



2019-2020 Florida Job Growth Grant Fund Public Infrastructure Grant Proposal

Proposal Instructions: The Florida Job Growth Grant Fund Proposal (this document) must be completed by the governmental entity applying for the grant and signed by either the chief elected official, the administrator for the governmental entity or their designee. Please read the proposal carefully as some questions may require a separate narrative to be completed. If additional space is needed, attach a word document with your entire answer.

Governmental Entity Information

Name of Governmental Entity: City of Bunnell
Government Federal Employer Identification Number: [REDACTED]

Primary Contact Name: Katrina Austin
Title: Project Manager
Mailing Address: 1769 E. Moody Blvd. Bldg. #2
Bunnell, FL 32110
Phone Number: (386) 437-7500
Email: kaustin@flaglercountyedc.com

Secondary Contact Name: Alvin Jackson
Title: Manager, City of Bunnell
Phone Number: (386) 437-7500

Public Infrastructure Grant Eligibility

Pursuant to section 288.101, F.S., the Florida Job Growth Grant Fund was created to promote economic opportunity by improving public infrastructure and enhancing workforce training. Eligible entities that wish to access this grant fund must submit public infrastructure proposals that:

- Promote economic recovery in specific regions of the state, economic diversification or economic enhancement in a targeted industry. ([View Florida's Targeted Industries here.](#))
- Are not for the exclusive benefit of any single company, corporation or business entity.
- Are for infrastructure that is owned by the public and is for public use or predominately benefits the Public.

1. Program Requirements:

(If additional space is needed, attach a word document with your entire answer.)

Each proposal must include the following information describing how the project satisfies eligibility requirements listed on page 1.

A. Provide a detailed description of the public infrastructure improvements.

See Attachment 1 - RESPONSES

B. Provide location of public infrastructure, including physical address and county of project.

There is no existing address associated with this project. The property is located behind the Flagler County Government Services campus located at 1769 E. Moody Blvd., Bunnell, FL 32110. The Flagler County Parcel ID number is 11-12-30-0000-00000-00A1. See Attachment 2

C. Is this infrastructure currently owned by the public?

Yes No

If no, is there a current option to purchase or right of way provided to the County?

D. Provide current property owner.

City of Bunnell
See Attachment 3

E. Is this infrastructure for public use or does it predominately benefit the public?

Yes No

See Attachment 1 - RESPONSES

F. Will the public infrastructure improvements be for the exclusive benefit of any single company, corporation or business entity?

Yes No

The road is the catalyst for a live/work/play Employment District that will attract manufacturing businesses where they can have workforce housing and retail options all within walking distance to accommodate their employees. The road will open up 120 acres of industrially, commercially and multi-family zoned land that will attract multiple companies. No one business is being considered. The purpose is to attract many businesses and diversify the existing economic structure of the area.

G. Provide a detailed description of, and quantitative evidence demonstrating, how the proposed public infrastructure project will promote:

- Economic recovery in specific regions of the state;
- Economic diversification; or
- Economic enhancement of a Targeted Industry ([View Florida's Targeted Industries here.](#))
 - Describe how the project will promote specific job growth. Include the number of jobs that will be retained or created, and in which industry(ies) the new net jobs will be created using the North American Industry Classification System ([NAICS](#)) codes. Where applicable, you may list specific businesses that will retain or create jobs or make capital investment.
 - Provide a detailed explanation of how the public infrastructure improvements will connect to a broader economic development vision for the community and benefit additional current or future businesses.

See Attachment 1 - RESPONSES

2. Additional Information:

(If additional space is needed, attach a word document with your entire answer.)

A. Provide the proposed commencement date and number of days required to complete construction of the public infrastructure project.

The completion of the road is projected to be eighteen months following grant approval.

B. What permits are necessary for the public infrastructure project?

A Local City Site Development Permit, ACOE and SJRWMD are necessary for the project.

- C. Detail whether required permits have been secured, and if not, detail the timeline for securing these permits. Additionally, if any required permits are local permits, will these permits be prioritized?

AJRWMD and ACOE construction permits have been issued. See Attachments 5 and 6
City Site Development Permit will be applied for by the site contractor.

- D. What is the future land use and zoning designation on the proposed site of the infrastructure improvements, and will the improvements conform to those uses?

FLUM: Industrial, commercial and multi-family. Zoning: commercial (7.9 acres) and light industrial (117.8 acres). Current zoning is light industrial. The creation of the road conforms to both the FLUM and current zoning.

