

A Regular Meeting of the Apalachicola City Commission was held on Tuesday, February 7, 2023 at 4:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adrian Elliott, Commissioner Anita Grove, Commissioner Donna Duncan (Arrived at 5:15 PM), Commissioner Despina George, City Manager Travis Wade, City Attorney Dan Hartman, Finance Director Mark Gerspacher, Bree Robinson, Kendall Falkner, Lee Mathes

Mayor Ash opened regular meeting followed by invocation and pledge.

AGENDA ADOPTION

Motion to adopt agenda made by Commissioner George, seconded by Commissioner Grove. Motion carried 4 to 0.

PUBLIC COMMENT

David Levick – Mr. Levick asked the Commission to consider purchasing the old Apalachicola Times building located at 263 Water Street.

Kathleen Binder – Ms. Binder addressed issues regarding Palmer Point development.

EXPENDITURE APPROVAL – DRINKING WATER

City Manager Wade stated the wiffle balls in the ground storage tank need replacing. The current quote to replace the balls from the company that supplies them is \$14,762.00.

Commissioner George stated the procurement policy requires that quotes be obtained from additional vendors, and if this company is the only company that can supply the wiffle balls, then the sole source paperwork must be completed.

Motion to accept quote from CECO Environmental for \$14,762 to replace wiffle balls in ground storage tank contingent upon City Manager Wade providing sole source documentation made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 4 to 0.

EXPENDITURE APPROVAL – WWTP MOTOR REPLACEMENT

City Manager Wade stated a new filter feed pump is needed at the wastewater treatment plant. The current quote to replace the pump is \$10,303.66.

Motion to accept quote from AAG Electric Motors & Pumps for \$10,303.66 to replace filter feed pump at WWTP contingent upon City Manager Wade providing sole source documentation made by Commissioner George, seconded by Commissioner Grove. Motion carried 4 to 0.

LIBRARY SIDEWALK PROPOSAL

Motion to replace Library’s gravel pathway to ABC school with a sidewalk to be paid from PALS funds made by Grove, seconded by Commissioner George. Motion carried 4 to 0.

DEO RIF AWARD – DRINKING WATER STUDY

Motion to award contract to Dewberry Engineers for DEO Potable Water Planning made by Commissioner Grove, seconded by Commissioner George. Motion carried 4 to 0.

POLICY PROPOSAL – BACKFLOW PREVENTER INSPECTIONS

City Manager Wade stated that DEP requires a backflow preventer inspection policy. City Manager Wade proposes the City facilitate the inspections/testing of the devices and charge the amount to the customer on their water bill. This ensures that the inspections/testing are completed timely, the water quality is protected, and that all state requirements are being complied with.

Motion to authorize City Manager Wade to draft a backflow preventer inspection policy and come back before the Commission for final approval made by Commissioner Grove, seconded by Commissioner Elliott. Motion carried 4 to 0.

CEMETERY MAINTENANCE CONTRACT AWARD

City Manager Wade stated 3 quotes have been received for monthly mowing and cleaning of the City’s three cemeteries. The lowest quote was obtained from Derek Allen Lawn Service for \$2,750 per month one mowing per month.

Caty Green stated she would like to see this item tabled at this time, because this would completely wipe out the \$25,000 budget line item for cemetery maintenance.

Discussion held.

Mayor Ash recommended item be tabled at this time until a RFP can be drafted and bring back before the Commission in March.

Motion to table item at this time in order to receive additional RFPs and readdress at March meeting made by Commissioner George, seconded by Commissioner Elliott. Motion carried 4 to 0.

FDOT M-SCOP RESOLUTION APPROVAL

Attorney Hartman read Resolution 2023-01 in its entirety.

Motion to approve Resolution 2023-01 authorizing the Mayor or City Manager to apply for FDOT funding through the Municipal Small County Outreach Program for resurfacing Commerce Street from Leslie Street to Avenue E made by Commissioner George, seconded by Commissioner Grove. Motion carried 4 to 0.

NATIONAL PARK SERVICE GRANT AWARD – OLD CITY HALL & HCA BUILDING

Cindy Clark stated that 2 bids were received for old City Hall. Both bids exceeded the grant amount and neither bid outlined their qualifications for historic preservation. Ms. Clark recommends to negotiate with Monolith Construction contingent upon them providing historic preservation experience. Ms. Clark stated the scope of work will have to be amended to meet the grant amount.

Ms. Clark stated that 2 bids were received for HCA building. Ms. Clark recommends negotiating with Oliver Sperry Renovation and Construction contingent upon them providing historic preservation experience. The bid received was within allotted grant funds.

