

**REGULAR MEETING  
APALACHICOLA CITY COMMISSION  
TUESDAY, JULY 11, 2023 – 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. New Business**
  - 1. Resilient Florida Program Grant
  - 2. Coastal Partnership Initiative (CPI) grant with Conservation Corps
  - 3. Request for Workshop RE: Permitting, Planning, Zoning, Code Enforcement
  - 4. Rules of Procedure Related to Public Notice and Participation
- V. Unfinished Business**
  - 1. Marks Park Update – Donna Ingle
  - 2. Fire Hydrant RFP Award
  - 3. Agenda Distribution Changes
- VI. Mayor and Commissioner Comments**
- VII. City Manager Communications – Report Attached**
- VIII. Grants Coordinator Communications – Report Attached**
- IX. Finance Director Communications – Report Attached**
- X. Attorney Communications**

**XI. Consent Agenda**

**A. Commission Meeting Minutes Adoption – June 6, 2023 Regular Meeting;  
June 20, 2023 Special Meeting and Workshop; June 22, 2023 Joint Workshop with  
Planning & Zoning Board**

**B. Planning & Zoning Meeting Minutes Adoption – June 12, 2023 Regular Meeting**

**XII. Department Reports – Included in Agenda Packet**

**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: July 11, 2023**

**SUBJECT:** Resilient Florida Grant Application

**AGENDA INFORMATION:**

<b>Agenda Location:</b>	<b>New Business</b>
<b>Item Number:</b>	<b>1</b>
<b>Department:</b>	<b>Grants</b>
<b>Contact:</b>	<b>Cindy Clark/Kendall Falkner</b>
<b>Presenter:</b>	<b>Cindy Clark</b>

**BRIEF SUMMARY:**

The Resilient Florida Program includes a selection of grants that are available to counties and municipalities to effectively address the impacts of flooding and sea level rise that the state faces. There are two pots of funding available in the resilient Florida program: planning and implementation. This is a request to submit applications for both Resilient Florida Program grants.

Planning: The City of Apalachicola will have completed the Vulnerability Analysis Update this summer and, based on the data, is ready to begin the identification of adaptation action areas (AAA) within the City, develop recommended mitigation strategies and identify specific projects to implement mitigation measures within those target areas. Specifically identifying vulnerable infrastructure along with recommended improvements within the AAA, identification of City-owned properties within AAA and analyzing recommended uses and mitigation methods to achieve those uses would be among the planning tasks.

Implementation: Apply for implementation funds to complete recommended vulnerability recommendations. Piers, walkways and boardwalks are specifically identified in the statute as well as park activities, water quality components of stormwater and wastewater management systems are also identified.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: July 11, 2023**

**SUBJECT:** Coastal Partnership Initiative (CPI) grant with Conservation Corps

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 2  
**Department:** Grants  
**Presenter:** Commissioner Grove

**BRIEF SUMMARY:** The Oyster Corps would like to apply for the FDEP Coastal Partnership Initiative grant (See attached)  
Dates due in August/September  
Amount \$60,000  
Matching funds 1 to 1 needed. The Oyster Corps will provide match.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Approved Oyster Corps application to the state CPI grant in the amount of \$60,000.

**FUNDING SOURCE:** n/a for city

**ATTACHMENTS:** Grant application draft

**STAFF'S COMMENTS AND RECOMMENDATIONS:**



**DRAFT**

**COASTAL PARTNERSHIP INITIATIVE**  
<https://floridadep.gov/rcp/fcmp/content/grants>

**GRANT APPLICATION**

Refer to Rule Chapter 62S-4, Florida Administrative Code, available at <https://floridadep.gov/rcp/fcmp/content/grants> for information on funding requirements and evaluation criteria.

Eligible applicants for the Coastal Partnership Initiative are local governments of the 35 coastal counties and all municipalities within their boundaries required to include a coastal element in the local comprehensive plan. Florida colleges, community colleges, state universities, regional planning councils, national estuary programs and non-profit groups may also apply, as long as an eligible local government agrees to participate as a partner, and a local government representative with appropriate binding signatory authority signs the application.

**Submittal Requirements**

1. One application per applicant may be submitted per grant cycle (i.e., one application per county, city, or other eligible applicant.)
2. Applicants may request:
  - a) no more than \$30,000 and no less than \$10,000 for planning, design and coordination activities; and
  - b) no more than \$60,000 and no less than \$10,000 for construction projects, habitat restoration, invasive exotic plant removal, and land acquisition. These projects cannot involve planning/coordination tasks or components.
3. Non-profit groups are not eligible to receive funds for construction projects, invasive exotic plant removal, habitat restoration, or land acquisition. Applications submitted by non-profit groups that propose these activities (as listed in 62S-4.004(2)(c)) will be disqualified.
4. Funding is available only for project work initiated and completed during a 12-month period beginning July 1 and ending June 30.
5. One original signed application, electronic or paper, must be submitted.
6. All applications must be submitted on the CPI Application Form.
7. Applications must be submitted via email to [FCMPMail@FloridaDEP.gov](mailto:FCMPMail@FloridaDEP.gov) or mailed to the address below by 4:00 p.m. on the date identified in the notice of availability of funds to:

Department of Environmental Protection  
Florida Coastal Management Program, MS 235  
ATTN: CPI Applications  
2600 Blair Stone Road, MS 235  
Tallahassee, FL 32399-3000

**Faxed or late applications will not be considered and will be disqualified.**

**A. TITLE PAGE**

**DRAFT**

Project Title: **OysterCorps Protecting and Restoring Apalachicola Bay's Vulnerable Coastlines**

CPI Initiative Priority Area(s): \_\_\_\_\_

Applicant Name and Name of Partner Entity (if applicable):

**Applicant: Franklin's Promise Coalition, Inc.**

**Partner Entity: City of Apalachicola**

Official Contact Name:

**Joseph E. Taylor**

Title: **Executive Director**

Phone: **850-323-0176**

Email Address: **franklinspromise@gmail.com**

Postal Address: **60 Island Drive**

**Eastpoint, Florida 32328Applicant**

DUNS/UEI Number: \_\_\_\_\_

Applicant FEIN: \_\_\_\_\_

Link to coastal element: **TBD** \_\_\_\_\_

Proposed Project Manager Name: **Holden Foley, Director of Restoration**

Email: **holden.foley32320@gmail.com**

**Certification Statement**

"By signing this title page, the undersigned certifies that:

- a. This application is in all respects fair and submitted in good faith without collusion or fraud;
- b. If selected through this application process, the recipient will work in good faith and in partnership with the Florida Coastal Management Program to manage its subgrant in a timely and accurate manner;
- c. Any funds awarded as a result of this application process will not be used to supplant or replace any state or local funds;
- d. Any funds awarded as a result of this application process will not be used as matching funds to apply for or receive other federal funds;
- e. No federal funds will be used as match for funds awarded as a result of this application process;
- f. The applicant local government's adopted comprehensive plan has been found to be in compliance with Chapter 163, Part II, F.S.;
- g. **[If construction is proposed] The applicant submitted a completed NOAA 306A questionnaire, supplied the required attachments, conducted preliminary consultation with appropriate federal, state, regional and local regulatory agencies and has permits and approvals regarding any construction proposed in the application and has documented the results of the consultation in the Project Description section of the Work Plan;**
- h. **[If construction projects, habitat restoration or invasive species removal are proposed] The property on which these activities will take place is owned or leased by the applicant or the applicant holds a sufficient easement; detailed means methods and best management practices to be used for the project and,**
- i. The undersigned has full authority to bind the applicant."

Signature

Name & Title

Date

If applicant is a Florida college, community college, state university, regional planning council, national estuary program or non-profit group, include the signature, name, and title of contact for partnering entity; the name of the eligible county or city partner; and the date.

Signature of Partner

Name & Title

County or City Partner Entity

Date

**B. PROJECT LOCATION MAP**

Include a project location map no larger than 8½" x 11".

**(10 pts.)\***

**PLACE LOCATION MAP ON THIS PAGE**

\* NOTE: The maximum number of points for scored application components is indicated in each section.

**C. WORK PLAN** (Expand text boxes as needed, keeping within the 10-page Work Plan limit)

This section describes the project and cannot exceed 10 single sided pages or 5 double sided pages. If letters of support or other materials are submitted to address the Work Plan components below, these items will count toward the maximum 10 pages of the application Work Plan; any additional pages or Appendices will be discarded and not considered in the evaluation of the application. The Title Page, Location Map, Budget and Budget Narrative do not count toward the 10-page limit of the Work Plan.

**1. PROJECT DESCRIPTION.**

**a. Describe in detail the activity or work to be conducted; include project location information. (15 pts.)**

The OysterCorps Protecting and Restoring Apalachicola Bay's Vulnerable Shorelines project seeks to enhance and protect coastal resources in Apalachicola Bay by meeting the priorities of improving water quality and restoration and protection of vulnerable coastlines. Specifically, the project will consist of 40 weeks of field work focused on oyster shell reclamation and a nursery operation growing native plants for coastal restoration such as *Spartina alterniflora* (smooth cordgrass), *Spartina patens* (salt meadow cordgrass), and *Uniola paniculata* (sea oats).

***Shell Reclamation***

The shells collected and plants grown will be used in shoreline restoration projects in the Apalachicola Bay system. This project will help enhance and protect coastal resources and meet the priorities of improving water quality and protecting vulnerable coastlines by educating students, producing materials (oyster shell and plants) to be used in coastal habitat restoration, and restoring oyster reef and salt marsh habitat. The restored coastal habitat helps protect and improve water quality. Specific outcomes include:

- providing key materials necessary to restore oyster and salt marsh habitat by collecting at least 100 tons of oyster shell and propagating at least 60,000 *Spartina alterniflora* plants, both of which will be used in local restoration projects including the Franklin 98 Living Shoreline Project funded by the National Fish and Wildlife Foundation (NFWF), the Florida Department of Environmental Protection (FDEP) and other sources;
- providing no less than 5,000 hours of field experience to include coastal restoration training to no less than four conservation crew members – crew members will help restore coastal habitat and get valuable experience to help fill the coastal restoration sector job force pipeline; and
- engaging no less than 24 high school students with coastal habitat education, oyster habitat restoration education and hands-on learning opportunities – this will help raise awareness of the importance of coastal habitat among the students and help restore coastal habitat.

***Oyster Shell Reclamation***

The oyster shell reclamation task will use the same proven model currently being used in Santa Rosa County for a University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) project CC FEC currently facilitates. This model uses Conservation Corps team members to collect shells from area restaurants and spread them in designated areas for "seasoning" (approximately six months). Shells are collected in five-gallon buckets with lids by crew members weekly and taken to the holding locations. Buckets are washed and returned to restaurants for refilling. Shells are weighed with data tracked weekly.



Shells collected will be stored at the Mill Pond site owned and provided by the City of Apalachicola to be used on the Franklin 98 project. The Franklin 98 Project is a community-based restoration project leveraging funding from the Florida Department of Environmental Protection's Coastal Management Program and the National Fish and Wildlife Foundation.'

#### *Nursery Operation*

The Native Plant Nursery task will use the current collection and propagation process developed by Conservation Corps of the Forgotten and Emerald Coasts (CCFEC) and the Apalachicola National Estuarine Research Reserve (ANERR). The CCFEC has developed the process over the last two years and has provided plants for ANERR, St. Andrew Bay Watch, and CCFEC living shoreline projects. Crews collect local plant stock from area shorelines through permits acquired by ANERR. Plants are grown for three months, then "split" and grown for three months, then split one last time and go out for field planting. Each harvested plant produces 16 finished plants.

Plants will be maintained at the CCFEC plant nursery located in Eastpoint for use in projects with ANERR and the Franklin 98 project. Capacity to grow over one million plants will be needed within two to three years to support planned/funded projects.

The goal for this project is to produce 60,000 plants within the grant period (40 weeks). Plant propagation activities will be scheduled on Wednesdays of each week. High school students enrolled in the FPC ED Corps program will assist with plant monitoring and maintenance. Leveraging high students will have the added benefit of educating local youth about the Panhandle's coastal resources, the importance of protecting coastal marine habitat, and providing opportunities for them to become involved in local restoration projects.

#### *Coastal Restoration Training*

The Coastal Restoration Training task will focus on working with high school and conservation corps crew members to educate them on coastal restoration and provide hands-on training in plant propagation, salt-marsh planting, oyster habitat restoration, and monitoring. This will provide them with invaluable experience whether they choose the environment or another career path.

- b. Describe specific project objectives, tasks, and deliverables and related timelines for each. Objectives and tasks should clearly relate to the project description. **(20 pts.)**

Upon approval of the grant application, Franklin's Promise Coalition, Inc. will execute a contract with the funding agency to implement this project. The scope of the work is designed to consist of 40 weeks of work, so there should be no issue with accomplishing this project within the one-year requirement. Given the amount of restoration work expected to be funded through the Deepwater Horizon Settlement funds, such as the Franklin 98 project and the ANERR Cat Point Living Shoreline, it will be critically important to have the ability to have a reliable source of oyster shell and salt marsh plants. This project will help lay the foundation for meeting that need.

## 2. PROJECT NEED AND BENEFIT

- a. Explain the demonstrated need, which the project addresses. **(25 pts.)**

Given the amount of restoration work expected to be funded through the Deepwater Horizon Settlement funds, such as the Franklin 98 project and the ANERR Cat Point Living Shoreline, it will be critically important to have the ability to have a reliable source of oyster shell and salt marsh plants. This project will help lay the foundation for meeting that need.

b. Explain how the proposed project meets the purpose of at least one CPI priority area. (10 pts.)

TBD

c. Discuss the extent to which the project will improve the management and protection of coastal resources and identify any potential negative impacts. (25 pts.)

TBD

d. Discuss how the project is feasible and can be completed within 12 months. (10 Pts.)

**Objectives by Task**

- **Oyster Shell Reclamation:** Reclaim no less than 100 tons of “fresh” oyster shells from area restaurants in Bay, Gulf and Franklin counties. Shells will be spread and “seasoned” for six months before they are provided to local oyster habitat restoration projects recommended by the ANERR. Initially the shells will be provided at no cost to partners as research is completed to determine the best practices for the use of the shells. Through this program, OysterCorps will establish the oyster shell recycling structure, determine the cost of oyster shell reclamation, and develop relationships and partnerships with restoration groups. The goal is to leverage this experience and knowledge gained to ensure that OysterCorps becomes self-sustaining.
- **Native Plant Nursery:** Propagate no less than 60,000 native plants, including but not limited to *Spartina alterniflora* (4” pots), to be provided to the coastal restoration projects led by the ANERR, St. Andrew Bay Watch, and the Franklin 98 project noted above as well as others to be determined. The goal is to seed a nursery

that will be sustainable by recouping costs from future regional restoration projects by having OysterCorps identified as a plant supplier for those projects. Agreements are in formation with the founding partners listed above which will include budgeted line items to fund the growing of native plants for upcoming projects.

• **Coastal Restoration Training:**

- Provide no less than 5,000 hours of field experience to include coastal restoration training to no less than four conservation crew members. Crew members will help restore coastal habitat and get valuable experience to help fill the coastal restoration sector job force pipeline. Provide stipend in support of AmeriCorps program participation for members.
- Provide member support such as life/job skills training and professional development for crew members involved in the pilot program.
- Engage no less than 24 high school students with coastal habitat education and oyster habitat restoration education and hands-on learning opportunities.

**Deliverables**

• **Quarter 1**

- Reclaim no less than 5 tons of fresh shells and spread for curing
- Harvest no less than 3,000 stock plants and secure in 4" pots or equivalent
- Provide no less than 1,250 hours of field experience to include coastal restoration training to no less than four conservation crew members
- Provide a 30-hour orientation to four conservation crew members
- Engage at least six high school students in hands on learning experiences.

• **Quarter 2**

- Reclaim no less than 5 tons of fresh shells and spread for curing
- Harvest and/or split no less than 3,000 stock plants and secure in 4" pots or equivalent
- Provide no less than 1,250 hours of field experience to include coastal restoration training to no less than four conservation crew members
- Provide 30 hours of job readiness training to four conservation crew members.
- Engage at least six high school students in hands on learning experiences.

• **Quarter 3**

- Reclaim no less than 5 tons of fresh shells and spread for curing
- Harvest and/or split no less than 3,000 stock plants and secure in 4" pots or equivalent
- Provide no less than 1,250 hours of field experience to include coastal restoration training to no less than four conservation crew members
- Provide 30 hours of job readiness training to four conservation crew members.
- Engage at least six high school students in hands on learning experiences.

• **Quarter 4**

- Reclaim no less than 5 tons of fresh shells and spread for curing
- Harvest and/or split no less than 3,000 stock plants and secure in 4" pots or equivalent.
- Provide no less than 1,250 hours of field experience to include coastal restoration training to no less than four conservation crew members



- Provide 30 hours of career pathways training to four conservation crew members.
- Engage at least six high school students in hands on learning experiences.

## DRAFT

**BUDGET and BUDGET NARRATIVE (15 Pts.)** Type dollar amounts only in applicable categories (round to nearest dollar; no cents) and leave other categories blank. A recipient will be required to provide 100% (1:1) matching funds, cash or in kind. No more than one-half (50%) of a match can be provided by a third party.

<u>Budget Category</u>	<u>FCMP Funds</u>	<u>MATCH Funds</u>
1. Salaries (crew member stipends)	24,000	36,000
2. Fringe Benefits		
3. Travel/Transportation (work truck)	36,000	
4. Equipment		
5. Supplies		24,000
6. Contractual Services		
7. Other Expenses		
8. Indirect Charges		

**FCMP Total \$60,000 (Grant Application)**

**Match Total \$60,000 (Provided by FPC)**

**Total FCMP & Match Funds \$120,000**

If budget exceeds the amount shown on the "Total" line above, indicate the total project cost: \$ \_\_\_\_\_

**BUDGET NARRATIVE:** Describe line items for each applicable budget category shown above. Provide sufficient detail to show cost relationship to project activities for both FCMP and match items. **Indirect costs are not allowed as match.**

Total FCMP Funds Requested

Salaries:

Fringe Benefits:

Travel:

Equipment:

Supplies:

Contractual Services:

Other Expenses:

Indirect Charges:

Total Match Funds: \$

Salaries:

Fringe Benefits:

Travel:

Equipment:

Supplies:

Contractual Services:

Other Expenses:

**NOTE: Project costs will be evaluated for reasonability, and the application is eligible for up to 10 points based on the evaluation of costs.**

**APALACHICOLA CITY COMMISSION**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: July 11, 2023**

**SUBJECT:** Request for Workshop; RE: Permitting, Planning, Zoning, Code Enforcement

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 3  
**Department:** Governing Body  
**Contact:** Commissioner George  
**Presenter:** Commissioner George

**BRIEF SUMMARY:** The resignation of the department head of the Permitting, Planning, Zoning, and Code Enforcement Department, resignation of the chairman of the Planning & Zoning Board, and deficiencies noted in the City's site plan approval, and follow up on conditions for a major project show the need for reform of various City policies and procedures.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Schedule a workshop of the City Commission to outline issues for reforming policies and procedures relating to Permitting, Planning, Zoning, and Code Enforcement

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** None

**STAFF'S COMMENTS AND RECOMMENDATIONS:** None

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: July 11, 2023**

**SUBJECT:** Rules of Procedure Related to Public Notice and Participation

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 4  
**Department:** Governing Body  
**Contact:** Commissioner George  
**Presenter:** Commissioner George

**BRIEF SUMMARY:** The City's Rules of Procedure contain provisions which assure that the public is timely and adequately informed of City business and has adequate access for meaningful input in advance of Commission decisions. Other provisions provide guidance for citizen boards and committees, which guide how these bodies interact with the City Commission. There is a need to reaffirm these provisions.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Seeking Commission consensus to reaffirm provisions of the Rules of Procedure relating to our responsibilities to the public and to citizen committees and boards.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Outline of Rules of Procedure related to public notice and participation;  
Rules of Procedure adopted June 4, 2019

**STAFF'S COMMENTS AND RECOMMENDATIONS:** None

## **Outline of Rules of Procedure related to public notice and participation**

### **Rule 2 – Regular Meetings**

Specifies that the regular meetings of the commission will begin at 6PM. This meeting time was established by Ordinance 87-5.

Accommodation of work and professional schedules is the reason cited in the ordinance for changing the meeting time to 6PM.

### **Rule 26 – Preparation of Agendas**

Establishes a deadline for placing an item on the agenda (Rule 26(b)) and for providing supporting materials (Rule 26(f)), and requires all supporting documentation to be available for review online or in the Clerk's office (Rule 26(i)).

This rule assures that the public (as well as the commission) is provided timely and complete documentation in advance of city commission meetings.

### **Rule 27 – Agendas-Order of Business**

Allows five minutes to be allotted for each citizen who wishes to speak during public comment (Rule 27(g)).

This rule gives each citizen a reasonable amount of time to address the city commission.

### **Rule 28 – Boards, Committees, and Meetings**

Sets forth the city commission's authority to set the terms for board and committee Chairs and Vice Chairs (Rule 28(d)) and to make exception to any general policy (Rule 28(h)), and affirms that the boards and committees serve at the pleasure of the city commission and report to the city commission.

This rule establishes the framework for the interaction between appointed members of boards and committees with the city commission.

**Exhibit "A"**  
**RULES OF PROCEDURE  
FOR THE CITY COMMISSION  
OF THE CITY OF APALACHICOLA**

**EFFECTIVE JUNE 4, 2019**

The City of Apalachicola Charter allows the City Council to adopt procedural guidelines for City Council meetings to the extent they do not conflict with local or state law. The following Rules of Procedure will provide more detailed guidelines for the conduct of efficient and orderly meetings.

**PARLIAMENTARY PROCEDURE**

Robert's Rules of Order will serve as a guide for parliamentary procedures in the conduct of all City Commission meetings. Any exceptions noted in these rules or by Resolution of the Commission shall take precedence. A violation of parliamentary procedure shall not call into question the validity of any decision or action of the Commission so long as the requirements of State law and the City Charter have been met and the intent of the Commission is clear from the minutes of the proceedings.

**RULES OF CIVILITY**

The City of Apalachicola encourages citizen participation in the democratic process and recognizes and protects the right of freedom of speech afforded to all. As the City Commission conducts the business of the City, rules of civility shall apply. City Commission members, City officials, and members of the public are to respectfully communicate according to the City Commission's Rules of Procedure. Persons shall speak only when recognized by the Presiding Officer and, at that time, refrain from engaging in personal attacks or derogatory or offensive language. Comments from citizens being made at a time other than during the period titled "Public Comments" should be focused on the issue at hand. Outbursts will not be tolerated and those who do not conduct themselves in a respectful and lawful manner shall be subject to removal as outlined in the City Commission's Rules of Procedure. It shall be the responsibility of each individual to demonstrate civility.

**PREFACE**

The City of Apalachicola conducts municipal government, performs municipal functions, and renders municipal services and exercises any power for municipal purposes according to the City Charter, except as otherwise provided for by law. Any conflict or need for clarification arising out of the following Rules of Procedure shall be resolved, where applicable, by provisions of the City Charter which shall prevail, except as otherwise provided for by law. Any Amendments to the City Charter which may require revisions to the Rules of Procedure shall be administratively prepared by the City Clerk and adopted by the City Commission.

These Rules of Procedure are adopted by the City Commission to guide the City Commission through its primary operations and functions. They are designed to provide the structure needed to conduct City business while also maintaining the flexibility needed to efficiently and effectively carry out the public business as circumstances may dictate.

The Government in the Sunshine Act, also known as the Sunshine Law, provides a right of access to governmental proceedings of public boards or commissions at both the state and local levels. The law is equally applicable to elected and appointed boards, and applies to any gathering of two or more

## **Exhibit "A"**

members of the same board to discuss some matter which will foreseeably come before that board for action. Members-elect to such boards or commissions are also subject to the Sunshine Law, even though they have not yet taken office. There are three basic requirements of s. 286.011, F.S.: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and (3) minutes of the meetings must be taken and promptly recorded.

### **RULE 1 MEETINGS**

All City Commission meetings shall be held in the Community Center, 1 Bay Avenue, Apalachicola, Florida, unless advertised otherwise, and shall be open to the public. In case of emergency, the Mayor may designate an appropriate meeting place for a meeting open to the public. Robert's Rules of Order, as revised, so long as they do not conflict with Ordinances, Statutes, these Rules, or the Apalachicola Charter, shall be used as a guide in conducting City Commission meetings.