- E. Will an amendment to the local comprehensive plan or a development order be required on the site of the proposed project or on adjacent property to accommodate the infrastructure and potential current or future job creation opportunities? If yes, please detail the timeline.

Yes No

- F. Is the project ready to commence upon grant fund approval and contract execution? If no, please explain.

Yes No

- G. Does this project have a local match amount? Yes No

If yes, please describe the entity providing the match and the amount.

Match shown under Program Budget section of the application.

- H. Provide any additional information or attachments to be considered for this proposal. Maps and other supporting documents are encouraged.

See attachment 7 - Letter of support from Senator Travis Hutson

3. Program Budget

(If additional space is needed, attach a word document with your entire answer.)

Estimated Costs and Sources of Funding: Include all applicable public infrastructure costs and other funding sources available to support the proposal.

1.) **Total Amount Requested** \$ 2,615,357.30
 Florida Job Growth Grant Fund

A. Other Public Infrastructure Project Funding Sources:

City/County \$ 1,650,000.00

Private Sources \$ 777,500.00

Other (grants, etc.) \$ 65,000.00

Total Other Funding \$ 3,427,500.00

Please Specify: Federal Project Grant

B. Public Infrastructure Project Costs:

Construction \$ 4,265,357.30

Reconstruction \$

Design & Engineering \$ 1,442,500.00

Land Acquisition \$ 270,000.00

Land Improvement \$

Other \$ 65,000.00

Total Project Costs \$ 6,042,857.30

Please Specify: Project Management

Note: The total amount requested must be calculated by subtracting the total other public infrastructure project funding sources in A. from the total public infrastructure project costs in B.

- C. Provide a detailed budget narrative, including the timing and steps necessary to obtain the funding and any other pertinent budget-related information.

See Attachment 1 - RESPONSES

4. Approvals and Authority

(If additional space is needed, attach a word document with your entire answer.)

- A. If the governmental entity is awarded grant funds based on this proposal, what approvals must be obtained before it can execute a grant agreement with the Florida Department of Economic Opportunity (e.g., approval of a board, commission or council)?

Approval by resolution by the City of Bunnell City Commission and Flagler County Board of County Commissioners would be necessary. The City of Bunnell will be the project sponsor and will be the entity responsible for owning and maintaining the facility. Flagler County will be the grant administrator.

If board authorization is not required, who is authorized to sign?

City of Bunnell Mayor, Catherine Robinson

- B. If approval of a board, commission, council or other group is needed prior to execution of an agreement between the governmental entity and the Florida Department of Economic Opportunity:

- i. Provide the schedule of upcoming meetings for the group for a period of at least six months.
- ii. State whether entity is willing and able to hold special meetings, and if so, upon how many days' notice.

The City of Bunnell Commission meetings are held the 2nd Monday of each month. The Flagler County Board of County Commissioners meetings are held the 1st and 3rd Mondays of each month. Both would be willing and able to hold special meetings and can react within a time that allows proper public notice per Sunshine Law.

- C. Attach evidence that the undersigned has all necessary authority to execute this proposal on behalf of the governmental entity. This evidence may take a variety of forms, including but not limited to: a delegation of authority, citation to relevant laws or codes, policy documents, etc.

City of Bunnell Charter, Sec. 3.06. - See Attachment 8

I, the undersigned, do hereby certify that I have express authority to sign this proposal on behalf of the above-described entity and to the best of my knowledge, that all data and information submitted in proposal is truthful and accurate and no material fact has been omitted.

Name of Governmental Entity: City of Bunnell

Name and Title of Authorized Representative: Catherine Robinson, Mayor

Representative Signature: *Catherine Robinson*

Signature Date: 1/8/2020

ATTACHMENT 1

1. A. FLAGLER CENTRAL COMMERCE PARKWAY is a 2-lane, 1.7-mile roadway with associated utilities. The construction of the roadway will connect FL Highway 100 to U.S. 1 and unlock over 1,000 acres zoned light industrial of which 120 acres are included in the FLUM for commercial, industrial, and residential multi-family uses.

The City of Bunnell has designated this area as the 1 to 100 Employment District. The concept plan includes a new sheriff's operations facility, a county technology center/library, office and manufacturing facilities, and entry-level housing. The city sees this project as a catalyst for the economic diversification and development of the region.

The Employment District would be the nucleus of economic growth as a work/live/play community that would include housing and retail opportunities for workers employed at the businesses located within the Employment District. Development and sustainability of the Employment District will be realized through partnerships to include:

- The City of Bunnell
- Flagler County Departments including; Economic Opportunity, Engineering, Library and General Services
- Flagler County Schools
- Flagler Technical Institute (FTI)
- CareerSource Flagler/Volusia
- Land owners
- Private businesses

The final project will include the roadway, utilities and lighting and will be accomplished in phases.

