-2701

Apalachicola, Fl 32320

Attn: Travis Wade

56120000-19-ACS State Contract Number

Sales	P.O. NUMBER	SHIP DATE	LIST	SHIP VIA	F.O.B.	TERMS
BH				Our Truck		Net 10

EA	DESCRIPTION	LIST UNIT PRICE TAX	K AMOUNT
	IndianaFurniture - Arlington Series Special Quote Number - 4447641457R2		
3	Stiffener Bar For Open KneeSpaces 01-00048SB	70.74	212.22
1	Transaction Riser, Flush Right,48"W-12"D-6"H S29-12806TRFR	647.27	647.27
3	Transaction Riser,Flush Left & Right Ends SP-124806TRFLR	647.27	1,941.81
1	Transaction Riser, Flush Left, 48"W-12"D-6"H SP29-124806TRFL	647.27	647.27
3	Desk Shell, Flush Left & Right Half Depth Ends SP29-3648SHHDFE	1,161.70	3,485.10
1	Desk Shell, Half Depth Flush Left End SP29-3648SHHDFLEOH6	1,161.70	1,161.70
1	Desk Shell, Half Depth Flush Right End SP29-3648SHHDFEOH6	1,161.70	1,161.70
		SUBTOTAL	\$ 9,257.07
lf	f you have any questions concerning this quotation,	TAX RATE	:
		SALES TAX	(
	THANK YOU FOR YOUR BUSINESS	OTHER	-

Executive Office Furniture



Billy Holder Executive Office Furniture 241 E Harrison St. Tallahassee FL, 32301 Phone (850) 224-9476 Fax (850) 224-3886

DATE 3/1/2022 Quotation # Customer ID

Quotation For:

Franklin County Board of Commissioners

Prepared By Billy Holder Cell # 850-631-2701

Apalachicola, FI 32320

Attn: Travis Wade

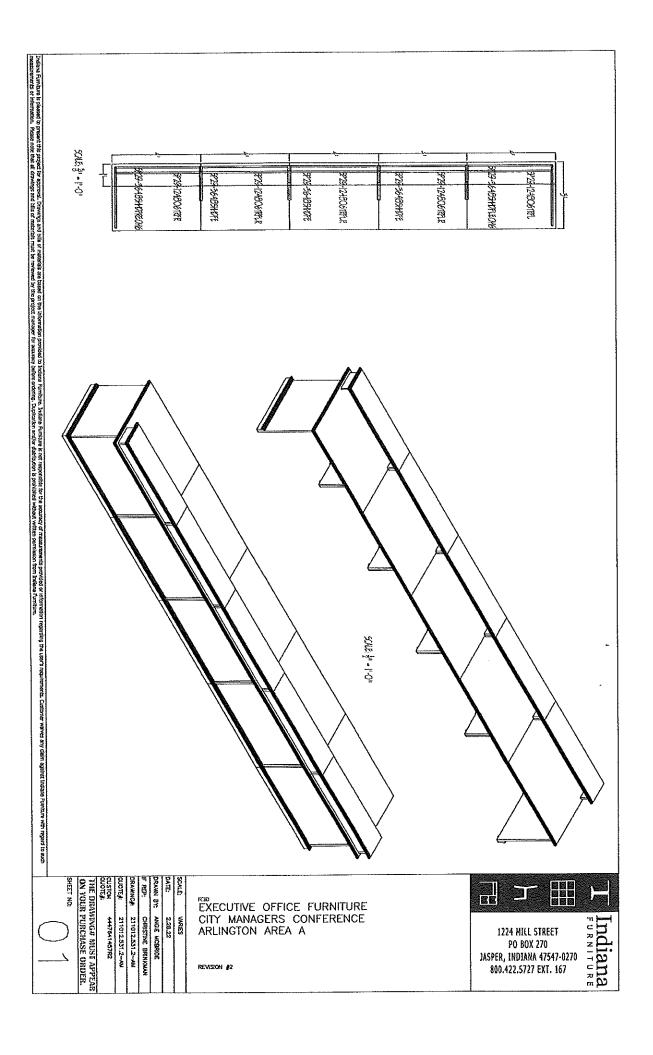
56120000-19-ACS State Contract Number

Sales	P.O. NUMBER	SHIP DATE	LIST	SHIP VIA	F.O.B.	TERMS
ВН				Our Truck		Net 10

•		10.000000000000000000000000000000000000	AMOUNT
IndianaFurniture - Arlington Series			
Special Quote Number - 4447641457R2			
Stiffener Bar For Open KneeSpaces	70.74		282.96
01-00048SB			
36" D x 72" W Desk Shells	1,322.45		5,289.80
SP29-3672SHOH6		***************************************	
Lectern Podium	1,141.27		1,141.27
91-2650LS			
Installation & Delivery	3.194.22		3,194.22
	,		
	Stiffener Bar For Open KneeSpaces 01-00048SB 36" D x 72" W Desk Shells SP29-3672SHOH6 Lectern Podium	Stiffener Bar For Open KneeSpaces 70.74 01-00048SB 1,322.45 SP29-3672SHOH6 1,141.27 Lectern Podium 1,141.27 91-2650LS 1,141.27	Stiffener Bar For Open KneeSpaces 70.74 01-00048SB 1,322.45 36" D x 72" W Desk Shells 1,322.45 SP29-3672SHOH6 1,141.27 Lectern Podium 1,141.27 91-2650LS

If you have any questions concerning this quotation,

THANK YOU FOR YOUR BUSINESS



	,			

Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting - Tuesday, March 8, 2022

- 1. Florida Department of Transportation SCOP Grant Application Leslie Street City Commission passed Resolution 2022-01 on 2/23/22 for the City of Apalachicola to apply for funding for Leslie Street. The City is requesting \$610,169.30 to remedy the underground issues, resurfacing the entire street length, and for new road signs based off of engineer's suggestions and recommendations. There are no dates available currently for awards, etc.
- 2. National Fish and Wildlife Foundation Emergency Coastal Resilience Fund 2021 City of Apalachicola Regional Park and Stormwater Facility Phase 1

Full application submitted on 2/16/2022 requesting \$712,314.58 for feasibility study and design for 3 locations: Sylvester Williams Park, the Botanical Gardens, and a large unused parcel of land that the City owns near the airport.

Please see attached application questionnaire for full updates. It addresses:

- · What grant did the City of Apalachicola apply for and what?
- Proposed Site Locations:
- What is a Stormwater Park?
- What do Stormwater Parks look like?
- What is a feasibility study?
- What will happen if the application is awarded? Is there going to be construction?
- Opportunities for Citizen Input?
- Who to reach out to with questions, concerns, or ideas?

If approved this will be posted on the website and then altered for public notice if grant is awarded.

3. Florida Department of State African-American Cultural and Historical Grant – Apalachicola Museum of African-American Culture and History

Application Denied.

Submitted on 11/30/21. The ranked list of applications was sent out on 2/28/22 and Apalachicola's application ended up ranking 66/152, with the last accepted application being number 53 and about \$7 million away from being funded. (This program had \$80 million in requests for \$30 million in funding!)

Staff suggestion is to break this project into two phases for future applications. Phase 1: Planning & Design

4. HMGP – Backup Generator for Vacuum Station (108 Avenue F)

Grant application was submitted for \$170,000 for a new backup generator. (Current in use is too small for need.) Had to apply for a portable generator instead of stationary, as they will not fund for a stationary one in a flood zone. Still in review – Two RFIs (requests for information) were received and answered.

5. Leslie Street

WAITING FOR UPDATE ON APPEAL

Reached out to FEMA 2/1/22 – Project still in review; no timeline. Seeking out other grant opportunities from FDOT.

6. National Park Service Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)

The City has signed a contract with the historic architect (4M Design – Mark Tarmey) and he has begun measuring, photographing and assessing the two buildings in terms of documenting existing condition and recommended required repair that will be completed in accordance with historic standards. The City has successfully met the first progress report deadline and procurement deadlines set out in the grant agreement. RFP's for electrical, construction, roof, and flood mit RFP's still in progress – coordinating with 4M Design.

Old City Hall - Architect has completed and submitted structural analysis and hopes to complete the full analysis with drawings and structural recommendations soon.

HCA – Architect is finishing measurements and will have assessment complete by next month.

7. Grants Update -

- a. FDOT City Landscaping Bids Received –Work began 2/3/22 and final walkthrough is afternoon of 3/2/2022.
- b. CDBG-DR Infrastructure Avenues Stormwater Repair Project is moving forward. City had 30 days to submit documents (policies and procedures, etc.) to DEO. (end of Feb.). Engineer Procurement and design will need to be secured and created along with environmental review and clearance, then we

are scheduled to bid out and begin construction in October/November.

Engineer to be procured once DEO approved solicitation documentation.

- i. City is missing 3 internal policies that were requested, (DEO is giving us more time on these as long as we are progressing):
 - 1. Fraud Waste and Abuse Policies
 - 2. Financial Management Policies
 - 3. Quality Assurance and Quality Control Policies

City staff is working on creating policies for review.

- c. CDBG-DR Hometown Revitalization Submitted Scope of Works for both the Riverfront and Hill Projects. 2/3/2022 DEO let us know that both agreements are currently going through their internal routing process and they will update us when they have an update. 3/2/22 Riverfront Revitalization and Hill Community Revitalization projects: Grant agreements being formulated at DEO, City to begin environmental exemption process on administrative and engineering services. Engineer to be procured once DEO approves solicitation documentation.
- d. HMGP Emergency Generators Awaiting CDBG-DR Award for Matching Funds. Received and signed and Release of Funds forms for CDBG-DR match – in contact with DEO weekly waiting for status updates and notice to proceed.
- e. HMGP Market Street Vacuum Station Documents received and executed. Awaiting CDBG-DR Award for Matching Funds. Received and signed and Release of Funds forms for CDBG-DR match – in contact with DEO weekly waiting for status updates and notice to proceed.
- f. Michael FEMA Projects Updates
 - Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin. Permits filed for within deadline to US Corps of Engineers – additional RFIs for Bodiford received. Answers sent in.
 - ii. Scipio Designs from Dewberry coming soon.
 - iii. Alleyway Repairs Alleyway: 3, 7, 9, 8, 10, 11, 6, 2, 5, 12, 4 Crushed Shells to be replaced. Speaking to public works on timeline – working with Travis on this.
 - iv. Old City Hall and HCA Contents loss from Michael Ordering replacement items from loss. (Funding already received just needs to be ordered and receipts turned in.) Some items have been ordered through the month being careful not to go over \$\$ limits. Will finish up ordering items in March.
 - v.Lafayette Park Will change scope of this project once the lighting donation project is complete. Waiting on updates from Dan.
 - vi. Hurricane Sally waiver of match application documents submitted and sent in.
- g. DEP WWTP Tank Cleaning US Submergent mobilized and began work 12/1/21. First round completed on 12/9. Had leftover grant funds after service, so they are coming back in September to complete another round of sand and grit removal and grant will close out in October 2022.