### **RULE 2 REGULAR MEETINGS**

As noted in City Charter Section 17, the City Commission shall hold regular meetings on the first Tuesday after the first Monday of each month commencing at 6:00 p.m. From time to time, regular meetings may be adjusted by Resolution of the City Commission to accommodate a holiday schedule. Meetings shall also be rescheduled to accommodate Elections as scheduled by the Franklin County Supervisor of Elections. The news media shall be notified and appropriate notice shall be posted at City Hall and on the City's website.

### **RULE 3 SPECIAL MEETINGS**

The Mayor, or in the Mayor's absence, the Mayor Pro-Tem, two (2) or more Commission members, or the City Manager, may call or schedule a Special Meeting of the City Commission. A minimum of ~~six (6)~~ forty eight (48) hours' notice shall be given to all City Commission members for all Special City Commission Meetings. Notice of the call of such Special Meetings shall be by majority agreement of the City Commission, or in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person, by telephone, electronic media, or by leaving a copy of said notice at the member's legal residence. The news media, the City Attorney, the City Clerk, the City Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Only matters on the agenda or matters of an emergency nature may be acted upon by the Commission. Justification of emergency action shall be noted in the minutes of the meeting. Notice shall be posted at City Hall.

### **RULE 4 EMERGENCY MEETINGS**

The Mayor, or in the Mayor's absence, the Mayor Pro-Tem, two (2) or more Commission members, or the City Manager, may call an Emergency Meeting of the City Council upon not less than six (6) hours' notice to every City Commission member. Notice of the call of such Emergency Meetings shall be in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person, by telephone, electronic media, or by leaving a copy of said notice at the member's legal residence. The news media, the City Attorney, the City Clerk, the City Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Notice shall be posted at City Hall. If there is no longer a need for an Emergency Meeting, the entity that called the meeting is authorized to cancel such meeting.

**Exhibit "A"**

**RULE 5         WORKSHOPS**

A workshop may be called orally or in writing by the Mayor, any two (2) or more City Commission members, or the City Manager. The City Commission can initiate workshops, also known as Special Meetings, that are public meetings to improve communication, to gain information, or to create a stronger working relationship among the elected officials of the general city government. Public attendance is encouraged. A minimum of forty eight (48) hours' notice shall be given for all Workshops and Notice shall be posted at City Hall.

**RULE 6         QUORUM AND ATTENDANCE**

- (a) A Quorum of the City Commission for the transaction of any business shall consist of three (3) members, but a lesser number may adjourn from time to time until a quorum is present. Once a quorum has been established, a majority of the City Commission present at the meeting shall be required to carry a motion, unless, by Statute, Ordinance, or other regulation, an extraordinary majority (4/5ths) of the City Commission is required for approval. Absence from four consecutive regular meetings of the Commission shall operate to vacate the seat of a member, unless such absence is excused by the Commission by Resolution. As stated in City Charter Section 20, "The affirmative vote of three members shall be necessary to adopt any ordinance or resolution, and the passage of all ordinances and resolutions shall be taken by the "yeas" and "nays" and entered upon the Journal."
- (b) City Commission members may participate in and vote at all regular, special, or emergency meetings of the City Commission by use of electronic media in those instances where the member is temporarily deployed, reassigned, activated, or transferred by any branch of the United States Military or the Florida National Guard for a period of longer than thirty (30) days. In addition, this policy shall cover any other situation resulting in the absence of the member due to illness, medical related issues of a non-incapacitation nature, or extraordinary circumstances related to their job or family emergencies causing them to be physically unable to attend a meeting. In all instances, participation by electronic media will only be allowed if a quorum is physically present at the site where the meeting is actually being held.
- (c) In addition to the City Commission members, City officials whose regular attendance shall be required at meetings of the City Commission are the: City Attorney, City Clerk, City Manager, or their designees, and City Department Directors as charged by the City Manager. The Chief of Police, or their representative, shall be present to provide security and assistance in maintaining order.

**RULE 7         NEW COUNCIL MEMBERS**

The term of City Commission members elected to office shall commence on the first Tuesday following the first Monday in October following the general election. A swearing-in ceremony for the new City Commission members will be coordinated by the City Clerk. The City Clerk in conjunction with the City Manager will provide orientation materials.



**Exhibit "A"**

**RULE 8            ELECTION OF MAYOR PRO-TEM**

- (a) The election of Mayor Pro-Tem pursuant to Section 16 of the Charter shall occur at the first regular meeting following each regular municipal election at which newly elected Commissioners assume their duties of office.
- (b) In case of the absence or temporary disability of the Mayor, the Mayor Pro-Tem serves as the Presiding Officer during the absence. In case of the absence or temporary disability of the Mayor and Mayor Pro-Tem, an Acting Chair, elected from members of the City Council, serves during the continuance of the absences or disabilities.

**RULE 9            PRESIDING OFFICER**

- (a) The Mayor, or in the Mayor's absence the Mayor Pro-Tem shall preside over all meetings of the Commission. In the absence of the Mayor and Mayor Pro-Tem, at the hour fixed for any meeting, the City Manager shall call the City Council to order, whereupon a temporary Chair shall be elected by the members present. Upon arrival of the Mayor and Vice-Mayor, the temporary Chair shall relinquish the chair upon conclusion of the business immediately before the Commission.
- (b) The Presiding Officer shall be responsible for enforcing the Rules of Procedure and conducting meetings in a manner which preserves order and decorum, prevents attacks on personalities or the impugning of members' motives, and confine debate or comments to the question under discussion. The Mayor shall endeavor to conduct meetings in a fashion that draws balance between the informality and congeniality possible in a small community while also maintaining the decorum and formality necessary to conduct business in an orderly fashion.
- (c) The Presiding Officer shall take the Chair at the hour fixed for the meeting and call the members to order. The Presiding Officer shall state every question given before the Commission. The City Clerk will record the vote on all matters in which the recording of yeas and nays is required by law or with respect to which any member requests such recording. The Presiding Officer or City Clerk will announce the decision of the City Commission on all subjects and the Presiding Officer will decide on questions of order. Any member may appeal from the decision of the Presiding Officer, in which event a majority vote of the members present shall govern and conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.
- (d) The Presiding Officer shall remain objective, consistent with Robert's Rules of Order. According to Robert's "Rule Against Chair's Participation in Debate," the Presiding Officer has, as an individual, the same rights in debate as any other member; but the impartiality required of the Chair in an assembly precludes exercising these rights while presiding. On certain occasions, the Presiding Officer may believe that a crucial factor relating to such a question has been overlooked and that their obligation as a member to call attention to the point outweighs their duty to preside at that time. If the Presiding Officer wishes to place a motion, the gavel must be relinquished.

## **Exhibit "A"**

Based upon these Rules of Procedure, the gavel will be relinquished in the following order:

1. Mayor Pro-Tem;
2. Other City Commission members based on seniority of tenure;
3. City Clerk/City Manager.

The "Rule Against Chair's Participation In Debate" further states that the Presiding Officer who relinquished the chair shall not return to it until the pending main question has been disposed of, since they have shown themselves to be partisan as far as that particular matter is concerned. Unless a Presiding Officer is extremely sparing in leaving the chair to take part in debate, they may destroy members' confidence in the impartiality of their approach to the task of presiding.

Once a motion has been made and second received, the Presiding Officer shall hear comments from the other City Commission members. Following comments from the other City Commission members, the Presiding Officer shall be permitted to provide their input on the motion.

- (e) The Presiding Officer may declare the meeting adjourned at any time in the event of an emergency affecting the safety of those present.

### **RULE 10      CITY CLERK**

- (a) The City Clerk, or Deputy Clerk, serves as parliamentarian, and advises the Presiding Officer as to correct rules of procedure or questions of specific rule application. The City Clerk calls to the attention of the Presiding Officer any error in the proceedings that may affect the substantive rights of any City Commission member, or may otherwise do harm.
- (b) It shall be the duty of the City Clerk of the City Commission, in addition to other duties prescribed by law, to keep and preserve correct minutes of the proceedings of the City Commission. The minutes shall be a public record. Proposed substantive additions or corrections to proposed minutes, other than spelling and grammatical corrections, shall be furnished in writing to the City Clerk not less than twelve (12) hours prior to the meeting at which approval action is scheduled. The record of every meeting when approved and entered in the minutes shall be signed by the Presiding Officer at such meeting and attested by the City Clerk. The City Clerk shall prepare an Agenda for each regular meeting of the City Commission in the order of business and furnish a copy thereof to each member, the City Attorney, and the City Manager at least seventy-two (72) hours in advance of said meeting. All official meetings of the Commission shall be recorded on an automatic recording device by tape, record, or other device and permanently preserved in the official records of the City or until their destruction as specifically authorized by the State or City Commission.
- (c) Requests for copies of public records regarding a meeting of the City Commission shall be made through the Office of the City Clerk. The cost shall be in accordance with State law.

**Exhibit "A"**

**RULE 11      RULES OF DEBATE**

- (a) The Presiding Officer may move, second, and debate subject only to such limitation of debate as are enforced by these standing rules on all members and shall not be deprived of any of the rights and privileges as a member.
- (b) When a member desires to speak in debate on a subject open to debate, the member must address the Presiding Officer. When recognized by the Presiding Officer, the member may speak only on matters germane to the business or questions under debate.
- (c) A member, once recognized, shall not be interrupted while speaking unless the member is called to order for transgressing any rule of the City Commission or failing to maintain proper decorum. If a member is called to order while speaking, the member shall cease speaking until the questions of order is determined by the Presiding Officer.
- (d) After the decision on any question, it shall be in order only for a member voting on the prevailing side to move for reconsideration at the same meeting, but such motion may be seconded by the member. If a motion to reconsider is lost, it shall not be renewed again at the same meeting. A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider and to prevent further consideration thereof.

**RULE 12      CONDUCT AND RESPONSIBILITY OF MEMBER**

- (a) Any member who is unable to attend a City Commission or other meeting due to sickness or for a duly authorized reason shall notify the City Clerk, who shall notify the Presiding Officer before the meeting.
- (b) No member present at any meeting of the City Commission shall leave the meeting without permission from the Presiding Officer.
- (c) While the City Commission is in session, the members shall preserve order and decorum. A member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the City Commission, or disturb any member while speaking, or refuse to obey the Rules of Procedure of the City Commission or the Presiding Officer.
- (d) No member shall speak on any question, discuss any matter, interrupt another, or make a motion without first addressing the Presiding Officer and obtaining recognition.
- (e) No member shall be allowed to vote on any motion or measure, or gain the privilege of the floor, unless the member is at their designated seat.
- (f) Every member, in speaking on any matter, shall be confined to the question, shall not use unbecoming or abusive language, and shall avoid personalities.

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- (g) No member shall be permitted to explain his or her vote during a vote, but may do so during discussion and prior to the result of the vote being announced.
- (h) Every member who is present when a question is put, unless excluded by a conflict of interest, shall vote in the affirmative or negative.
- (i) Every member shall observe the Code of Ethics as set forth in the laws of the State of Florida and as required by the Charter or Ordinances of the City. Disclosure to the City Commission of a private interest, as required by the State law on ethics, shall be accomplished in the form as prescribed by the Commission of Ethics, State of Florida.
- (j) No member shall direct the City Manager to forward to another political subdivision or government agency communications on matters under consideration by the City Commission or its committees except where there is clear understanding of approval by the City Commission or in response to routine matters in consonance with the previous actions of the City Commission. Nothing precludes a member from initiating correspondence on City stationery over their own signature indicating the City Commission seat they currently hold. Nothing in this Rule is to be construed to limit or restrict the Mayor acting in his or her official capacity from coordinating with the City Manager in answering or responding to correspondence or communications relative to the business of the City.
- (k) Ex parte Communications – Oral or written communications (sometimes referred to as lobbying or information gathering) between a Commission Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the City Commission. The exchanges must be disclosed by the City Commission member so the public may respond to such comments before a vote is taken.

### **RULE 13      CONFLICT OF INTEREST**

No City Commission member shall vote in their official capacity on a matter which would inure to their special private gain or loss, or which the City Commission member knows would inure to the special gain or loss of any principal by whom they are retained, of the parent organization or subsidiary of a corporate principal by which they are retained, or a relative or of a business associate. The City Commission member in conflict shall announce such conflict before any discussion commences. They may participate in the discussion but may not vote. Within 15 days of following that City Commission meeting, they shall file with the City Clerk a Form 8B which describes the nature of their interest in the matter. The Form 8B shall be received by the City Clerk and incorporated into the minutes of the meeting.

### **RULE 14      ORDINANCES**

An enacted Ordinance is a legislative act that prescribes general, uniform, and permanent rules of conduct relating to the corporate affairs of the City. City Commission action shall be taken by Ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. All Ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.

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- (a) Any non-emergency Ordinances, with the exception of zoning Ordinances, shall be initiated by either a member of the City Commission, the City Attorney, or the City Manager. Each Ordinance shall be introduced in writing and shall embrace one (1) subject and matters properly connected therewith. The subject shall be clearly stated in the title. No Ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act, section, or subsection or paragraph of a section or subsection. Rezoning Ordinances shall be scheduled on the City Commission Agenda following the required public hearing(s) before the Planning and Zoning Board and, once scheduled, the same procedure as outlined shall be followed unless State law provides otherwise.
- (b) Any Ordinance or Resolution prepared for consideration by the City Commission shall be reviewed by the City Attorney prior to introduction to the City Commission. Upon request by the Presiding Officer or any member, the City Attorney shall render an opinion to the City Commission concerning the legality of any Ordinance or Resolution pending before it. Every Ordinance and Resolution which amends prior Ordinances or Resolutions shall indicate words being deleted by strike-through, and shall include underlining of words being added to existing provisions.
- (c) In acting upon Ordinances, the Ordinance shall be introduced on first reading as to form only. The City Clerk shall then cause the Ordinance to be published in a newspaper of general circulation in the City, at least ten (10) days before the second reading, a notice of proposed enactment pursuant to and in compliance with Chapter 166, Florida Statutes. Prior to adoption, on second and final reading, a public hearing shall be held to enable citizens to comment on the proposed Ordinance. On second and final reading, an affirmative vote of the majority of the members present shall be necessary for the passage or adoption of the Ordinance.
- (d) The Council may, by two-thirds (2/3) vote of its membership, declare an Ordinance to be an emergency measure and pass such Ordinance without regard to any reading as required by the City Charter. Every emergency Ordinance, except emergency appropriations, shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the Ordinance under regular procedures, or if the emergency still exists, in the manner specified in the City Charter. An emergency Ordinance may also be repealed by adoption of a repealing Ordinance in the same manner specified in the Charter for adoption of emergency Ordinances.
- (e) Whenever any Ordinance or Resolution has been introduced for the consideration of the City Commission, and the measure failed to be adopted or passed, such measure, unless substantially changed, shall not be introduced again until the lapse of at least three (3) months from the date of the City Commission meeting at which it failed adoption or passage.
- (f) If a Motion to pass an Ordinance fails, the Ordinance shall be considered lost.
- (g) Upon final passage, every Ordinance and Resolution shall be signed by the Presiding Officer of the Commission, attested by the City Clerk and approved as to form by the City Attorney.

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### **RULE 15      RESOLUTIONS**

Generally, an enacted Resolution is an internal legislative act that is a formal statement of policy concerning matters of special or temporary character. City Commission action shall be taken by Resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All Resolutions shall be reduced to writing. A Resolution may be put to its final passage on the same day on which it is introduced.

### **RULE 16      MOTIONS**

An enacted Motion is a form of action taken by the City Commission to direct that a specific action be taken on behalf of the City. A Motion, once approved and entered into the record, is the equivalent of a Resolution in those instances where a Resolution is not required by law. All motions shall be made and seconded before debate.

- (a) A motion is to be worded in a concise, unambiguous, and complete form.
- (b) No speech is to be made in reference to a motion when it is introduced. There will be no debate until a motion has been seconded and, if requested by a City Commission member, the question stated by the Presiding Officer or the City Clerk.
- (c) When the question has been stated, it is before the City Commission and mover is entitled to the floor.
- (d) The order of procedure of motions shall be in accordance with Robert's Rules of Order.

### **RULE 17      WITHDRAWAL OF MOTIONS**

Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.

### **RULE 18      AMENDING OF MOTIONS**

At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in Rule 17.

### **RULE 19      RECONSIDERATION**

A motion to reconsider shall be allowed at any time during a meeting, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject at the same meeting. A motion to reconsider may be made:

- (a) At the same meeting during which an action was taken, provided that the motion to reconsider is made by a City Commission member of the prevailing side of the original motion.
- (b) At a subsequent meeting by any Commissioner.

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Upon passage of a motion to reconsider, no substantive action on the matter may be taken at that meeting so that the public and media may be on notice of the matter to be reconsidered. The subject matter shall be scheduled at the next regular City Commission meeting for any action the City Commission deems advisable.

#### **RULE 20      RESCINDING ACTION PREVIOUSLY TAKEN**

City Commission action may be rescinded by a four-fifths (4/5) vote. The motion may be made by any City Commission member after a motion to reconsider has been adopted by a majority vote.

#### **RULE 21      PRIVILEGE OF THE FLOOR**

By permission of the Presiding Officer, the privilege of the floor shall be extended to a citizen or citizens to address the Commission on any matter pending before it or which needs the attention of the City Commission. At public hearings required by law or fixed by the City Commission, the Presiding Officer shall extend the floor to a reasonable number of proponents or opponents of the subject matter of the public hearing, and those filing written requests to be heard with the City Clerk shall be heard prior to other persons who appear at the hearing. Each person addressing the City Commission shall proceed to the place assigned for speaking, give his or her name and address in an audible tone of voice for the record and limit his or her address to three (3) minutes, unless a lesser time is fixed for all speakers by the Presiding Officer or further time is granted by the City Commission. The person may speak only to matters germane to City business or to questions under discussion. All remarks shall be addressed to the City Commission as a body and not to any member thereof. All questions of members shall be directed through the Presiding Officer.

#### **RULE 22      PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, so far as they are applicable or not in conflict with these standing rules, the Ordinances, or the Charter of the City, shall govern the proceedings of the City Commission.

#### **RULE 23      SUSPENSION OF STANDING RULES**

Any standing rule contained herein may be temporarily suspended for special reasons by a vote of four-fifths (4/5) of all City Commission members unless such suspension would conflict with provisions of the Ordinances or the Charter of the City.

#### **RULE 24      EFFECTS OF RULES**

No Ordinance, Resolution or action duly passed, adopted or taken by the City Commission shall be held to be invalid because of failure of the City Commission to comply with or abide by any one or more of the provisions of these standing rules if such Ordinance, Resolution or action would otherwise be valid under the Charter or Ordinances of the City or laws of this State but for such provisions of these standing rules alleged to have been violated or ignored.

#### **RULE 25      INFORMAL CONSIDERATION OF MATTERS**

When, in the judgment of the Presiding Officer, it becomes necessary to give detailed consideration to a matter under conditions of freedom, approximating those of a Committee, the Presiding Officer may entertain a motion for the City Commission to consider the matter informally. When such a motion is made and properly seconded, the effect is to suspend the standing rule limiting the number of times a member can speak and inquire into matters of fact on the main questions and any amendments,

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except that the member may not inquire a second time into questions of fact until other members have had an opportunity to do so.

While considering a question informally, the Council may, by four-fifths (4/5) vote, limit the number or length of speeches or in any other way limit or close discussion. Proceedings of the City Commission under informal consideration are recorded in the minutes of the meeting just as they would be if the considerations were under formal standing rules. Informal consideration ceases automatically as soon as the main question is disposed of. Informal consideration of a matter may also be ended before the main question is disposed of by a majority vote of the City Commission on a motion "that the regular standing Rules of Procedure be enforced."

Under the informal standing rules, members may obtain the floor after being recognized by the Presiding Officer.

### **RULE 26      PREPARATION OF AGENDAS**

The City Manager and City Clerk are responsible for the preparation of the Agenda. The Mayor or any City Commission member may place an item on the Agenda. The City Attorney, City Clerk, and City Manager may also place an item on the Agenda.

As general practice, all supporting documentation and Board Request Form must be provided to the City Manager for review or the item(s) may not be included on the Agenda.

- (a) The agenda will be in five (5) parts: Awards, Recognitions and Presentations; Reports and Communications; Public Hearings; Consent; and Business.
- (b) Deadline for items to be placed on the Agenda is no later than 12:00 noon on the Tuesday before the next meeting.
- (c) Content of items on the Consent Agenda shall be limited to routine items that do not need discussion, which may include but are not limited to such items as the Minutes, Resolutions, payment requests, and reports from committees, etc. During the reading of the Consent Agenda, any member may pull an item for separate discussion.
- (d) The City Manager or any Commission member may, in the event of an emergency, place items on the Agenda after the above deadline.
- (e) Commission members are encouraged to present their reports as Agenda items in order to provide the public and other Commission members prior notification of the report's subject matter.
- (f) Agendas and all necessary background materials will be delivered to the members no later than 5:00 p.m. on the Friday before the next meeting via notification by electronic mail. In the event an item must be placed on the Agenda after it has gone to the City Commission, a Supplemental Agenda will be issued no less than 24 hours prior to all meetings.



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- (g) A request from a citizen to be placed on the Agenda shall be received in writing on the Board Request Form provided by the City Clerk no later than the close of business on the Monday of the week preceding the next regular City Commission meeting and include information and/or back-up documentation on the subject they want to discuss. If a citizen does not present an appropriate topic or information in writing, the citizen will not be placed on the Agenda but will be told that he or she can speak at the beginning of the City Commission meeting under Public Comment or have their Agenda item rescheduled to a future meeting.
- (h) Citizens who wish to address the City Commission on an item on the agenda shall complete a Speaker Card and give it to the City Clerk before the meeting starts. All persons, other than members of the City Commission or Staff, addressing the City Commission shall step up to the microphone and state his or her name and address prior to making his or her statements. The Mayor shall have the authority to waive such requirement in the event of apparent physical disability of the speaker.
- (i) The Agenda, as well as any supporting documentation ~~lengthy reports~~ that are part of the Agenda ~~documentation~~, shall be available for review online on the City's website, or in the Office of the City Clerk.

### **RULE 27      AGENDAS – ORDER OF BUSINESS**

The business of all regular meetings of the City Commission shall be transacted as follows; provided, however, that the Presiding Officer may, by simple majority voice vote or consensus of the City Commission, re-arrange items on the Agenda to more expeditiously conduct the business before the City Commission:

#### **(a) Invocation & Pledge of Allegiance to the Flag**

The City Council may maintain a clergy or layperson rotational roster, which may be used to rotate among the local clergy or laypersons the presentation of the invocation at the regular or special meetings. The Presiding Officer shall lead the Pledge or delegate to another party.

#### **(b) Agenda Adoption**

#### **(c) Awards, Recognitions and Presentations**

Items under this section include Special Award Presentations, Proclamations, scheduled citizen or group presentations, and recognitions. Proclamations, Special Awards, and Letters of Honor shall be requested and processed through the Office of the City and shall be submitted on a form provided by the City Clerk.

#### **(d) City Council Reports and/or Correspondence**

During this section, each City Commission member will have the opportunity to make comments or discuss any items of concern.

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### **(e) City Manager and City Attorney Reports and/or Correspondence**

During this section, the City Manager and City Attorney will have the opportunity to make comments, provide updates, or discuss any items of concern.

### **(f) Public Hearings**

Public hearings shall be scheduled at regular meetings of the month unless otherwise determined by the City Commission or State Statute. The procedures followed for public hearings are generally as follows:

- (1) The City Manager, or their designee, should describe the Agenda item to be considered and provide the Staff recommendation. The Presiding Officer should then inquire as to whether any City Commission members have questions for the administration. After the City Commissioner's questions are answered, the Presiding Officer opens the public hearing and requests comments from the public. Generally, the petitioner or proponent for the issues in the Public Hearing is invited to address the City Commission first.
- (2) Following public comment (if any), the Presiding Officer closes the Public Hearing. Discussion and consideration of the matter will follow under "Unfinished Business" where a City Commission member may put forth a motion.