- Phase I - Construction of the roadway beginning at the southwest portion of the property along U.S. 1 for which we are requesting this grant.
 - Phase 1A: Design, development and land acquisition for road and utility right of ways
 - Phase 1B: Grant dollars required
 - Construction of

Partnership involvement in Phase I will include:

- Clearing and grubbing of roadway by FTI Heavy Equipment Operator students using equipment donated by Flagler County General Services. Students will be able to connect their classroom instruction with real world experience leveraging the Florida Department of Education dollars used to finance the program.
- Phase II – construction of the remainder of the roadway extending to the northeast portion of the property along FL Highway 100
- Phase III – installation of utilities
- Phase IV – installation of lighting

The design, permitting and right-of-way acquisition for the construction of the connector roadway were completed through a \$2M Florida Department of Transportation grant.

An additional \$1,425,000 was received through private donations to include:

1. E. The connector roadway will be a public road that will not only provide access to currently inaccessible industrially zoned land that will be developed for attracting new businesses, it will:

- Unlock 120 acres approved on the FLUM for commercial, industrial, and residential uses
- Improve community disaster resiliency by connecting U.S. Highway 1 and State Road 100, and create another evacuation route from the east side of the community
- Create new employment and training opportunities
- Provide easy access for the west side of the community to utilize the technology center, post library construction
- Construct much-needed entry level housing for the local workforce
- Provide a work/live/play neighborhood for workers employed in the District
- Improve emergency response time to the west side of the county

1.G. Flagler County suffers a deficit of accessible and developable property with existing infrastructure. The City of Bunnell, being a disadvantaged rural community, does not have utilities to the majority of industrially zoned properties along the U.S. 1 corridor. It is more cost effective to install the utilities while constructing the connector roadway, to include fiber, to provide the necessary infrastructure needed to develop the 120 acres. This will allow the City of Bunnell to become more competitive in attracting businesses to the area.

The City of Bunnell has designated this area as the 1 to 100 Employment District. The concept plan includes a new sheriff's operations facility, a county technology center/library, office and manufacturing facilities, and entry-level housing. The city sees this project as a catalyst for the economic diversification and development of the region.

The Employment District would be the nucleus of economic growth for the as a work/live/play community that would include housing and retail opportunities for workers employed at the businesses located within the Employment District.

Preliminary discussions have been initiated with potential manufacturing businesses considering relocating to the area, the local CareerSource agency for workforce training and development at the tech center and the local schools for future apprenticeships.