Discussion held.

Attorney Hartman stated regarding the bids received for old City Hall, because all bids received were higher than the grant amount, the City should reject all bids, revise the scope of work, and readvertise for RFPs.

Motion to reject all bids received for old City Hall project, revise the scope of work, and readvertise for RFPs made by Commissioner George, seconded by Commissioner Grove. Motion carried 4 to 0.

Motion to award bid in the amount of \$222,680.00 to Oliver Sperry Renovation and Construction to complete work on HCA building made by Commissioner Grove, seconded by Commissioner George. Motion carried 4 to 0.

Commissioner Duncan joined meeting at this time.

LEGISLATIVE APPROPRIATIONS REQUEST APPROVAL

City Manager Wade stated the City will be submitting two legislative appropriations request this year and is recommending the requests be the I&I Study and repairing various equipment at the WWTP spray fields.

Motion to accept I&I Study and repairing various equipment at the WWTP spray fields as the two legislative appropriations requests made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

MAYOR & COMMISSIONER’S COMMENTS

Mayor Ash stated the Chamber of Commerce has agreed to take on the July 3rd Event.

Commission thanked John Solomon and Chamber of Commerce for taking on this task.

Mayor Ash stated she has received numerous compliments on how clean the downtown public restrooms have been. Mayor Ash stated HCOLA will be holding the annual Black History Festival February 17th – 19th.

Commissioner Grove updated Commission on Apalachicola Bay Systems Initiative and also reiterated that projects need to be obligated for the ARPA funds.

Commissioner George stated she would like to see a more detailed budget report that included capital outlay projects.

CITY MANAGER COMMUNICATIONS – REPORT ATTACHED – EXHIBIT “A”

City Manager Wade stated because his contract requires him to obtain approval from the Commission for any outside employment, he has been asked to host trivia after regular work hours at a local business and will be paid. Mr. Wade continued stating that he also holds a real estate sales associate license and would like approval to represent buyers/sellers if the opportunity presents itself. Mr. Wade stated neither employment opportunity would interfere with his job duties in any way.

Motion to approve outside employment as outlined by City Manager Wade made by Commissioner Elliott, seconded by Commissioner Duncan. Motion carried 5 to 0.

City Manager Wade updated Commission on various projects.

GRANTS COORDINATOR COMMUNICATIONS – REPORT ATTACHED – EXHIBIT “B”

FINANCE DIRECTOR COMMUNICATIONS – REPORT ATTACHED – EXHIBIT “C”

ATTORNEY COMMUNICATIONS – REPORT ATTACHED – EXHIBIT “D”

CONSENT AGENDA

Motion to approve consent agenda made by Commissioner George, seconded by Commissioner Elliott. Motion carried 5 to 0.

DEPARTMENT REPORTS

Included within agenda packet.

ADJOURNMENT

Motion to adjourn made by Commissioner Elliott, seconded by Commissioner George. Motion carried 5 to 0.

Brenda Ash, Mayor

Lee Mathes

City Manager Updates

JANUARY 2023

Leslie Street:

The FDOT SCOP Grants award confirmation has been received, but we are still awaiting an agreement.

Old Library/Meeting Room:

I met with Howard, Inc. representatives to get a quote for the sound/recording/video streaming services. The system they are quoting will have microphones that are powered by the console and will not require batteries like the current system. The proposed system will be more user-friendly and allow simple recording and streaming of meetings. However, they have not submitted a quote as of the date of this update.

Robert Osburn met with another roofer for a quote for the roof and as of the date of this update, the roofer has not provided the quote.

A quote of \$1,424.07 was obtained for building materials to complete the build-out of the inside of the building.

Outside Employment:

My contract requires that I obtain approval from the Commission for any outside employment. I have been asked to host trivia after regular work hours at a local business and will be paid. Although I will not be an employee of the business, I would like to avoid any appearance of impropriety and secure the Commission's approval before I negotiate with the business. Additionally, I continue to hold a real estate sales associate license and would like approval to represent buyers/sellers if the opportunity presents itself. I will not allow either of these ventures will interfere with my duties as City Manager.

Consent Order Updates:

*TTHM Consent Order: The TTHM average calculated for the last quarter was below the maximum limits. The annual average was also below the maximum limit. Based on this data we have asked FDEP to close out the TTHM Consent Order and reduce the sampling requirement from monthly to quarterly as is stated in the Consent Order. As of the date of this update FDEP has not responded.