### **(g) Public Comment**

The City Commission recognizes the importance of protecting the rights of its citizens and taxpayers to express their opinions on the operation of City government and encourages citizen participation in the local government process. The City Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely and proper manner.

The purpose of the public comment portion of the meeting is to receive citizen input pertaining to matters over which the City Commission has jurisdiction or control. This period of time is for comments and not for questions directed to the City Commission or Staff for immediate answer or for debate. Questions directed to the City Commission may be referred to Staff to be answered within a reasonable period of time following the date of the meeting. The City Commission shall not take final action at the same meeting on items addressed under this section. Final action can only be taken if the City Commission waives its Rules of Procedures. The City Commission can direct Staff to place any item requiring final action on an upcoming City Commission Meeting or Workshop. The exceptions are items of an emergency nature so declared.

No citizen shall speak until duly recognized by the Presiding Officer, and they shall immediately cease speaking and relinquish the podium when requested by the Presiding Officer. After being recognized, the citizen shall:

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- (a) Step up to the podium and give their name and address;
- (b) State the topic or position (for/against) of the item under discussion; and
- (c) Address all remarks and questions to the City Commission as a body, and not a member thereof, except through the Presiding Officer.

Five (5) minutes shall be allotted to each citizen who wishes to speak at this time, unless more time is granted by the Presiding Officer or City Commission. A citizen cannot yield time to another citizen.

NOTE: Citizens are encouraged to call the appropriate City department during regular business hours. If you have contacted the department and for some reason results were not satisfactory, please call the director of the department or the City Manager's office.

Employees of the City may address the City Commission on matters of public concern. Employee comments that address an active grievance/arbitration, employee appeal matter (all of which are covered in the Personnel Policies and Procedures Manual) or a personnel dispute will not be entertained as part of citizen comments. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

### **(h) Consent Agenda**

The Presiding Officer shall inquire if any City Commission member wishes to withdraw any items from the Consent Agenda. If any item is withdrawn by any member of the City Commission, the Presiding Officer addresses those item(s) individually following the vote on the motion to approve the other Consent Agenda items.

### **(i) Council Business**

Items in this section are reports or requests presented by the City Attorney, City Clerk, City Commission member, City Manager, or Staff for City Commission consideration.

### **(j) Adjournment**

No meeting shall be permitted to continue beyond 10:00 p.m. without the approval of a majority of the City Commission. A new time limit must be established before taking a City Commission vote to extend the meeting. In the event that a meeting has not been closed or continued by City Commission vote prior to 10:00 p.m., the items not acted on are to be continued to 8:30 a.m. on the following day, unless state law requires hearing at a different time or unless the City Commission, by majority vote of members present, determines otherwise.

## **RULE 28      BOARDS, COMMITTEES, AND MEETINGS**

The City Commission may form ad hoc or special committees from time to time. Citizen advisory boards and committees may be created and dissolved by Resolution, Ordinance, or other act adopted by the City Commission. All members shall serve at the pleasure of the City Commission.

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The mission of advisory boards and committees shall be to examine various policy issues referred by the City Commission, staff, or as determined in the work plan. Committees shall provide guidance to the City Commission in the development of policy recommendations. Committees shall not attempt to manage the administrative operations of the City; the committee will not be involved in directing staff.

- (a) The City Manager/City Clerk's office shall furnish the Chair of each advisory board or committee copies of all Resolutions or Ordinances that pertain to that committee. Such information shall be delivered to the committee Chair within one (1) week after adoption by the City Commission, or as soon thereafter as possible.
- (b) Appointment to citizen advisory boards/committees shall be by roll call vote during a regular City Commission meeting. Priority must be given to applicants from the City of Apalachicola.
- (c) All citizen advisory boards/committees or other bodies shall meet at the Community Center, 1 Bay Avenue, Apalachicola, Florida or other public buildings within the City after required public notice is given. Generally, committee meetings should be scheduled on days other than days of the City Commission meetings. The news media shall be notified and appropriate notice shall be posted at City Hall. All meetings shall comply with state law regarding public meetings.
- (d) Committee Chairs and Committee Vice-Chairs shall be elected by the membership and both shall serve for a term of one (1) year or for a different term as the City Commission may decide. Committee members shall be approved by the City Commission. Committee meetings may be called by the Chair, Vice-Chair, Mayor, or the City Manager when sufficient business or timing is appropriate. Such meetings shall have an Agenda published to each Committee member when possible at least seventy-two (72) hours in advance. If the Committee Chair is unwilling or unable to call committee meetings, the Vice-Chair may call the meeting.
- (e) All citizen advisory boards/committees or other bodies shall provide the minutes taken at each meeting to the City Clerk. All communications to the City Commission from such boards, committees, or other bodies shall be received by the City Commission's Presiding Officer with a copy to the City Clerk.
- (f) All Chairpersons of citizen advisory boards/committees or other bodies may provide updates to the City Commission at its regularly scheduled meetings. All requests for presentations shall be submitted to the Office of the City Manager or City Clerk.
- (g) City employees shall not be precluded from serving on citizen advisory or other committees so long as membership requirements are met.
- (h) The City Commission may make exceptions to the above general policy on a case-by-case basis when necessary to: preserve the stability of the board or committee; retain a

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particular appointee because of his/her special expertise or knowledge; or for such other circumstances as the City Commission deems warranted.

- (i) Appointees' personal and business affairs conducted within the City of Apalachicola must be in substantial compliance with all City regulatory and taxing authorities' rules and regulations. Appointees deemed to be in chronic violation of any City rules, regulations, or policies may be disallowed from membership on citizen advisory boards or committees by a majority vote of the City Commission.
- (j) Citizen advisory boards and committees created by or in response to federal or state statutory requirements shall conduct business consistent with these guidelines unless otherwise provided for by such federal or state statutory requirements.
- (k) Citizen advisory boards and committees are required to adhere to the "Guidelines for Citizen Advisory Boards and Committees" as approved by the City Commission. These guidelines are incorporated below.

#### **GUIDELINES FOR CITIZEN ADVISORY BOARDS AND COMMITTEES**

- (1) Committees are to be designated as standing or special (ad hoc).
- (2) A sunset date will be specified for special committees when appropriate.
- (3) Transition between Members: By-laws, enacting Ordinances, guiding document, etc. will include language, which provides for members (whose terms have expired) to continue serving until the appropriate appointments are made.
- (4) Term length for serving on any standing committee will be a minimum of two (2) years unless otherwise specified (e.g. State Statute may require term lengths of less than two (2) years, board/committee enacting Ordinance provisions).
- (5) Attendance:
  - (a) Reports/notices of absences are made to the board or committee Chair (or Staff liaison if the Chair is unavailable).
  - (b) The board or committee liaison will provide written notice of attendance violations to the City Commission Presiding Officer. The City Commission will be responsible for removing members who do not meet the attendance requirement.
  - (c) Absence from four (4) consecutive regular meetings of the advisory board or committee shall operate to vacate the seat of a member, unless such absence is excused by the City Commission by Resolution setting forth the fact of such excuse duly entered into the minutes.
- (6) Election of Officers: All board and committee officers (i.e. Chair, Vice Chair, etc.) shall be elected by the membership of the citizen advisory board or committee, unless otherwise specified.

**Exhibit "A"**

**(7) Meeting Frequency:**

- (a) At a minimum, all boards and committees shall meet once per year.**
- (b) The names of those boards and committees that do not meet this minimum requirement shall be submitted to the City Clerk's Office.**
- (c) Recommendations to dissolve committees or other recommended action will be submitted to the City Commission for consideration.**
- (d) Any advisory board or committee whose officers are elected/appointed as prescribed in federal/state statute shall be exempted from Guideline No. 6.**

**(8) Parliamentary Procedure: As appropriate, Robert's Rules of Order may be used as a guide in conducting board and committee meetings.**

**RULE 29      SUSPENSION AND CONSTRUCTION OF RULES**

No permanent change in the standing rules shall be made without notice specifying the purpose and wording of the change given at a previous regular meeting of the Commission and the adoption of the permanent change by a vote of four-fifths (4/5) of all members. The Rules of Procedure are for the efficient and orderly conduct of City Commission business only. No violation of such rules shall invalidate any action of the City Commission when approved by a majority vote required by law.

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: July 11, 2023**

**SUBJECT:** Marks Park Update

**AGENDA INFORMATION:**

Agenda Location:	Old Business
Item Number:	1
Department:	Parks and Recreation
Contact:	Travis Wade
Presenter:	Donna Ingle

**BRIEF SUMMARY:** Update to the Commission on Marks Park plan

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: 7/11/2023**

**SUBJECT:** RFP – Fire Hydrants

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 2  
**Department:** Water  
**Presenter:** Mark Gerspacher, Finance Manager

**BRIEF SUMMARY:** The City put out an RFP for the coating of the elevated tank on June 8, 2023. Responses were received on June 23, 2023. Staff has reviewed the proposals and determined that Duggar Excavating was the best proposal. The total cost of the proposal is \$82,350 for 30 fire hydrants. Staff will negotiate the total number of hydrants to be completed based upon the total cost of hydrants and installation. We will do as many as can fit within the approved budget. Both of the proposals are available for review at city hall

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To award the contract to Duggar Excavating for installation of Fire Hydrants

**FUNDING SOURCE:** Capital Improvements Budget

**ATTACHMENTS:** RFP Proposals

**STAFF'S COMMENTS AND RECOMMENDATIONS:**  
Approval





QUANTITIES CITED ARE SUBJECT TO MODIFICATION

INITIAL CONTRACT WILL BE FOR MINIMUM QUANTITY OF 30 INSTALLATIONS

ITEM A1 - REMOVE/INSTALL FIRE HYDRANTS, 36" BURY - QUANTITY - 30

PRICE EACH - \$ 4300<sup>00</sup> /EA TOTAL PRICE - \$ 129,000<sup>00</sup>

TOTAL PRICE TO BE DEPENDENT ON UNIT PRICES FOR REMOVAL AND  
INSTALLATION OF 30 FIRE HYDRANTS

ITEM A2 - REMOVE/INSTALL FIRE HYDRANTS, 36" BURY - QUANTITY - 10

PRICE EACH - \$ 4,600 /EA TOTAL PRICE - \$ 46,000<sup>00</sup>

TOTAL PRICE TO BE DEPENDENT ON UNIT PRICES FOR REMOVAL AND  
INSTALLATION OF 10 FIRE HYDRANTS

OPTION 1: THE CITY HAS BEEN UNABLE TO DETERMINE IF THE 36" BURY FIRE  
HYDRANT WILL REACH TO THE DEPTH OF ALL INSTALLATIONS. FIRE HYDRANT  
EXTENSIONS WILL BE PROVIDED BY THE CITY. THIS PRICE WILL BE ADDED TO  
THE PRICE FOR EACH FIRE HYDRANT INSTALLATION FOR WHICH AN EXTENSION  
IS REQUIRED.

12" (1 EA) \$ 600<sup>00</sup> /EA

18" (1 EA) \$ 600<sup>00</sup> /EA

BIDDER: Duggal Excavating Inc.

BY: Jimmy Duggal

PAYMENT TERMS:

(NET 30 UNLESS  
DISCOUNT OFFERED)

WARRANTY:

1 year

SIGNATURE: Jimmy Duggal

TITLE: President

ADDRESS: 904 Whidden Lake Rd  
Crawfordville, FL 32327

TELEPHONE: (888) 879-6249

FAX NUMBER: ( )

FEID NUMBER: 593361149

EMAIL: jimmyduggal2014@gmail.com

ITEMS ENCLOSED:

✓ SUBMITTAL DATA

**IT IS ESSENTIAL THAT THE SUBMISSION INCLUDE SIGNED AFFIDAVITS ON  
THE BELOW LISTED FORMS.**

**EXECUTED ATTACHED FORMS:**

✓ PROPOSAL FORM

✓ DRUG-FREE WORKPLACE FORM

✓ EQUAL OPPORTUNITY FORM

✓ CERTIFICATION OF NON-SEGREGATED FACILITIES FORM

QUANTITIES CITED ARE SUBJECT TO MODIFICATION

INITIAL CONTRACT WILL BE FOR MINIMUM QUANTITY OF 30 INSTALLATIONS

ITEM A1 – REMOVE/INSTALL FIRE HYDRANTS, 36" BURY - QUANTITY – 30

PRICE EACH - \$ 2,745.<sup>00</sup>/EA      TOTAL PRICE - \$ 82,350.<sup>00</sup>

TOTAL PRICE TO BE DEPENDENT ON UNIT PRICES FOR REMOVAL AND  
INSTALLATION OF 30 FIRE HYDRANTS

ITEM A2 – REMOVE/INSTALL FIRE HYDRANTS, 36" BURY - QUANTITY – 10

PRICE EACH - \$ 2,745.<sup>00</sup>/EA      TOTAL PRICE - \$ 27,450.<sup>00</sup>

TOTAL PRICE TO BE DEPENDENT ON UNIT PRICES FOR REMOVAL AND  
INSTALLATION OF 10 FIRE HYDRANTS

OPTION 1: THE CITY HAS BEEN UNABLE TO DETERMINE IF THE 36" BURY FIRE  
HYDRANT WILL REACH TO THE DEPTH OF ALL INSTALLATIONS. FIRE HYDRANT  
EXTENSIONS WILL BE PROVIDED BY THE CITY. THIS PRICE WILL BE ADDED TO  
THE PRICE FOR EACH FIRE HYDRANT INSTALLATION FOR WHICH AN EXTENSION  
IS REQUIRED.

12"    (1 EA)      \$ 500.<sup>00</sup>/EA

18"    (1 EA)      \$ 500.<sup>00</sup>/EA

**APALACHICOLA CITY COMMISSION**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: July 11, 2023**

**SUBJECT:** Changes to Agenda Distribution Dates

**AGENDA INFORMATION:**

<b>Agenda Location:</b>	<b>Old Business</b>
<b>Item Number:</b>	<b>3</b>
<b>Department:</b>	<b>Administration</b>
<b>Contact:</b>	<b>Travis Wade</b>
<b>Presenter:</b>	<b>Travis Wade</b>

**BRIEF SUMMARY:** To address the Commission's concerns about having adequate time to review agenda materials, it was agreed at the Special Meeting to change the submittal deadline and agenda distribution dates. However, it was not approved by a vote of the Commission. As a policy change, a vote should be recorded. The distribution date selected was the Monday prior to the Monday immediately prior to the meeting date. The deadline for board action submittals is the Tuesday prior to the agenda distribution date.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** N/A

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

## **City Manager Updates:**

### **Legislative Appropriations Update:**

The state budget was signed by the Governor, and although many water-related projects were vetoed this year, the City's two appropriation requests were both funded.

The City was funded \$300k for the Vacuum Sewer and Stormwater conveyance system I&I Study (We requested \$600k).

The City was funded \$130k the Sprayfield Repairs Project (We requested \$130k).

### **Water Street No Parking Signs Update:**

I met with Civil Engineer Chris Presnell, who graciously donated his roadway engineering expertise and helped determine that there was eight feet of space between the curbs on Water Street between Avenues H and G for parallel parking. Public Works has since painted lines to identify that parallel parking area.

### **Ethics/Sunshine Law/Public Records Training:**

The Florida Commission on Ethics has agreed to provide training related to the rules of the Florida Code of Ethics, and City Attorney Hartman will be conducting training immediately afterward related to Florida's Sunshine Law and public records laws, on August 15, 2023 at 3pm. I have notified all City Committee Chairs, Vice Chairs, and Members and strongly encouraged them to attend. This training will comply with the state ethics training requirement for elected officers.

### **IGA Lift Station Upgrades:**

I have been communicating with Alexander Bowersox from Wendover Group, who stated in a June 21 email that he requested a quote from Jason White Construction for the upgrades. He stated that, once he receives the quote, he will inform me of a timeline to complete the upgrades.



# Grant Updates – Kendall Falkner

City Commission Meeting – Tuesday, July 11, 2023

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## 1. Florida Department of Transportation (DOT) – 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. Our representative from FDOT said to expect the agreement in 2023 before the funding window opens. Waiting for agreement from FDOT. Reached out to FDOT to inquire about agreement. Pending Agreement from FDOT. Expect to hear back sometime in July – we cannot sign any contracts or do any work until the agreement is fully executed.**

## 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. 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. Preparing to apply for Q2 quarter. Currently gathering necessary information and documentation. Cycle opens 4/6 and closes 4/13.

**Application Submitted! We are looking to early July for updates!**

- **Q4 Firehouse Subs Grant will open July 13 for FY23-24. Planning to reapply either way and are currently researching and gathering necessary materials.**

**5. 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 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 phase I, as recommended in that report. (We must 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 agreement! Award letter received April 24,2023. Staff developed Scope of Work and submitted to DEO. City is currently finalizing contract agreements for Drainage Basin Analysis then plans to move forward with procurement of engineer and contracting services.**

**6. Rural Infrastructure Fund, DEO FY 21/22-Water Treatment Plant Improvements:**

**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 to address the following:**

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

**Bid Award Agreement passed on 2/7/23. Moving forward with Dewberry Engineers. Task order has been signed, project underway!**

**7. 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. **Received official notification of funding on 6-20-23. Waiting to receive grant agreement after July 1, 2023 about July 1 of 2023. This is great news! Preparing to receive notification early of July.**

#### **8. 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.**
- First deliverables have been sent and are currently being evaluated by DEO.
- Bay Media completed Comp Plan Draft with recommended changes that were presented at March 7 Commission Meeting and two workshops with P&Z on March 13 and April 10. A joint workshop with P&Z and the City Commission is scheduled for May 8.

- COA has requested an extension (PO454) until June 30, 2023 in order to allow adequate time for Community and Board feedback. **Extension Amendment submitted and approved on 6/15/23.**

**9. 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.
- Documents for Architecture, Design, Permitting, & Engineering RFP completed. RFPs are currently posted to our City Website, advertised in The Apalachicola Times and Tallahassee Democrat. Bids will be received until March 16, 2023, 3PM.
- One bid was received for Architecture, Design, Permitting, and Engineering. Per procurement procedures, COA will need at least two bid proposals. We will re-open the bid window for 28 days after approval from DHR.
- Received approval and have re-advertised RFP to run in the Democrat. Project pushed out until April 28<sup>th</sup>.



- Bids were received and scored according to procurement procedures. COA recommendation will be presented at the June 6 Commission Meeting.
- **A motion to award contract to Hammond Design was approved by Commission.**
- **Hammond Design assembling draft contract, costs for survey, civil, and structural work.**

#### **10. 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) Once the agreement is received, we will let the ITB.
- **ITB is scheduled to run in the Tallahassee Democrat on March 24<sup>th</sup> and March 31<sup>st</sup>. Will need competitive bids for generator installation before moving forward.**
- **Pending ITBs. Window closes April 28, 2023.**
- **COA conducted site visit for prospective bidder on April 20, 2023. Pending ITB expiration. 6/15/23-still pending ITB expiration.**
- **ITB expired and Madrid HMGP was chosen for this project.**
- **Site visit was conducted on June 30.**
- **Generator costs overrun have been submitted for approval.**

**11. 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**

The City submitted payment requests and has been paid for the first set of deliverables on each project. **This is great news!**

**HCA** – City readvertised the project based on procurement regulations and, based on submittals, selected Oliver Sperry Renovation and Construction, Inc, (Tallahassee) to complete the work. Preparation of contract is pending receipt of preservation experience documentation and DHR approval of contractor. A contract with Oliver-Sperry has been signed and work is expected to commence in the coming weeks. A minor contract amendment between the State and City is being drafted to reflect relocation of funds between categories. Staff has sought an extension from DHR. Extension amendment is being drafted by DHR. Renovations will begin soon, this is great news! The HCA will be closed from June 1, 2023-July 8, 2023. **Oliver-Sperry Renovation Contract signed! Construction to begin concurrent with work on City Hall either late July or August.**

**City Hall** – City rejected both bids received on round two of RFP because estimated costs exceed amount of funding. The City has readvertised the project with a May 4 selection date. The City and State contract was amended to accommodate temporary structural support in advance of year 2 funding. Staff has sought an extension for this project from DHR. Extension received. **City Commission awarded contract to Oliver Sperry. Contract executed and work to be begin concurrent with work on HCA building either late July or August.**

**12. CDBG-DR Infrastructure**– Avenues Stormwater Repair Project (M0016) 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!

- **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.
- 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.

- All comments from DEO have been addressed. DEO authorized execution of the engineering services agreement on 02.13.2023; the continuing services agreement with Dewberry was executed on 02.24.2023.
- Met with DEO via Teams meeting along with Grant Administrator from Gouras & Associates. We are waiting for the task order from Dewberry and pushing Engineering and Environmental status by end of week (Friday March 3, 2023).
- Dewberry was selected for this project. All contract comments from DEO have been addressed. DEO authorized execution of the engineering services agreement on 2.13.23; the continuing services agreement with Dewberry was executed on 2.24.23.
- Task Order with Dewberry for Engineering Services executed March 14, 2023. **Engineering is underway! This is great news!** Stormwater System Field Maps for Drainage Pipe Inspections and Route Surveying have been prepared and quotes are being requested for drainage pipe inspections and route survey.
- **Gouras & Associates is coordinating project information with Dewberry to begin stakeholder outreach for the environmental review record. This is ongoing.**
- **Environmental review underway. Working with Cypress Environmental Engineering on stakeholder outreach. Compiling necessary documentation. This is ongoing.**

**13. 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.** The draft contract was submitted for DEO review. DEO has requested a draft task order for this project prior to execution. The engineer is currently preparing the task order.
- **The City has been working with CDG on a task order that falls within the project budget.** The current version is under review with the City. Once reviewed by the City, this can be submitted to DEO for authorization to execute.
- **Once an engineer is on board, we'll be able to confirm scope of work and begin environmental review.**
- City Staff met with CDG.
- Field work under way! Been working with engineer to get stakeholder and community outreach.
- Field work is completed for topographical surveys for sidewalks. Work on stakeholder outreach information is ongoing.

**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.** The draft contract was submitted for DEO review. DEO has requested a draft task order for this project prior to execution. The engineer is currently preparing the task order. City Staff met with Halff for a site inspection on 3/14. Specifics were addressed and draft revised Task Order was created on 4/21. City Staff met with DEO and Gouras & Associates on June 8, 2023 to amend the agreement to properly reflect the scope of work. **As of June 29, 2023, the City and DEO have agreed to a modified scope and the amendment with DEO is under development. Halff has executed a task order for the revised scope, which has been submitted to DEO for authorization to execute.**

**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)

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). The template ITB was approved. We are working on the individual ITBs now. DEO will have to approve. Once we receive approval, the ITB will be advertised and a contractor will be selected.