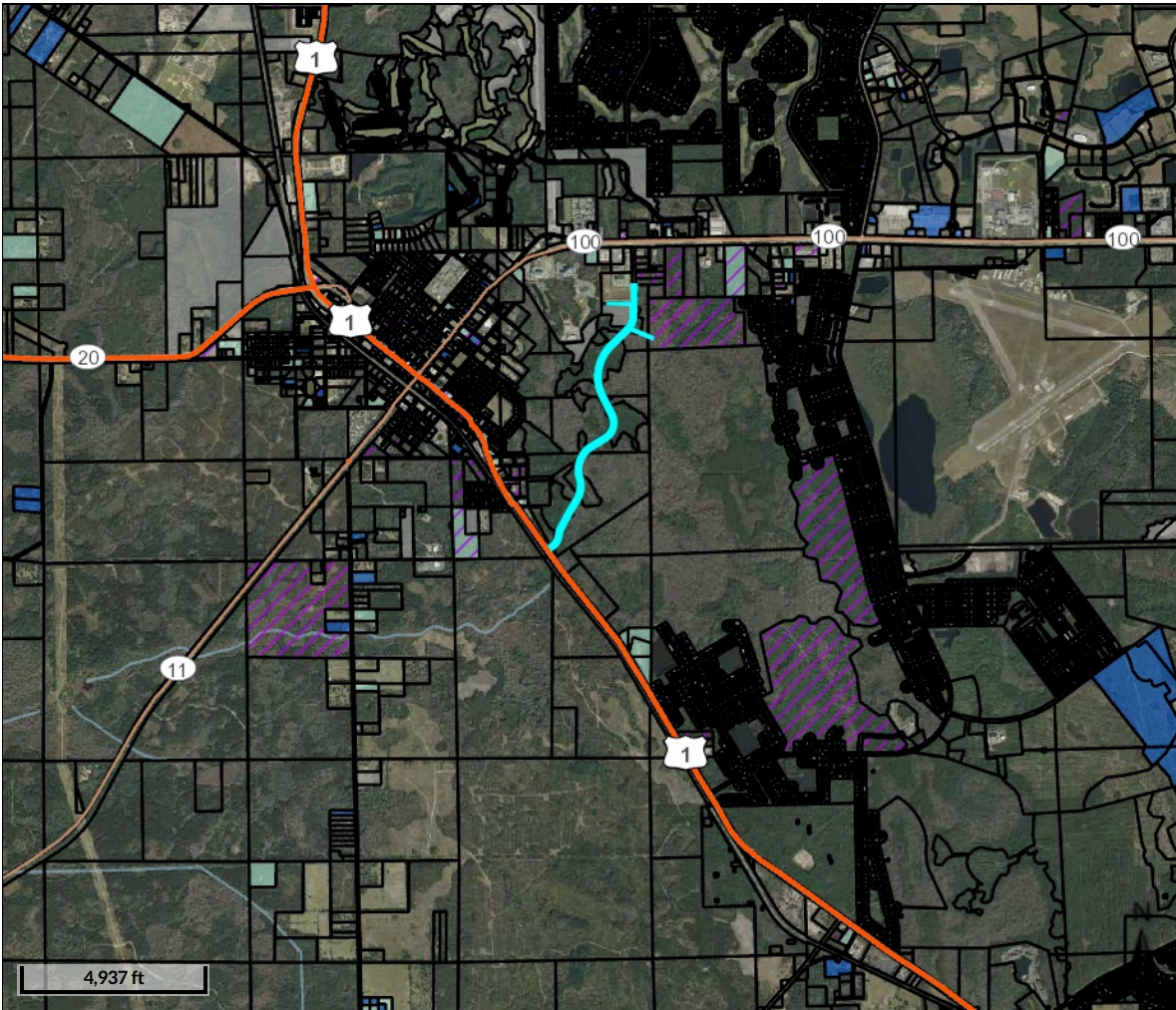
The City of Bunnell, in partnership with the Flagler County Department of Economic Opportunity, is currently working with Project ENVI, a manufacturer of specialized construction materials made from recycled material (NAICS 325991). Project ENVI would create 300 jobs, with an average salary of \$50,000 which is 35% over the current average wage of \$37,018 (See attachment 4, page 5).

The Employment District would create a unique synergy between private businesses and local partners. For example: Theoretically; Project ENVI will manufacture the construction-building materials that would be made by employees upskilled through CareerSource at the library/technology center, and then used to build housing constructed with the assistance of apprentice students enrolled in the Flagler County Construction Science Flagship Academy. The workers employed by Project ENVI that manufactured will then have access to secure that entry-level housing as their residence. The Employment District would develop its own sustainable workforce.

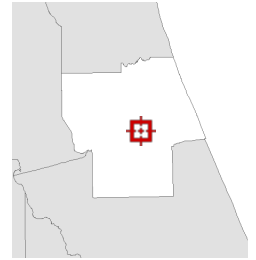
3. C. The City of Bunnell will be applying for additional grants simultaneous with the submission of the Florida Job Growth Grant application.

ATTACHMENT 2





Overview



Legend

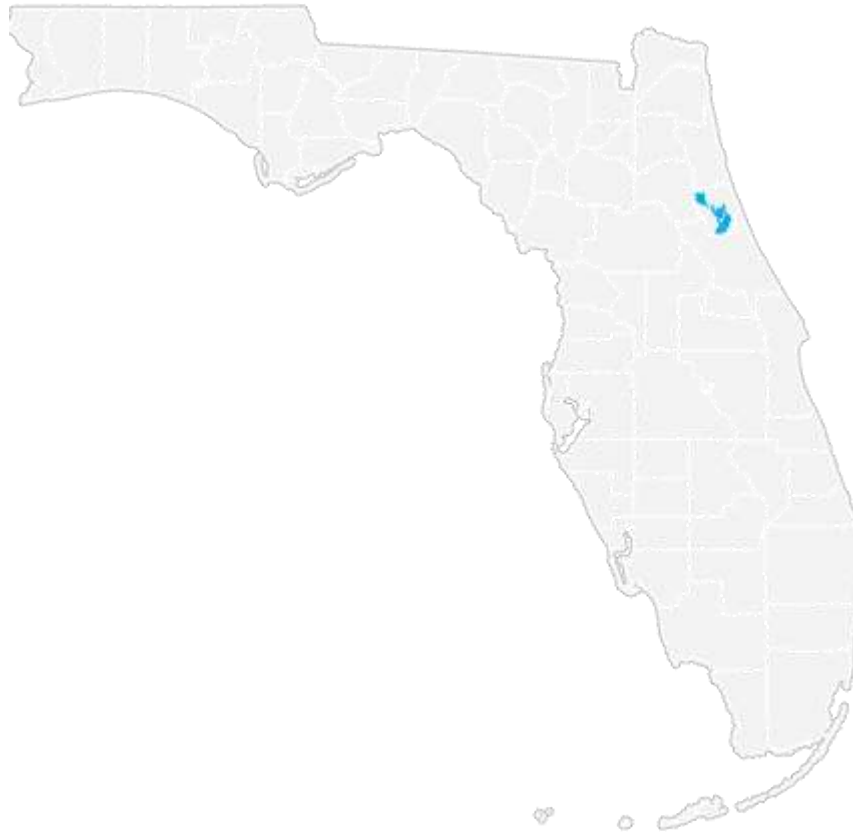
- Parcels
- MLS Listings
- Streams and River