*Drinking Water Plant Consent Order: The last item of compliance on this Consent Order is the repairs/maintenance to the elevated water tower. That work was initiated on February 1, 2023 and is expected to continue for 60 days.

WWTP Final Order: This Final Order will not be closed out until the new WWTP is constructed, but all reports and requirements are being complied with.

Grant Updates – Bree Robinson/Kendall Falkner

City Commission Meeting – Tuesday, February 7th, 2023

**The City of Apalachicola recently hired Kendall Falkner on January 9th to serve as the new Grant Coordinator! Bree will train Kendall and then focus solely on Planning & Zoning as the City Planner. **

1. Firehouse Subs Public Safety Foundation – Hurst Rescue Tools “Jaws of Life”

An application requesting Jaws of Life rescue tools for the Apalachicola Volunteer Fire Department was submitted. These tools were a request from the VPD and will aid them in their efforts. If funded – the grant program will handle ordering, etc. No match required. **Waiting for updates**, have been advised that most projects are funded by Firehouse Subs after 3+ complete applications. We have filed 4 so far. (1/31)

- **APPLIED again for 2023 Q1 on 1/12/23 in the amount of \$37,880.00 – will hear back in early April. If not funded, will apply again and look for other funding sources for the Jaws of Life equipment for VFD.**

2. DEP Resilient Florida Grant application – Implementation

City submitted a grant request in the amount of \$2,039,500 to complete identified drainage projects in the city that have been documented, but have not been funded by other sources. If funded, the funds will repair known nuisance flooding drainage issues in more than 29 locations throughout the City. **Grant submitted 9-1-2022. Waiting for updates.**

3. DEP Resilient Florida Grant application – Planning

City submitted a grant request in the amount of \$300,000.00 to analyze existing vulnerable critical asset infrastructure in the City's commercial district and design a plan to mitigate street flooding through the retrofit of existing impervious parking and the design of pervious parking pockets on City-owned property, Avenue H specifically. **Grant submitted 8-31-2022. Waiting for updates.**

4. FWC Florida Boating Improvement Program – Battery Park Boarding Docks

In 2020, the City was awarded \$10,875.00 from the FWC Florida Boating Improvement Program for the Battery Park Boarding Docks replacement project. In 2021, the City spent \$23,066.85 on the new Battery Park Boarding Docks Project and the work was performed by Polaronis Construction. (The work has been inspected and approved by FWC.) The City was under the impression that we would not be reimbursed the \$10,875.00 due to improper procurement of services, but FWC has come back and offered reimbursement for the award due to the small amount! To be reimbursed we

have to file a Site Dedication with Franklin County for the Battery Park Boat Ramp and FWC and put up a sign at the site. **The requirements have been met, sign has been installed, and the site dedication was filed with Franklin County. Reimbursement should be received any day now with this project closeout.** Contacted FWC rep 12/21 regarding reimbursements, staff is out for holiday.

- **REIMBURSEMENT CHECK MAILED TO CITY! Project closed out.**

5. 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. Application was submitted electronically on 3/4/22. The City requested \$610,169.30 to remedy the underground issues, resurfacing the entire street length, and for new road signs based off engineer's estimate and recommendations.

AWARDED! – City was awarded the full amount for Leslie Street! This funding window begins July 1, 2023, and ends June 30, 2024. We will take steps to make sure this work can be completed ASAP. Waiting for agreement from FDOT, our representative from FDOT said to expect it in 2023 sometime before the funding window opens.

6. DEO Rural Infrastructure Fund – Drainage Basin Analysis Phase II + Camera Work of Stormwater Lines

An application requesting \$300,000 with no local match from the DEO Rural Infrastructure Fund was submitted on 8/31/22. The application was for the Phase II of a Drainage Basin Analysis that began in 2018. This \$300,000 grant proposal would fund an analysis of the drainage basins that border Apalachicola River and Bay. The proposal also includes funding to begin camera-work of the stormwater lines in the phase I, as recommended in that report. (We have to survey the damage before we can move forward on repairs.) The grant asks for \$110,000 for the analysis and mapping (per engineer estimate), \$5,000 for public education (grantors like to see we are promoting our message/work), \$24,000 in admin, and \$161,000 in camera-work for the phase I drainage basin area. This is a total of \$300,000 and there is no required local match.

Basins 11 and 3 were covered by the 2018 grant. This grant application would address the following basins: 1, 2, 4, 5, 6, 7, 8, 9, 10, 12-19. – **FUNDED 12/20/22! Waiting for inquiries/agreement!**

7. Water Treatment Plant Improvements - Rural Infrastructure Fund – DEO FY 21/22

FUNDED! Application submitted electronically on 5/26/22 to the RIF program through DEO for fiscal year 21/22. City applied for \$150,000 for engineering services that are going to be needed as we navigate the Potable Water Consent Order and will set us up to apply for more funding down the line. City was FUNDED for \$147k.