**Invitation to Bid (ITB) have been posted on the website and will be advertised in the Tallahassee Democrat on March 24<sup>th</sup> and 31<sup>st</sup>. The window for submission will close on April 28<sup>th</sup>. In addition, COA held site visit at all critical facilities generators locations. (4/20). Generator cost overruns have been submitted.**

- **HMGP Market Street Vacuum Station M0016** - 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)
  - **Engineer Award being presented 3/7!**
  - **Bids were received and a contractor was selected. Working on the contract for execution.**
  - **CPWG chosen as the engineer for design.**
  - **Site visit on June 30th**
  - **Design will be completed by December 31, 2023.**
- **Michael FEMA Projects Updates**
  - **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). No movement on the FEMA side (March 23). In communication with EHP at FEMA. **COA is in communication with Grant Manager at FEMA. We emphasized the need for these projects to move forward. Was informed is still going through a review process in EHP (EHP has an extremely heavy workload due to Hurricane Ian**



- and Hurricane Nicole) (April 2023). Project moved out of EHP and is waiting for COA staff to approve and sign.
- **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). No movement on the FEMA side (2/2/23). In communication with EHP at FEMA. **COA is in communication with Grant Manager at FEMA. We emphasized the need for these projects to move forward. Was informed is still going through a review process in EHP (EHP has an extremely heavy workload due to Hurricane Ian and Hurricane Nicole) (April 2023). Project moved out of EHP and is waiting for COA staff to approve and sign.**
  - **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 such as gravel, lime rock, asphalt millings, etc. Scope will have to change with FEMA before beginning. **Currently working on scope change to submit to FEMA for approval and assessing which materials would be best for alleyway repairs. EHP is currently on backlog with Hurricane Ian.**
  - **Old City Hall and HCA Contents loss** – *Ordering replacement items from loss. Funded!* – 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.*
  - **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). No movement on FEMA side. No movement on the FEMA side. **Contact with EHP at FEMA. We emphasized the need for these projects to move forward. Was informed is still going through a review process in EHP (EHP has an extremely heavy workload due to Hurricane Ian and Hurricane Nicole) (April 2023). Project moved out of EHP and is waiting for COA staff to approve and sign.**
  - **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). Working on DAC to be submitted this week. **Close out has been submitted. Will monitor for all final payments being made to the City! Final payment is in process! Project CLOSED!**



- **Department of Historical Resources 2023 Small Matching Grant – Black History Trail. FUNDED!** Scope has changed slightly as some work has already been completed. (signage)
  - **Agreement has been signed and scope modified!**
  - **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 15<sup>th</sup>**
    2. Graphic Design of Signs + StoryMap complete **by June 30<sup>th</sup>**
    3. Fabrication of Signs + Storymap Live on Web **by July 30<sup>th</sup>**
    4. Site Prep & Installation of Signs + Project Closeout **by August 31<sup>st</sup>**
  - **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. Draft designs have been created and design approval workshop/board approval has been schedule for 5/2.**
  - **Workshop and Board Action Request on 3/7.**
  - Wording and sites approved. Contracts have been signed and a preliminary template design has been drafted and presented to staff/volunteers. A design approval workshop/board approval has been scheduled for May 2.
  - Designs approved! Currently procuring unilever signage.
  - **Signs have been ordered!**
  - **SOW amendments were sent to DHR for review and approval.**
  - **Upon review, there was a surplus of \$8,748 in the budget due to low estimates. City requested to add 9 additional signs to expand the SOW to be used throughout City to expand the visibility of the Black History Trail. – DHR approved.**
  - **Website deliverables to be posted in upcoming month.**

#### 14. DEP 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 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.**
- Engineering Continuing Services Agreement executed 02.24.2023. The contract has been submitted to DEP, as well as a draft task order for this project.
- Draft administrative task order submitted to DEP on 02.23.2023. DEP authorized execution on 3.15.23. Task order is currently pending city execution. Task Order Completed.
- **Payment 1 request submitted. This was approved and the advance payment has been remitted to the City.**
- **DEP has requested a grant amendment to reallocate funding between the two grant agreements. (The project is still fully funded – this is just a budgetary adjustment between grants.) Gouras has been working with DEP on this amendment.**



**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! (3/31/23)
- **First deliverables met!**
- **Peril of Flood Comp Plan Amendments submitted to DEP**

#### **15. Coronavirus State and Local Fiscal Recovery Funds (SLFRF) – American Rescue Plan –**

*The City formerly made an 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.
- **Progress Report is due at the end of April with a list of expenditures. Finance Dept. will provide; plan for April 30<sup>th</sup> Report to be completed this date.**
- **Finance Department is currently creating Progress Report.**
- **Annual report submitted on April 30<sup>th</sup>.**

**16. DEO Rural Infrastructure Fund FY 22-23:**

*City applied for DEO RIF for Spray Field Repair and Solar Project. We are requesting \$126,890.00 to cover 150 replacement spray heads and installation of 11 solar controllers and supplementary batteries. The spray heads are \$553.00 apiece, and the solar installation costs (in total) amounts to \$87,880.00 for 22 locations. The \$126k would be applied to half of the total cost and address half the work needed. Application date was March 13, 2023. We expect to hear from DEO around June.*

**17. Old City Hall Phase III-***City applied for Phase III of Old City Hall through a DOS Special Categories Grant. It was presented to City Commissioners on June 6, 2023. This grant would further address the repair/reconstruction of Old City Hall. We hope to hear something by September.*

**18. DEO CPTA 23-***City applied for Community Planning Technical Assistance Grant through DEO to apply to \$75k to supply the City with resources needed to create a Workforce Housing Plan that will address viable solutions to the lack of workforce housing. Application submitted 6/15/23. We expect several months turnaround time during the scoring process.*

**19. DEO CPTA (PO454) ACSC COMP PLAN CPTA-***City applied for CPTA grant to finish Comp Plan. Application submitted!*

**20. DEP Resilient Florida 23 (OR FY 23-24?)***-City was recently made aware of funding available through DEP Resilient Florida program. There are two types of grants we are applying for- 1. Planning 2. Implementation.*

- **Planning:** The City of Apalachicola will have completed the Vulnerability Analysis Update this summer and, based on the data, is ready to begin the identification of adaptation action areas (AAA) within the City, develop recommended mitigation strategies and identify specific projects to implement mitigation measures within those target areas.
- **Implementation:** Apply for implementation funds to complete recommended vulnerability recommendations. Piers, walkways, and boardwalks are specifically

identified in the statute as well as park activities, water quality components of stormwater and wastewater management systems are also identified.

**\*All information included in this report is accurate as of July 3, 2023 at 10am. After that time, information is subject to change. If you have any questions, please send them to [kfalkner@cityofapalachicola.com](mailto:kfalkner@cityofapalachicola.com)!**

Finance Director – Mark Gerspacher

City Commission Meeting – July 11, 2023 – 4:00pm

**1. Budget Calendar**

Calendar is attached. All dates are tentative based on previous years.

**2. Capital Projects**

Status of current year capital projects will be sent out by July 7.

# **CITY OF APALACHICOLA**

## **2023 – 2024 BUDGET CALENDAR**

July 1 – July 17	Actual revenues and expenditures of preceding year posted to budget worksheets
July 1	Finance Officer receives Certification of Taxable Value from Property Appraiser
July 7	Budget instructions given to Departments.
July 8 – July 17	Finance Officer estimates personnel and insurance costs for entry into departmental budget requests.  Finance Officer completes preliminary revenue estimates.
July 21	Departments submit requests and objectives to Finance Director.
July 25	Budget Workshop – 4:00pm Community Center
July 25	Finance Director presents Proposed Millage Rate, Roll-Back Rate and Schedule for Budget Hearing (Special Meeting following workshop)
July 25	City Commission Tentatively Adopts Millage Rate. Certification of Taxable Value Returned to Property Appraiser with Proposed Millage Rate, Roll-Back Rate and Schedule for Budget Hearing with Proposed Millage Rate, Roll-Back Rate and Schedule for Budget Hearing
July 31	Finance Officer prepares final revenue estimates.
August 4 – September 8	Budget review by City Commission with special meetings as needed.

**CITY OF APALACHICOLA**  
**2023 – 2024 BUDGET CALENDAR**  
**Page 2**

August 24	Property Appraiser mails notices of proposed property taxes to property owners.
August 24	Publish public notice of budget hearing.
September 6	Public Budget Hearing - 5:01pm Community Center Amends Tentative Budget Re-calculates the proposed millage rate Publicly announce the percentage which the proposed millage exceeds the rolled-back rate Adopts a tentative millage and budget
September 7	Budget Advertisement submitted to newspaper.
September 14	Advertisement for Final Budget Public Hearing
September 19	Final Budget Public Hearing – 5:01pm Community Center Commission Resolution Adopting Millage Rate Adopts final budget.
September 23	Resolution adopting Millage Rate sent to Property Appraiser, Tax Collector and Department of Revenue
October 15	Trim Package submitted to Department of Revenue with Certification of Compliance  Finance Director distributes budget books to City Commission.



A Regular Meeting of the Apalachicola City Commission was held on Tuesday, June 6, 2023, at 4:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Anita Grove, Commissioner Donna Duncan, Commissioner Despina George, City Attorney Dan Hartman, City Manager Travis Wade, City Clerk Lee Mathes, Finance Director Mark Gerspacher

Regular meeting opened by Mayor Ash followed by Invocation and Pledge of Allegiance.

#### **AGENDA ADOPTION**

Mayor Ash requests an agenda amendment to add under New Business – Baysavers Group Support Letter for Study.

Motion to approve agenda to include under New Business – Baysavers Group Support Study made by Commissioner Grove, seconded by Commissioner George. Motion carried 4 to 0.

#### **PUBLIC COMMENT**

Donna Ingle – Update Commission on progress made in Dog Park, Lafayette Park, and Marks Memorial Park. Ms. Ingle is requesting to be added to next month's meeting agenda to further discuss Marks Memorial Park.

Commissioner Duncan joined meeting at this time.

John Bone – Addressed Commission regarding the "No Parking" signs that have been installed on Water Street between Avenues F and G.

Al Ingle – Addressed Commission regarding the Building Department.

Melanie Lauer – Addressed Commission regarding the "No Parking" signs on Water Street and presented proposed parking solutions to the parking problem.

#### **AWARD CEMETERY MAINTENANCE CONTRACT**

Shan Raetzlaff stated the Historical Society would like to coordinate to meet the maintenance crew before any work begins to address the fragility of the stones in Chestnut Cemetery and to discuss any special events planned.

Motion to award cemetery maintenance contract to Allen & Sons Lawn Services, LLC at a bid price of \$3,800/monthly made by Commissioner Duncan, seconded by Commissioner George.

Commissioner George recommends that specific groups that deal with certain cemeteries meet with the maintenance crew before work begins to address any concerns the groups may have.

City Manager Wade stated he would be happy to coordinate an introduction between maintenance crew and any specific groups before work begins.

Motion carried 5 to 0.

#### **T-MOBILE LEASE APPROVAL**

Mollie Hill addressed concern that tower is going in her neighborhood without any notification that it was going to be installed.

City Manager Wade stated he has had discussions with T-Mobile for over a year regarding placing an antenna on the water tower. This will bring in additional revenues to the City, but the neighborhood was not notified prior.

Attorney Hartman stated this is a standard lease, and placing antennas on water towers is very common.

Motion to approve T-Mobile lease agreement to install antenna on 5<sup>th</sup> Street Water Tower with payment terms as follows: one year option with a payment of \$5,000 and once exercised the payments will be \$1,800/month to the City made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 5 to 0.

#### **GIBSON ENCROACHMENT AGREEMENT**

Mayor Ash accepted public comment at this time.

Rob Zingarelli spoke on Taranto House parking.

John Alber spoke on behalf of HAPPI concerning encroachment.

Bonnie Davis spoke on directing applicant back to Planning & Zoning.

Al Ingle stated if Planning & Zoning had known an encroachment was needed, then matter could have been addressed before now.

Tom Morgan spoke in favor of allowing encroachment.

George Coon addressed building design.

Cutler Edwards stated the encroachment would be for use of air space with posts.

Attorney Hartman stated the Commission needs to make sure the encroachment is based on the plans that was approved by Planning & Zoning.

Discussion held concerning absence of Building Official.

Commissioner Duncan stated she would like to see the application that was presented to Planning & Zoning from start to finish and doesn't think it is appropriate to make a decision until all the facts have been addressed.

Commissioner George stated applicant believed plans and encroachment was approved. Commissioner George stated the Commission doesn't have sufficient information to make an informed decision and feels applicant should go back before Planning & Zoning.

Commissioner Elliott stated because of the comments made regarding the Building Department, this matter should go back before Planning & Zoning, and the Commission should table matter at this time.

Mayor Ash stated the Building Department needs to provide a full report with supporting documents from start to finish.

Attorney Hartman stated that Planning & Zoning does not approve encroachments, that is a City Commission decision. City Commission approves or disapproves the encroachment request only.

Discussion continued.

Motion to table encroachment agreement request at this time made by Commissioner Elliott, seconded by Commissioner Grove.

Mayor Ash questioned why Commission wants to table matter.

Commissioner Elliott stated the Commission doesn't have the records based on what Planning & Zoning approved and feels the City should cover their bases both legally and procedurally.

Attorney Hartman stated he will work with the Building Department to provide a history of what was approved with backup documentation.

Motion carried 5 to 0.

City Commission set a special meeting for June 20<sup>th</sup> at 4:00 PM to consider encroachment agreement.

Attorney Hartman will prepare a draft encroachment agreement.

#### **RESIDENTIAL ACCESSORY STRUCTURES**

Bonnie Davis urged Commission to workshop this topic before a decision is made.

Bree Robinson stated that staff is suggesting a moratorium on the enforcement of residential use of accessory structures in all residential zones for a time limit determined by the City Commission. During the moratorium, or until a decision is made, there could be no approvals or permitting of constructing new residential accessory structures or retrofitting existing accessory structures for a residential use. Placing a moratorium would allow time for the Commission to workshop this matter and make necessary LDC changes that could allow for residential use of accessory structures or give the City time to seek out other affordable housing solutions while not actively enforcing upon the prohibited use of accessory structures as a residence.

Attorney Hartman stated the current ordinance has to be enforced because that is the current law on the books. A workshop should be held to discuss this matter further, and a draft ordinance can be prepared.

Discussion held.

Commission set workshop for June 20<sup>th</sup> at 4:30PM to discuss matter further.

#### **ADOPTION DECISION – RESOLUTION 2023-02 – PHASE 3 OLD CITY HALL GRANT**

Attorney Hartman read Resolution 2023-02 in its entirety.

Motion to adopt Resolution 2023-02 made by Commissioner George, seconded by Commissioner Grove. Motion carried 5 to 0.

#### **BAYSAVERS GROUP SUPPORT LETTER FOR STUDY**

Commissioner Elliott explained mission of Baysavers Group.

Motion to authorize Mayor Ash to sign letter to FDEP supporting Baysavers Group to request Corps of Engineers initiate study to investigate the issues in Apalachicola Bay, St. Joe Bay, and St. Andrews Bay made by Commissioner Elliott, seconded by Commissioner Duncan. Motion carried 5 to 0.

#### **SIGN ORDINANCE WORKSHOP REQUEST**

Mayor Ash received public comments at this time.

Jerry Hall supports sign ordinance workshop stating under current ordinance the size requirements are too small.

Mollie Hill stated there needs to be better communication, so business owners know how to comply with ordinances.

Isabel Pateritsas, Izzy's Café, supports sign ordinance workshop, is asking for guidance on what she needs to do regarding her business sign.

Bobby Miller stated the business owners need to be included in any decisions as they are the ones affected.

Attorney Hartman stated the City has been wrestling with the sign ordinance for over a year.

Discussion held concerning fines.

Bree Robinson stated Izzy's Café is on the Planning & Zoning agenda.

Commissioner Elliott recommends holding a joint workshop with Planning & Zoning to further discuss sign ordinance.

Commissioner Grove stated a checklist needs to be implemented as soon as possible for new business owners so they will know what all is required as far as licenses, permits, and signage.

Commission set joint workshop with Planning & Zoning for June 22<sup>nd</sup> at 5PM to discuss sign ordinance.

#### **BLACK HISTORY TRAIL SIGNS APPROVAL**

Motion to approve graphic design for all 12 signs and begin ordering signage for Black History Trails Grant made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

#### **OLD CITY HALL ITN AWARD**

Motion to execute ITN contract with Oliver-Sperry for construction services in the amount of \$325,000 for Old City Hall/Middlebrook Building made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

#### **SCHEDULE WORKSHOPS FOR ARPA AND ENCROACHMENTS**

Commission set the following meeting dates:

June 20<sup>th</sup> – Special Meeting for Gibson Encroachment – 4PM

June 20<sup>th</sup> – Workshop to discuss residential accessory structures – 4:30PM

June 22<sup>nd</sup> – Joint workshop with Planning & Zoning to discuss sign ordinance – 5PM

July 11<sup>th</sup> – Workshop to discuss ARPA projects – 3PM

**MAYOR & COMMISSIONER'S COMMENTS**

Mayor Ash addressed the “No Parking” signs installed on Water Street.

Chief Varnes stated it is illegal for a vehicle to be parked in the traffic lane, and if a vehicle is parked in an undesignated space.

Discussion held concerning downtown parking, one-way streets, business street parking, and engineered traffic plans for the downtown area.

Commissioner Grove addressed sidewalk survey and updated Commission on County Airport Committee.

Commissioner Duncan thanked Public Works Department for repairing the unlevelled floor at Holy Family.

Commissioner George addressed Denton Cove lift station payment, downtown garbage pickup, and Gibson Inn parking plan and height restriction.

**CITY MANAGER REPORT**

Report included in agenda packet.

Mayor Ash stated it is time for each Commissioner to conduct their annual City Manager evaluations.

**GRANTS COORDINATOR COMMUNICATIONS**

Report included in agenda packet.

**FINANCE DIRECTOR COMMUNICATIONS**

Mark Gerspacher updated Commission on Evergreen Salary Study costs, good faith estimate on tax revenues for new fiscal year, fire hydrant RFP, and financials.

Discussion held concerning implementation of Evergreen Salary Study.

**ATTORNEY COMMUNICATIONS**

Report included in agenda packet.

Discussion held concerning establishment of Code Enforcement Board.

**CONSENT AGENDA**

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

**DEPARTMENT REPORTS**

Reports included in agenda packet.

Mayor Ash read “Thank You” card from Janelle Paul.

**ADJOURNMENT**

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

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Brenda Ash, Mayor

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Lee Mathes, City Clerk

## **City Manager Updates:**

**Water Street No Parking Signs:** I authorized the installation of No Parking signs on the west side of Water Street between Avenue E and Avenue G. I have received complaints about vehicles parked in the southbound lane of traffic for three years. That lane of traffic is 14 feet wide, as measured from the curb to the center line. FDOT's guidelines require that this lane of traffic be at least 11 feet wide. The remaining three feet is not enough room for parallel parking. This is the second section of Water Street to have No Parking signs installed. Last year we installed signs from Avenue D to Avenue E to prevent vehicles from parking in the street as well. In my observations there are usually three or four vehicles that regularly park in the area where the new signs have been erected. When I drove down to look at the signs, I noticed that there were still No Parking signs at the former Coast Guard Station, and I have directed that those signs be taken down to allow for at least four (or more) parking places at that location.

**Commerce Street:** It is my opinion that, based on street width requirements, the City should consider making Commerce Street a one-way street moving south towards the Courthouse in order to continue to allow for parallel parking on both sides of the street. Commerce Street is 35 feet wide. This allows an 11 foot lane of traffic and 12 feet on either side for parallel parking. However, 22 feet would be required for two-way traffic, which would leave only 6.5 feet on either side for parking. The standard width required for parallel parking is 8 feet wide. I believe the appropriate time to make this change will be when the Leslie Street repairs are completed and it has been reopened.

**Old Library Project:** The interior improvements are nearly complete. I am waiting for the electronics contractor to update me with a commencement date for the installation. I am also waiting for the roofing contractor to complete the roof replacement. I am hopeful that we will be able to move into the location for our July or August meeting.

**My 3 year Anniversary with the City:** Thursday, May 25 was my three year employment anniversary with the City. It was recommended that I list a few of the accomplishments the City has made since my hiring.

1. Former Mayor Begos negotiated the City out of default on the State's Revolving Loan, allowing us to receive state grant funding again,
2. The City has been awarded over \$30,000,000 in grant funding since I was hired.
3. We have spent approximately \$675k on drinking water repairs and maintenance, including removal of a water tower, rehab of the 5<sup>th</sup> Street water tower, rehab of the ground storage tank, maintenance and cleaning of all three well pumps, new pumps at the water department, new software to monitor the system, replacement of the wiffle balls at the ground storage tank, replacement of the chlorine analyzer, and more,
4. We have closed out two long-standing FDEP drinking water consent orders.
5. We have spent approximately \$1.1 million on wastewater repairs and maintenance, including lift station upgrades, repairs to the SBR, structural reinforcement of the headworks, rehab of both filters, purchased new tractor to help with sprayfield maintenance, replacement of blowers and blower motors, valve and other plumbing repairs/replacement, and more,



6. Satisfied all requirements of a long-standing wastewater consent order/final order with the exception of replacement of the SBR and headworks, which will be done when the new wastewater plant is completed.
7. Received grant funding to totally replace the City's wastewater plant.
8. Created a Grants Coordinator position that has been instrumental in applying for, and administering grants,
9. Repaired Lafayette Park Pier and other hurricane damaged items at Lafayette Park.
10. Repairs to other piers/docks are currently underway, but held up by various federal and/or state agencies,
11. Installed a kiosk at Battery Park Marina boat ramp that has increased those revenues tremendously,
12. Hired a full-time professional Librarian,
13. Created plans for new parking areas,
14. Funded and are in the design phase of a new African American museum,
15. Renewed leases for groups that occupy City buildings,
16. Created new policies for Affirmative Action, Fraud/Waste, utility billing adjustments, and more,
17. Began replacing old and non-working fire hydrants,
18. Conducted a salary study and developed position descriptions,
19. Conducted amendments to the City's comprehensive plan for compliance,
20. Repaired a strained relationship with Franklin County,
21. Removed sunken vessels from the Mill Pond,
22. Negotiated a new solid waste contract,
23. Hired a lobbyist group,
24. Successfully lobbied for the ACSC Stewardship Act bill that passed both the House of Representatives and the Senate, and,
25. Developed a new City website,
26. I am proud to state that all of the expenditures made in the past three years were made by budgeted funds and grant funding, and not one penny of debt was incurred.

# Grant Updates – Kendall Falkner

City Commission Meeting – Tuesday, June 6, 2023

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**1. Florida Department of Transportation (DOT) – 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. Our representative from FDOT said to expect the agreement in 2023 before the funding window opens. Waiting for agreement from FDOT.**

**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. 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. Preparing to apply for Q2 quarter. Currently gathering necessary information and documentation. Cycle opens 4/6 and closes 4/13.

**Application Submitted! We are looking to July for updates!**

**5. 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 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 phase I, as recommended in that report. (We must 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 agreement!**

**6. Rural Infrastructure Fund, DEO FY 21/22-Water Treatment Plant Improvements:**

**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 to address the following:**

- Evaluation of Existing Conditions
- Enhanced Sampling Plan, Hydraulic Modeling, and Treatability Studies
- Alternatives Analysis
- Facilities Plan Report
- 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.)
- **Bid Award Agreement passed on 2/7/23. Moving forward with Dewberry Engineers. Task order has been signed, project underway!**

**7. 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!**

#### **8. 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.**
- First deliverables have been sent and are currently being evaluated by DEO.
- Bay Media completed Comp Plan Draft with recommended changes that were presented at March 7 Commission Meeting and two workshops with P&Z on March 13 and April 10. A joint workshop with P&Z and the City Commission is scheduled for May 8.
- COA has requested an extension (PO454) until June 30, 2023 in order to allow adequate time for Community and Board feedback. Pending extension approval from DEO.
- Special Meeting on 5/16/23 to approve transmission of proposed Comp Plan changes to DEO. Motion approved.

**9. 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.
- Documents for Architecture, Design, Permitting, & Engineering RFP completed. RFPs are currently posted to our City Website, advertised in The Apalachicola Times and Tallahassee Democrat. Bids will be received until March 16, 2023, 3PM.
- One bid was received for Architecture, Design, Permitting, and Engineering. Per procurement procedures, COA will need at least two bid proposals. We will re-open the bid window for 28 days after approval from DHR.
- Received approval and have re-advertised RFP to run in the Democrat. Project pushed out until April 28<sup>th</sup>.
- Bids were received according to procurement policy and graded accordingly.
- A Special Meeting was held 5/16/23 and a Board Action Request was presented recommending Hammond Design Group as design engineers for AA Museum. Motion passed!
- COA met with Hammond Design on 5-22-23 for Kickoff Meeting!

### **10. 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) Once the agreement is received, we will let the ITB.
- ITB is scheduled to run in the Tallahassee Democrat on March 24<sup>th</sup> and March 31<sup>st</sup>. Will need competitive bids for generator installation before moving forward.
- Pending ITBs. Window closes April 28, 2023.
- COA conducted site visit for prospective bidder on April 20, 2023. Pending ITB expiration.
- **ITB closed and bid/s accepted.**
- **One bid came back overbudget by \$254,781. Sent Cost Overrun/Cost Adjustment Letter to FDEM. The budget increase was received by FDEM.**
- **Met with FDEM regarding ITBs. Depending on how the BCA comes back, could need to go back out for bid.**

### **11. 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**

The City submitted payment requests and has been paid for the first set of deliverables on each project. This is great news!

**HCA** – City readvertised the project based on procurement regulations and, based on submittals, selected Oliver Sperry Renovation and Construction, Inc, (Tallahassee) to complete the work. Preparation of contract is pending receipt of preservation experience documentation and DHR approval of contractor. A contract with Oliver-Sperry has been signed and work is expected to commence in coming weeks. A minor contract amendment between the State and City is being drafted to reflect reallocation of funds between categories. Staff has sought an extension from DHR. Extension amendment has been approved.