Parcel ID	11-12-30-0000-00000-00A1	Owner	CITY OF BUNNELL PO BOX 756 BUNNELL, FL 32110	Land Value	\$69,850	Last 2 Sales			Qual	
Class Code	MUNICIPAL	Physical Address	n/a	Ag Land Value	\$0	Date	3/18/2016	Price	0	UNQUAL/FEDERAL/STATE/LOCAL GOV
Taxing District	15			Building Value	\$0	Reason	n/a	Price	0	
Acres	13.97			Misc Value	\$0	MLS				n/a
				Just Value	\$69,850					
				Assessed Value	\$69,850					
				Exempt Value	\$69,850					
				Taxable Value	\$0					

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Economic Overview

City of Bunnell, FL



JOBS eQ

April 1, 2019

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Demographic Profile

The population in the City of Bunnell, FL was 2,827 per American Community Survey data for 2013-2017.

The region has a civilian labor force of 951 with a participation rate of 42.9%. Of individuals 25 to 64 in the City of Bunnell, FL, 16.6% have a bachelor's degree or higher which compares with 32.3% in the nation.

The median household income in the City of Bunnell, FL is \$29,821 and the median house value is \$121,500.

Summary¹

	Percent			Value		
	City of Bunnell, FL	Florida	USA	City of Bunnell, FL	Florida	USA
Demographics						
Population (ACS)	—	—	—	2,827	20,278,447	321,004,407
Male	45.9%	48.9%	49.2%	1,299	9,914,361	158,018,753
Female	54.1%	51.1%	50.8%	1,528	10,364,086	162,985,654
Median Age ²	—	—	—	40.1	41.8	37.8
Under 18 Years	25.9%	20.3%	22.9%	731	4,111,582	73,601,279
18 to 24 Years	5.3%	8.7%	9.7%	150	1,770,799	31,131,484
25 to 34 Years	15.0%	12.8%	13.7%	425	2,602,567	44,044,173
35 to 44 Years	10.5%	12.2%	12.7%	298	2,465,145	40,656,419
45 to 54 Years	10.7%	13.6%	13.4%	303	2,752,893	43,091,143
55 to 64 Years	11.0%	13.1%	12.7%	311	2,648,572	40,747,520
65 to 74 Years	10.0%	10.7%	8.6%	282	2,169,519	27,503,389
75 Years, and Over	11.6%	8.7%	6.3%	327	1,757,370	20,229,000
Race: White	72.7%	75.7%	73.0%	2,055	15,343,997	234,370,202
Race: Black or African American	15.6%	16.1%	12.7%	441	3,270,863	40,610,815
Race: American Indian and Alaska Native	0.2%	0.3%	0.8%	5	56,730	2,632,102
Race: Asian	2.0%	2.7%	5.4%	56	543,394	17,186,320
Race: Native Hawaiian and Other Pacific Islander	0.0%	0.1%	0.2%	0	12,342	570,116
Race: Some Other Race	9.2%	2.6%	4.8%	260	536,298	15,553,808
Race: Two or More Races	0.4%	2.5%	3.1%	10	514,823	10,081,044
Hispanic or Latino (of any race)	11.1%	24.7%	17.6%	313	5,015,015	56,510,571
Economic						
Labor Force Participation Rate and Size (civilian population 16 years and over)	42.9%	58.6%	63.3%	951	9,717,687	161,159,470
Prime-Age Labor Force Participation Rate and Size (civilian population 25-54)	64.9%	80.7%	81.6%	666	6,280,712	103,761,701
Armed Forces Labor Force	0.0%	0.3%	0.4%	0	55,075	1,024,855
Veterans, Age 18-64	7.7%	5.5%	4.9%	114	673,228	9,667,749
Veterans Labor Force Participation Rate and Size, Age 18-64	73.7%	73.4%	75.8%	84	494,239	7,326,514
Median Household Income ²	—	—	—	\$29,821	\$50,883	\$57,652
Per Capita Income	—	—	—	\$18,564	\$28,774	\$31,177
Poverty Level (of all people)	29.1%	15.5%	14.6%	751	3,070,972	45,650,345
Households Receiving Food Stamps	28.7%	14.4%	12.6%	275	1,085,113	15,029,498
Mean Commute Time (minutes)	—	—	—	19.2	27.0	26.4
Commute via Public Transportation	0.0%	2.0%	5.1%	0	180,231	7,607,907
Educational Attainment, Age 25-64						
No High School Diploma	14.0%	11.1%	11.4%	187	1,165,143	19,230,541