Funded:

- Evaluation of Existing Conditions
- Enhanced Sampling Plan, Hydraulic Modeling, and Treatability Studies
- Alternatives Analysis
- Facilities Plan Report

We will be using continuing services engineering agreements – this will be an award recommendation at the February 2023 regular City Commission meeting!

- **2/7/23 – Bid Award Recommendation to Dewberry Engineers. (Wrote the quote used to apply for this funding and are working on City consent orders, which this project will go hand in hand with.)**

8. *City of Apalachicola Old City Hall Structural Repair – Special Categories DOS*

Application submitted electronically 5/31/22 for structural repairs for the Old City Hall building. (Middlebrook Building) Amount requested was \$395,000 with an in-kind match of \$98,750 for a total project budget of \$493,750. The goal of this application is to secure funding to complete the Old City Hall Renovation and support the ongoing repairs funded through the NPS grant. The purpose is to stabilize the building, by proposing to install an interior rigid steel frame to provide the structural integrity of the building exterior masonry and support the historic second floor wood frame. – **Applied - The Florida Historical Commission reviewed and scored eligible FY2024 Special Category grant applications on November 16, 2022. The Special Category Final Ranking Lists the City Hall project Year 2 (\$395,000) as recommended for funding. Official notification of grant award is pending Secretary of State approval and budget appropriation. We should receive official notification of funding on about July 1 of 2023. This is great news!**

9. *CPTA Community Planning Technical Assistance Grant Program – DEO*

Application submitted 4/1/22 for updates to our local comprehensive plan as well as complete Phase 2 of the Apalachicola Areas of Critical State Concern Work Plan. If granted, grantee shall analyze the City of Apalachicola's current local comprehensive plan and present required and recommended update to the City Commission considering resiliency. These ideas will be vetted through community engagement and based on feedback received from the community and City Commission, final amendments to the local comprehensive plan will be prepared for public hearing and subsequent transmission to DEO. The City will also undertake Phase 2 of the Areas of Critical State Concern Work Plan by updating the infrastructure project list and conducting project scoping and economic analysis for priority projects in preparation for

the funding available through the Bipartisan Infrastructure Act as well as other state and federal grant opportunities. – **AWARDED!** Agreement received and signed in October.

- **RFP was advertised and procured according to state statutes and City procurement policy. An award recommendation is on the agenda for 1/3/23 meeting.**
- **OVID Solutions w/ Bay Media Services as a subcontractor was awarded the bid recommendation and contracts were executed. OVID + Bay Media have begun working and a workshop for this effort is scheduled 2/7/23 for a comp plan update and OVID (Julie Dennis) is working on the ACSC Plan and has been meeting with staff for needed details.**

10. Department of Historical Resources African American Cultural and Historical Grants – Apalachicola African-American History Museum

Awarded \$1million with a \$250k match from the City for a new construction museum next to Holy Family.

- Due to rising construction costs, the project scope has been changed from a 2-level, 2,500SQF footprint building to a 1-level 2,000SQF building with elevated ceilings. Priorities include:
 - High Security
 - Storage Room
 - Office Space
 - Breezeway to Holy Family
 - Greeting Station/Small Gift Shop Area
 - ADA Accessible Bathrooms
 - Controlled Lighting for Exhibits
 - Building with Room for Add-On at later date
- **FUNDED!** Have submitted the project work plan and budget for the agreement draft from DOS. 8/25
- **Question from DOS answered 9/26.** Should hear back soon and have agreement in hand.
- **11/3** – Still waiting for agreement.
- **12/1** – Have draft agreement in hand for staff review.
- **12/19 – AGREEMENT SIGNED!** Documents being turned in for FEIN and new grant coordinator must take their grant management quiz prior to procurement of services.
- **1/31 – New grant coordinator has taken quiz for first deliverable and is creating procurement documents for Architecture, Design, Permitting, & Engineering of the new building. We expect to begin procurement in February and this will be out to bid for 28 days.**

11. 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. Multiple RFIs (requests for information) were received and answered. **Waiting on delivery dates and costs for generators. The delays are at least 55 weeks with a cost increase of 4 times the original figures. Once we determine those issues, we will adv an RFQ. In addition, an amendment will need to be done with the state to address the time and cost. (12/1)**