8. DEP Grant Applications – WWTP & Vulnerability Study

Grant #2 is an application for the WWTP totaling \$14 million - the City of Apalachicola was approved for the full \$14 million for new equipment and relocation. DEP contacted us and let us know we had 2 duplicated grant efforts both submitted to them. Both are for the WWTP – and combined could cover the entire WWTP Project costs, headworks and all. We are waiting to hear from DEP about combining efforts before we de-obligate the DEO funding of \$4million for the Headworks.

RFP for Engineering Services for the WWTP will be submitted to the paper theweek of 2/7 and will be published the week of 2/14.

- DEP requested to review RFP documents before solicitation. Waiting for updates and have been inquiring weekly on status.
- Currently engineers are revising opinion of cost to submit to DEP for final review concerning eligibility of scope to be fully funded under DEP with 2 different funding sources (Resilient Florida and Water Restoration Assistance)

Grant #1 Vulnerability Study

Second round application submitted on 2/14/2022. Waiting for updates.

9. Battery Park - 10 Foot Hole Seawall -

Documents to go out for bid are ready, but estimates for this project came in around \$280k. As an out of pocket expense, this is higher than anticipated and higher than budgeted for. FWC FBIP (Florida Boating Improvement Program) grant applications are due 4/4, City is planning on applying for this initiative to potentially cover the cost difference.

10. USDA Water Street Permeable Parking Sidewalk and Lighting -

The one bid received was highly over budget - cost of materials has risen above our awarded amount for this project. USDA recommended a change of scope to include the sidewalk, but to omit the permeable pavers in the parking area. Dewberry is updating plans for USDA approval to reject all bids and re-bid out the project or to negotiate with the bid we received. (We previously bid this project out 2 separate times and received only one bid.) Waiting on updated plans from Dewberry and USDA approval.

11. Coronavirus State and Local Fiscal Recovery Funds (SLFRF) – American Rescue Plan

The City formerly made application to the SLFRF program and received an award of \$1,179,010.00. The City has received half of this allocated amount and will receive the second half after spending the first deposit. City staff believes that the former finance director earmarked this money for engineering expenses for the new WWTP design. If

the engineering is indeed going to be covered by the dual grants from DEP as noted above, then this money is left on the table for the City. (Pending waiting for DEP full scope approval.)

There were original stipulations on how to spend this money with there being 4 categories noted:

- 1. Public health & economic impacts
- 2. Premium pay
- 3. Revenue loss
- 4. Investments in water, sewer, or broadband infrastructure

There is a FINAL RULE going into effect on April 1st and the City has been advised to not spend and of this money until after 4/1/2022 – the FINAL RULE offers more uses for this funding and could potentially fund several city projects.

Dates:

- » First Report due April 30, 2022
- » Funds must be obligated by December 31, 2024
- » All expenditures must be complete by December 31, 2026

Please see extra info below:

American Rescue Plan Info:

- Final Rule takes place starting on April 1, 2022, until then, the Interim Rule remains in effect. (4 categories)
- Electing the "standard allowance" to spend on government services
 - Government Services generally include any service traditionally provided by government unless Treasury has stated otherwise. Here are some examples:
 - Construction of schools and hospitals
 - Road building and maintenance and other infrastructure
 - Health Services
 - General Government administration, staff, and admin facilities
 - Environmental remediation
 - Provision of police, fire, and other public safety services, including purchase of vehicles
 - However, these funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (uses of funds that undermine COVID-19 mitigation practices in line with CDC guidance and recommendations)
 - All projects MUST follow 2CFR procurement
 - No construction of the following:
 - New correctional facilities as a response to an increase in rate of crime

- New congregate facilities to decrease the spread of COVID 19 in the facility
- Convention centers, stadiums or other large capital projects intended for general economic development or to aid impacted industries
- Funds cannot be used for payments for debt services or replenishing rainy day funds.
- Reporting first report will be due on April 30, 2022

All Information included in this report is accurate as of March 2, 2022 at 12:00pm. After that time, information is subject to change.

NFWF - Emergency Coastal Resilience Fund 2021:

City of Apalachicola Regional Park and Stormwater Facility Phase 1 Feasibility Study

Application Questionnaire for City of Apalachicola Citizens

What grant did the City of Apalachicola apply for and for what?

- The City of Apalachicola applied for a National Fish and Wildlife Foundation grant the Emergency Coastal Resilience Fund 2021 program on February 16th, 2022. The City applied with the project: City of Apalachicola Regional Park and Stormwater Facility Phase 1 Feasibility Study in the amount of \$712,314.58. We are hoping to hear awards by May 2022.
- This application is to fund a feasibility study, environmental assessment, and engineering to utilize City of
 Apalachicola owned property to potentially create a regional stormwater facility and walking park in the future.
 (This application is not for construction.) The new park would serve as a regional stormwater facility that will
 provide flood protection and treatment of urban runoff pollutants along with providing a walking park and
 recreational hub for the surrounding community.
- We are hoping to evaluate 3 sections of City owned land:
 - Sylvester Williams Park The Sylvester Williams Park will ultimately demonstrate the enormous benefits of the low-impact development planning process by creating a dual-purposed area. The higher elevation at this location would allow for a large volume of stormwater to be treated and stored here. In addition, integrating the stormwater facility within the park will increase environmental sustainability. The park currently covers approximately 8 acres. Based upon current information, the location of the park could serve as a stormwater facility that would receive stormwater runoff from approximately 20% of the City.
 - O Botanical Gardens The Botanical Gardens, is a low-lying area that could potentially be a smaller stormwater park. Although smaller in area, the Botanical Gardens would still support a wet pond facility and would utilize walking trails to allow the community to preserve the beauty of the park while utilizing the walking trails as a health benefit.
 - 90 Acre City-owned parcel The large unused parcel of land owned by the city, nearby to the airport, could be used to create a stormwater park that could potentially serve as a future area for economic development or affordable housing. By developing a large stormwater park on this property, the City could set the tone for future smart development of the surrounding areas. By integrating wetland features in the stormwater facility and rehabilitating some of the degraded wetlands that exist on the parcel, the City could develop a site that is both environmentally and aesthetically pleasing.
- Proposed site locations for feasibility study:



What is a Stormwater Park?

- Stormwater parks enhance communities by treating stormwater and providing recreational opportunities. Well-designed green stormwater infrastructure practices blend seamlessly into the existing landscape and provide an aesthetically pleasing experience for both citizens and visitors. Essentially, a stormwater park is a space specifically engineered to draw, treat, and hold the City's stormwater in a retention pond or designated area to relieve flooding and pooling of stormwater within City limits.
- Currently, the City of Apalachicola experiences flooding in certain areas of the city and would like to see more
 options to treat stormwater runoff before the stormwater discharges into the Bay. The City would like to design
 these regional stormwater facilities to integrate into the surrounding areas and to give greater benefit to the
 communities that these facilities will serve. By using low-impact designs and designing facilities that are being
 implemented within park settings, the communities located around these parks will be able to utilize the
 facilities for recreational benefits.
- The proposed sites could provide the entire city with the following impacts:
 - o Community Health and Fitness impacts
 - Greater Water Quality
 - Impacts to the Fishing and Oyster Industries through Stormwater Quality
 - o Greater Community Social Interaction
 - Preservation of Environmental Features
 - Possible Economic Development
- (Good resource for more information: gupc-resource-guide.pdf (nrpa.org))

What do Stormwater Parks look like?



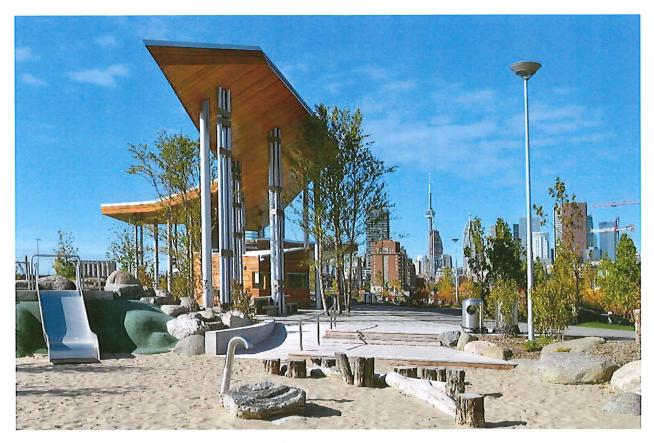
(Cascades Park - Tallahassee, FL)



(Draa Field Stormwater Park – Titusville FL)



(Eastgate Park Stormwater Management Facility – Mississauga, Ontario)



(Corktown Common Park - Toronto, Ontario)

What is a feasibility study?

- A feasibility study is an assessment of the practicality of a proposed plan or method, basically taking every factor into account and seeing if a project is possible, practical, and suitable for the area. Various site conditions can have an impact on determining the most appropriate green stormwater infrastructure practices available, or how a specific practice must be adapted to meet the physical constraints of the site. These include climate, soil conditions, space availability, and the location of sewer, stormwater, water, and other utilities.
- Each site will be evaluated from an environmental standpoint. All natural features will be delineated. Wetlands
 and uplands will be mapped for each site. Hydrological studies will be performed. Geotechnical services will be
 utilized to determine seasonal high water tables. Finally, topographic information will be utilized to determine
 what areas of the City could drain to each site.

What will happen if the application is awarded? Is there going to be construction?

- If awarded, there will be no construction funded from this application this application is strictly for the studies and design work. If Phase 1 is funded and the feasibility studies are successful and show potential, the city commission will then make the call to apply for Phase 2: Construction, pending input from citizens on site selection and design. If awarded, there will be opportunity for citizen input during the study and design process during Phase 1.
- If this project is not awarded, then it will be tabled for more discussion and potential future grant opportunities.

Opportunities for Citizen Input?

• If awarded, the City will then schedule and hold Stakeholder Workshops to help evaluate the feasibility of each site, determine design features for the site and provide the City residents with an opportunity to give input to

the overall designs for the project. The ideas that come out of the workshops will be implemented during the design phase of the project.

- Current Design Ideas Include:
 - Lit Walking Track
 - o Pavilions and Picnic Tables
 - Court (Pickleball, etc.)
 - o Fountains within the Retaining Pond
 - o ADA Compliant Playground Equipment
 - Bike Racks
 - Amphitheatre
- Citizen input will be a large factor in evaluating the feasibility of this project and choosing a final site for the Phase 2: Construction application.

Who can I reach out to with questions, concerns, or ideas?