Summary¹

	Percent			Value		
	City of Bunnell, FL	Florida	USA	City of Bunnell, FL	Florida	USA
High School Graduate	45.3%	28.2%	26.0%	606	2,948,292	43,784,920
Some College, No Degree	15.0%	20.7%	21.2%	201	2,167,047	35,803,629
Associate's Degree	9.1%	11.0%	9.0%	121	1,147,526	15,199,517
Bachelor's Degree	12.3%	19.3%	20.5%	165	2,018,322	34,602,913
Postgraduate Degree	4.3%	9.8%	11.8%	57	1,022,847	19,917,735
Housing						
Total Housing Units	—	—	—	1,224	9,259,684	135,393,564
Median House Value (of owner-occupied units) ²	—	—	—	\$121,500	\$178,700	\$193,500
Homeowner Vacancy	7.6%	2.4%	1.7%	43	121,176	1,346,331
Rental Vacancy	3.2%	8.5%	6.1%	15	250,588	2,838,344
Renter-Occupied Housing Units (% of Occupied Units)	47.2%	35.2%	36.2%	453	2,642,055	42,992,786
Occupied Housing Units with No Vehicle Available (% of Occupied Units)	14.7%	6.7%	8.8%	141	502,079	10,468,418
Social						
Enrolled in Grade 12 (% of total population)	0.5%	1.3%	1.4%	15	257,835	4,437,324
Disconnected Youth ⁴	1.3%	3.3%	2.7%	2	31,044	456,548
Children in Single Parent Families (% of all children)	59.9%	39.5%	34.5%	416	1,539,707	24,106,567
With a Disability, Age 18-64	17.1%	10.1%	10.3%	231	1,208,053	20,276,199
With a Disability, Age 18-64, Labor Force Participation Rate and Size	29.0%	38.3%	41.4%	67	462,322	8,395,884
Foreign Born	3.0%	20.2%	13.4%	86	4,106,367	43,028,127
Speak English Less Than Very Well (population 5 yrs and over)	8.1%	11.8%	8.5%	213	2,271,001	25,654,421
Union Membership						
Total ³	9.5%	5.7%	10.7%	—	—	—
Private Sector ³	1.7%	2.6%	6.4%	—	—	—
Manufacturing ³	2.0%	3.2%	8.7%	—	—	—
Public Sector ³	27.6%	27.1%	35.1%	—	—	—

Source: [JobsEQ®](#)