- **TME discussed with funding agency reps and they have decided we should not wait on Ring Power for quotes due to the timelines. TME is taking the Scope of Work and developing an RFP for these services. Will be sending to funding agency by mid January for approval to advertise – after the bids come in we will do an amendment with the funding agency for the time and funding increase on this effort. The funding agency is aware of the rising costs and are telling us to try for an amendment with them to cover the additional costs, but we will not know for sure until the amendment is submitted after bids are received. (12/21)** FDEM stated that this agreement was in the contracting phase. Once we get the agreement executed, we will let the ITB. The ITB was submitted to DEO to approve for advertising. Hoping to get the go ahead this week. The overall timeline is 59 weeks now. The Workplan for DEO has been updated to reflect the timeline. Amendments with FDEM will be completed and letters will need to be sent to DEO. (1/31/23)

12. National Park Service Hurricane Michael Repair/Mitigation - Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)

Old City Hall & HCA

RFPs to select a contractor to complete the repair/restoration on both projects has been advertised and the scope of work for each is on the City website. The period to respond to the RFP for both City Hall and the HCA building was October 20. The City has submitted requests for payment for the first set of deliverables for each project. **The request for payment on HCA has been received; the payment for the City Hall is pending NPS approval of the contract modification. We have resubmitted the payment request for City**

Hall (payment request #1 \$99,979) because the grant portal shows the grant amendment has been approved.

As per DHR, the City has re-advertised both the HCA and City Hall construction projects in accordance with State procurement requirements. New bids are due by January 10, 2023.

- **Re-advertised bids have been ranked for commission review and selection at Feb. 7 meeting.**

13. Grants Update -

- a. **FDOT City Landscaping** – City was reimbursed for \$193k landscaping costs after FDOT inspection and reimbursement package sent in. Landscaping and maintenance have been "completed."
 - i. There were issues with the grass drying out during the maintenance period, Gaskin to extend maintenance and re-plant as necessary per our contract and their warranty. **Re-plant pushed to March to avoid frost during establishment – Dan is in contact.**
 - ii. Filed for last bit of reimbursement in November. (6k)
 - iii. **Reimbursement of remaining 6k received and project closeout complete!**
 - iv. **Waiting for re-plant in 2023 per contract warranty.**
- b. **CDBG-DR Infrastructure** – Avenues Stormwater Repair Project is moving forward. Engineer Procurement and design will need to be secured and created along with environmental review and clearance. ALL policies needed have been completed!
 - i. **ENGINEERING PROCUREMENT IN PROGRESS!** The contracted engineer, once selected, will put together a project schedule based on design time needed and anticipated construction duration. Environmental review will run concurrently with design and permitting.
 - ii. Engineering Scoring of Bids has been completed. - City authorized to enter into contract negotiations with Halff, CDG, and Dewberry on 11.8.2022. Recommendation to execute contract and award task order for this project was on the 01.03.2022 agenda, subject to DEO review/approval. DEO comments received on 1.31.2023 – sent to City Counsel for assistance in addressing.
- c. **CDBG-DR Hometown Revitalization** –Riverfront Revitalization and Hill Community Revitalization projects: City has received environmental exemption for administrative and engineering services. ALL policies needed have been completed! **ENGINEERING PROCUREMENT IN PROGRESS!** The contracted

engineer, once selected, will put together a project schedule based on design time needed and anticipated construction duration. Environmental review will run concurrently with design and permitting. **City authorized to enter into contract negotiations with Halff, CDG, and Dewberry on 11.8.2022. Draft contracts have been submitted and are currently under review with counsel.**

Recommendation to execute contracts and award task orders approved on 12.6.2022, subject to DEO review/approval.

- Hill Community (M0033): CENST approval memo was issued by DEO on July 14, 2022. It was reviewed and we are currently working to address DEO comments. The city is working on the RFQ for engineering procurement. Once an engineer is on board, we'll be able to confirm scope of work and begin environmental review. **CDG Engineering was selected for this project; the contract is currently under review with city attorney.**
 - Riverfront (M0034): CENST approval memo was issued by DEO on July 14, 2022. The city is currently working on the RFQ for engineering procurement. Once an engineer is on board, we'll be able to confirm scope of work and begin environmental review. The contract 7 has been reviewed by DEO and we are currently working to address DEO comments. **Halff Engineering was selected for this project; the contract is currently under review with city attorney.**
- d. **HMGP Emergency Generators** – Received and signed Release of Funds forms for CDBG-DR DEO match – HMGP has funded the generators and agreement signed. HMGP admin bidding was advertised and has closed. Advertised in The Democrat per MSA paper standards from DEO and awarded to TME 9/27. TME is working on RFP for a contractor for the generators and installation. **Waiting on delivery dates and costs for generators. The delays are at least 55 weeks with a cost increase of 4 times the original figures. Once we determine those issues, we will adv an RFQ. In addition, an amendment will need to be done with the state to address the time and cost. (12/1)**
- i. **TME discussed with funding agency reps and they have decided we should not wait on Ring Power for quotes due to the timelines. TME is taking the Scope of Work and developing an RFP for these services. Will be sending to funding agency by mid January for approval to advertise – after the bids come in we will do an amendment with the funding agency for the time and funding increase on this effort. The funding agency is aware of the rising**