**City Hall** – City rejected both bids received on round two of RFP because estimated costs exceed amount of funding. The City has readvertised the project with a May 4 selection date. The City and State contract was amended to accommodate temporary structural support in advance of year 2 funding.

- Staff has sought an extension for this project from DHR.
- Bids received on May 4, 2023. Currently preparing for negotiations.
- A special meeting was held on 5/16/23 and a Board Action Request was presented recommending a motion to enter into Negotiations. The Motion passed and COA will begin to enter into negotiations with Oliver-Sperry.

**12. FDOT City Landscaping**–City was reimbursed for \$193k landscaping costs after FDOT inspection and reimbursement package sent in. Landscaping and maintenance have been "completed."

- 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.
- Filed for last bit of reimbursement in November. (6k)
- Reimbursement of remaining 6k received and project closeout complete!
- Waiting for re-plant in 2023 per contract warranty.
- **Project closed out, in legal department.**

**13. CDBG-DR Infrastructure Avenues Stormwater Repair Project (M0016)–**

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!

- **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.
- 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.
- All comments from DEO have been addressed. DEO authorized execution of the engineering services agreement on 02.13.2023; the continuing services agreement with Dewberry was executed on 02.24.2023.
- Met with DEO via Teams meeting along with Grant Administrator from Gouras & Associates. We are waiting for the task order from Dewberry and pushing Engineering and Environmental status by end of week (Friday March 3, 2023).
- Dewberry was selected for this project. All contract comments from DEO have been addressed. DEO authorized execution of the engineering services agreement on 2.13.23; the continuing services agreement with Dewberry was executed on 2.24.23.
- Task Order with Dewberry for Engineering Services executed March 14, 2023. **Engineering is underway! This is great news!**
- Gouras & Associates is coordinating project information with Dewberry to begin stakeholder outreach for the environmental review record.

**14. CDBG-DR Hometown Revitalization (M0034)(M0033) –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 the City Attorney. The draft contract was submitted for DEO review. DEO has requested a draft task order for this project prior to execution. The engineer is currently preparing the task order. New Task Order was approved and executed by COA.
- The City has been working with CDG on a task order that falls within the project budget. The current version is under review with the City. Once reviewed by the City, this can be submitted to DEO for authorization to execute.
- Once an engineer is on board, we'll be able to confirm scope of work and begin environmental review.
- City Staff met with CDG.
- Task order was accepted by DEO and is approved to move forward with designs.
- Engineering task order has been executed and design has started. Working with DEO to finalize the scope of the engineering task order.
- **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.** The draft contract was submitted for DEO review. DEO has requested a draft task order for this project prior to execution. The engineer is currently preparing the task order. City Staff met with Halff for a site inspection on 3/14. Specifics were addressed and draft revised Task Order was created on 4/21. Task order was accepted by DEO and is approved to move forward with designs. After review, COA sent back to DEO for potential changed to scope/budget.

**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)

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). The template ITB was approved. We are working on the individual ITBs now. DEO will have to approve. Once we receive approval, the ITB will be advertised and a contractor will be selected.

**Invitation to Bid (ITB) have been posted on the website and will be advertised in the Tallahassee Democrat on March 24<sup>th</sup> and 31<sup>st</sup>. The window for submission will close on April 28<sup>th</sup>. In addition, COA held site visits at all critical facilities generators locations. (4/20). ITB are received and to be opened. Met with FDEM regarding ITBs. Depending on how BCA comes back, might potentially need to go out for another bid.**

- **HMGP Market Street Vacuum Station M0016** - 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)
  - **Engineer Award being presented 3/7!**
  - Bids were received and a contractor was selected. Working on the contract for execution.
  - CPWG signed agreement. Once executed, meetings will be held to discuss project.
- **Michael FEMA Projects Updates**

- **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). No movement on the FEMA side (March 23). In communication with EHP at FEMA. COA is in communication with Grant Manager at FEMA. We emphasized the need for these projects to move forward. Was informed is still going through a review process in EHP (EHP has an extremely heavy workload due to Hurricane Ian and Hurricane Nicole) (April 2023). **Project moved out of EHP and is waiting for COA staff to approve and sign. Final scope was reviewed and submitted! DDD signed, waiting on final cost.**
- **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). No movement on the FEMA side (2/2/23). In communication with EHP at FEMA. COA is in communication with Grant Manager at FEMA. We emphasized the need for these projects to move forward. Was informed is still going through a review process in EHP (EHP has an extremely heavy workload due to Hurricane Ian and Hurricane Nicole) (April 2023). **Project moved out of EHP and is waiting for COA staff to approve and sign. Final scope was reviewed and submitted! DDD signed, waiting on final cost.**
- **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 such as gravel, lime rock, asphalt millings, etc. Scope will have to change with FEMA before beginning. Currently working on scope change to submit to FEMA for approval and assessing which materials would be best for alleyway repairs. EHP is currently on backlog with Hurricane Ian. Currently getting pricing for #57 rock for the 11 alleys, City determining which product would work best for Alleyway Repairs.
- **Old City Hall and HCA Contents loss** - *Ordering replacement items from loss. Funded!* - 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. City Staff is measuring back room floor and will be ordering flooring materials soon.
- **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). No movement on FEMA side.

No movement on the FEMA side. Contact with EHP at FEMA. We emphasized the need for these projects to move forward. Was informed is still going through a review process in EHP (EHP has an extremely heavy workload due to Hurricane Ian and Hurricane Nicole) (April 2023). **Project moved out of EHP and is waiting for COA staff to approve and sign. DDD signed, waiting on final cost.**

- **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). Working on DAC to be submitted this week. **Close out has been submitted. Will monitor for all final payments being made to the City! Final payment is in process! Project CLOSED!**
- **Department of Historical Resources 2023 Small Matching Grant – Black History Trail. FUNDED!** Scope has changed slightly as some work has already been completed. (signage)
  - **Agreement has been signed and scope modified!**
  - **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 15<sup>th</sup>**
    2. Graphic Design of Signs + StoryMap complete **by June 30<sup>th</sup>**
    3. Fabrication of Signs + Storymap Live on Web **by July 30<sup>th</sup>**
    4. Site Prep & Installation of Signs + Project Closeout **by August 31<sup>st</sup>**
  - 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. Draft designs have been created and design approval workshop/board approval has been schedule for 5/2.
  - Workshop and Board Action Request on 3/7.
  - Wording and sites approved. Contracts have been signed and a preliminary template design has been drafted and presented to staff/volunteers. A design approval workshop/board approval has been scheduled for May 2.
  - May 2 Workshop completed. Design approval was requested via Board Action Request. Design approved!

- Extension (to July 31, 2023) and Amendment to scope (12 signs instead of 13) was completed and accepted by DHR, currently being routed to Division Director for approval and execution.
- Unilever signs currently being procured.
- All 12 signs and narratives have been completed in final draft form and will go to Commission for BAR on 6/6/23.

#### **15. DEP 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 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.**
- Engineering Continuing Services Agreement executed 02.24.2023. The contract has been submitted to DEP, as well as a draft task order for this project.

- Draft administrative task order submitted to DEP on 02.23.2023. DEP authorized execution on 3.15.23. Task order is currently pending city execution. Task Order Completed.
- Payment request for first deliverables (WG038) were submitted to DEP on 5.4.23.
- Design is underway with Dewberry!

**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! (3/31/23)
- First deliverables met!
- **Peril of Flood Hazard Comp Plan Amendments completed and will be submitted to DEP.**

#### **16. 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.
- Reimbursements submitted 2/28/23.
- Reimbursement request approved! Funds in the amount of \$299,526.05 were deposited on 3/24/23. **PROJECT COMPLETED!**

#### **17. Coronavirus State and Local Fiscal Recovery Funds (SLFRF) – American Rescue Plan –**

*The City formerly made an application to the SLFRF program and received an award of \$1,179,010.00. We 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.
- **Progress Report is due at the end of April with a list of expenditures. Finance Dept. will provide; plan for April 30<sup>th</sup> Report to be completed this date.**
- **Finance Department is currently creating Progress Report.**

- 18. FDOT RRA Commerce Street (Ave. C to Ave E) Phase 1 SCOP FY23 -** *At the February Commission Meeting, a motion passed giving permission for the City to apply for grant to fix Commerce St. City applied for MSCOP grant 3.16.23. The request is for road resurfacing/restoration, safety improvements, and drainage improvements.*
- Application was received and deemed "complete".
  - **Waiting for DOT to evaluate, rank and determine funding distribution.**

**19. DEO Rural Infrastructure Fund FY 22-23:**

*City applied for DEO RIF for Spray Field Repair and Solar Project. We are requesting \$126,890.00 to cover 150 replacement spray heads and installation of 11 solar controllers and supplementary batteries. The spray heads are \$553.00 apiece, and the solar installation costs (in total) amounts to \$87,880.00 for 22 locations. The \$126k would be applied to half of the total cost and address half the work needed. Application date was March 13, 2023. We expect to hear from DEO around June.*

**20. DEO CPTA 23-24:**

*Preliminary preparation for DEO TA 23-24 Grant. Conducting research, brainstorming, and technical training.*

**\*All information included in this report is accurate as of May 30 at 10am. After that time, information is subject to change. If you have any questions, please send them to [kfalkner@cityofapalachicola.com](mailto:kfalkner@cityofapalachicola.com)!**

## Finance Director – Mark Gerspacher

### City Commission Meeting – June 6, 2023 – 4:00pm

**1. Financia Reporting**

Attached

**2. Evergreen Salary Study**

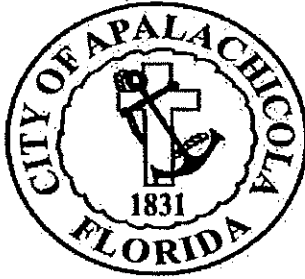
Currently the cost of the salary study would be as follows:

Bring to Minimum Option - \$16,975

Tenure Parity Option - \$154,628

**3. Good Faith Estimate**

We received our Good Faith Estimate from the county this week. At the current millage rate, our tax revenue will increase by approximately \$300,000. This is in addition to any increase in revenue due to Water/Sewer rates and increases in other revenue sources.



## City of Apalachicola

### REVENUE

	BUDGET 22-23	Oct 22 - May 23	Projected 2022-2023
<b>INCOME</b>			
<b>1400000 - GENERAL REVENUE</b>			
1411001 - AD VALOREM TAXES	1,617,909	1,701,899	1,701,899
1412001 - 1/2 CENT SALES TAX	250,000	177,802	266,703
1412002 - MOBILE HOME LICENSE TAX	75	-	-
1412003 - ALCOHOLIC BEV LICENSE TAX	4,000	2,669	4,004
1413100 - UTILITY FRANCHISE	188,393	187,385	281,078
1413200 - LOCAL COMMUNICATION TAX	75,000	50,829	76,244
1414100 - UTILITY TAX	265,000	182,608	273,912
1415120 - STATE REVENUE SHARING	107,079	77,700	116,550
1421001 - BUSINESS LICENSE FEES	35,000	29,210	43,815
1422001 - BUILDING PERMIT FEES	80,000	60,885	91,328
1422006 - GOLF CART PERMIT	12,000	14,575	21,863
1422007 - TREE APPLICATION FEE	2,250	1,872	2,808
1422008 - TREE REFORESTATION FUND	5,130	3,400	5,100
1422011 - SIDEWALK PERMITS	1,000	825	1,238
1430100 - COUNTY FIRE PROTECT-MSBU	37,000	26,760	40,140
1430200 - FINES AND FORFEITURES	14,000	10,250	15,375
1430300 - CEMETERY LOTS	10,000	6,807	10,211
1440100 - MISCELLANEOUS	590,000	652,092	652,092
1440120 - MISC-EQUIP/PROP RENTAL	35,000	26,423	39,635
1440163 - TRAFFIC LIGHT REIMB	5,000	3,466	5,199
1440180 - FARMER MARKET REVENUE	3,000	2,050	3,075
1440183 - SANITATION FEES	600,000	400,502	600,753
1440184 - SANITATION - ADMINISTRATION FEE	30,000	20,000	30,000
1440190 - PROJECT IMPACT ADMINISTRATION FEE	25,566	17,044	25,566
1453210 - FIRING RANGE	10,000	4,572	6,858
1455500 - COMMUNITY GARDEN REVENUE	500	330	495
1455700 - HISTORY CULTURE REVENUE	20,000	15,125	22,688
5410200 - LIBRARY MISC. REVENUE	12,000	8,156	12,234
5410300 - LIBRARY DONATIONS	-	-	-
<b>TOTAL GENERAL FUND REVENUE</b>	<b>4,034,902</b>	<b>3,685,236</b>	<b>4,350,859</b>
<b>Special Revenue</b>			
6410100 - LOCAL OPTION GAS TAX (LOGT)	71,400	50,522	75,783
<b>TOTAL SPECIAL REVENUE</b>	<b>71,400</b>	<b>50,522</b>	<b>75,783</b>
<b>Program Revenue</b>			
<b>TOTAL PROGRAM REVENUE</b>	<b>1,625</b>	<b>908</b>	<b>1,362</b>
<b>TOTAL GENERAL FUND REVENUE</b>	<b>4,107,927</b>	<b>3,736,666</b>	<b>4,428,004</b>

**DRINKING WATER DEPARTMENT**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
	WATER UTILITY BILL REVENUE	1,005,252	661,746	1,134,422
	WATER TAPS	20,250	12,457	21,355
	ROAD BORE	1,000	350	600
	LATE FEE	15,000	9,822	16,838
<b>TOTAL REVENUE</b>		<b>\$1,041,502</b>	<b>\$684,375</b>	<b>\$1,173,214</b>
<b>PERSONNEL</b>				
	SALARIES & BENEFITS	178,221	90,581	135,872
	OVERTIME SALARIES	20,000	5,552	8,328
	FICA EXPENSE	15,164	6,929	10,394
	GROUP HEALTH INSURANCE	41,738	23,214	34,821
	RETIREMENT	21,226	12,211	18,317
<b>TOTAL PERSONNEL</b>		<b>\$276,349</b>	<b>\$138,487</b>	<b>207,731</b>
<b>OPERATING EXPENSES</b>				
	LIABILITY/PROPERTY INSURANCE	22,398	15,325	22,988
	WORKERS' COMPENSATION INS	3,041	2,168	3,252
	COMMUNICATIONS	2,500	2,141	3,212
	CONTRACTORS	48,000	28,250	42,375
	DUES & FEES	6,500	1,024	1,536
	SUPPLIES	60,000	40,294	60,441
	UNIFORMS	1,000	698	1,047
	UTILITIES	48,000	30,826	46,239
	GAS & OIL	11,700	8,517	12,776
	REPAIRS & MAINTENANCE	25,000	16,324	24,486
	FIRE HYDRANT REPAIRS	58,000	39,462	59,193
	FINE	11,000	0	0
	ELEVATED TANK MAINTENANCE	0	0	0
	TRAVEL & TRAINING	2,000	625	938
	EQUIPMENT	6,500	0	0
	TESTING	18,000	1,024	1,536
	IT SERVICES	1,200	800	1,200
	TTHM EXPENSE	0		0
<b>TOTAL OPERATING EXPENSES</b>		<b>\$324,839</b>	<b>\$187,478</b>	<b>\$281,217</b>
<b>CAPITAL OUTLAY:</b>				
	CAPITAL OUTLAY	780,000	416,547	780,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$780,000</b>	<b>\$416,547</b>	<b>\$780,000</b>
<b>DEBT PAYMENT:</b>				
	DEBT PAYMENT	187,625	125,083	187,625
<b>TOTAL DEBT PAYMENT</b>		<b>\$187,625</b>	<b>\$125,083</b>	<b>\$187,625</b>
<b>RESERVES</b>				
	Major Capital Improvement Reserve	45,089	24,447	36,671
	Annual Operating Expense (7.5%)			
	Contingency/Emergency Reserve	90,178	16,298	24,447
	Annual Operating Expense (10.0%)			
<b>TOTAL RESERVES</b>		<b>\$135,267</b>	<b>\$40,746</b>	<b>\$61,119</b>
<b>TOTAL WATER DEPARTMENT EXPENDITURES</b>		<b>\$1,704,080</b>	<b>\$867,596</b>	<b>\$1,456,573</b>
<b>TOTAL WATER DEPARTMENT SURPLUS / (DEFICIT)</b>		<b>-\$662,578</b>	<b>-\$183,221</b>	<b>-\$283,359</b>

**WASTEWATER DEPARTMENT**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
<b>INCOME</b>				
	SEWER UTILITY BILL REVENUE	963,767	675,644	1,013,466
	SEWER TAPS	18,500	12,325	18,488
	ROAD BORES	1,000	625	938
	LATE FEE	15,000	10,038	15,056
	SEWER USAGE FEE	633,450	454,601	681,902
	STORM WATER UTILITY FEE	20,168	13,278	19,917
	CDBG MANHOLE PROJECT GRANT	0	0	0
	<b>TOTAL INCOME</b>	<b>\$1,651,885</b>	<b>\$1,166,511</b>	<b>\$1,749,766</b>
<b>PERSONNEL</b>				
	SALARIES & BENEFITS	139,365	90,488	135,732
	OVERTIME SALARIES	15,000	7,112	10,668
	FICA EXPENSE	11,809	6,922	10,383
	GROUP HEALTH INSURANCE	16,598	11,325	16,988
	RETIREMENT	16,598	11,214	16,821
	<b>TOTAL PERSONNEL</b>	<b>\$199,370</b>	<b>\$127,061</b>	<b>\$190,592</b>
<b>OPERATING EXPENSES</b>				
	LIABILITY/PROPERTY INSURANCE	40,123	27,621	41,432
	WORKERS' COMPENSATION INS	4,750	3,325	4,988
	FLOOD INSURANCE	7,500	5,050	7,575
	POLLUTION INSURANCE	2,721	1,861	2,792
	COMMUNICATIONS	9,000	2,429	3,644
	CONTRACT LABOR	44,300	38,080	57,120
	DUES & FEES	2,000	1,180	1,770
	SUPPLIES	95,000	63,741	95,612
	UNIFORMS	1,500	206	309
	UTILITIES	126,000	98,118	147,177
	GAS & OIL	13,000	4,965	7,448
	REPAIRS & MAINTENANCE	175,000	53,310	79,965
	TESTING	30,000	16,758	25,137
	EQUIPMENT ABOVE \$750	6,500	3,448	5,172
	TRAVEL & TRAINING	2,000	0	0
	IT SERVICES	1,200	700	1,050
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$560,594</b>	<b>\$320,792</b>	<b>\$481,188</b>
<b>CAPITAL OUTLAY</b>				
	CAPITAL OUTLAY	796,794	192,466	796,794
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$796,794</b>	<b>\$192,466</b>	<b>\$796,794</b>
<b>DEBT PAYMENT</b>				
	DEBT PAYMENT	427,665	285,110	427,665
	<b>TOTAL DEBT PAYMENT</b>	<b>\$427,665</b>	<b>\$285,110</b>	<b>\$427,665</b>
<b>RESERVES</b>				
	Major Capital Improvement Reserve	56,997	33,589	50,383
	Operating Expense (7.5%)			
	Contingency/Emergency Reserve	75,996	23,965	35,947
	Operating Expense (10.0%)			
	<b>TOTAL RESERVES</b>	<b>\$132,994</b>	<b>\$57,554</b>	<b>\$86,330</b>
	<b>TOTAL SEWER DEPARTMENT EXPENDITURES</b>	<b>\$2,117,417</b>	<b>\$925,429</b>	<b>\$1,886,239</b>
	<b>TOTAL SEWER DEPARTMENT SURPLUS(DEFICIT)</b>	<b><u><u>-\$465,533</u></u></b>	<b><u><u>\$241,081</u></u></b>	<b><u><u>-\$146,473</u></u></b>



**BATTERY PARK MARINA**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
INCOME				
	MOORING REVENUE	63,000	44,276	66,414
00-4520-470	less: Sales Tax Remitted	4,320	3,721	5,582
	LAUNCH FEES	15,000	16,860	25,290
	<b>TOTAL REVENUE</b>	<b>\$82,320</b>	<b>\$57,415</b>	<b>86,123</b>
PERSONNEL				
	<b>TOTAL PERSONNEL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
OPERATING EXPENSES				
4520430	UTILITIES	7,000	6,942	10,413
4520450	LIABILITY/PROPERTY INSURANCE	20,500	13,257	19,886
4520460	REPAIRS & MAINTENANCE	10,000	1,140	1,710
4520471	SUBMERGED LAND LEASE	2,000	1,306	1,959
4520462	JANITORIAL SERVICES	3,600	4,525	6,788
4520520	SUPPLIES	750	520	780
4520461	IT SERVICES	1,200	700	1,050
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$45,050</b>	<b>\$28,390</b>	<b>\$42,585</b>
CAPITAL OUTLAY:				
	CAPITAL OUTLAY	0	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
DEBT PAYMENT:				
	DEBT PAYMENT	0	0	0
	<b>TOTAL DEBT PAYMENT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>BATTERY PARK TOTAL EXPENSES</b>	<b>\$45,050</b>	<b>\$28,390</b>	<b>\$42,585</b>
	<b>BATTERY PARK SURPLUS / (DEFICIT)</b>	<b>\$37,270</b>	<b>\$29,025</b>	<b>\$43,538</b>

**SCIPIO CREEK MILL POND MARINA**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
<b>INCOME</b>				
	MOORING REVENUE	48,000	32,150	48,225
	INTEREST INCOME	0	0	0
	REPAIR YARD INCOME	15,000	10,230	15,345
	<b>TOTAL REVENUE</b>	<b>\$63,000</b>	<b>\$42,380</b>	<b>\$63,570</b>
<b>PERSONNEL</b>				
	<b>TOTAL PERSONNEL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>OPERATING EXPENSES</b>				
	UTILITIES	5,000	5,662	8,493
	COMMUNICATIONS	1,000	0	0
	LIABILITY/PROPERTY INSURANCE	21,980	14,652	21,978
	REPAIRS & MAINTENANCE	15,000	7,467	11,201
	SUPPLIES	400	112	168
	SUBMERGED LAND LEASE	3,000	2,000	3,000
	JANITORIAL SERVICE	3,000	2,575	3,863
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$49,380</b>	<b>\$32,468</b>	<b>\$48,702</b>
<b>CAPITAL OUTLAY:</b>				
		0		
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>DEBT PAYMENT:</b>				
	DEBT PAYMENT	0	0	0
	<b>TOTAL DEBT PAYMENT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>SCIPIO CREEK TOTAL EXPENSES</b>	<b>\$49,380</b>	<b>\$32,468</b>	<b>\$48,702</b>
	<b>SCIPIO CREEK SURPLUS / (DEFICIT)</b>	<b>\$13,620</b>	<b>\$9,912</b>	<b>\$14,868</b>

<b>ADMINISTRATION</b>				
ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
ADMINISTRATION PERSONNEL				
	SALARIES & WAGES	231,434	120,251	180,377
	SOCIAL SECURITY	17,705	14,754	22,131
	RETIREMENT	46,843	21,645	32,468
	GROUP INSURANCE	49,452	24,050	36,075
	<b>TOTAL ADMINISTRATION PERSONNEL</b>	<b>\$345,434</b>	<b>\$180,700</b>	<b>\$271,050</b>
FINANCE DEPARTMENT PERSONNEL				
	SALARIES & WAGES	161,387	107,325	160,988
	SOCIAL SECURITY	12,346	8,210	12,316
	RETIREMENT	32,703	20,821	31,232
	GROUP INSURANCE	21,225	14,321	21,482
	<b>TOTAL FINANCE DEPARTMENT PERSONNEL</b>	<b>\$227,660</b>	<b>\$150,677</b>	<b>\$226,016</b>
OPERATING EXPENSES				
	COMMUNICATIONS	9,000	6,298	9,447
	TRAVEL & TRAINING	3,500	2,120	3,180
	VEHICLE MAINTENANCE - CITY MANAGER	0		0
	VEHICLE INSURANCE- CITY MANAGER	0		0
	GAS & OIL	3,600	2,432	3,648
	SUPPLIES	10,000	7,250	10,875
	PERSONNEL STUDY		0	0
	MERIT RAISES AFTER STUDY AND PERFORMANCE REVIEWS			
	PAYROLL / HR SERVICES	12,000	8,000	12,000
	EQUIPMENT	4,000	0	0
	GRANT CONSULTING	50,000	30,250	45,375
	DUES & FEES	3,000	2,125	3,188
	COPIER/POSTAGE RENTAL	5,500	3,250	4,875
	WORKERS COMP. INSURANCE	1,128	775	1,163
	ADVERTISING	10,000	4,727	7,091
	IT SERVICES	3,600	2,400	3,600
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$115,328</b>	<b>\$69,627</b>	<b>\$104,441</b>
CAPITAL OUTLAY:				
	CAPITAL OUTLAY	25,000	18,178	25,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$25,000</b>	<b>\$18,178</b>	<b>\$25,000</b>
DEBT PAYMENT:				
	DEBT PAYMENT	0	0	0
	<b>TOTAL DEBT PAYMENT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>ADMINISTRATION DEPARTMENT TOTAL EXPENSES</b>		<b>\$713,423</b>	<b>\$419,183</b>	<b>\$626,507</b>