1. American Community Survey 2013-2017, unless noted otherwise

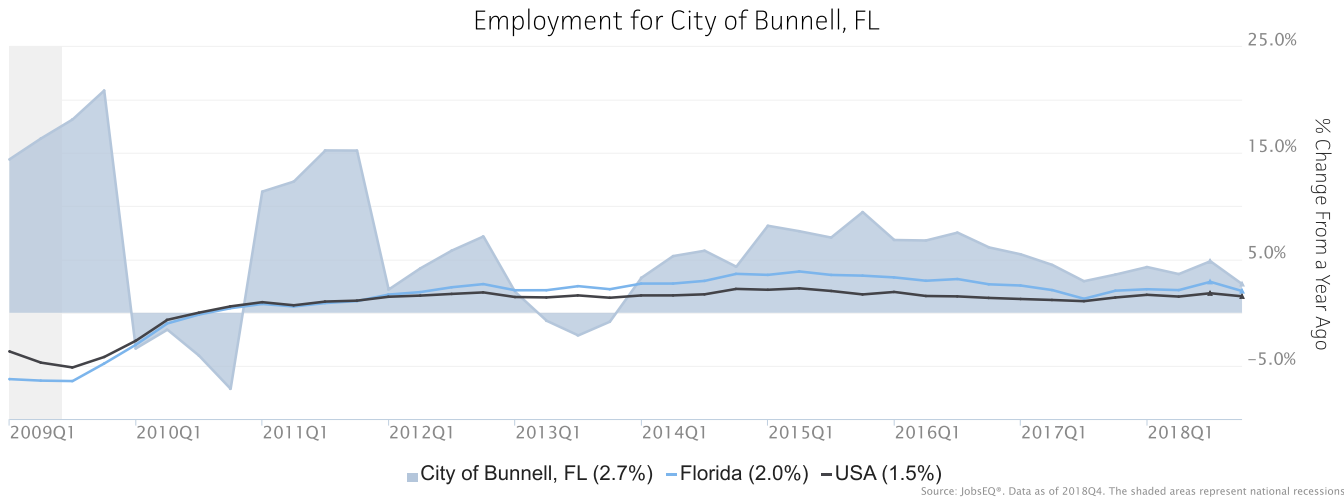
2. Median values for certain aggregate regions (such as MSAs) may be estimated as the weighted averages of the median values from the composing counties.

3. 2017; Current Population Survey, unionstats.com, and Chmura; county- and zip-level data are best estimates based upon industry-, MSA-, and state-level data

4. Disconnected Youth are 16-19 year olds who are (1) not in school, (2) not high school graduates, and (3) either unemployed or not in the labor force.

Employment Trends

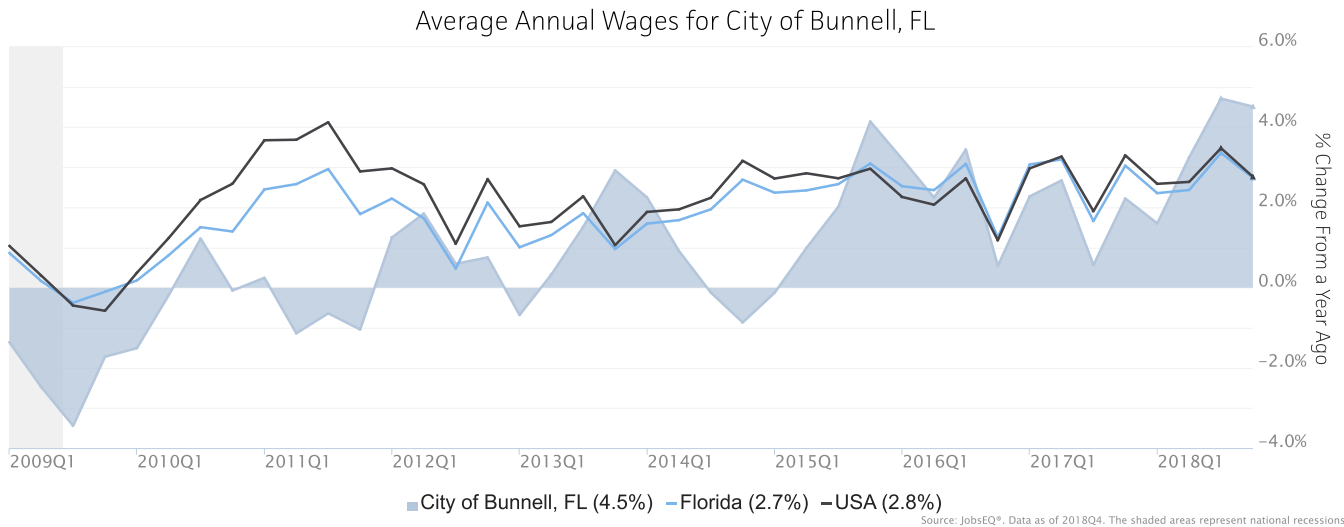
As of 2018Q4, total employment for the City of Bunnell, FL was 4,365 (based on a four-quarter moving average). Over the year ending 2018Q4, employment increased 2.7% in the region.



Employment data are derived from the Quarterly Census of Employment and Wages, provided by the Bureau of Labor Statistics and imputed where necessary. Data are updated through 2018Q2 with preliminary estimates updated to 2018Q4.

Wage Trends

The average worker in the City of Bunnell, FL earned annual wages of \$37,018 as of 2018Q4. Average annual wages per worker increased 4.5% in the region over the preceding four quarters. For comparison purposes, annual average wages were \$55,713 in the nation as of 2018Q4.