- If you have a technical question about stormwater parks and what they can offer, you can direct your questions
 to City Manager Travis Wade (<u>twade@cityofapalachicola.com</u>) or to Bree Robinson
 (<u>brobinson@cityofapalachicola.com</u>).
- If you have general questions, concerns, or ideas you can reach out to your commissioners:
 - Mayor Brenda Ash <u>bash@cityofapalachicola.com</u>
 - o Anita Grove agrove@cityofapalachicola.com
 - o Despina George <u>dgeorge@cityofapalachicola.com</u>
 - O Donna Duncan <u>dduncan@cityofapalachicola.com</u>
 - Adriane Elliott aelliott@cityofapalachicola.com

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City of Apalachicola- General

Trial Balance

	DEBIT	CREDIT
001.101.1013 CASH ACCOUNTS:GENERAL-8611	2,695,361.58	
001.101.1014 CASH ACCOUNTS:PAYROLL-9411	14,914.99	
001.101.1015 CASH ACCOUNTS:OYSTER HARVESTING 1671	35,635.89	
001.101.1018 CASH ACCOUNTS:FIRING RANGE-3543	110.59	
001.101.1024 CASH ACCOUNTS:REDEVELOPMENT TRUST FUND-7711	324,403.54	
001.101.1025 CASH ACCOUNTS:APALACHICOLA FARMER'S MARKET-5382	20,605.42	
001.101.1027 CASH ACCOUNTS:COMMUNITY GARDEN - 9913	2,901.97	
001.101.1030 CASH ACCOUNTS:SINKING FUND-8301	1,003.43	
001.101.1031 CASH ACCOUNTS:POLICE/FIRE STATION RESERVE-8901	51,437.19	
001.101.1032 CASH ACCOUNTS:HISTORY CULTURE ARTS- 9912	24,110.29	
001.101.1034 CASH ACCOUNTS:LIBRARY TRUST-9615	34,184.75	
001.101.1035 CASH ACCOUNTS:PROJECT IMPACT-9914	70,838.63	
OPERATION AND MAINTENANCE FUND-3701	0.10	
RESERVE 2003 BOND ISSUE- 8303	145,050.81	
REVOLVING LOAN ESCROW-1611	275,907.56	
SINKING 2003 BOND ISSUE-8302	1,009.06	
SRF DEBT SERVICE ACCOUNT-8028	141,783.53	
SRF REPAYMENT RESERVE-8490	1,006.03	
USDA POLICE/FIRE-7101	1,002.67	
Due to payroll		147,690.32
Uncategorized Asset	0.00	
001.202.000 Accounts Payable (A/P)		147,500.49
Opening balance equity	r r	3,198,591.83
Retained Earnings		30,342.50
001.310 GOVERNMENT TAX REVENUE		3,854.46
001.311.3111 GOVERNMENT TAX REVENUE:Ad Valorem Taxes		943,610.55
001.312.110 GOVERNMENT TAX REVENUE:1/2 Cent Sales Tax		50,212.09
001.312.3001 GOVERNMENT TAX REVENUE:Local Option Gas Tax		18,933.69
001.315.2001 GOVERNMENT TAX REVENUE:Local Communication Tax		42,361.49
001.316.3161 GOVERNMENT TAX REVENUE:Tree Application Fee		1,200.00
001.316.3215 GOVERNMENT TAX REVENUE:Reforestation Fund		1,385.00



Trial Balance

	DEBIT	CREDIT
001 301 1001 Barmite Fose and Special Accessments: Calf Cart Barmit		5 050 00
001.021.1001 Films), response Decide Assessments: doi: 0.011.021.1001 Permits Fees and Special Assessments: Remits		3.280.57
001.322.0002 Permits. Fees and Special Assessments:Business License Fees		24,799.42
001.322.0003 Permits, Fees and Special Assessments:Sidewalk Permits		900.00
001.323.7001 Sanitation Fees revenue	•	105,811.24
001.335.000 INTERGOVERNMENTAL REVENUES:State Revenue Sharing		42,353.16
001.335.150 INTERGOVERNMENTAL REVENUES:Alcoholic Beverages License Tax		3,812.04
001.342-2001 PUBLIC SAFETY REVENUES:County Fire Protect- MSBU		7,005.16
001.354.000 Fines and Forfeitures - Local Ordinance		406.37
001.362.3621 Cemetery Lots & Openings revenue		3,500.00
001.367.7001 Oyster Harvesting Licenses	100.00	
001.369.9000 HEADER only Miscellaneous Revenue		419.00
001.362.3622 HEADER only Miscellaneous Revenue: Equipment /Property Rental		17,192.85
001.366.361 HEADER only Miscellaneous Revenue:Donations		4,666.35
001.369.0280 HEADER only Miscellaneous Revenue: Electric Car Charger Revenue		185.91
001.369.9005 HEADER only Miscellaneous Revenue:Community Garden Revenue		250.00
Due from Water and Sewer		8,199.05
Firing Range Revenue		3,860.00
Grant Awards	•	197,013.94
Other- EDI		65,368.75
Restricted Revenue: Project Impact		55,000.00
Sales of Product Revenue		5,742.04
Services		21,535.22
Tax over payment		44.51
001.511.3104 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:Professional Services -Lobbyist	5,748.40	
001.511.4000 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:Travel & Training - Governing Body	1,556.82	
001.511.4100 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:Communications - Governing Body	438.58	
001.511.4101 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:IT Services - Governing Body	294.00	
001.511.5200 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:Supplies - Governing Body	513.16	
001.511.5400 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:Dues & Fees - Governing Body	350.00	
001.514.3110 GENERAL GOVERNMENTAL SERVICES:GOVERNING BODY:Legal services	8,768.75	

Trial Balance

	DEBIT CREDIT
001.519.4000 GENERAL GOVERNMENTAL SERVICES:ADMINISTRATION:Travel & Training - Admin Dept	3,871.40
001.519.4100 GENERAL GOVERNMENTAL SERVICES:ADMINISTRATION:Communications - Admin Dept	6,339.36
001.519.4101 GENERAL GOVERNMENTAL SERVICES:ADMINISTRATION:IT Services - Admin Dept	4,800.00
001.519.4800 GENERAL GOVERNMENTAL SERVICES:ADMINISTRATION:Advertising/Promotional	5,606.60
001.519.5200 GENERAL GOVERNMENTAL SERVICES:ADMINISTRATION:Supplies - Admin Dept	20,734.82
001,519.5400 GENERAL GOVERNMENTAL SERVICES:ADMINISTRATION:Dues & Fees - Admin Dept	961.50
001.521.4100 PUBLIC SAFETY:LAW ENFORCEMENT:Communications - Police Dept	3,356.36
001.521.4600 PUBLIC SAFETY:LAW ENFORCEMENT:Repair & Maint. Vehicles - Police Dept	902.03
001.521.5200 PUBLIC SAFETY:LAW ENFORCEMENT:Supplies - Police Dept	2,447.57
001.521.5210 PUBLIC SAFETY:LAW ENFORCEMENT:Uniforms - Police Dept	2,731.50
001.522.1301 PUBLIC SAFETY:FIRE CONTROL:First Responder expense	2,300.00
001.522.4100 PUBLIC SAFETY:FIRE CONTROL:Communications	900.00
001.522.5200 PUBLIC SAFETY:FIRE CONTROL:Supplies	944.42
001.522.5201 PUBLIC SAFETY:FIRE CONTROL:Equipment expense	99.26
001.524.5201 PUBLIC SAFETY:ZONING & CODE ENFORCEMENT:Equipment expense	50.00
001.539.3102 PHYSICAL ENVIRONMENT:PUBLIC WORKS:Sanitation - Landfill - Public Works	155,393.51
001.539.4100 PHYSICAL ENVIRONMENT:PUBLIC WORKS:Communications - Public Works	211.16
001.539.4600 PHYSICAL ENVIRONMENT:PUBLIC WORKS:Repairs & Maintenance - Pub Works	8,127.97
001.539.5200 PHYSICAL ENVIRONMENT:PUBLIC WORKS:Supplies - Public Works	8,510.30
001.539.5210 PHYSICAL ENVIRONMENT:PUBLIC WORKS:Uniforms - Public Works	675.77
001.539.7100 PHYSICAL ENVIRONMENT:PUBLIC WORKS:Debt Payment - Public Works	1,460.87
001.543.4600 TRANSPORTATION:FACILITIES:Repairs & Maintenance - Facilities	8,850.78
001.571.4100 CULTURE AND RECREATION:LIBRARY:Communications - Library	723.22
001.571.5200 CULTURE AND RECREATION:LIBRARY:Supplies - Library	288.87
001.571.5210 CULTURE AND RECREATION:LIBRARY:Books - Library	1,509.78
Building/Structure Repairs	31,389.96
Capital Expenditures	21,871.98
Charitable Contributions	480.00
Communication (deleted)	6,653.78
Due to Water and Sewer	1,553.67
Equipment Rental	2,150.97

Trial Balance

	DEBIL	CARDI
Insurance- Liability, Property	57,954.34	
IT Services	5,600.00	
Janitorial Services	3,710.00	
Personnel	2,713.00	
Personnel:Contract Services	48,889.99	
Personnel:Group insurance	86,441.80	
Personnel:Payroll Tax	208,028.80	
Personnel:Retirement		32,971.05
Personnel:Salaries/Wages	417,390.90	
Professional Services	81,986.75	
Supplies	16,843.08	
Uncategorized Expense	17,536.47	
Utilities	29,757.77	
Vehicle Repairs	784.63	
Copies		12.50
Interest Earned		1,020.26
Retiree Payment		1,182.76
Special Programs:Revolving Loans		658.11
Facility Rental Deposit Returns	350.00	
Miscellaneous Expense	55,000.00	
TOTAL	\$5,197,922.68	\$5,197,922.68