**FACILITIES**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
PERSONNEL				
	<b>TOTAL PERSONNEL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
OPERATING EXPENSES				
	UTILITIES	69,000	52,356	78,534
	STREET LIGHTS	60,000	35,251	52,877
	REPAIRS & MAINTENANCE	117,800	57,629	86,444
	CONTRACT LABOR	8,700	200	300
	JANITORIAL SERVICE	25,200	17,320	25,980
	LIABILITY & PROPERTY INS.	73,575	48,250	72,375
	COMMUNICATIONS	4,000	4,109	6,164
	IT SERVICES	0		0
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$358,275</b>	<b>\$215,115</b>	<b>\$322,673</b>
CAPITAL OUTLAY:				
	CAPITAL OUTLAY	275,000	27,532	275,000
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$275,000</b>	<b>\$27,532</b>	<b>\$275,000</b>
FACILITY RESERVES				
	RESERVES	255,000	255,000	255,000
		<b>\$255,000</b>	<b>\$255,000</b>	<b>\$255,000</b>
DEBT PAYMENT:				
	DEBT PAYMENT	0	0	0
	<b>TOTAL DEBT PAYMENT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FACILITIES DEPARTMENT TOTAL EXPENSES</b>		<b>\$888,275</b>	<b>\$497,647</b>	<b>\$852,673</b>

<b>FIRE</b>				
ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
PERSONNEL				
	VOLUNTEER COMPENSATION	30,000	19,900	29,850
<b>TOTAL PERSONNEL</b>		<b>\$30,000</b>	<b>\$19,900</b>	<b>\$29,850</b>
OPERATING EXPENSES				
	COMMUNICATIONS	1,200	576	864
	REPAIRS & MAINT. - VEHICLES	12,500	9,320	13,980
	SUPPLIES	4,000	2,869	4,304
	FIRST RESPONDER EXPENSE	3,000	0	0
	GAS	4,500	3,060	4,590
	WORKERS COMP. INS.	5,325	3,530	5,295
	EQUIPMENT	4,000	0	0
	TRAINING	2,500	443	665
	IT SERVICES	1,200	800	1,200
	HOSE & PUMP TESTING	4,000	2,654	3,981
<b>TOTAL OPERATING EXPENSES</b>		<b>\$42,225</b>	<b>\$23,252</b>	<b>\$34,878</b>
CAPITAL OUTLAY:				
	CAPITAL OUTLAY	20,000	0	20,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$20,000</b>	<b>\$0</b>	<b>\$20,000</b>
DEBT PAYMENT:				
	DEBT PAYMENT	49,690	49,690	49,690
<b>TOTAL DEBT PAYMENT</b>		<b>\$49,690</b>	<b>\$49,690</b>	<b>\$49,690</b>
<b>FIRE DEPARTMENT TOTAL EXPENSES</b>		<b>\$141,915</b>	<b>\$92,842</b>	<b>\$134,418</b>

**GOVERNING BODY**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
<b>PERSONNEL</b>				
	SALARIES & WAGES	26,800	17,867	26,800
	SOCIAL SECURITY	2,050	1,367	2,050
	RETIREMENT	2,896	1,931	2,896
	GROUP INSURANCE	690	460	690
	<b>TOTAL PERSONNEL</b>	<b>\$32,436</b>	<b>\$21,624</b>	<b>\$32,436</b>
<b>OPERATING EXPENSES</b>				
	LEGAL SERVICES	70,000	50,380	75,570
	LEGAL JUDGEMENTS / SETTLEMENTS	0		0
	WORKERS' COMPENSATION INS	68	48	72
	TRAVEL & TRAINING	1,500	1,123	1,685
	SUPPLIES	2,250	157	236
	DUES & FEES	4,000	2,213	3,320
	AUDIT SERVICES	45,000	29,180	43,770
	ELECTION EXPENSE	5,000		0
	COMMUNICATIONS	3,000	1,126	1,689
	IT SERVICES	3,000	277	416
	TO BE ALLOCATED IN 2023	63,378		0
	WEBSITE MAINTENANCE	2,400	1,908	2,862
	PROFESSIONAL SERVICES (LOBBYIST)	54,000	38,602	57,903
	PUBLIC OFFICIALS & LIABILITY INSURANCE	4,116	2,852	4,278
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$257,712</b>	<b>\$127,866</b>	<b>\$191,799</b>
<b>CAPITAL OUTLAY</b>				
	CAPITAL OUTLAY	0	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>GOVERNING BODY DEPARTMENT TOTAL EXPENSES</b>		<b>\$290,148</b>	<b>\$149,490</b>	<b>\$224,235</b>



**LIBRARY**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE E @ 9/30/23
PERSONNEL SERVICES				
	SALARIES & WAGES	98,029	63,405	95,108
	SOCIAL SECURITY	7,499	4,850	7,276
	RETIREMENT	9,715	7,023	10,535
	GROUP INSURANCE	7,282	6,121	9,182
	<b>TOTAL PERSONNEL</b>	<b>\$122,525</b>	<b>\$81,399</b>	<b>\$122,099</b>
OPERATING EXPENSES				
	COMMUNICATIONS	4,000	2,078	3,117
	DONATIONS	7,627	29	44
	CLEANING SERVICES	0	0	0
	SUPPLIES	3,000	1,926	2,889
	AUTOMATION	1,000	1,000	1,000
	SUBSCRIPTIONS	2,000	1,483	2,225
	BOOKS	6,000	3,919	5,879
	WORKERS COMP. INSURANCE	66	45	68
	PROMOTIONAL	1,000	650	975
	IT SERVICES	1,000	600	900
	PROGRAMS	4,000	1,672	2,508
	<b>TOTAL OPERATING EXPENSES</b>	<b>\$29,693</b>	<b>\$13,402</b>	<b>\$19,604</b>
CAPITAL OUTLAY				
	CAPITAL OUTLAY	0	0	0
	<b>TOTAL CAPITAL OUTLAY</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
DEBT PAYMENT				
	DEBT PAYMENT	0	0	0
	<b>TOTAL DEBT PAYMENT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>LIBRARY TOTAL EXPENSES</b>	<b>\$152,218</b>	<b>\$94,802</b>	<b>\$141,703</b>

**PARKS & RECREATION**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
PERSONNEL				
<b>TOTAL PERSONNEL</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
OPERATING EXPENSES				
UTILITIES		3,500	2,254	3,381
REPAIRS & MAINTENANCE		25,000	16,324	24,486
PROPERTY/LIABILITY INSURANCE		6,500	4,333	6,500
SENIOR PROGRAM		2,000	1,267	1,901
DIXIE YOUTH DONATION		2,000	2,000	2,000
COMMUNITY GARDEN		3,000	1,988	2,982
FARMERS MARKET		3,000	1,912	2,868
HCA MUSEUM - RESTRICTED		40,000	40,000	40,000
<b>TOTAL OPERATING EXPENSES</b>		<b>\$85,000</b>	<b>\$70,078</b>	<b>\$84,118</b>
CAPITAL OUTLAY				
CAPITAL OUTLAY		0	0	0
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
CAPITAL OUTLAY - GRANT				
FEMA - 76103 - Bodiford Park				
FEMA - 76103 - Lafayette Park				
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
DEBT PAYMENT				
DEBT PAYMENT		0	0	0
<b>TOTAL DEBT PAYMENT</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>PARKS AND RECREATION TOTAL EXPENSES</b>		<b>\$85,000</b>	<b>\$70,078</b>	<b>\$84,118</b>

**POLICE**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
PERSONNEL				
	SALARIES & WAGES	377,468	244,480	366,721
	OVERTIME SALARIES	24,000	15,308	22,962
	SOCIAL SECURITY	30,712	18,703	28,054
	RETIREMENT	103,940	67,051	100,577
	GROUP INSURANCE	68,013	44,725	67,088
<b>TOTAL PERSONNEL</b>		<b>\$604,133</b>	<b>\$390,267</b>	<b>\$585,401</b>
OPERATING EXPENSES				
	WORKERS COMP. INSURANCE	5,956	3,831	5,747
	COMMUNICATIONS	15,000	6,731	10,097
	DISPATCH	0		0
	REPAIRS & MAINT. - VEHICLES	7,500	6,154	9,231
	TIRES	2,000	1,152	1,728
	UNIFORMS	2,500	634	951
	SUPPLIES	6,500	6,008	9,012
	GAS	18,000	16,380	24,570
	SUPPLIES - AMMUNITION	1,000	690	1,035
	EQUIPMENT ABOVE \$750	5,000	0	0
	EQUIPMENT BELOW \$750	2,500	235	353
	TRAINING & SALARY INCENTIVE	1,500	1,005	1,508
	COPIER/POSTAGE RENTAL	1,000	758	1,137
	ANIMAL CONTROL SERVICES	3,500	2,350	3,525
	IT SERVICES	1,500	1,000	1,500
<b>TOTAL OPERATING EXPENSES</b>		<b>\$73,456</b>	<b>\$46,928</b>	<b>\$70,392</b>
CAPITAL OUTLAY				
	CAPITAL OUTLAY	36,000	36,000	46,875
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$36,000</b>	<b>\$36,000</b>	<b>\$46,875</b>
DEBT PAYMENT				
	DEBT PAYMENT	25,300	16,867	25,300
<b>TOTAL DEBT PAYMENT</b>		<b>\$25,300</b>	<b>\$16,867</b>	<b>\$25,300</b>
<b>POLICE DEPARTMENT TOTAL EXPENSES</b>		<b>\$738,889</b>	<b>\$490,062</b>	<b>\$727,968</b>

**PUBLIC WORKS**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED	ACTUAL	ESTIMATE
		BUDGET 2022-2023	@ 5/31/23	@ 9/30/23
PERSONNEL				
	SALARIES & WAGES	308,640	190,600	285,900
	OVERTIME & SEASONAL SALARIES	10,000	0	0
	SOCIAL SECURITY	24,376	14,581	21,871
	RETIREMENT	36,759	22,412	33,618
	GROUP INSURANCE	91,210	59,321	88,982
<b>TOTAL PERSONNEL</b>		<b>\$470,985</b>	<b>\$286,914</b>	<b>\$430,371</b>
OPERATING EXPENSES				
	WORKERS COMP. INSURANCE	11,564	7,966	11,949
	COMMUNICATIONS	6,700	3,137	4,706
	REPAIRS & MAINTENANCE	30,000	10,577	15,866
	TIRES	3,000	2,052	3,078
	SUPPLIES	35,000	14,562	21,843
	UNIFORMS	1,500	563	845
	GAS	12,000	18,530	27,795
	EQUIPMENT	13,000	0	0
	MAINTENANCE	30,000		
	CEMETARIES	25,000		
	TREE MAINTENANCE	20,000	0	0
	TREES FROM REFORESTATION FUND	16,490		0
	IT SERVICES	1,200	900	1,350
	SANITATION SERVICES - Commercial	234,150	158,250	237,375
	SANITATION SERVICES - Residential	298,200	205,652	308,478
	SANITATION SERVICES - Landfill	5,000	3,219	4,829
<b>TOTAL OPERATING EXPENSES</b>		<b>\$742,804</b>	<b>\$425,408</b>	<b>\$638,112</b>
CAPITAL OUTLAY				
	CAPITAL OUTLAY	126,000	49,007	126,000
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$126,000</b>	<b>\$49,007</b>	<b>\$126,000</b>
DEBT PAYMENT				
	DEBT PAYMENT	29,614	19,743	29,614
<b>TOTAL DEBT PAYMENT</b>		<b>\$29,614</b>	<b>\$19,743</b>	<b>\$29,614</b>
<b>PUBLIC WORKS DEPARTMENT TOTAL EXPENSES</b>		<b>\$1,369,403</b>	<b>\$781,072</b>	<b>\$1,224,097</b>

**ZONING & CODE ENFORCEMENT**

ACCOUNT NUMBER	DESCRIPTION	ADOPTED BUDGET 2022-2023	ACTUAL @ 5/31/23	ESTIMATE @ 9/30/23
PERSONNEL				
	SALARIES & WAGES	186,735	115,232	172,848
	SOCIAL SECURITY	14,285	8,815	13,223
	RETIREMENT	22,240	14,385	21,578
	GROUP INSURANCE	31,851	20,311	30,467
<b>TOTAL PERSONNEL</b>		<b>\$255,111</b>	<b>\$158,743</b>	<b>\$238,115</b>
OPERATING EXPENSES				
	BUILDING INSPECTIONS CONTRACT	0	0	0
	ENGINEERING CONSULTING	15,000	0	0
	PLANNING CONTRACT	0	0	0
	PROVISION FOR PLANNING	0		0
	FLOOD PLAIN MANAGEMENT	2,500	1,650	2,475
	SUPPLIES	3,000	2,093	3,140
	GAS	1,500	595	893
	WORKERS COMP. INSURANCE	595	368	552
	ADVERTISING	600	425	638
	COMMUNICATIONS	2,800	1,459	2,189
	EQUIPMENT	1,500	0	0
	IT SERVICES	1,200	800	1,200
	VEHICLE REPAIRS & MAINT.	1,000	165	248
<b>TOTAL OPERATING EXPENSES</b>		<b>\$29,695</b>	<b>\$7,555</b>	<b>\$11,333</b>
CAPITAL OUTLAY				
	CAPITAL OUTLAY	0	0	0
<b>TOTAL CAPITAL OUTLAY</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
DEBT PAYMENT				
	DEBT PAYMENT	0	0	0
<b>TOTAL DEBT PAYMENT</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>PLANNING AND ZONING DEPARTMENT TOTAL EXPENSES</b>		<b>\$284,806</b>	<b>\$166,298</b>	<b>\$249,447</b>

# ATTORNEY REPORT

TO: City Commission, City of Apalachicola

FROM: Daniel W. Hartman, Esq.

DATE: June 2023

SUBJ: City Attorney Report for Commission Meeting

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## 1. Legal Proceedings

The City has filed suit against Gaskin Contractors, Inc. for breach of contract related to the landscaping installation and short term maintenance project along Hwy 98. We will follow a parallel track of litigation and the effort to negotiate an amicable resolution to the matter of replanting the areas of landscaping that have died off.

## 2. Code Enforcement Board (Reconsideration)

At the May 2022 we discussed this issue and the Commission elected to follow the statutory process in favor of that set forth in the Code - Article II, Division 2, Sec. 28-122 of the Land Development Code which provides for the creation of a Code Enforcement Board and hearing officer process. Staff had sought approval of this process to allow staff to manage the growing case load of Code Enforcement matters in a more cost efficient manner than the current process of going to County Court. I would ask the Commission to reconsider setting up this Board in order to process code enforcement cases.

## 3. Seafood Festival Lease

Attached is a draft of the Seafood Festival Lease for consideration by the Commission. The areas for special discussion and consideration are highlighted. Representatives from the Seafood Festival will be available to answer questions and make decisions as to any additional revisions.



## LEASE AGREEMENT

This LEASE AGREEMENT was entered into on \_\_\_\_\_, 2023, ("Effective Date") between CITY OF APALACHICOLA, a Florida Municipality, having its principal place of business at 192 Coach Wagoner Blvd, Apalachicola, Florida 32320, ("Lessor"), and **The Florida Seafood Festival, Inc.**, a Florida not for profit Corporation its principal place of business at 1 Bay Avenue, Apalachicola, FL ("Lessee").

That Lessor, for and in consideration of the rents to be paid and of the covenants and agreements herein mentioned to be performed by Lessee, does hereby lease and demise to Lessee, and Lessee does hereby lease from Lessor, the areas herein described situated in Apalachicola, Florida, upon the following terms and conditions:

### 1. DESCRIPTION OF LEASED AREAS

The Lease covers a portion of the property located at the Apalachicola Community Center located at 1 Bay Avenue, Apalachicola, Florida 32320, County of Franklin, State of Florida. The Lessee will be leasing of two (2) approximately 140 sq. ft. rooms located in the existing building on the property (the "Premises"). This includes use of the common areas serving the Leased Space.

### 2. USE BY LESSEE OF THE PREMISES

The Premises shall be used by Lessee for all purposes connected to the core business operations of the not for profit Lessee, provided such use does not diminish the value of the Premises or constitute a nuisance, ordinary wear and tear excepted.

### 3. OCCUPANCY

Lessee shall be entitled to begin occupancy of that portion of the property referred to as the Premises shown in Exhibit "A" as of the Effective Date of this Lease.

### 4. RENT; SECURITY DEPOSIT; RENT CREDIT; TERM; RENEWAL

Lessee shall pay to Lessor as monthly base rent for the Premises as follows:

A. Initial Term – two (2) years - Lessee shall pay \$200.00/month during the initial term of the Lease.

B. Subsequent Terms – The Tenant may renew the Lease for three (3) subsequent one (1) year periods at the same rate with a 3% increase each renewal term by providing notice sixty (60) days prior to the end of any prior term of its intent to renew. The City shall approve such renewal if the Tenant remains in compliance with the Lease terms.

Such monthly rent shall be paid in advance on or before the tenth day of each calendar month. Any rental payment made in respect to a period of less than one month shall be prorated.

Lessee shall pay as additional rent hereunder all sales tax and assessments.

**5. SECURITY DEPOSIT**

No security deposit shall be required.

**6. QUIET ENJOYMENT**

Provided that Lessee complies with all of its obligations under this Lease, Lessor shall not interfere with the peaceful and quiet occupation and enjoyment of the Premises by Lessee during the term.

**7. CONDITION OF PREMISES**

The Premises are leased to Lessee in their present physical condition and state of title (including, without limitation, matters of survey and zoning, building and other laws, regulations and restrictions now and hereafter in effect), and Lessor makes no representation or warranty with respect thereto.

**8. ADDITIONAL OBLIGATIONS OF LESSEE**

Lessee will, at its expense:

(a) comply with all existing and future federal, state, and county and local statutes, laws, enactments, ordinances, rules, regulations, orders and other governmental requirements ("Governmental Requirements") applicable to Lessee's use or occupancy of the Premises, including, but not limited to, workmen's compensation laws and the Occupational Safety and Health Act of 1970 and all Governmental Requirements issued thereunder, and hold harmless, indemnify and defend Lessor from and against any claims, actions, damages, losses, costs and expenses, including reasonable attorneys' fees, made against or sustained by Lessor as a result of Lessee's failure to comply with any Governmental Requirements;

(b) be responsible for and protect itself against all risk of loss or damage by fire or other casualty to its own property and material and any other property and material used by it or under its control on the Premises;

(c) secure and maintain a comprehensive general liability insurance policy covering against claims for bodily injury, death or property damage (including coverage of potential claims against the City by customers/clients/patrons/invitees or guests of the Lessee) occurring on, in or about the Premises and the adjoining property, streets, sidewalks and passageways or by reason of the existence, ownership, use, occupancy or maintenance thereof, in amounts as would be maintained by a prudent owner of similar property but in no event less than \$1,000,000 for bodily injury or death to any one person, \$1,000,000 for bodily injury or death in any one accident, and \$1,000,000 per occurrence for property damage, such insurance to include contractual liability coverage for liabilities assumed by Lessee under this Lease and to include an additional insured endorsement making Lessor

an additional insured thereunder in accordance with Section 17 hereof and proof thereof be provided to the City on an annual basis;

(d) prior to the effective date of this Lease, secure and deliver to Lessor Certificates of Insurance evidencing all insurance coverage required under this Lease, and including a provision that at least 30 days advance written notice will be given to Lessor prior to cancellation, termination, or any alteration of the policy or policies evidenced by such Certificate;

(e) keep and maintain the Premises in a safe and sanitary condition, and provide all labor, services and supplies which may be required in connection with the operation and maintenance of the Premises in a safe and sanitary condition; and

(f) pay all taxes which may be levied upon or assessed against all of Lessee's property and material and any other property and material used by Lessee or under its control on the Premises.

(g) shall coordinate with any other Lessee of the property as to amicable use of common areas which include but are not limited to access and use of parking and bathroom facilities.

#### 9. RIGHTS OF INGRESS AND EGRESS AND MOVEMENT OF MATERIALS

Lessor agrees to make available to Lessee rights of ingress to and egress from the Premises by driveway and parking lot on the property

#### 10. EASEMENTS

Lessor reserves the right to grant such easements on, over, under and through, and to cause such improvements to be made upon the Premises as Lessor may deem necessary for the service or benefit of the Premises, including, but not restricted to, power, gas, telephone, water and storm and sanitary sewers; provided, however, that no easements shall be granted or improvements made which will unreasonably interfere with the use by Lessee of the Premises. Lessor shall not be liable for inconvenience, annoyance, disturbance, loss of business or other damages of Lessee or other losses, damages or claims by Lessee by reason of such easements or improvements, and the obligations of Lessee under this Lease shall not be affected thereby. Lessor shall give Lessee prior notice of any work to be performed upon the Premises in connection with such easements or improvements and such work shall be accomplished so as to attempt to minimize any effect upon Lessee's use of the Premises while it is being performed.

#### 11. REAL ESTATE TAX ASSESSMENT APPEALS

N/A

## 12. WAIVER OF SUBROGATION RIGHTS

It is agreed that neither party to this Lease shall be liable to the other party for any property loss, damage or claims therefor to the extent of the insurance proceeds received for such loss, damage or claims by the other party. This agreement constitutes a waiver of any and all claims for, and a complete release of, all such liability to the extent of such insurance proceeds, and a waiver of all rights of subrogation of the insurance carriers under the insurance policies of the respective parties with respect to such claims and liability. In the event that any circumstances arise which result in a conflict between the provisions of this Section 12 and the provisions of Section 17 (Liability Insurance for Lessor) below, the provisions of this Section 12 shall govern and control.

## 13. MAINTENANCE; UTILITIES

During the term of this Lease, Lessee shall keep and maintain the Premises in as good order and repair as they are on the date of occupancy, reasonable wear and tear excepted; provided, however, that Lessor shall be responsible only for any necessary repairs to the basic structure of Lessor's building, i.e., the foundation, building supports, exterior walls and roof, excluding, however, any repairs which must be made to areas of such basic structure modified for Lessee, and further excluding any repairs to such basic structure made necessary by damages caused by any acts or omissions of Lessee, its employees or agents. All such excluded repairs to the basic structure must be made by Lessee. Structural repairs shall be deemed to be needed when failure to make the same will result in a potential or actual hazard to persons or property and/or impair the use or occupancy of the leased areas by Lessee. If either party fails to make the necessary repairs for which such party is responsible hereunder within 30 days of notice from the other party that such repairs are needed, or within a longer period of time as may be reasonable under the circumstances, the other party may make or cause to be made such repairs, and bill the responsible party for the same. Payment shall be due upon receipt by the responsible party of such bill.

Included in the base rental amount are all charges for water, sewer and electrical utility service to the Premises. However, Lessee shall be responsible for and continue to pay utility charges associated with power to utility poles utilized during the annual Seafood Festival and otherwise available for events during the year. This payment of utility charges is a material provision of this Lease.

## 14. LESSOR'S RIGHT OF INSPECTION

Lessor shall have the right, at any time during reasonable business hours, to inspect the Premises and Lessee will conform in all respects with all of Lessor's reasonable recommendations with respect to:

- (a) proper maintenance of the Premises and good housekeeping;
- (b) all portable fire protection equipment;

(c) all plant rules and regulations of Lessor as to safety and conduct of employees and business guests of Lessee while on that portion of the area which is occupied or used by Lessor; and

(d) Lessee's compliance with all its other obligations under the terms of this Lease.