costs and are telling us to try for an amendment with them to cover the additional costs, but we will not know for sure until the amendment is submitted after bids are received. (12/21) The ITB was submitted to DEO to approve for advertising. Hoping to get the go ahead this week. The overall timeline is 59 weeks now. The Workplan for DEO has been updated to reflect the timeline. Amendments with FDEM will be completed and letters will need to be sent to DEO. (1/31/23)

- e. **HMGP Market Street Vacuum Station** - Received and signed Release of Funds forms for CDBG-DR match – HMGP has funded the generators and agreement signed. HMGP admin was advertised and has closed. Advertised in The Democrat per MSA paper standards from DEO and awarded to TME 9/27. **RFQ is advertised with a due date of 2/2/23 and award date of 3/7/23!**

- No bids were received, so we had to extend and re-advertise. A contract will be let with the selected engineering firm. An extension with FDEM was submitted in mid January. (1/31/23)

f. **Michael FEMA Projects Updates**

- i. **Bodiford** - BODIFORD PLANS COMPLETE! Waiting for exemption for permits from FEMA to be reviewed. - Received exemption ... waiting on FEMA to re-establish the costs in the project. Still waiting on FEMA 12/21. Project is still in EHP at FEMA (1/31/23)
- ii. **Scipio** – Designs from Dewberry draft complete – waiting for full. Waiting for scope verification from FEMA to bid out. Still waiting on FEMA 12/21. Project is still in EHP at FEMA (1/31/23)
- iii. **Alleyway Repairs** – Alleyway: 3, 7, 9, 8, 10, 11, 6, 2, 5, 12, 4 Crushed Shells to be replaced. Extensions requested for all FEMA projects – extension granted. **City staff is currently measuring alleys to get updated quotes on materials. Oyster shells are no longer available, so City is looking into other options. Gravel, lime rock, asphalt millings, etc.** Scope will have to changed with FEMA before beginning.
- iv. **Old City Hall and HCA Contents loss** – Ordering replacement items from loss. (Funding already received – just needs to be ordered and receipts turned in.) Partially ordered – postponing ordering of remaining items until back room flooring of City Hall complete to place items in.
- v. **Lafayette Park** – Boardwalk work and lighting donation have been COMPLETED! It appears that we were supposed to be exempt from permits for this work per engineer opinion, since there was no in-water repairs, but we are waiting for USACE and DEP to confirm this with FEMA before this project can close out and Bodiford and Scipio can begin. - Received the USACE and FDEP permits! Still waiting on FEMA 12/21. Project is still in EHP at FEMA (1/31/23)

- vi. **Hurricane Sally** – Almost all Sally projects are completed and finalized. TME is uploading receipts to finish. This will be completed once all docs are received to upload. Need to determine all project costs with staff and then submit the close out paperwork (1/31/23)
- g. **Department of Historical Resources 2023 Small Matching Grant – Black History Trail. FUNDED!** Scope slightly changed as some work has already been completed. (signage)
 - i. **Agreement has been signed and scope modified!**
 - ii. **City is administering the grant with a 8/31 deadline for all deliverables. Representatives from the North Florida African American Corridor Project have been contacted and are in communication to meet all deadlines. City Commission will be presented the mock-ups of signage before creation/install. Timeline is as follows:**
 1. Historian work/story accumulation complete **by May 15th**
 2. Graphic Design of Signs + StoryMap complete **by June 30th**
 3. Fabrication of Signs + Storymap Live on Web **by July 30th**
 4. Site Prep & Installation of Signs + Project Closeout **by August 31st**
 - iii. **Staff and volunteers met 1/24/23 to discuss the timeline and the historian work which will be accumulated by 2/18! There will be a public display “town hall” at Holy Family on 2/26 for the Hill Community to view and give comments. There will also be a City workshop before the regular meeting on 3/7 for board action to approve of the historian work. After the wording has been approved, then the design process can begin. (All designs will go through a workshop/board action process again to make sure all comments are taken into consideration.)**