City of Apalachicola- General Statement of Financial Position

As of March 1, 2022

	į.			
	Ос	t - Dec, 2021	Jan	1 - Mar 1, 2022
ASSETS				
Current Assets				
Bank Accounts				
CASH ACCOUNTS	*			0.00
APALACHICOLA FARMER'S MARKET-5382		20,605.42		21,026.31
COMMUNITY GARDEN - 9913		2,901.97		2,902.09
FIRING RANGE-3543		110.59		110.59
GENERAL-8611		2,695,361.58		2,840,231.30
HISTORY CULTURE ARTS- 9912		24,110.29		23,594.02
LIBRARY TRUST-9615	İ	34,184.75		34,186.20
OYSTER HARVESTING 1671		35,635.89		35,637.40
PAYROLL-9411		14,914.99		45,702.26
POLICE/FIRE STATION RESERVE-8901		51,437.19		51,439.37
PROJECT IMPACT-9914		70,838.63		27,049.34
REDEVELOPMENT TRUST FUND-7711		324,403.54		294,233.05
SINKING FUND-8301		1,003.43		1,003.47
Total CASH ACCOUNTS	\$	3,275,508.27	\$	3,377,115.40
General 8611 (deleted)		0.00		0.00
OPERATION AND MAINTENANCE FUND-3701		0.10		0.10
RESERVE 2003 BOND ISSUE- 8303		145,050.81		145,069.29
REVOLVING LOAN ESCROW-1611		275,907.56	ļ.	275,919.28
SINKING 2003 BOND ISSUE-8302		1,009.06		1,009.10
SRF DEBT SERVICE ACCOUNT-8028		141,783.53		141,789.55
SRF REPAYMENT RESERVE-8490		1,006.03		1,006.07
USDA POLICE/FIRE-7101		1,002.67		1,002.71
Water Sewer Revenue				-66,916.77
Total Bank Accounts	\$	3,841,268.03	\$	3,875,994.73
Other Current Assets				
Due to payroll		-147,690.32		-131,583.08
Uncategorized Asset		0.00		-19,503.13
Total Other Current Assets	-\$	147,690.32	- \$	151,086.21
Total Current Assets	\$	3,693,577.71	\$	3,724,908.52
TOTAL ASSETS	\$	3,693,577.71	\$	3,724,908.52
LIABILITIES AND EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
Accounts Payable (A/P)		147,500.49		0.00
Total Accounts Payable	\$	147,500.49	\$	0.00
Total Current Liabilities	\$	147,500.49	\$	0.00
Total Liabilities	\$	147,500.49	\$	0.00
Equity		, 5 5 5 1 . 6		w e w M

Opening balance equity	3,198,591.83	3,198,591.83
Retained Earnings	30,342.50	30,342.50
Net Revenue	 317,142.89	495,974.19
Total Equity	\$ 3,546,077.22	\$ 3,724,908.52
TOTAL LIABILITIES AND EQUITY	\$ 3,693,577.71	\$ 3,724,908.52

Tuesday, Mar 01, 2022 09:57:18 AM GMT-8 - Accrual Basis

Statement of Cash Flows

October - December, 2021

	TOTAL
OPERATING ACTIVITIES	THE PROPERTY OF THE PROPERTY O
Net Revenue	317,142.89
Adjustments to reconcile Net Revenue to Net Cash provided by operations:	
Due to payroll	147,690.32
Uncategorized Asset	0.00
001.202.000 Accounts Payable (A/P)	142,331.58
Total Adjustments to reconcile Net Revenue to Net Cash provided by operations:	290,021.90
Net cash provided by operating activities	\$607,164.79
FINANCING ACTIVITIES	
Opening balance equity	1,150,617.04
Retained Earnings	35,631.41
Net cash provided by financing activities	\$1,186,248.45
NET CASH INCREASE FOR PERIOD	\$1,793,413.24
Cash at beginning of period	2,047,854.79
CASH AT END OF PERIOD	\$3,841,268.03

ATTORNEY REPORT

TO: City Commission, City of Apalachicola

FROM: Daniel W. Hartman, Esq.

DATE: March 2022

SUBJ: City Attorney Report for Commission Meeting

1. Code Enforcement Matters

a. Smith/Hall SW Floodplain matter

At the most recent Case Management Conference the Court set these matters for a one day trial on August 10, 2022. Efforts to settle both cases are ongoing.

2. CRA

Research has been conducted per the direction from the City Commission at the February 2022 meeting. The threshold question is whether or not the Commission can extend the term of the CRA consistent with the provisions of Section 163.3755, F.S. On this question I have consulted with a number of professionals experienced with the law and practices associated with Florida CRA's and researched available legal resources.

Based on my research to date I have concluded that there does not exist legal authority to extend the term of the CRA in light of the plain language of applicable Florida law. The result is that the City should conclude the financial affairs of the CRA consistent with State law in consultation with the City auditor. The City has the option of setting up a new CRA consistent with Ch. 163, F.S.

3. Lafayette Park Lighting Agreement

Attached for review is the Lafayette Park Lighting Agreement. Material revisions are as discussed at the previous meeting. Specifically, providing for payment by the Historic

1

Apalachicola Foundation, Inc. (Foundation) of all labor and material costs. The Foundation reserves to itself the option of terminating the agreement in the event the labor and/or material costs exceed expectations. Also the Foundation will directly contract and pay for materials and labor required for installation. Action is required to approve the agreement and authorize the Mayor or Manager to sign the Agreement on behalf of the City.

4. Solid Waste ITN

Available for review and comment is the Draft Solid Waste ITN. The ITN has also been provided to the City's solid waste consultant for review and revision. Once finalized it will be advertised and put out for response.

APALACHICOLA CITY COMMISSION REQUEST FOR BOARD ACTION Meeting Date:

SUBJECT: Lafayette Park Lighting Donation Agreement

AGENDA INFORMATION:

Agenda Location: Unfinished Business

Item Number:

1

Department:

Legal

Contact:

City Attorney

Presenter:

City Attorney

BRIEF SUMMARY:

Approval of a Donation Agreement with respect to replacement of lighting on 28 lamp posts in Lafayette Park. The agreement has been discussed at previous meetings and provides for payment by the Historic Apalachicola Foundation, Inc. (Foundation) of all labor and material costs associated with the lighting replacement. The Foundation reserves to itself the option of terminating the agreement in the event the labor and/or material costs exceed expectations. Also the Foundation will directly contract and pay for materials and labor required for installation. Action is required to approve the agreement and authorize the Mayor or Manager to sign the Agreement on behalf of the City.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

A Motion to Approve the Agreement and authorize the City Manager or Mayor to sign the Agreement on behalf of the City

FUNDING SOURCE:

Donation by the Historic Apalachicola Foundation, Inc.

ATTACHMENTS:

Donation Agreement

STAFF'S COMMENTS AND RECOMMENDATIONS:

DONATION AGREEMENT

This Donation Agreement is made and entered into this _____ day of March 2022, by and between the Historic Apalachicola Foundation, Inc., a Florida non-profit corporation ("Foundation") and the City of Apalachicola, Florida, a Florida municipal corporation ("City").

WHEREAS, the City owns the property located on the shore of Apalachicola Bay, southeast of Avenue B, between 13th Street and 15th Street in Apalachicola, Florida, known as Lafayette Park.

WHEREAS, within Lafayette Park there are 28 lamp posts with electric lights, many of which are not currently working or were damaged in Hurricane Michael in 2018. Repairs are necessary.

WHEREAS, the Foundation wishes to donate to the City funds to purchase and install new light fixtures on all existing lamp posts in Lafayette Park.

WHEREAS, the Foundation wishes to donate to the City funds to make other infrastructure improvements to Lafayette Park.

WHEREAS, the City wishes to accept the donation of funds for the purchase and installation of light fixtures for lamp posts, and to make other such improvements as funds are donated.

NOW, THEREFORE, in consideration of the terms and covenants set forth herein, and other mutual consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

TERMS AND CONDITIONS

- 1. **DONATION TO THE CITY**: Foundation agrees to donate to the City an amount of Fifty-Five Thousand, Four Hundred Dollars (\$55,400). Such donation shall be restricted to the purchase certain Sternberg Lighting light fixtures as described in **Exhibit A and B**, and the cost of installation of such light fixtures on the 28 existing lamp posts in Lafayette Park according to **Exhibit C** (estimate by Cate's Electric Service), only. Such donation shall be in the form of payment directly to the material supplier and Cates Electric for materials and services. The Foundation agrees to administer the donation in accordance with this agreement.
- 2. **ACCEPTANCE**: The City agrees to accept the Donation from the Foundation as set forth in Section 1 above.
- 3. **INSTALLATION**: The light fixtures shall be installed according to the manufacturer's specifications and terms as described in **Exhibit B**. The Foundation agrees to hire the appropriate contractors and electricians for the installation of the light fixtures. The installation shall be of high-quality workmanship and completed within a reasonable period

of time after the effective date of this Agreement. The City hereby grants to the Foundation and its contractors access to Lafayette Park during the term of this agreement for the purpose of installing the donated fixtures.

- 4. **CURRENT QUOTES**: The Foundation reserves the right to amend or withdraw the Donation if the revised quotes for the light fixtures and labor exceed the current quotes provided in **Exhibits A, B and C**.
- 5. **OWNERSHIP**: The City agrees to accept ownership of all fixtures and equipment purchased according to this Agreement. The City agrees to be responsible for paying all costs associated with providing proper maintenance, service, and replacement of the light fixtures in Lafayette Park after installation.
- 6. **INDEMNIFICATION**: Each party to this Agreement shall be liable for its own actions and negligence and, to the extent permitted by law, the Foundation shall indemnify the City for any actions, claims or damages arising out of the Foundation's negligence in connection with this Agreement, and the City shall indemnify the Foundation for any actions, claims, or damages arising out of the City's negligence in connection with the Agreement. The foregoing shall not constitute a waiver of sovereign immunity beyond the limits set forth in Florida Statutes, Section 768.28, or of any defense available to either party.
- 7. **NO THIRD-PARTY BENEFICIARIES**: This Agreement and the provisions hereof are for the exclusive benefit of the Parties hereto and their affiliates and not for the benefit of any third person, nor shall this Agreement be deemed to confer or have conferred any rights, express or implied, upon any other third person.
- 8. **NOTICES**: Notices required by or related to this Agreement shall be sent by U.S. mail, facsimile or email to the addresses set forth below. Parties shall notify each other in writing if the below names and addresses change.

Notices to the City shall be sent to: City Manager

City of Apalachicola

192 Coach Wagoner Blvd. Apalachicola, FL 32320

With a copy to: Daniel W. Hartman

City Attorney PO Box 10910

Tallahassee, FL 32302

Notices to the Foundation shall be sent to: Marie Marshall

66 Avenue D

Apalachicola, FL 32320

With a copy to:

Robert C. Volpe Holtzman Vogel, PLLC 119 S. Monroe St., Suite 500 Tallahassee, FL 32301

9. MISCELLANEOUS:

- a. **Entire Agreement**. This Agreement and the Exhibits hereto constitute the entire agreement and understanding of the parties and supersede all offers, negotiations, and other agreements of any kind. There are no representations or understandings of any kind not set forth herein. Any modification of or amendment to this Agreement must be in writing and executed by both parties.
- b. Waiver and Delay. No waiver or delay of any provision of this Agreement at any time will be deemed a waiver of any other provision of this Agreement at such time or will be deemed a waiver of such provision at any other time.
- c. Governing Law and Venue. This Agreement shall be construed in accordance with the laws of the State of Florida. Any legal action brought in connection herewith shall be brought in Franklin County, Florida.
- d. Severability. If any term of this Agreement is found to be void or invalid, such invalidity shall not effect the remaining terms of this Agreement, which shall continue in full force and effect.
- e. **Default**. In the event of any party's default in the performance of any obligation or covenant under this Agreement, any non-defaulting party may, at its election: (a) avail itself of the equitable remedy of specific performance; or (b) terminate this Agreement upon sixty (60) days' written notice to the defaulting party if the default is not cured within such sixty (60) days.
- 10. **ADDITIONAL IMPROVEMENTS**: The Parties agree to act in good faith and expeditiously negotiate additional improvements to Lafayette Park as requested by the Foundation. The Parties understand that such additional improvements may require additional donations by the Foundation and will be conducted under separate agreement(s).