#### 15. ENVIRONMENTAL REQUIREMENTS

Lessee agrees to comply with all present and future statutes, laws, ordinances, enactments, rules, regulations, orders, decrees, directives, mandates or other similar requirements of any federal, state or local government, court or public authority prohibiting, regulating or otherwise relating to environmental pollution and environmental control of any kind, including, but not limited to, air pollution, water pollution, noise pollution, solid waste pollution, toxic substance control (Environmental Requirements), including, but not limited to, Environmental Requirements under the Federal Water Pollution Control Act, as amended, the Federal Clean Air Act, as amended, the Resource Conservation & Recovery Act, the Noise Control Act, and the Toxic Substances Control Act, which are applicable to or arise out of or in connection with Lessee's use or occupancy of the Premises. Lessee further agrees to establish or continue a program to assure that all present and future Environmental Requirements shall be monitored and met. Lessee will comply with such Environmental Requirements at its sole cost and expense and will hold harmless, indemnify and defend Lessor from and against any claims, suits, damages, losses, costs and expenses, including reasonable attorneys' fees, made against or sustained by Lessor as a result of Lessee's failure to comply with any Environmental Requirements.

#### 16. INDEMNIFICATION BY LESSEE OF LESSOR

Lessee will indemnify, defend and hold harmless Lessor from and against any and all claims, actions, losses, liabilities, costs and expenses, including reasonable attorneys' fees, resulting from injury (including death) to the person or damage to or loss of the property of anyone (including Lessor and Lessee and employees of Lessor and Lessee) arising out of or in connection with occupancy or use by Lessee, its employees, agents, contractors or business guests of the Premises, any adjacent areas and any other property of Lessor, whether such claims, actions, damages, losses and liabilities are based upon or result in whole or in part from the active or passive negligence of Lessor, its employees or agents, or Lessor's strict liability in tort, breach of warranty, breach of contract or any other basis or cause or whatsoever whereby Lessor might be liable.

#### 17. LIABILITY INSURANCE FOR LESSOR

Lessee shall make Lessor an additional insured under Lessee's comprehensive general liability insurance policies applicable to the Premises by means of an additional insured endorsement, a copy of which shall be furnished to Lessor, so that to the extent of such insurance coverage, Lessor is defended from and insured against any and all claims, actions, losses, liabilities, costs and expenses, resulting from injury (including death) to the person or damage to or loss of the property of anyone (including employees of Lessee) arising out of or in connection with occupancy or use by Lessee, its employees, agents, contractors or business guests of the Premises, any adjacent areas and any other property of Lessor. Such additional insured endorsement shall provide that the

insurance afforded for Lessor is primary and any other valid and collectible insurance available to Lessor shall be excess. The insurance afforded for Lessor shall not be cancelled or reduced unless the insurer gives thirty (30) days written notice thereof to Lessor.

#### **18. ALTERATIONS AND ADDITIONS**

Lessee may not make any alterations or additions to the Premises without the prior written consent of Lessor, which consent shall not be unreasonably withheld; provided, however, that Lessee may make additions to or alterations of the Premises of a nonstructural nature which do not result in a decrease in the fair market value of the Premises without the consent of Lessor. Any approved structural or design changes to the building shall be accompanied by signed and sealed engineered design documents as applicable. All approved improvements shall be properly permitted and inspected through the applicable local building department. All improvements made to the Premises by the Lessee shall remain upon expiration of the lease and shall become the property of the City.

#### **19. SURRENDER AND REMOVAL AT END OF TERM**

Upon expiration or earlier termination of this Lease for any reason whatever, Lessee shall surrender the Premises, including all improvements thereto, and all plumbing, electrical, heating, air conditioning and other equipment and all fixtures affixed to the premises, in good repair and condition, reasonable wear and tear excepted, broom clean and free of Lessee's removable property. If Lessee shall fail to remove its property, or any part thereof, within sixty (60) days after such termination, Lessor shall have the right to remove and dispose of the same, and make any repairs caused by such removal, at the expense of Lessee.

As stated above, all improvements made to the Premises by the Lessee shall remain upon expiration of the lease and shall become the property of the City.

#### **20. DAMAGE OR DESTRUCTION BY FIRE OR OTHER CASUALTY**

In the event the Premises is destroyed by fire or other casualty or damaged by such cause to the extent that the Premises are not rebuilt or restored, then this Lease shall terminate as of thirty (30) days after the date of destruction and Lessor shall give Lessee at least 30 days written notice of such termination; otherwise, Lessor shall rebuild or restore the Premises promptly and with reasonable diligence, and Lessee shall be entitled to a pro rata abatement of rent for the period required to rebuild or restore the Premises to the extent that the Premises are unusable.

#### **21. CONDEMNATION**

If the Premises or any necessary and substantial part thereof is taken by eminent domain, this Lease shall terminate on the date of such taking and the rent shall be apportioned as of that date. In any taking or condemnation proceedings, Lessee shall have the right to be a party and to lodge a claim against the condemning authority for any award it may be allowed at law, including, without limitation, an award for its trade fixtures, business and personal property and moving and relocation expenses; provided, however, that nothing herein shall entitle Lessee to any share in the



award which Lessor would be entitled to receive if the Premises had never been subject to this Lease. Lessor shall promptly notify Lessee of any actual or contemplated taking of which it has knowledge.

## **22. TERMINATION; ATTORNEYS' FEES**

In the event of any breach of this Lease or of any provision hereof by either party, which breach is not remedied within 30 days after written notice thereof by the other party, such other party may terminate this Lease by giving written notice of termination in writing to the party in breach, but any such termination shall not relieve either party of any obligations which accrued prior to such termination.

The prevailing party in any litigation or other legal proceedings arising under this Lease (including any appeals and any insolvency actions) shall be entitled to reimbursement from the non-prevailing party for reasonable attorneys' fees and expenses.

## **23. LESSOR'S STATUTORY RIGHTS**

Nothing herein contained shall restrict or limit any rights or remedies which Lessor has or shall have under the laws of the State of Florida now or hereafter in effect.

## **24. NOTICES**

Any notice which may be required or permitted to be given under any provisions of this Lease shall be deemed to have been effectively given and received upon deposit in the United States registered or certified mail, postage prepaid, and e-mail addressed as follows:

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If to Lessee

The Florida Seafood Festival, Inc.  
PO Box 758  
Apalachicola, FL 32329

With Copy to:

If to Lessor:

City of Apalachicola  
192 Coach Wagoner Blvd.  
Apalachicola, Florida 32320  
E-MAIL -- [twade@cityofapalachicola.com](mailto:twade@cityofapalachicola.com)

With Copy to:

Daniel W. Hartman, Esq.  
PO Box 10910  
Tallahassee, FL 32301  
[dan@FLLegalteam.com](mailto:dan@FLLegalteam.com)

Either party may change its address for purposes of this provision by giving written notice of such change in the manner above provided.

## 25. LIENS

Lessee shall not suffer or permit any mechanic's, laborer's or materialman's lien to stand against the Premises or any part thereof, or against the interest of Lessee in the Premises, by reason of any work, labor, services or materials done for or supplied to or claimed to have been done for or supplied to Lessee or anyone holding the Premises or any part thereof through or under Lessee. If any such lien shall at any time be filed, Lessee shall cause the same to be discharged or bonded or record within 30 days after Lessee shall have learned of the same, by either payment, deposit, or bond; provided, however, that such discharge or bonding of record must be sufficient (a) to permit Lessor to obtain title insurance with no exception for such lien and (b) to prevent the holder of the lien from causing a sale, foreclosure or other title divestiture with respect to the Premises or any portion thereof. If Lessee shall fail so to discharge or bond any such lien within such 30-day period, then, in addition to any other right or remedy of Lessor, Lessor may, but shall not be obligated to, procure the discharge of the same either by paying the amount claimed to be due by deposit or bonding, or Lessor shall be entitled, if it so elects, to compel the prosecution of an action for the foreclosure of such lien by the lienor and to pay the amount of the judgment, if any, in favor of the lienor, with interest, costs and allowances. Any amount paid or deposited by Lessor for any of the aforesaid purposes, and all costs and other expenses of Lessor, including reasonable counsel fees, in defending any such action or in procuring the discharge of such lien, with all necessary disbursements in connection therewith, together with the late charge from the date of payment or deposit by Lessor, shall be payable by Lessee to Lessor as additional rent within 5 days of demand therefor.

Nothing in this Lease shall be deemed to be the consent or request of Lessor, expressed or implied, for the performance of any labor or the furnishing of any materials for any construction, alteration, restoration or repair of, to or on the Premises or any part thereof, nor as giving Lessee any right, power or authority to contract for or permit the rendering of any services or the furnishing of any materials which give rise to any lien against Lessor's interest in the Premises. Lessor shall have the right to post and keep posted at all times on the Premises any notices which Lessor shall deem appropriate for the protection of Lessor and the Premises from any such lien.

This Lease shall not be used as collateral for any purpose.

## 26. ASSIGNABILITY; SUBLEASING

This lease shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, but Lessee shall have no right to assign this Lease or to sublet the Premises, or any part thereof, either voluntarily or by operation of law, without the prior written consent of Lessor.

#### **27. FORCE MAJEURE**

Neither Lessor nor Lessee shall be responsible for delay or failure of performance of any of its obligations under this Lease caused in whole or in part by: Acts of God, wars, riots, fires, explosions, breakdowns or accidents; strikes, lockouts or other labor difficulties; lack or shortages of labor, materials, utilities, energy sources, compliance with governmental rules, regulations or other governmental requirements; any other like causes; or any other unlike causes beyond the control of the party whose performance is affected thereby. The foregoing shall be in addition to and not in limitation of any excuses for nonperformance available to the party whose performance is affected under any applicable law. The party whose performance is so affected shall make all reasonable efforts to remove such disability as soon as possible, except for labor disputes which shall be solely within such party's discretion.

#### **28. INTEGRATION**

This Lease sets forth the entire agreement and understanding between the parties as to the subject matter of this Lease and any and all prior or contemporaneous proposals, negotiations, agreements, commitments and representations, oral or written, are merged herein. This Lease may not be modified or amended except by means of a writing duly executed by the parties subsequent to the date hereof which states that it is intended to amend this Lease.

#### **29. MISCELLANEOUS**

Each provision hereof shall be separate and independent and if any provision hereof or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remaining provisions hereof, or the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, as the case may be, shall not be affected thereby, and each provision hereof shall be valid and shall be enforced to the extent permitted by law. All provisions contained in this Lease shall be binding upon, inure to the benefit of and be enforceable by, the respective successors and assigns of Lessor and Lessee to the same extent as if each such successor and assign were named as a party hereto. No waiver of any provision hereof shall be deemed a waiver of any other provision hereof or of any subsequent breach of the same or any other provision.

#### **30. CAPTIONS**

The captions set forth at the beginning of each of the numbered paragraphs of this Lease are intended for purposes of reference only and are of no legal force and effect.

**31. FLORIDA LAW.**

This lease will be governed by the laws of the state of Florida, as to both interpretations and performance.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

**LESSOR:**

City of Apalachicola, a Florida Municipality

By: \_\_\_\_\_  
Travis Wade, City Manager

**LESSEE:**

The Florida Seafood Festival, Inc.

By: John Solomon \_\_\_\_\_  
Its: President

A Special Meeting and Workshop of the Apalachicola City Commission was held on Tuesday, June 20, 2023, at 4:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Anita Grove, Commissioner Despina George, Commissioner Donna Duncan, City Attorney Dan Hartman, City Manager Travis Wade, City Clerk Lee Mathes

Mayor Ash called special meeting to order.

#### **AGENDA ADOPTION**

Motion to adopt agenda made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 5 to 0.

#### **SPECIAL MEETING - GIBSON INN ENCROACHMENT**

Public comments consisted of delaying vote and inadequate access to encroachment research materials.

Cutler Edwards stated the balconies were included in the first site plans submitted and nothing has changed. If an encroachment was needed, then they should have been told about the encroachment process from the start.

Attorney Hartman stated he has reviewed the materials submitted by the Building and Planning Departments. An encroachment agreement is an air space encroachment agreement only, and there will be no ground encroachments.

Discussion consisted of delaying vote, time period in which Commission receives agenda packets, Gibson Inn site plan, Gibson Inn parking plan, and Gibson Inn building height.

Motion to table Gibson Inn encroachment until public and Commission have time to analyze information made by Commissioner George. Motion seconded by Commissioner Grove.

Attorney Hartman stated motion should include a date certain.

Commissioner George amended motion to table Gibson Inn encroachment until July 6<sup>th</sup>. Motion failed 2 to 3 with Mayor Ash, Commissioner Elliott, and Commissioner Duncan opposing.

Motion to approve Gibson Inn encroachment and authorize Attorney Hartman to proceed with encroachment agreement made by Commissioner Duncan, seconded by Commissioner Elliott. Motion carried 3 to 2 with Commissioner Grove and Commissioner George opposing.

**WORKSHOP – ACCESSORY STRUCTURES**

Building and Planning staff reviewed history and research to allow accessory structures as habitable living spaces in R1 zoning.

Public comments consisted of allowing ADUs (accessory dwelling units) in R1 zoning and fines/penalties for current accessory structure apartments and short-term rentals.

Commission comments consisted of allowing ADUs as workforce housing, short term rentals, parking requirements for ADUs, and fines/penalties for noncompliance.

Commission in agreement to move forward with some type of procedure or ordinance.

Attorney Hartman stated that if an ordinance is based on Florida Statute, then people would have to comply, but we could outline some options and alternatives.

Mayor Ash stated that in this process we need to make sure all concerns are addressed and that we are keeping within property owner's rights.

Attorney Hartman stated a draft ordinance should be ready by August meeting.

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

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Brenda Ash, Mayor

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Lee Mathes, City Clerk

A Joint Workshop between the Apalachicola City Commission and Apalachicola Planning & Zoning Board was held on Thursday, June 22, 2023, at 5:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

City Commission Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Anita Grove, Commissioner Donna Duncan, Commissioner Despina George, City Attorney Dan Hartman, City Manager Travis Wade, City Clerk Lee Mathes

Planning & Zoning Board Present: Al Ingle, Joe Taylor, Elizabeth Milliken, Chase Galloway, Lee McLemore, Bobby Miller

Mayor Ash opened workshop.

### **SIGN ORDINANCE DISCUSSION**

Planning & Zoning Board discussed sign size in relation to size of building, lighting of signs (lumens vs. watts), and sidewalk signage.

Public comment consisted of sign size, appeal processes for violations, current signs around downtown area, sign replacement process, and sign lighting.

Building Department presented proposed changes to sign ordinance and presented various scenarios of signs on different size building wall spaces.

Discussion held pertaining to sign size being a percentage of available wall space.

Commission comments consisted of current sign inventory in downtown area, sign size, sign lighting, and micromanaging store owners on rules and regulations.

Commission was in full agreement to amend current sign ordinance and instructed Attorney Hartman to proceed with draft sign ordinance to include items discussed.

Further discussion on sign lighting, murals, and enforcement of current sign ordinance.

Commission agreed to hold another workshop on July 19<sup>th</sup> at 5:00 PM to further discuss sign ordinance.

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

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Brenda Ash, Mayor

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Lee Mathes, City Clerk



**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Monday, June 12<sup>th</sup>, 2023  
Community Center - 1 Bay Avenue  
Minutes

**Attendance:**

- P&Z Chair – Al Ingle, Joe Taylor, Jim Bachrach, Bobby Miller, Chase Galloway, (+ Lee McLemore from item #6 down)

**Regular Meeting: 6:00 PM**

1. Approval of May 8<sup>th</sup>, 2023 meeting minutes.
    - **Motion to approve by Bobby Miller; 2<sup>nd</sup> by Jim Bachrach. All in favor – motion carried.**
  2. Review, Discussion and Decision for Concrete Pad. (R-1) (Historic District) @ 55 15<sup>th</sup> Street. Block 96, Lot 7,8, ½ 9. For Justin McMillan -Owner; Contractor: N/A
    - **Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Chase Galloway. All in favor – motion carried.**
  3. Review, Discussion and Decision for Accessory Structure. (R-1) (Historic District) @ 135 10<sup>th</sup> Street, Block 71, Lot 7. For Thomas Conner -Owner; Contractor: Self
    - **Motion to approve by Chase Galloway; 2<sup>nd</sup> by Bobby Miller. All in favor – motion carried.**
  4. Review, Discussion and Decision for Accessory Structure & Driveway. (R-1) @ 141 Avenue L, Block 152, Lot 1. For James Stanley -Owner; Contractor: Tool Time
    - **Motion to approve by Chase Galloway; 2<sup>nd</sup> by Jim Bachrach. All in favor – motion carried.**
  5. Review, Discussion and Decision for Concrete Sidewalks. (R-1) (Historic District) @ 194 5<sup>th</sup> Street, Block 180, Lot 3. For Prince Jones -Owner; Contractor: N/A
    - **Motion to approve by Chase Galloway; 2<sup>nd</sup> by Jim Bachrach. All in favor – motion carried.**
-

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Monday, June 12<sup>th</sup>, 2023  
Community Center - 1 Bay Avenue  
Minutes

6. Review, Discussion and Decision for Shed & Fence. **(R-3) @ 273 24<sup>th</sup> Avenue**, Block 233 Lots 29-31. For Jesse & Amanda Thompson– Owner; Contractor: Self
    - **Motion to approve by Chase Galloway; 2<sup>nd</sup> by Joe Taylor. All in favor – motion carried.**
  7. Review, Discussion and Decision for Deck Additions & Fence. **(R-3) @ 397 24<sup>th</sup> Avenue**, Block 223 Lots 15-16. For Melanie Lauer– Owner; Contractor: Self
    - **Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Chase Galloway. All in favor – motion carried.**
  8. Review, Discussion and Decision for New Site Plan, Additions, Renovation & Relocation. **(R-2) @ 169 14<sup>th</sup> Street**, Block 139 Lots 35' of 7, ½ of 8. For Apalachicola Development and Land LLC– Owner; Contractor: Construct Group SE Inc.
    - **Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Bobby Miller. All in favor – motion carried.**
  9. Review, Discussion and Decision for Shed. **(R-3) @ 328 22<sup>nd</sup> Avenue**, Block 224 Lots 13&14. For Eliseo Jeminez– Owner; Contractor: Self
    - **Motion to approve by Joe Taylor; 2<sup>nd</sup> by Chase Galloway. All in favor – motion carried.**
  10. Review, Discussion and Decision for Entry Porch Addition. **(C-4) @ 301 Market St.**, Block LMNO. For Thurman Ross – Owner; Contractor: Self
    - **Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Lee McLemore. All in favor – motion carried.**
  11. Review, Discussion and Decision for Addition & Shed. **(R-3) @ 190 25<sup>th</sup> Ave.** Block 240 Lots 12-15. For Carmen Juan/Robin Perez– Owner; Contractor: Self
    - **Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Lee McLemore. All in favor – motion carried.**
-

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Monday, June 12<sup>th</sup>, 2023  
Community Center - 1 Bay Avenue  
Minutes

12. Review, Discussion and Decision for Sign. **(C-2) (Historic District) @ 146 Avenue E**, Block 49 Lot 6. For Izzy's Café (Isabel Pateritsas) – Owner; Contractor: Sign Design
- **Motion to table item until after 6/22/23 workshop by Chase Galloway; 2<sup>nd</sup> by Joe Taylor. All in favor – motion carried.**
13. Review, Discussion and Decision for Signs. **(C-1) (Historic District) @ 71 Market Street**, Block E-2 Lots ½ 19 & 20. For Jerry Hall/JP Ferguson Prop. LLC– Owner; Contractor: N/A
- **Motion to table item until after 6/22/23 workshop by Jim Bachrach; 2<sup>nd</sup> by Bobby Miller. All in favor – motion carried.**
14. Review, Discussion and Decision for Accessory Structure. **(R-2) @ 164 MLK Ave.**, Block 139 Lots 6, 25' of 7. For Chip Darnell – Owner; Contractor: Carports Anywhere
- **Motion to approve by Chase Galloway; 2<sup>nd</sup> by Lee McLemore. All in favor – motion carried.**

Other/New Business:

- **Workshops will begin in July for decks and the impervious definition! Please see attached Board Action Request that was approved at the May City Commission meeting.**
  - Motion to direct staff to begin working on Workshop for Decks/Impervious Definition by Bobby Miller; 2<sup>nd</sup> by Jim Bachrach. All in favor – motion carried.

Outstanding/Unresolved Issues:

- **Written statement from Barbara Singer regarding her intent to move the encroached semi-trailer from her property at 51 12<sup>th</sup> Street that was a contingency of her approval at the April 2023 P&Z meeting. Attached is her letter and with the contingent approval minutes and prior application.**

**Motion to adjourn by Jim Bachrach; 2<sup>nd</sup> by Bobby Miller. All in favor – meeting adjourned.**

Minutes approved by Chair, Al Ingle: \_\_\_\_\_

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

*Al Ingle*  
*6/21/2023*

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# City of Apalachicola WWTP

## Monthly Report for June 2023

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During the month of June 2023, the City of Apalachicola has continued to seek another licensed operator to work at the WWTP. We are still actively searching for other qualified candidates. Some of the items that we have been working on this month are listed below.

- Recorded all required daily parameters as outlined by the permit.
- Completed all required monthly testing as outlined by the permit.
- Completed all monthly reports and submitted them on time as outlined in the permit.
- At the time this report was made, the WWTP has treated and discharged 8.759mg during the month of June 2023. This still leaves 4 more days in the month for extra flow.
- We did not have to use our reject pond during the month of June.
- We have continued to have liquid sludge hauled off-site to Wetappo Farms.
- Lead Operator was informed by Bay Environmental that they had sold the property at Wetappo Farms and were no longer able to accept our sludge for disposal. City WWTP staff reached out for a bid for Green South (the only other company in the area) to haul and dispose of our sludge. The quote was almost 3 times what we had been paying Bay Environmental.
- WWTP staff arranged a two-month trial testing period for InSitu Microbial Solutions, LLC to begin a testing phase in one of our digesters for sludge reduction. InSitu Microbial Solutions is currently working in Port St. Joe at their WWTF and are having positive results. The projected cost of utilizing InSitu Microbial is quite a bit cheaper than the cost of having Green South haul our sludge and dispose of it.
- Staff have continued to keep the grounds cut and presentable at the WWTP.
- Staff have continued to work in the spray fields using the mulcher and the bush hog as well.
- The bush hog has been put back into service since Public Works changed the damaged parts out.
- Blower 6 is back in service since the new drive was installed by Kenny Strange Electric.
- WWTP staff and Aqua Aerobics staff completed the needed repairs to the Aqua Disk filters in the first week in June 2023. Aqua Aerobics staff made a list of items that will need to be changed or replaced in the next budget year. WWTP staff have already begun working with Travis concerning these repairs and maintenance issues.

- WWTP staff changed the air control valve for the influent headworks. There was a portion of the line that had to be replaced as well. Once the line was installed, the air was turned on to the grit chamber and the F.O.G. was aerated to a point where the debris was able to be picked out and run through the Huber screen. The F.O.G. went into the plant at a slow pace monitored by staff and was treated as it normally would if it had never been collected in the grit chamber.
- The standby generator had to be used while there was a power failure due to storms in the area. The generator worked with no problems noticed.
- Pump and Process continue to work with Tesco to rectify the radio telecommunication problems. Finding parts to replace the aging system is becoming very difficult and the programming of the radios is another problem completely. Since the installation of the software for the Re-Use system, the software has been updated or changed about 5 or 6 times by the manufacturer without the City updating ours.