14. DEP Applications – Resilient Florida + Water Restoration Assistance - WWTP & Vulnerability Study

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. 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. DEP has agreed, with some preliminary efforts to ensure the scope and pricing are as they should be. **Total project costs are approximately \$19M, which will be fully funded through two separate DEP awards (Award #1 = \$13.4M, Award #2 = \$5.6M). See cost breakdown below.**

- Scope of works for both efforts are in progress! Cost breakdown below:

- DEP requested several documents to send out agreements – documents supplied. Still ongoing. **DEP Award #1 & #2 have both been executed!**
- A Kickoff Webinar for Award #1 was held with DEP and the City on 11/1/2022.
- While continuing services agreements can be generally be used for DEP funding, the expected cost of the construction contract exceeds thresholds for use of continuing services agreements. As previously reported, Engineering services for this project will utilize a firm selected from the Engineering RFQ that is being used for CDBG-DR efforts.
- City authorized to enter into contract negotiations with Halff, CDG, and Dewberry on 11.8.2022. Draft contracts have been submitted and are currently under review with counsel. City staff authorized to execute contracts and task orders approved on 12.6.2022, subject to DEO review/approval.
- **Dewberry Engineering was selected for this project and is developing a task order for this project; the contract is currently under review with city attorney.**

COST: The Total Estimated Cost of this Project is \$18,927,391. The anticipated funding breakdown is for FDEP to fund approximately \$5,551,875, and FDEP-SRF to fund \$13,375,516.

Vulnerability Study-

Grant #1 Vulnerability Study – **FUNDED!** Contract signed with Bay Media and research, data collection has begun. **Public Workshop** took place on **December 6.**

- **Modeling and research currently underway! (1/31/23)**

15. USDA Water Street Sidewalk and Lighting –

Construction by CWR Contracting, Inc. is in progress! Have made first payment and are filing for reimbursement. Second payment has been made and are filing for reimbursement. There has been an issue with power poles needing to be relocated to finish the project in 2 spots – extension has been requested.

- **CWR has completed their work – the power poles have been relocated and City staff is completing the last bit of concrete sidewalks to finish out this project.**
- **Finance is working on reimbursements.**

16. 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 has elected to receive "standard allowance" for government services.

Dates:

- » Funds must be obligated by December 31, 2024
- » All expenditures must be complete by December 31, 2026

American Rescue Plan Info:

- 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.

All information included in this report is accurate as of January 31st, 2023 at 12:00pm. After that time, information is subject to change. If you have any questions, please send them to

brobinson@cityofapalachicola.com &
kfalkner@cityofapalachicola.com!

Finance Director – Mark Gerspacher

City Commission Meeting – February 7, 2023 –
4:00pm

1. 2020 – 2021 Audit

Audit has now been approved and will be submitted to the state as soon as we receive final report

2. Banyan

I am working on the new chart of accounts and will complete this week. We have begun the implementation of the Utility Billing

3. ARPA funds

Reminder that we have still have \$622,234 in ARPA funds that need to be spent before the end of 2024. At some point we need to come up with a list of projects so that work can be done to get those funds obligated.