IN WITNESS WHEREOF, this Donation Agreement has been signed and sealed, in duplication, by the respective parties hereto on the dates set forth below.

DATED this _____ day of March 2022, by the City of Apalachicola, Florida

CITY OF APALACHICOLA, FLORIDA

	By:
	Brenda Ash, Mayor
Attest:	
Deborah Guillotte, City Clerk	
Approved as to form and correctness	
Daniel W. Hartman, City Attorney	
DATED this day of March 2022, by the	Historic Apalachicola Foundation, Inc.
Witnesses as to the execution on behalf of the Historic Apalachicola Foundation, Inc.:	HISTORIC APALACHICOLA FOUNDATION, INC.
· · · · · · · · · · · · · · · · · · ·	By:
Witness	Marie Marshall, President
Witness	

[EXHIBITS]

MINUTES OF THE VISSION SESSION MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, DECEMBER 21, 2021, 9:00 AM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash Travis Wade, City Manager

Commissioner Anita Grove Bree Robinson, Grant Development and

Commissioner Despina George Implement Coordinator

Commissioner Adriane Elliott Sheneidra Cummings, CRA Director

Commissioner Donna Duncan Chris Holley, Consultant

CALL TO ORDER

Mayor Brenda Ash called the meeting to order and gave the Invocation, followed by the Pledge of Allegiance.

Mr. Keith Bowers, FAMU SBS, conducted the 2nd Visioning Session, and the Commission had discussion on how to create a unified vision of the future needs and projects for the City of Apalachicola.

ADJOURNMENT

With no further business, the visioning session was adjourned at 12:15pm.

Brenda Ash, Mayor

Deborah Guillotte, City Clerk

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, JANUARY 4, 2022, 4:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash

Commissioner Anita Grove

Commissioner Despina George

Commissioner Adriane Elliott

ABSENT: Commissioner Donna Duncan

Travis Wade, City Manager

Deborah Guillotte, City Clerk

Joshua Pasquale, Attorney

CALL TO ORDER

Mayor Brenda Ash called the meeting to order and gave the Invocation, followed by the Pledge of Allegiance.

AGENDA ADOPTION

Commissioner Anita Grove made a motion to adopt the Agenda. Commissioner Despina George seconded and the motion carried 4-0.

PUBLIC COMMENT

Public comments consisted of the following: 1) Battery Park Marina – houseboats grandfather status – houseboats will have 12 months from date of adoption to move from marina; 2) H'COLA – 19th Annual African American History Festival January 18th – 20th, 2022 at Franklin Square; 3) H'COLA Magnolia Cemetery Pavilion - Duke Energy grant received to be able to install power; 3) Dr. Martin Luther King Annual Motorcade/Walk/Singing on January 17, 2022; 4) City's 4pm meeting time; 5) Ken Schroeder – impermeable deck coverage issue; 6) Harrison Jones – power pole and violation issue; 7) Ms. Marie Marshall – Lights at Lafayette Park and accepting donation gift.

Mayor Ash opened the public hearing.

Public Hearing

ORDINANCE 2021-03 – BATTERY PARK MARINA ORDINANCE – SECOND READING AND FINAL ADOPTION

Attorney Josh Pasqualone read Ordinance 2021-03 by title only:

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, REPLACING IN WHOLE ORDINANCE NO.(S) 91-9 AND 2003-01; ESTABLISHING RULES, REGULATIONS AND FEES TO BE CHARGED FOR THE USE OF BATTERY PARK MARINA; PROVIDING FOR TEMPORARY PARKING OF CAMPERS AT

Regular Meeting - 1/4/2022 - Page 2

BATTERY PARK POINT; PROVIDING FOR TIMELY REPORTING OF FEES COLLECTED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

No public comments.

Mayor Ash closed public hearing.

Regular Meeting

UNFINISHED BUSINESS

ORDINANCE 2021-03 – BATTERY PARK MARINA ORDINANCE – SECOND READING AND FINAL ADOPTION

Attorney Josh Pasqualone read Ordinance 2021-03 by title only:

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, REPLACING IN WHOLE ORDINANCE NO.(S) 91-9 AND 2003-01; ESTABLISHING RULES, REGULATIONS AND FEES TO BE CHARGED FOR THE USE OF BATTERY PARK MARINA; PROVIDING FOR TEMPORARY PARKING OF CAMPERS AT BATTERY PARK POINT; PROVIDING FOR TIMELY REPORTING OF FEES COLLECTED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Adrian Elliott made a motion to adopt Ordinance 2021-03. Commissioner George seconded and the motion carried 4-0.

NEW BUSINESS

1. CITY OF APALACHICOLA COMMUNITY REDEVELOPMENT TRUST FUND AND INCREMENT REVENUES

Commissioner George discussed concerns consisting of the following: 1) CRA's prior year's increment revenues (95%) from both the City and County and the amount of current year's increment percentage (50%) approved in the FY 2021-2022 budget; 2) notification to the County of the decrease to 50%; 3) CRA Plan termed in September 2020 and needs CRA Plan renewed; and 4) establishment of trust fund and collection of increment revenues by Resolution and not an Ordinance. The City Manager, CRA Director and Attorney will research further.

NEW BUSINESS 1. WWTP - ENGINEERING RFP

Mr. Wade requests approval to publish the RFP for the complete WWTP engineering,

Commissioner Grove made a motion to approve the publication for the WWTP Engineering RFP. Commissioner George seconded and the motion carried 4-0.

MAYOR AND COMMISSIONER COMMI	ENTS
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Commissioner Comments consisted of the following: 1) Franklin Square – research usage fee for all squares; 2) Audit Committee – open positions; 3) city owned r-o-w and usage permits/events – make sure individuals/businesses go through the proper process; 4) Garbage street side pickup changes effective January 16th – residents contact office for elderly/disabled front door pick-up – publication was placed in newspaper; 5) Tree committee vacancy; 6) audit committee – exit conference, draft resolution revoking previous resolution and write new, to form audit selection committee; 7) DOT beautification grant on Market and 8th Street of the peanut grass – applying roundup – check on alternative; 8) Job postings – Mr. Wade stated they were posted on website and newspaper; 9) Holy Family renovation; 10) Lafayette Park Pier railing needs completed.

CITY MANAGER

Mayor's Proclamations - Commissioner Grove made a motion to accept the Arbor Day Proclamation and the Apalachicola School Choice Week Proclamation. Commissioner Elliott seconded and the motion carried 4-0.

Mr. Wade gave an update on the Garbage RFP; Evergreen salary study; Website and Microsoft software.

GRANTS COORDINATOR COMMUNICATIONS

Bree Robinson - See Attachment "A"

ATTORNEY COMMUNICATIONS

Attorney Pasqualone stated that the executive session is to be scheduled and Commission will be notified.

Commissioner Grove inquired about existing projects and requested about getting a list electronically or verbally.

ADJOURNMENT

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.

Deborah Guillotte, City Clerk Brenda Ash, Mayor

Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting – January 4, 2022 – 4:00

1. Florida Department of State African-American Cultural and Historical Grant – Apalachicola Museum of African-American Culture and History

Submitted on 11/30, will hear awards in 2022.

2. HMGP – Backup Generator for Vacuum Station (108 Avenue F)

Grant application was submitted for \$170,000 for a new backup generator. (Current in use is too small for need.) Had to apply for a portable generator instead of stationary, as they will not fund for a stationary one in a flood zone.

3. Duke Energy - Christmas Lights

We applied for and received \$2,500 in funds for new/additional Christmas lights for the City. Check has been received!

4. Leslie Street

WAITING FOR UPDATE ON APPEAL

5. National Park Service Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)

The City has signed a contract with the historic architect (4M Design – Mark Tarmey) and he has begun measuring, photographing and assessing the two buildings in terms of documenting existing condition and recommended required repair that will be completed in accordance with historic standards. The City has successfully met the first progress report deadline and procurement deadlines set out in the grant agreement. Next week, we begin drafting advertisements for RFPs for all of the other required service contracts including electrical, construction, roof (if nec) and flood mitigation. We will coordinate with the architect to review the rfps to incorporate what he suggests (within budget of

course). We can expect to see the first architect deliverables within the next month.

6. Fire Hydrants

The hydrants for the Phase I of the 2021-2022 Capital Investment Plan outlined in the 2021-2022 Budget will be ordered in December with installation in Calendar Q1, 2022. Cost of materials went up higher than budgeted amount – waiting on consult from interim finance director before placing the order.

7. Grants Update - *updates needed*

- a. FDOT City Landscaping Bids Received bids received were over budget, waiting for instruction from FDOT on how to proceed.
- b. CDBG-DR Infrastructure Awaiting Scope of Work Request from DEO
- c. CDBG-DR Hometown Revitalization Submitted Scope of Works for both the Riverfront and Hill Projects.
- d. HMGP Emergency Generators Documents received and executed. Awaiting CDBG-DR Award for Matching Funds.
- e. HMGP Market Street Vacuum Station Documents received and executed. Awaiting CDBG-DR Award for Matching Funds.
- f. Michael FEMA Projects Finance Director must file a quarterly report that indicated little or no progress on many funded claims.
 - i. Lafayette Park Pier Pavilion, Work Begins 12/4/2021
 - ii. New documents are filed with the US Corps of Engineers. FEMA requested documentation on communication and certain approvals or permits from the Corps of Engineers.
 - iii. Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin. Permits filed for within deadline.
 - iv. Battery Park V Pier has sparked interest at FEMA even though there has been no determination from NFWS concerning the habitat of the endangered sawfish. Three pages of questions have been answered.
 - v. Lafayette Park Pier Pavilion, Work Begins 12/4/2021
- g. DEP WWTP Tank Cleaning US Submergent mobilized and began work 12/1/21. Completed on 12/9!

8. DEP Grant Application - WWTP

Grant #2 is an application for the WWTP totaling \$14 million - the City of Apalachicola was approved for the full \$14 million for new equipment and relocation. There is a duplication within the DEP WWTP \$14 million and the DEO Headworks \$4 million grants. The DEP application included the Headworks. The City has been in contact with both the DEO and DEP regarding this issue. DEO will not change their scope of work for the Headworks project, but DEP is open to removing the Headwords from the scope and replacing it with other key structures that will be relocated, as well. (With proper justification.) We will hear back from DEP with their decision in January.