## BUILDING DEPARTMENT

JUNE 2023

- 18 Building Permits Issued
- 4 Building Permits in Process
- 2 After Hours Emergency Inspections
- 42 Building Inspections
- 20 Certificates of Completion Issued
- 1 Certificate of Occupancy
- Daily Phone Inquiries & Emails Answered
- Several On-Site Meetings
- Daily Office Meetings
- Records Requests
- Planning & Code Enforcement Support
- May Building Dept. Fees brought in: \$2,852
- Building Dept. Fees 2023 ytd: \$55,175

## JUNE 2023 WATER & SEWER FIELD CREW REPORT

- We had a total of 5 inches of rain on June 21<sup>st</sup> the vacuum station ran flawless through the event.
- Replaced 2 water spigots at Battery Park.
- Working on Water Plant Electronics and blower problems.
- Repaired broken water lines at Magnolia Cemetery.
- Repaired broken pipes under docks and replaced spigots On top side at Mill Pond boat slips
- Working with Rowe Drilling on water quality issues at Well # 6, Well # 6 is still not on line
- Completed all the daily rounds for the Month.
- Working on replacing the rest of the manual read meters.
- Responded to and repaired any low vacuum issues on the vacuum system.
- Completed all meter readings for the Month.
- Completed Monthly Samples for DEP
- Completed all the locates for the Month.
- Completed work orders for the Month.
- Met with different Contractors on upcoming jobs in the area.
- Power outage at 9<sup>th</sup> Street lift station Duke Energy had a line down.
- Fixed broken water line at 369 22<sup>nd</sup> Ave.
- We have two new employees that are in process of training for the field crew.



## City of Apalachicola public works monthly report June 2023

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. And set community center up for monthly meetings.

- Serviced 2 vehicles and changed oil.
- Collect garbage 3 times a week downtown and parks this includes city garbage cans.
- cut and cleaned ditches 23rd st. for storm water runoff.
- completed 16 work orders.
- Cut and removed tree on 9th st.
- Cleaned ditch on ave d.
- Cleaned storm drains on bay ave. and ave. b,c,d.
- Repaired dock at battery park.
- Cut and removed several dead palm trees around town.
- Picked up a lot debris around town from stormy weather.
- Removed fallen cedar tree at community gardens.
- Marked out and painted parallel parking on water street.
- Removed fallen. tree limb on 24<sup>th</sup> street.

Prepared by, Robert Osburn

**Monthly Report for the  
Apalachicola Margaret Key Public Library  
June 2023**

**Statistics:**

- 1,821 patrons visited our library this month - 30 new accounts opened
- 415 participants in summer reading activities (!)
- 180 patrons used our computers - 652 books/movies/audiobooks circulated
- 1016 items donated to the library - 103 hours donated by our wonderful volunteers
- \$622.07 collected as library revenue - 10,990 FB & 75 IG accts reached w/30 posts

The library has been celebrating summer with fun activities for kids and adults! The theme for libraries across the country this year is 'All Together Now' honoring the ways people work together. In Apalachicola, we chose to craft each week around what we share. In June, we celebrated Food, Music, Sports, Crafts, and Languages. Our first Food Festival kicked off the month, and we had volunteers bring foods from around the world. Families stopped in for a fun meal, and kids enjoyed games and giveaway bags filled with summer reading goodies. Bring Me A Book Franklin passed out books and are continuing their Tuesday morning stories and craft time this summer. The library is also awarding kids for reading, with 10 books or 100 minutes earning kids a trip to the library's treasure chest, and the opportunity to feature their favorite book on the library's showcase shelf.

The library has partnered this month with local summer programs. The Patrons of the Apalachicola Library Society (PALS) is sponsoring choral practice with Camp Moving Education; and shot off water rockets with Project Impact—a fun activity for the hot June weather! The library was out in the community for the Apalachicola Juneteenth celebration, hosted another successful Blood Drive, and hosted a preview of the Summer Music Series with popular local band 'Hot Mess' in early June. Officially beginning in July, the Music Series will return with free live music every Friday at 6:30 pm in the library.

It's been a full month of activities with projects on Tuesdays, stories on Wednesdays, and movies on Thursdays. PALS volunteer, Connie Justice has continued working with kids, this month crafting music makers, rock art, and imaginative paper creations. The library has a fully stocked craft room, from beads and yarn to feathers and ribbon. Patrons are invited to ask at the desk for craft supplies—all free! On the third Wednesday at their usual meeting, the Book Club explored a locally based novel, Remembering Blue by Connie May Fowler, and brought tasty treats featured in the story. New members are always invited, and summer is a great time to start a new reading goal. Finally, sign language classes began this month and will continue in July. Taught by Joy Floyd, an American Sign Language advocate and Apalachicola Bay Charter School teacher. Stop in for a break from the heat, and learn something new! Visit [apalachicolalibrary.com/events](http://apalachicolalibrary.com/events) for the full calendar.

**Wishing you a Happy July!**  
**Isel Sánchez-Whiteley & Sara Gillespie-Albino, Library Assistants**  
**Lucy Carter, Library Director**

## APALACHICOLA POLICE DEPARTMENT

June 2023

For the month of June, while we continue to issue citations for the Battery Park parking violations, it seems that the signage and extra patrol is working to deter locals and visitors alike from failing to secure a launch permit. This month we have had a couple of issues with homeless persons activity and addressed them. Sgt. Webb participated in an event on St. George Island with local girls.

### June 2023 Totals

Traffic Stops/ Warnings/ citations	30/10/9	
Arrests/ Warrant Requests	8 ( 1 DUI)	
Traffic Accidents	7	
Burglary/Theft calls	4	
Assist Citizens/ Complaints/investigations		620
Trespass Warnings/agreements	17	
Business alarm calls/building checks/welfare checks		500
assist county call/other agencies	20	
Assist Animal control	0	
Domestic cases involving violence/disturbance calls		2
 Total calls from dispatch	 1400	

# APALACHICOLA VOLUNTEER FIRE/RESCUE

April 2023  
17 calls

## Bi-Monthly Report

1. Accidents 5
2. Lift Assist EMS 6
3. Bi-Monthly Meetings 2
4. Brush Fires 1
5. House Fires 1
6. Fund Raisers

7. Gas Leaks
8. Life Flights 2
9. Search/Rescue
10. Training
11. Transformer Fires
12. Vessels

1st Responder calls 28

## Firefighter Attendance

1. George Watkins 6
2. Fonda Davis 2
3. Ginger Creamer 13
4. Albert Floyd 6
5. Rhett Butler 3
6.
7. Palmer Philyaw 1
8.
9. Troy Segree 11
10. Rick Hernandez ~

11.
12. Avery Scott 5
13. Bruce Hoffinan 12
14. Ken Turner 1
15. Anthony Croom 2
16. Scott Brackett 1
17. Ricky Linder 5
18. Shannon Segree 4
19. Adam Joseph 7
20. Craig Gibson 6

Additional Notes:

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Recorded by: ST

Date:

# APALACHICOLA VOLUNTEER FIRE/RESCUE

1104 2.5 calls

## Bi-Monthly Report

1. Accidents	<u>4</u>	7. Gas Leaks	<u>1</u>
2. Lift Assist EMS	<u>15</u>	8. Life Flights	<u>1</u>
3. Bi-Monthly Meetings	<u>2</u>	9. Search/Rescue	<u>2</u>
4. Brush Fires	<u>1</u>	10. Training	<u>2</u>
5. House Fires	<u>1</u>	11. Transformer Fires	<u>1</u>
6. Fund Raisers	<u>1</u>	12. Vessels	<u>1</u>

1st Responder calls 31

## Firefighter Attendance

1. George Watkins	<u>5</u>	11. [unclear]	<u>5</u>
2. Fonda Davis	<u>3</u>	12. Avery Scott	<u>11</u>
3. Ginger Creamer	<u>20</u>	13. Bruce Hoffman	<u>1</u>
4. Albert Floyd	<u>6</u>	14. Keith Thorne	<u>4</u>
5. Rhett Butler	<u>4</u>	15. Anthony Croom	<u>0</u>
6. [unclear]	<u>1</u>	16. Scott Brackett	<u>4</u>
7. Palmer Philyaw	<u>1</u>	17. Ricky Linton	<u>3</u>
8. [unclear]	<u>14</u>	18. Shannon Segree	<u>9</u>
9. Troy Segree	<u>1</u>	19. Adam Joseph	<u>5</u>
10. Rick Hernandez	<u>1</u>	20. Craig Gibson	<u>5</u>

Additional Notes:

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Recorded by: (signature)

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



# **CITY OF APALACHICOLA**

## **CODE ENFORCEMENT**

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

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### **CODE ENFORCEMENT OFFICE**

**June 2023**

**6 Tree Permits**

**1 Fence Permits**

**4 Fill Permits**

**1 Sidewalk Permit**

**Daily Phone Inquiries & Emails Answered**

**Attend Tree Committee meeting**

**Regular Office Meetings with Tammy Owens and Bree Robinson (Building Department)**

**Patrolled City daily**

**Attend monthly P&Z meeting, City Commission & workshop meetings**

**Stop Work Orders:**

- **RV (1) issue – resolved**
- **1 fence violation – in process**
- **1 accessory structure – in process**
- **1 impermeable ratios violation – in process**

**Updated Business License application form and worked with IT to update website with new form.**

**Review process for sidewalk permitting. Updated form and developed and implemented process for 23-24 permitting.**

**In collaboration with Bree R. and Travis W. research and draft revised sign ordinance**

**Coordinate with Bree R to take photos and measurements of commercial and business buildings and their signs.**

**Developed and implemented spreadsheet to post Code Enforcement Complaints.**

**Continue to work on uploading existing code enforcement files into CommunityCore database.**

**Ongoing discussions regarding City oversight of food trucks within city limits.**

**Updated and posted on website food truck guidelines to align with FL Statute 509.102 and LDC Article VI, Sec. 22. *(Reviewed by Travis Wade and Dan Hartman)***

CITY OF APALACHICOLA  
ADMINISTRATION DEPARTMENT  
June 2023

- Utility bills have been processed and mailed in envelopes.
- Payroll was processed for two pay periods
- Prepared June Commission minutes. Prepared July agenda packet. Emailed agenda packets to Commission and Attorney.
- Notified 2K Web Group to add meetings on website. Sent July agenda packet and June minutes to be uploaded to website.
- Staff assisted customers with cemetery items, utility bill questions and payments, garbage/yard trash complaints, permitting issues, City property rentals, and other miscellaneous duties
- Completed tasks as assigned by the City Manager/Commission.
- Processed new and reissued golf cart permits
- Issued and processed new and renewal of the Business License Tax
- Issued and processed Battery Park boat launch applications and permits
- Mailed monthly general billing.
- Assembled Election Packets. Mayor Ash is unopposed. Commissioner Adriane Elliott is unopposed. Commissioner Despina George and Lance Martina have qualified for City Commissioner Seat 1.
- Per utility adjustment policy, utility adjustment are attached.



## City of Apalachicola

<b>Closing Totals</b>
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For Session : 0000015977

Sorted by: Location No

Account No.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
<b>Session</b> 0000015977						
36909	00276	GANDER, JAMES V	06/08/2023	Adjustment	LSA SEWER Adjustment	-99.00 -99.00
41799	00293	GETTER, MARISA	06/14/2023	Misc	REC WATER Misc	25.00 25.00
11036	11025	BASS, JR. DRAYTON	06/21/2023	Adjustment	WATER Miscellaneous Adjustment	-25.00 -25.00
35951	16222	BRAMBLETT.	06/07/2023	Adjustment	WATER Adjustment SEWER Adjustment GARBAGE Adjustment SUF Adjustment STORMWATER Adjustment	55.10 79.90 23.00 29.00 1.00 188.00
35951	16222	BRAMBLETT.	06/07/2023	Misc	TRN WATER Misc	25.00 25.00
48904	17278	D R HORTON INC.	05/11/2023	Misc	REC WATER Misc	25.00 25.00
40911	21270	BERRY, KATE	06/21/2023	Adjustment	ADJ SEWER Penalty Adjustment	-700.20 -700.20
48908	22278	D R HORTON INC.	05/11/2023	Misc	REC WATER Misc	25.00 25.00
48895	23270	D R HORTON INC.	05/11/2023	Misc	REC WATER Misc	25.00 25.00
48903	23278	D R HORTON INC.	05/11/2023	Misc	REC WATER Misc	25.00 25.00
48897	27276	D R HORTON INC.	05/11/2023	Misc	REC WATER Misc	25.00 25.00
48862	28091	WHITESANDS	04/25/2023	Misc	REC WATER Misc	25.00 25.00
48930	30640	CHRISTOPHER.	06/01/2023	Misc	REC WATER Misc	25.00 25.00

Account No.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
31660	31510	PARTINGTON, CLEO	06/07/2023	Adjustment	FPO	
					SEWER Adjustment	-125.45
						-125.45
39595	31557	TARANTO, GINA	04/27/2023	Return Chck		
					WATER Return Chck	39.32
					SEWER Return Chck	58.07
					GARBAGE Return Chck	20.61
					SUF Return Chck	29.00
						147.00
39595	31557	TARANTO, GINA	04/27/2023	Misc	RET	
					WATER Misc	35.00
						35.00
45523	31910	CRAIG, ZACHERY	05/30/2023	Adjustment		
					SEWER Adjustment	-109.90
						-109.90
48795	32098	ELLIOTT, BRENDA	05/09/2023	Misc	OTF	
					WATER Misc	50.00
						50.00
39546	32166	EARLY CHILDHOOD	06/05/2023	Adjustment		
					GARBAGE Adjustment	-1242.50
					GARBAGE Penalty Adjustment	-95.85
					GARBAGE Miscellaneous Adjustment	-150.00
						-1488.35
48907	32278	D R HORTON INC.	05/11/2023	Misc	REC	
					WATER Misc	25.00
						25.00
32580	32580	FULLER, JOHN	06/15/2023	Adjustment	FPO	
					SEWER Adjustment	-94.80
						-94.80
46037	32640	ESCOBAR, CARMEN	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
39919	32710	TAUNTON, TAMMY	06/21/2023	Adjustment		
					SEWER Penalty Adjustment	-5.22
					GARBAGE Penalty Adjustment	-2.30
					SUF Miscellaneous Adjustment	-25.00
						-32.52
51237	32910	COLLINS, LAKESHIA	06/08/2023	Adjustment	ADJ	
					WATER Adjustment	-117.58
					SEWER Adjustment	-318.80
						-436.38
51237	32910	COLLINS, LAKESHIA	06/21/2023	Adjustment		
					SUF Miscellaneous Adjustment	-25.00
						-25.00
33146	33146	MCBRAYER, KIM	06/21/2023	Adjustment		
					SUF Miscellaneous Adjustment	-25.00
						-25.00
46041	33354	KLEPSE, JOHN	06/07/2023	Misc	REC	
					WATER Misc	25.00
						25.00

Account No.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
55000	33421	CRUM. DONNA	05/10/2023	Misc	REC	
					WATER Misc	25.00
						25.00
48941	33600	PELICO. ISAIAS	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
48945	33867	LAUTNER. ROBERT	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
46030	33868	BYE. ASHLEY	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
34956	33878	HUTCHINSON.	05/10/2023	Misc	REC	
					WATER Misc	25.00
						25.00
48899	37276	D R HORTON INC.	05/11/2023	Misc	REC	
					WATER Misc	25.00
						25.00
48906	37278	D R HORTON INC.	05/11/2023	Misc	REC	
					WATER Misc	25.00
						25.00
37849	37342	STANTON. HILARY	04/25/2023	Return Chck		
					WATER Return Chck	39.32
					SEWER Return Chck	58.07
					GARBAGE Return Chck	23.00
					SUF Return Chck	29.00
					STORMWATER Return Chck	1.00
						150.39
37849	37342	STANTON. HILARY	04/25/2023	Misc	RET	
					WATER Misc	35.00
						35.00
47882	40005	JOHNSON. TYLER	05/22/2023	Adjustment		
					SEWER Adjustment	-197.54
						-197.54
40100	40100	MCLAURIN. JOHNNY	05/16/2023	Refund		
					SUF Refund	22.62
						22.62
31512	40251	FUENTES. FEDERICO	06/05/2023	Adjustment		
					SEWER Adjustment	-25.83
						-25.83
41118	40330	PATERSON. ROBERT	05/03/2023	Adjustment		
					WATER Adjustment	-52.54
					SEWER Adjustment	-72.80
						-125.34
48937	40470	MOORE. KELLI &	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
41070	41070	MCCASKILL. LOUIS	06/05/2023	Adjustment		
					WATER Adjustment	-126.38
					SEWER Adjustment	-175.65
						-302.03

Account No.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
35951	41951	BRAMBLETT.	06/07/2023	Adjustment		
					WATER Adjustment	-55.10
					SEWER Adjustment	-79.90
					GARBAGE Adjustment	-23.00
					SUF Adjustment	-29.00
					STORMWATER Adjustment	-1.00
						-188.00
42236	42236	STANLEY, JAMES	06/07/2023	Misc	RR	
					WATER Misc	15.00
						15.00
42260	42260	SPEARS, LEE	05/11/2023	Adjustment		
					SUF Miscellaneous Adjustment	-35.00
						-35.00
48948	43050	TREICHEL, KENDRA	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
17877	43115	TABERNACLE OF	05/03/2023	Adjustment		
					SEWER Adjustment	-82.79
						-82.79
46055	43970	DIAMOND, RITZY	06/20/2023	Misc	REC	
					WATER Misc	25.00
						25.00
44140	44140	CLARK.	05/19/2023	Misc	REC	
					WATER Misc	25.00
						25.00
31902	50040	LAU, SING HON	06/07/2023	Adjustment		
					WATER Adjustment	-197.82
						-197.82
26464	50403	T P TRANSPORT INC.	05/02/2023	Adjustment		
					WATER Adjustment	-177.99
						-177.99
48850	50603	CROOM, DERICK B	05/02/2023	Adjustment		
					WATER Adjustment	-34.86
					WATER Miscellaneous Adjustment	-25.00
						-59.86
48850	50614	CROOM, DERICK B	05/02/2023	Adjustment		
					WATER Adjustment	34.86
					WATER Miscellaneous Adjustment	25.00
						59.86
34818	50645	TERRY, RANDALL	05/02/2023	Adjustment		
					WATER Adjustment	177.99
						177.99
50863	50863	COOK, WAYNE	06/02/2023	Adjustment		
					WATER Adjustment	-69.79
						-69.79
46031	51055	LIVA, CHELSEY	05/31/2023	Misc	REC	
					WATER Misc	25.00
						25.00
51152	51152	ROWLAND, ROSIE	06/02/2023	Adjustment		
					WATER Miscellaneous Adjustment	-25.00
						-25.00

Account No.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
48815	51240	ODOM. COLLETTE	06/26/2023	Adjustment		
				WATER	Miscellaneous Adjustment	-25.00
						-25.00
46033	51470	RONALD FRY.	06/01/2023	Misc	REC	
					WATER Misc	25.00
						25.00
51520	51520	BUZIER. COSTA	06/15/2023	Adjustment		
				WATER	Miscellaneous Adjustment	-25.00
						-25.00
46036	52350	WALDEN. HEATHER	05/31/2023	Misc	REC	
					WATER Misc	25.00
						25.00
45482	52370	PROCTOR. REBECCA	04/28/2023	Misc	OTF	
					WATER Misc	50.00
						50.00
52445	52445	GIDDENS. DAVID	05/16/2023	Refund		
					WATER Refund	150.00
						150.00
70762	731	BARBER. WADE	06/02/2023	Adjustment		
				SCIPIO CREEK	Adjustment	-390.10
						-390.10
70762	762	BARBER. WADE	06/02/2023	Adjustment		
				SCIPIO CREEK	Adjustment	390.10
						390.10

#### Session Totals

#### Adjustment

WATER	-564.11
WATER Miscellaneous	-100.00
SEWER	-1302.56
SEWER Penalty	-705.42
GARBAGE	-1242.50
GARBAGE Penalty	-98.15
GARBAGE Miscellaneous	-150.00
SCIPIO CREEK	0.00
SUF	0.00
SUF Miscellaneous	-110.00
STORMWATER	0.00
	-4272.74

#### Misc

WATER OTF	100.00
WATER REC	625.00
WATER RET	70.00
WATER RR	15.00
WATER TRN	25.00
	835.00

#### Return Chck

WATER	78.64
SEWER	116.14
GARBAGE	43.61
SUF	58.00
STORMWATER	1.00
	297.39

Account No.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
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Session Totals

Refund

WATER	150.00
SUF	22.62
	<u>172.62</u>

Totals for Session:	<u>-2967.73</u>
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City of Apalachicola

**Closing Totals**

From : / / Through: 06/27/2023

Sorted by:

Account Num.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
<b>Session 0000015977</b>						
					WATER Adjustment	-446.53
					WATER Miscellaneous Adjustment	-100.00
					SEWER Adjustment	-664.51
					SEWER Penalty Adjustment	-5.22
					GARBAGE Adjustment	-1242.50
					GARBAGE Penalty Adjustment	-98.15
					GARBAGE Miscellaneous Adjustment	-150.00
					SCIPIO CREEK Adjustment	0.00
					SUF Adjustment	0.00
					SUF Miscellaneous Adjustment	-110.00
					STORMWATER Adjustment	0.00
					WATER Adjustment ADJ	-117.58
					SEWER Adjustment ADJ	-318.80
					SEWER Penalty Adjustment ADJ	-700.20
					SEWER Adjustment FPO	-220.25
					SEWER Adjustment LSA	-99.00
						-4,272.74
					WATER Misc OTF	100.00
					WATER Misc REC	625.00
					WATER Misc RET	70.00
					WATER Misc RR	15.00
					WATER Misc TRN	25.00
						835.00
					WATER Refund	150.00
					SUF Refund	22.62
						172.62
					WATER Return Chk	78.64
					SEWER Return Chk	116.14
					GARBAGE Return Chk	43.61
					SUF Return Chk	58.00
					STORMWATER Return Chk	1.00
						297.39
					<b>Totals for Session:</b>	-2,967.73
					<b>Grand Total:</b>	-2,967.73

## City of Apalachicola

**Edit List**

Detail

From : 06/20/2023 Through: 06/20/2023

Sorted by: Location No

For: 48026

Account Num.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
48026	51153	BRAYTON, PAUL F	06/20/2023	Adjustment	ADJ SB FINALED WATER	-34.86 -34.86
<hr/>						
Grand Totals				Adjustment	WATER ADJ	-34.86 -34.86
<hr/>						
Grand Total						-34.86

acct  
closed in  
April - Adj  
to remove  
min billings -  
Paul



## City of Apalachicola

**Edit List**

Detail

From : / / Through: 06/28/2023

Sorted by: Location No

Account Num.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
48940	31170	KENDRICK, PAULA	06/28/2023	Misc	REC WATER	25.00
						25.00
46050	31410	JONES, CAROLINE &	06/28/2023	Misc	REC WATER	25.00
						25.00
48980	33242	KEITH, JEFFERY	06/28/2023	Misc	REC WATER	25.00
						25.00
45281	33380	OWENS, TAMMY	06/28/2023	Adjustment	PAJ WAIVE 1 TL SUF Miscellaneous	-25.00
						-25.00
43010	43010	REICHELT,	06/28/2023	Adjustment	ADJ WATER	-89.80
						-89.80
Grand Totals						
				Adjustment		
					WATER ADJ	-89.80
					SUF Miscellaneous PAJ	-25.00
						-114.80
				Misc		
					WATER REC	75.00
						75.00
					Grand Total	-39.80

*Handwritten signature*

## City of Apalachicola

**Edit List**

Detail

From : 05/30/2023 Through: 06/29/2023

Sorted by: Location No

For: 50920

Account Num.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
50920	50920	HICKS, DOUGLAS	06/29/2023	Adjustment	<del>INACTIVE ACC WATER</del>	<u>-17.43</u> -17.43
<hr/>						
Grand Totals				Adjustment	WATER	<u>-17.43</u> -17.43
Grand Total						-17.43

acct  
closed  
should not have  
been billed  
JW

## City of Apalachicola

<b>Edit List</b>
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Detail

From : 06/27/2023 Through: 06/28/2023

Sorted by: Location No

For: 50920

Account Num.	Location No	Customer Name	Trans. Date	Trans. Type	Reason	Trans. Amount
50920	50920	HICKS, DOUGLAS	06/28/2023	Adjustment	BIE DISC MARCH	
					WATER	-52.29
					WATER Penalty	-5.22
					WATER Miscellaneous	-50.00
						-107.51
<hr/>						
Grand Totals						
				Adjustment		
					WATER BIE	-52.29
					WATER Penalty BIE	-5.22
					WATER Miscellaneous BIE	-50.00
						-107.51
					Grand Total	-107.51

Billing Error  
 Cust was disc  
 in March, but  
 not in system -  
 Adj to correct acct  
 and zero billing  
 [Signature]