4. Current Year Budget reports

Attached

CITY OF APALACHICOLA
 BUDGET TO ACTUAL COMPARISON
 OCTOBER 1, 2022 - JANUARY 31, 2023

INCOME

	BUDGET 22-23	ACTUAL THROUGH 1/31/23	BALANCE
1400000 · GENERAL REVENUE			
1411001 · AD VALOREM TAXES	1,617,909	1,049,247	568,662
1412001 · 1/2 CENT SALES TAX	250,000	56,542	193,458
1412002 · MOBILE HOME LICENSE TAX	75	-	75
1412003 · ALCOHOLIC BEV LICENSE TAX	4,000		4,000
1413100 · UTILITY FRANCHISE	188,393	93,807	94,586
1413200 · LOCAL COMMUNICATION TAX	75,000		75,000
1414100 · UTILITY TAX	265,000	72,320	192,680
1415120 · STATE REVENUE SHARING	107,079	32,443	74,636
1421001 · BUSINESS LICENSE FEES	35,000	26,201	8,799
1422001 · BUILDING PERMIT FEES	80,000	51,094	28,906
1422006 · GOLF CART PERMIT	12,000	8,750	3,250
1422007 · TREE APPLICATION FEE	2,250	750	1,500
1422008 · TREE REFORESTATION FUND	5,130	1,710	3,420
1422011 · SIDEWALK PERMITS	1,000	825	175
1430100 · COUNTY FIRE PROTECT-MSBU	37,000		37,000
1430200 · FINES AND FORFEITURES	14,000	5,507	8,493
1430300 · CEMETERY LOTS	10,000	2,507	7,493
1440120 · MISC-EQUIP/PROP RENTAL	35,000	15,653	19,347
1440163 · TRAFFIC LIGHT REIMB	5,000		5,000
1440180 · FARMER MARKET REVENUE	3,000	570	2,430
1440183 · SANITATION FEES	600,000	212,919	387,081
1440184 · SANITATION - ADMINISTRATION FEE	30,000	10,646	19,354
1453210 · FIRING RANGE	10,000	2,282	7,718
1455500 · COMMUNITY GARDEN REVENUE	500		500
1455700 · HISTORY CULTURE REVENUE	20,000		20,000
5410200 · LIBRARY MISC. REVENUE	12,000	2,510	9,490
5410300 · LIBRARY DONATIONS			
TOTAL GENERAL FUND REVENUE	3,419,336	1,646,283	1,773,053
Special Revenue			
6410100 · LOCAL OPTION GAS TAX (LOGT)	71,400	15,663	55,737
TOTAL SPECIAL REVENUE	71,400	15,663	55,737
Program Revenue			
TOTAL PROGRAM REVENUE	1,625	1,625	0
TOTAL GENERAL FUND REVENUE	3,492,361	1,663,571	1,828,790
DEPARTMENT REVENUE			
DRINKING WATER DEPARTMENT (RESTRICTED)	1,041,502	322,402	719,100
SEWER DEPARTMENT (RESTRICTED)	1,651,885	556,323	1,095,562
BATTERY PARK	82,320	24,405	57,915
SCIPIO CREEK	63,000	22,957	40,043
DEPARTMENT OPERATING EXPENSES			
DRINKING WATER DEPARTMENT - Expenses	1,292,464	356,407	936,057
SEWER DEPARTMENT - Expenses	1,785,053	195,990	1,589,063
BATTERY PARK - Expenses	45,050	9,050	36,000
SCIPIO CREEK - Expenses	49,380	9,034	40,346
ADMINISTRATION - Expenses	140,328	34,459	105,869
FACILITIES - Expenses	633,275	135,808	497,467
FIRE - Expenses	62,225	4,101	58,124
GOVERNING BODY - Expenses	257,712	81,750	175,962
LIBRARY - Expenses	29,693	10,825	18,868
PARKS & RECREATION - Expenses	85,000	26,631	58,369
POLICE - Expenses	109,456	32,006	77,450
PUBLIC WORKS - Expenses	868,804	59,235	809,569
ZONING/CODE ENFORCEMENT - Expenses	29,695	4,694	25,001
TOTAL EXPENSES	5,388,135	959,990	4,428,145

ATTORNEY REPORT

TO: City Commission, City of Apalachicola
FROM: Daniel W. Hartman, Esq.
DATE: February 2023
SUBJ: City Attorney Report for Commission Meeting

1. **Litigation – Creamer v. City of Apalachicola (Case No.: 2022 CC 0025)**

The City was sued by Mr. Creamer for Breach of contract. We attended mediation on January 10, 2023. The mediation was successful and resulted in the mediated settlement agreement you have been provided as part of your agenda package. The Settlement includes a full release of the City and dismissal of the Case.

2. **Land Lease for Workforce Housing**

The City Manager and I are working on a draft Lot lease and sample Community Rules and Regulations. Upon completion of a draft set of these documents we will present to the Commission for input, revision and approval.

ATTORNEY REPORT

TO: City Commission, City of Apalachicola
FROM: Daniel W. Hartman, Esq.
DATE: January 2023
SUBJ: City Attorney Report for Commission Meeting

1. **Litigation – Hall/Smith/Nall – 7th Street (Case No.: 2018 CA 233)**

We attended mediation on August 3, 2022. Resulting from the mediation was the conceptual settlement agreement presented to the Commission at the September 2022 meeting. The Agreement calls for certain stormwater improvements to be made by the parties. At the September 2022 Commission meeting the Commissioners requested additional information as to exactly what improvements were to be constructed in accordance with the engineering studies performed. Smith/Nall have submitted an application for Flood Plain Management Permit as called for in the Agreement. This application contains a more detailed description of the improvements to be constructed. A copy of this application is attached for review. The Settlement agreement must still be approved by the Commission.