Grant #1 on the vulnerability study is still awaiting action DEP confirmed that it was still in process and that they had only sent out documentation and requests on infrastructure projects.

- 9. Battery Park 10 Foot Hole Seawall Ready to go out for bid in January.
- 10. USDA Water Street Permeable Parking Sidewalk and Lighting Ad ran again without mandatory meeting. USDA requested the City do this the third time as we had only one interested contractor. New submission date 12/16/2021. (Another extension until January 17th was approved in case we need more time again.)
 One bid received it was over budget. Dewberry is reviewing and has been in contact with USDA to see about changing the scope and working with the contractor to negotiate the bid. We were told by USDA to hold off on advertising again waiting to hear back from State Office on how to proceed.

All information included in this report is accurate as of December 30th, 2021 12:00pm. After that time, information is subject to change.

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD THURSDAY, FEBRUARY 10, 2022, 4:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash

Commissioner Anita Grove
Commissioner Despina George
Commissioner Adriane Elliott
Commissioner Donna Duncan

Travis Wade, City Manager Deborah Guillotte, City Clerk Dan Hartman, Attorney

CALL TO ORDER

Mayor Brenda Ash called the meeting to order and Val Webb gave the Invocation, followed by the Pledge of Allegiance.

AGENDA ADOPTION

Commissioner Anita Grove made a motion to adopt the Agenda. Commissioner Adriane Elliott seconded and the motion carried 5-0.

PUBLIC COMMENT

- 1. Tim Center Early Childhood Services Give update on Head Start at City Hall Not present
- **2. Frenchy Haynes Camp Moving Education -** Frenchy Haynes distributed information to the Commission and requested that they support the Moving Education Institute Inc., of community moving education which includes summer arts, sports, fitness, etc. and many more activities for youth. Mr. Haynes stated this current activity will be for a six week period, and that we are requesting the use of two offices at City Hall for these and also future programs.

Commissioner Grove made a motion to approve the use by Moving Education Institute Inc., of two rooms at City Hall in the amount of \$100 per month, per room.

Commissioner Grove amended her motion to approve the use by Moving Education Institute Inc., of two rooms at City Hall in the summer, and we will address the other programs at the time needed in the amount of \$100 per month, per room. Commissioner Elliott seconded and the motion carried 5-0.

Lloyd Childree – Wastepro – Mr. Childree updated the Commission on current garbage issues/complaints with it being moved to the street and avenue sides, stating that things seem to be moving forward nicely. Deborah Guillotte stated that City Hall has received a few calls, but overall, things seem to be great. Staff has been talking with residents that are handicap etc., and cannot move their cans and arrangements have been made in these cases for special pick-up. Ms. Guillotte also stated that Wastepro staff is coming in the office daily to check on any ongoing issues.

UNFINISHED BUSINESS

1. LAFAYETTE PARK LIGHTING – CONSIDERATION AND APPROVAL/DISAPPROVAL OF CONTRACT WITH HISTORIC APALACHICOLA FOUNDATION, INC. TRUST FOR INSTALLATION OF LIGHTING IN LAFAYETTE PARK - ATTORNEY DAN HARTMAN

Attorney Dan Hartman reviewed past concerns of Lafayette Park Lighting between Apalachicola Historic Foundation Inc. (AHF) and the City of Apalachicola with materials, installation and labor. Attorney Hartman stated that Marie Marshall has agreed that the AHF, Inc. has agreed to pay for materials, installation and labor, which is not in the current Donation Agreement, but will be updated for approval.

Commissioner Grove made a motion to accept the donation from Apalachicola Historic Foundation, Inc., to donate lighting in Lafayette Park. Commissioner Despina George seconded and the motion carried 5-0.

NEW BUSINESS

1. SCHEDULE BUILDING HEIGHT WORKSHOP – PROPOSED DATES: FEBRUARY 16^{TH} , 17^{TH} , 23^{RD} OR 24^{TH}

The Commission scheduled the building height workshop for Wednesday February 23rd at 4pm.

NEW BUSINESS 2. TREE COMMITTEE – MEMBER APPOINTMENT

Commissioner George made a motion to appoint Scott Davis to the vacant position of the Tree Committee. Commissioner Elliott seconded and the motion carried 5-0.

NEW BUSINESS

3. ENGINEERING SERVICES - STORMWATER PIPE RELINING

Bree Robinson requested that the Commission accept the proposal from Urban Catalyst Consultants for Storm Water Pipe Relining, for Civil Engineering Services. This area includes: Fred Meyer near 18th Street; 5th Street between Avenue C and E; and Avenue B between 11th and 12th Street.

Commissioner George made a motion to authorize signature of Mr. Wade and to accept the proposal from Urban Catalyst Consulting. Commissioner Grove seconded and the motion carried 5-0.

MAYOR AND COMMISSIONER COMMENTS

Commissioner comments consisted of the following: 1) 17th & L sink hole by Denton Cove, and railing is leaning and the "road needs to stabilized"; 2) Cottage Hill & 11th Street "Dumping needs to be monitored"; 3) Sanitation RFP – Attorney Hartman reviewed; 4) Treatment System-TTHM's, and flushing hydrants etc. – Mr. Wade stated we are working with a flushing plan for hydrants, but our TTHM's have been within the levels within the last four quarters. Mr. Wade also stated that we are researching installing a chlorine injection pump on Bluff Road. This pump automatically regulates the chlorine, so the water is not over chlorinated, and we are still researching a new filter system; 5) resilience infrastructure workshop to be determined; 6)ban round-up in upcoming projects; 7) financial, capital improvement, and consent order monthly reports; 8) Regional planning update; and 9) new stop sign installation.

CITY MANAGER COMMUNICATIONS

Mr. Wade reviewed ongoing issues with Department of Environmental Protection Agency. Mr. Wade stated that EPA inspected our water and sewer plants and wells, and that staff learned a lot from this on-site inspection.

GRANT COORDINATOR COMMUNICATIONS

Briana Robinson - See Attachment "A"

Mayor Ash and Commission stated their concerns with the National Fish and Wildlife Foundation grant application for a feasibility study for Sylvester William Park, and that surrounding residents and public had not been notified, nor had it been brought before the board for approval. The Commission would like to have more feedback from the public and to also look at other areas. Briana Robinson stated that she will change the grant application to add different areas for the feasibility study and we will proceed with a public meeting when needed. See Attachment "B"

Commissioner Elliott made a motion to approve the submission of a grant application for a feasibility study from the Emergency Coastal Resilience Fund from the National Fish and Wildlife Foundation, contingent upon the amendment of the application to include other potential locations other than Sylvester Williams Park and that it is properly noticed to the public. Commissioner Grove seconded and the motion carried 4-1. Opposed: Mayor Ash

Commissioner Grove expressed her concern of the round-up and stated she did not approve of this, and that it not be used on the landscape any future projects; the project on Water Street and asked if pervious parking could not be done, not to use asphalt or pavement. In a response to a question by Commissioner Grove, Ms. Robinson stated that the City is under appeal with FEMA to see if they will fund the Leslie Street project and are also applying for a FDOT SCOP grant.

ATTORNEY COMMUNICATIONS

Attorney Dan Hartman - See Attachment "C"

2. CRA – Discussion consisted of the following: 1) term has expired and can it be extended; 2) establishment of trust account and the ability to collect TIFT revenues; and 3) current year contributions. Mayor Ash, Commissioners Elliott, Duncan and Grove are in favor of continuing the CRA. Attorney Hartman will research and see if we can extend the CRA and move forward with this issue. Discussion held on paying the money match to the County.

CONSENT AGENDA

- **A. Meeting Minutes Adoption** December 7, 2021 Regular Meeting; and December 13, 2021 Public Hearing/Special Meeting Minutes
- B. Planning and Zoning Minutes December 2021 and January 2022

Regular Meeting – 2/10/2022 – Page 5
Commissioner Elliott made a motion to approve the Consent Agenda. Commissioner Grove seconded and the motion carried 5-0.
DEPARTMENT REPORTS
ADJOURNMENT
Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 5-0.
Brenda Ash, Mayor
Deborah Guillotte, City Clerk

Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting – Thursday, February 10, 2022

1. National Fish and Wildlife Foundation – Emergency Coastal Resilience Fund 2021 – City of Apalachicola Regional Park and Stormwater Facility Phase 1

COA submitted a grant application for \$253,925.83 on 2/3/22 for a feasibility study and engineering design for city owned property in order to see if we could utilize it to create a regional stormwater facility. This stormwater park would provide flood protection and treatment of urban runoff pollutants along with providing a lit walking trail and park for the community.

2. Florida Department of State African-American Cultural and Historical Grant – Apalachicola Museum of African-American Culture and History

Submitted on 11/30, will hear awards in 2022. Still in review.

3. HMGP – Backup Generator for Vacuum Station (108 Avenue F)

Grant application was submitted for \$170,000 for a new backup generator. (Current in use is too small for need.) Had to apply for a portable generator instead of stationary, as they will not fund for a stationary one in a flood zone. Still in review.

4. Leslie Street

WAITING FOR UPDATE ON APPEAL

Reached out to FEMA 2/1/22 – Project still in review; no timeline. Seeking out other grant opportunities from FDOT.

5. National Park Service Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)

The City has signed a contract with the historic architect (4M Design – Mark Tarmey) and he has begun measuring, photographing and assessing the two buildings in terms of documenting existing condition and recommended required repair that will be completed in accordance with historic standards. The City has successfully met the first progress report deadline and procurement deadlines set out in the grant agreement. RFP's for electrical, construction, roof, and flood mit RFP's still in progress – coordinating with 4M Design.

6. Fire Hydrants

The hydrants for the Phase I of the 2021-2022 Capital Investment Plan outlined in the 2021-2022 Budget were ordered in January with installation in Calendar Q1, 2022.

7. Grants Update -

- a. FDOT City Landscaping Bids Received bid negotiated and project awarded to Gaskin Landscaping. Work began 2/3/22 and will be complete by March. Spoke with contractor to seek out alternatives to Round Up products –a small amount is being used to only affect top 2 layers of soil and will not contaminate water runoff.
- b. CDBG-DR Infrastructure Avenues Stormwater Repair Project is moving forward. City has 30 days to submit documents (policies and procedures, etc.) to DEO. (end of Feb.) We are working on this now. Engineer Procurement and design will need to be secured and created along with environmental review and clearance, then we are scheduled to bid out and begin construction in October/November.
- c. CDBG-DR Hometown Revitalization Submitted Scope of Works for both the Riverfront and Hill Projects. 2/3/2022 DEO let us know that both agreements are currently going through their internal routing process and they will update us when they have an update.
- d. HMGP Emergency Generators Documents received and executed. *Awaiting CDBG-DR Award for Matching Funds.*

- e. HMGP Market Street Vacuum Station Documents received and executed. Awaiting CDBG-DR Award for Matching Funds. Fully executed agreement received in January.
- f. Michael FEMA Projects Updates
 - Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin. Permits filed for within deadline to US Corps of Engineers – waiting for approval.
 - ii. Scipio Designs from engineers coming soon.
 - iii. Alleyway Repairs Alleyway: 3, 7, 9, 8, 10, 11, 6, 2, 5, 12, 4 Crushed Shells to be replaced ASAP. Will speak to public works on timeline.
 - iv. Old City Hall and HCA Contents loss from Michael Ordering replacement items week of 2/7. (Funding already received just needs to be ordered and receipts turned in.)
 - v. Lafayette Park Potential scope change if lights donation accepted.
 Pending.
- g. DEP WWTP Tank Cleaning US Submergent mobilized and began work 12/1/21. First round completed on 12/9! Had leftover grant funds after service, so they are coming back in September to complete another round of sand and grit removal and grant will close out in October 2022.

8. DEP Grant Applications – WWTP & Vulnerability Study

Grant #2 is an application for the WWTP totaling \$14 million - the City of Apalachicola was approved for the full \$14 million for new equipment and relocation. DEP contacted us and let us know we had 2 duplicated grant efforts both submitted to them. Both are for the WWTP – and combined could cover the entire WWTP Project costs, headworks and all. We are waiting to hear from DEP about combining efforts before we de-obligate the DEO funding of \$4million for the Headworks.
RFP for Engineering Services for the WWTP will be submitted to the paper the week of 2/7 and will be published the week of 2/14.

Grant #1 Vulnerability Study

We were pushed through to the next application round for funding! 2nd round application is due 2/14 and will be completed and submitted by then. Great news!

Documents to go out for bid are ready, but estimates for this project came in around \$280k. As an out of pocket expense, this is higher than anticipated and higher than budgeted for. Will consult with interim finance director in February.

10. USDA Water Street Permeable Parking Sidewalk and Lighting -

The one bid received was highly over budget - cost of materials has risen above our awarded amount for this project. USDA recommended a change of scope to include the sidewalk, but to omit the permeable pavers in the parking area. Dewberry is updating plans for USDA approval to reject all bids and re-bid out the project or to negotiate with the bid we received. We previously bid this project out 2 separate times and received only one bid.

All information included in this report is accurate as of February 4, 2022 at 12:00pm. After that time, information is subject to change.

UPDATE TO REPORT:

1. National Fish and Wildlife Foundation – Emergency Coastal Resilience Fund 2021 – City of Apalachicola Regional Park and Stormwater Facility Phase 1

COA submitted a grant application for \$253,925.83 on 2/3/22 for a feasibility study and engineering design for city owned property in order to see if we could utilize it to create a regional storm water facility. This storm water park would provide flood protection and treatment of urban runoff pollutants along with providing a lit walking trail and park for the community.

I wrote the above as part of my monthly report for the commission on 2/4/22. To give some background, we were on a very tight time crunch to submit an application for this NFWF grant... I, along with Alan Hart – Baskerville Donovan engineer – created and submitted an application to receive funds for a feasibility study and engineering design for a stormwater park on a City owned location within a few days of the grant window closing. The idea is to have a project shovel ready, so when more funding comes down we are ready to apply and get moving! Out of a few locations that were preliminarily discussed, such as Avenue M & Market Street (Botanical Gardens) and some smaller city owned lots in town, it was recommended to us by Mr. Hart that we apply for the Sylvester Williams Park location. This location could tie in nicely to the 6th Street Park, the Scipio Creek Boardwalk (ANERR) and the Millpond Marina bathrooms.

The Goal:

The park currently covers approximately 8 acres. Based upon current information, the location of the park could serve as a storm water facility that would receive storm water runoff from approximately 20% of the City. The storm water facility will be designed as a wet pond with littoral shelves and wetland vegetation to provide both flood protection and treatment of urban runoff pollutants. The wet pond would also be designed to allow the greatest length of lit walking trails around the perimeter of the pond and the park. This park will serve to benefit the community from a health and welfare standpoint and will also benefit the surrounding areas by providing flood mitigation and storm water quality treatment prior to the storm water runoff being conveyed into the Apalachicola Bay. As this is a Phase 1 application, there would be no construction or final plans or approval until a Phase 2 application is submitted and potentially funded.

Project Description from Grant Application:

The City of Apalachicola would like to complete a feasibility study and engineering design to convert Sylvester Williams Park into a regional storm water facility and a walking park. The purpose of this design will be to have the project construction ready within 6 months of procuring the grant dollars. The schedule is based upon the award of the grant. The park currently covers approximately 8 acres. Based

upon current information, the location of the park will serve as a storm water facility that would receive storm water runoff from approximately 20% of the City. The storm water facility will be designed as a wet pond with littoral shelves and wetland vegetation to provide both flood protection and treatment of urban runoff pollutants. The wet pond would also be designed to allow the greatest length of walking trails around the perimeter of the pond and the park. This park will serve to benefit the community from a health and welfare standpoint and will also benefit the surrounding areas by providing flood mitigation and storm water quality treatment prior to the storm water runoff being conveyed into the Apalachicola Bay. The Sylvester Williams Park will ultimately demonstrate the enormous benefits of the low-impact development planning process by creating a dual-purposed area. In addition, integrating the storm water facility within the park will increase environmental sustainability. Further, the park will positively impact and help retain property values in a low-income area.

This grant application is strictly for a feasibility study and engineering to see if this project is one would be helpful for our City. We are under no obligation to move forward with the designs if the City Commission and COA citizens do not fully approve of the location. NFWF actually made an error in their grant portal and has REOPENED it for modification until 2/16/2022. We have the option to push this application through, choose not to submit, or to change our scope. As of now, we are set to re-submit with this scope/description on 2/16.





ATTORNEY REPORT

TO: City Commission, City of Apalachicola

FROM: Daniel W. Hartman, Esq.

DATE: February 2022

SUBJ: City Attorney Report for Commission Meeting

1. Code Enforcement Matters

a. Smith/Hall SW Floodplain matter

Efforts to settle both cases are ongoing. Kimley Horn has completed a report which includes possible solutions that involve creating treatment/retention structures at least in part on City property. The parties are discussing the role each will play in the solution.

b. Moore/Jackson Case No.s 2021 MO 01 and 02

Mrs. Moore and Mr. Jackson have voluntarily cured the alleged code violation. The cases have been resolved.

2. CRA

The City Commission should discuss and decide whether to extend the term of the CRA. The term of the CRA can be extended by Resolution for that purpose by demonstrating compliance with Sections 163.361 and 163.3755, F.S.

MINUTES OF THE SPECIAL MEETING OF THE APALACHICOLA CITY COMMISSION HELD WEDNESDAY, FEBRUARY 23, 2022, 5:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash

Commissioner Despina George Commissioner Adriane Elliott

Commissioner Donna Duncan

ABSENT: Commissioner Anita Grove

Travis Wade, City Manager Deborah Guillotte, City Clerk Dan Hartman, Attorney

CALL TO ORDER

Mayor Brenda Ash called the meeting to order.

AGENDA ADOPTION

Commissioner Adrian Elliott made a motion to adopt the Agenda. Commissioner Despina George seconded and the motion carried 4-0.

RESOLUTION 2022-01 AUTORIZING SCOP APPLICATION – LESLIE STREET

Bree Robinson requested that the City apply for a SCOP Grant for Leslie Street in the amount of \$650,000, stating there is no match for this grant.

Mayor Ash inquired if the City could make it look more appealing. Travis Wade stated that if we were to change anything to the road surface, we risk our application funding.

Attorney Dan Hartman read Resolution 2022-01 in its entirety.

Commissioner George made a motion to adopt Resolution 2022-01 authorizing SCOP Application for Leslie Street. Commissioner Elliott seconded and the motion carried 4-0.

ADJOURNMENT		
Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.		
Brenda Ash, Mayor		
Deborah Guillotte, City Clerk		

CITY OF APALACHICOLA

PLANNING & ZONING BOARD
REGULAR MEETING
MONDAY, February 14th, 2022
Community Center/ City Hali -1 Bay Avenue
Agenda

Regular Meeting: 6:00 pm

Attendance: Al Ingle, Jim Bachrach, Bobby Miller, Lee McLemore, Dan Hartman

- Approval of Jan.10th, 2022 regular meeting & workshop minutes.
 Motion to approve by Jim Bachrach; 2nd by Lee McLemore. All in favor-Motion carries.
- 2. Review, Discussion and Decision for Review for two Mobile Homes. (R-3) @ 194 25th Ave. Block 240, Lots 4-7. For C. Juan-Owner; Contractor: tbd

 Motion to approve by Bobby Miller; 2nd by Lee McLemore. All in favor-Motion carries.
- 3. Review, Discussion and Decision for Mobile Home. (R-3) @ 196 25th Ave. & Bobby Cato, Block 240, Lots 1-3 For T. Juan-Owner; Contractor: tbd

 Motion to approve by Bobby Miller; 2nd by Lee McLemore. All in favor-Motion carries.
- 4. Review, Discussion and Decision for Driveway & Walkways. (Historic District) (R-1) @ 173

 Ave C. Block 96, Lots 1-2. For A. Reuiter-Owner; Contractor Sam & Liz Berkheizer

 Motion to approve by Bobby Miller; 2nd by Jim Bachrach. All in favor-Motion carries.
- Review, Discussion and Decision for Pole Barn. (R-2) @ 235 Prado St., Block 1, Lots 19-20.
 For B. Williams—Owner; Contractor: Tbd
 Motion to approve by Bobby Miller; 2nd by Jim Bachrach. All in favor-Motion carries.
- Review, Discussion and Decision for Pole Barn. (Historic District) (R-1) @ 226 9th St., Block 162, Lots 2-3. For J. Gedmin-Owner; Contractor: Tbd
 Motion to approve by Jim Bachrach; 2nd by Lee McLemore. All in favor-Motion carries.
- 7. Review, Discussion and Decision for Porch Addition. (R-2) @ 170 20th Ave. Block 246, Lots 1-3. For P. Martina-Owner; Contractor: Tbd

CITY OF APALACHICOLA

PLANNING & ZONING BOARD REGULAR MEETING MONDAY, February 14^h, 2022 Community Center/ City Hall -1 Bay Avenue Agenda

Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor-Motion carries.

8. Review, Discussion and Decision for Replace Shed/Garage. (Historic District) (O/R) @ 105 11th St. Block 75, Lot 9-10. For B. Lashley-Owner; Contractor: tbd Motion to approve by Bobby Miller; 2nd by Lee McLemore. All in favor-Motion carries.

9. Review, Discussion and Decision for New Single-Family Home. (Historic District) (R-1) @ 194/196 10th St. Block 157, Lots 3-4. For A. Rauscher-Owner; Contractor: Construct Group SE

Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor-Motion carries.

Other/New Business: -Welcome new Code Enforcement Officer Introduction - Angela Creamer
-Sign Workshop continuation scheduled for March 14, 2022 @5:00

Public Comments: -Tremaine Ray would like her house plan on 400sf lot placed on the P&Z Agenda:

Al Ingle, Bobby Miller and Lee McLemore stated that "we cannot allow homes on undersized lots due to the lot size requirement in the Land Development Code, however, this request can be presented to the Board of Adjustments"

-Bobby Miller announcement: Feb. 23rd at 4:00 there will be a Workshop

regarding building height restrictions.

Motion to Adjourn: Jim Bachrach; 2nd by Bobby Miller

Male

	·	

POLICE DEPARTMENT - MARCH REPORT

For the month of February, we were honored to receive an award from HCOLA in recognition of our partnership with them over the years. We helped this year during the annual festival. Patrol has been increased again to stop drivers of un permitted golf carts as well as un licensed drivers of golf carts. We continue to patrol residential areas as requested by out of town homeowners. Extra patrol and enforcement of trespasses for businesses were increased this month. The range gained two new members this month.

February 22 Totals

Traffic Stops/ Warnings/ citations	23	
Arrests/ Warrant Requests	3	
Traffic Accidents	3	
Burglary/Theft calls	2	
Assist Citizens/ Complaints/investigation	ns	604
Trespass Warnings/agreements	8	
Business alarm calls/building checks/we	elfare checks	724
assist county call/other agencies	39	
Assist Animal control	1	
Domestic cases involving violence/distu	ırbance calls	2
Drugs	0	
Total calls from dispatch	1482	

APALACHICOLA VOLUNTEER FIRE/RESCUE January 2022 - 29 Calls

Bi-Monthly Report

1. Accidents		8. Life Flights <u>1</u>
2. Life Assist EMS	<u>19</u>	9. Search/Rescue
3. Bi-Mo. Meetings		10. Training2
4. Brush Fires	3	11. Transformer Fires
5. House Fires	2	12. Cars
6. Vehicle	1	13. 1 st Responder Calls 52
7. Gas Leaks		14. Vessels 0
		
	FIRE	EFIGHTER ATTENDANCE
1. George Watkins	9	11. Chris Love3
2. Fonda Davis	<u>6</u>	12. Avery Scott 3
3. Ginger Creamer	22	13. Bruce Hoffman 29
4. Albert Floyd		14. Ashley Teat 0
5. Rhett Butler	5	15. Anthony Croom 8
6. Troy Morrison	22	16. Scott Burkett 12
7. Palmer Philyaw	1	17. Brooke Newell 0
8. Mike Vroegop	0	18. Shannon Segree 9
9. Troy Segree	20	19. Adam Joseph 6
10. Rick Hernandez	1	20. Craig Gibson5_
Additional Notes:		

Recorded by:		
Date:		

APALACHICOLA VOLUNTEER FIRE/RESCUE

February 2022 - 25 Calls

Bi-Monthly Report

1. Accidents		8. Life Flights1_
2. Life Assist EMS	<u>19</u>	9. Search/Rescue 3
3. Bi-Mo. Meetings	2	10. Training 0
4. Brush Fires	0	11. Transformer Fires
5. House Fires		12. Cars
6. Vehicle	0	13. 1 st Responder Calls 31
7. Gas Leaks		14. Vessels <u>0</u>
		FIREFIGHTER ATTENDANCE
1. George Watkins	3	11. Chris Love <u>3</u>
2. Fonda Davis	4	12. Avery Scott <u>3</u>
3. Ginger Creamer	20	13. Bruce Hoffman 21
4. Albert Floyd	3	14. Ashley Teat0
5. Rhett Butler	3	15. Anthony Croom 2
6.	0	16. Scott Brackett1_
7. Palmer Philyaw	1	17. Skylar Newell2
8. Troy Morrison	<u>10</u>	18. Shannon Segree
9. Troy Segree	<u> 26</u>	19. Adam Joseph <u>5</u>
10. Rick Hernandez		20. Craig Gibson 13
Additional Notes:		
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		The state of the s
Recorded by:		
Date:		

CITY OF APALACHICOLA ADMINISTRATION DEPARTMENT March 2021

- > Updated meeting calendar on website
- > Payroll
- > Finance Clerk posted revenues and expenses
- > Assist staff with tree applications, utility bill issues
- > Staff assisted with Cemetery, utility bills, garbage, permitting issues, city property rentals and other miscellaneous duties
- Billing Clerk assists the City Manager, City Clerk and Finance Director as needed, works front office with water bill collections, cemetery lot sales, assists water and sewer department as needed
- > Completed tasks as assigned by the City Manager/Commission
- > Public Records Request
- > Annual golf cart sticker renewals
- > Business License Renewal Notices and processing by City staff

62 work orders issued and 63 work orders completed
2331 payments processed
2089 bills mailed
137 cut-off list
Approximately 400 checks processed by accounts payable

192 Coach Wagoner Blvd * Apalachicola, Florida 32320 * 850-653-8222

February 28, 2022

CODE ENFORCEMENT OFFICE

February 28, 2022

- 8 Tree Permits (photos and site visits)
- 2 Sidewalk Permits
- 1 Fence Permit
- 14 Right-of-Way (photos, site visits and spoke with property owners)
- Daily Phone Inquiries & Emails Answered
- Several On-Site Meetings problems with Garbage in Alley ways
- Trees that are on City right of way that need to be cut
- **Daily Office Meetings**
- **Records Requests**
- Property Appraisers Office for Maps/plans
- Set up paper files and Electronic Files for each client
- Come in at 7:00 am to keep all Code Enforcement problems addressed.

Training for Finance Department

Finance Department training w/ Sara

Accounts Payable, entering invoices and coding

Accounts Receivable, checks and deposits

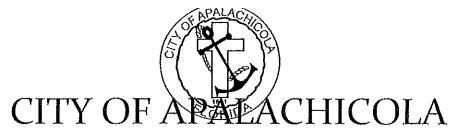
Purchase Orders

Compiling data for entry

Meeting with Betty Jean

Meeting with Adrian Wellis

Work on Revolving Loans (unpaid) – will compile list and have ready for next monthly meeting.



152 Coach Wagoner Blvd. * Apalachicola, Florida 32320 * 850-653-9319 *

BUILDING DEPARTMENT

February 2022

- 7 Building Permits in Process
- 43 Building Permits Issued
- 43 Building Inspections
- 1 Fire Safety Inspection
- 13 Certificates of Completion Issued
- 2 Certificate of Occupancy Issued
- 2 Stop Work Orders
- · Daily Phone Inquiries & Emails Answered
- Several On-Site Meetings
- Daily Office Meetings
- Records Requests
- 8 Planning & Zoning Applications Processed
- February Planning & Zoning Meeting Agenda & Minutes

Monthly Report for the Apalachicola Margaret Key Public Library February 2022

Statistics:

- 1,264 patrons visited our library 255 patrons used computers -32 new accounts opened
- 610 books/movies/audiobooks circulated \$768.50 collected as library revenue
- 188 items donated to the library 100 hours donated by our amazing volunteers
- -8,962 Facebook users reached w/32 posts -24 Instagram accounts reached w/25 posts

There was love in the air this month, as we celebrated National Black History Month, Valentine's Day, and 'Love Your Library' Month! We kicked it off with a hot chocolate and library card sign-up event, inviting kids to complete 'library challenges' to receive prizes all month long. Kids also decorated the library with hearts, and volunteer extraordinaire Richard Lenhart, hung paper heart chains from our library's wooden columns. A 'Community Build' puzzle was out for patrons to put together, and a successful Book Sale was held, with many new folks signing up to join our Friends group, the Patrons of the Apalachicola Library Society (PALS). Finally, a "What Do You Love About The Library?" bulletin board was created. It's been a delight and honor to read all the comments!

For adults, a special program this month was 'Love Yourself with Loving Foods', as part of our initiative to bring nutritional education to our patrons. Franklin's Community Action Agency held two 'Getting Ahead' workshops, and a Blood Drive was held, helping 30 area patients receive life-saving blood transfusions. The library had a fabulous time at H'COLA's African American Festival, handing out chocolate books and other library goodies. On the literary side, the Book Club met twice this month to discuss the book Krik? Krak! by author Edwidge Danticat, and 'Blind Date' books were available all month long for a \$1 donation. PALS purchased a screen for our library projector, and a Zoom account, so that the library can host streaming events. The first was a discussion of Toni Morrison's Beloved, hosted in coordination with the State Library and Leon County Public Library.

For our younger friends, the guest reader this month was City Commissioner Donna Duncan, who read to a roomful as our First Friday 'Celebrity Reader'. As a special treat, Bring Me A Book Franklin gave away free books every Tuesday during their 'Books for Babies' and 'Sunset Stories' programs. For kids and teens we held a STEAM Club, exploring everything tech in the library; and a Craft & Chat, where teens made paper books and enjoyed snacks and socializing. Teens also attended a songwriting class with City employee and musician Michael Anderson. Michael volunteered his time, and donated books on the basics of songwriting. In Lego Club, we created Lego valentines and our ideal libraries and bookmobiles. The library visited ABC School twice this month, delivering Valentines to Project Impact, and hosting a booth at the Literacy Fair. Kindergartners from the Baptist School toured the library, and enjoyed stories, games, and treats with librarian, Lucy and their teacher, Ms. Johanna Ray. It's been a great month to enjoy community love.

The library helps patrons with reading, writing, and learning; as well as a suite of print/copy/scan/fax/and notary services. We loan books, movies, puzzles, and items from our Library of Things. We're open 10am - 6pm Monday to Friday, and Sundays from 12pm - 4pm.

City of Apalachicola public works monthly report

February 2022

The public works department, services all city vehicles and replaces all the tires on city vehicles, services all the mowers and weed eaters, cuts all city parks, cut all city properties, clean all city buildings, empty all garbage cans down town and city parks, clean city right of ways, cut city right of ways, and patch holes on city roads as needed.

- empty trash cans from down town and public parks three times a week.
- cut our routine main roads parks and cemeteries.
- completed 6 work orders.
- cut back on rex buzzett st. and cut storm ditch.
- cut storm ditch on 23rd st.
- replaced bad boards on battery park pier dock.
- painted old library at van Johnson complex.
- removed debris from public works.
- meet with contractors to reroof old library.
- meet with electrical contractor to wire old library.
- replaced post on stop signs ave. m.
- replaced stop sign on ave I and market street.
- replaced brakes on work squad truck.
- repaired work squad trailer.
- cleaned public restrooms several times this month.
- repaired holes in play ground equipment at project impact.

4 - A - 1 - H

replaced window units at project impact.

Signed. Robert osburn