Annual average wages per worker data are derived from the Quarterly Census of Employment and Wages, provided by the Bureau of Labor Statistics and imputed where necessary. Data are updated through 2018Q2 with preliminary estimates updated to 2018Q4.

Cost of Living Index

The Cost of Living Index estimates the relative price levels for consumer goods and services. When applied to wages and salaries, the result is a measure of relative purchasing power. The cost of living is 5.8% lower in City of Bunnell, FL than the U.S. average.

Cost of Living Information

	Annual Average Salary	Cost of Living Index	
		(Base US)	US Purchasing Power
City of Bunnell, FL	\$36,945	94.2	\$39,240
Florida	\$48,654	100.4	\$48,479
USA	\$55,713	100.0	\$55,713

Source: [JobsEQ®](#)

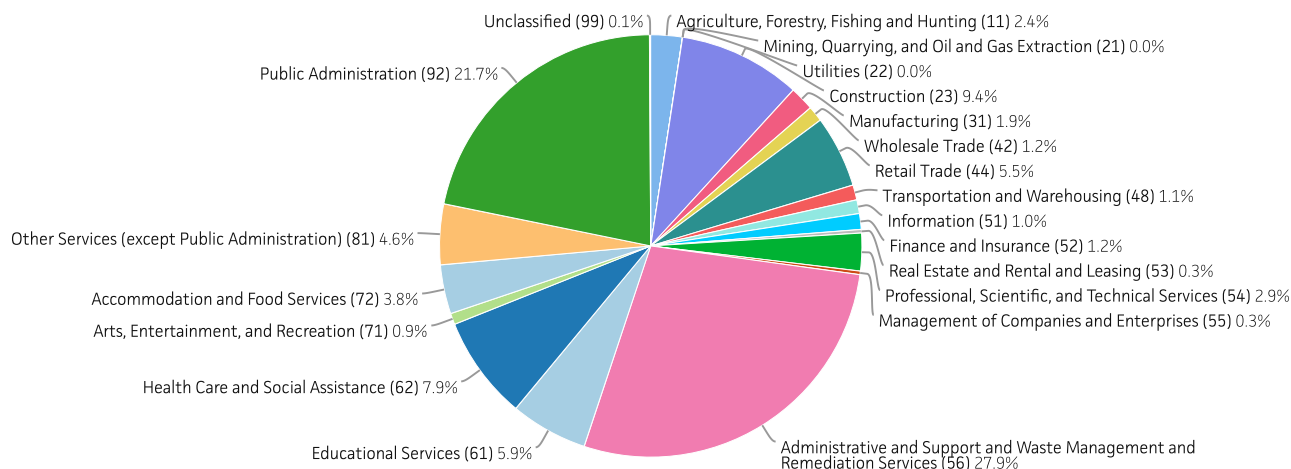
Data as of 2018Q4

Cost of Living per C2ER, data as of 2018q4, imputed by Chmura where necessary.

Industry Snapshot

The largest sector in the City of Bunnell, FL is Administrative and Support and Waste Management and Remediation Services, employing 1,219 workers. The next-largest sectors in the region are Public Administration (947 workers) and Construction (409). High location quotients (LQs) indicate sectors in which a region has high concentrations of employment compared to the national average. The sectors with the largest LQs in the region are Public Administration (LQ = 4.61), Administrative and Support and Waste Management and Remediation Services (4.33), and Agriculture, Forestry, Fishing and Hunting (1.76).

Total Workers for City of Bunnell, FL by Industry



Source: JobsEQ®, Data as of 2018Q4

Employment data are derived from the Quarterly Census of Employment and Wages, provided by the Bureau of Labor Statistics and imputed where necessary. Data are updated through 2018Q2 with preliminary estimates updated to 2018Q4.

Sectors in the City of Bunnell, FL with the highest average wages per worker are Management of Companies and Enterprises (\$143,451), Wholesale Trade (\$111,446), and Finance and Insurance (\$67,001). Regional sectors with the best job growth (or most moderate job losses) over the last 5 years are Administrative and Support and Waste Management and Remediation Services (+352 jobs), Construction (+155), and Public Administration (+155).

Over the next 1 year, employment in the City of Bunnell, FL is projected to expand by 94 jobs. The fastest growing sector in the region is expected to be Health Care and Social Assistance with a +2.6% year-over-year rate of growth. The strongest forecast by number of jobs over this period is expected for Administrative and Support and Waste Management and Remediation Services (+31 jobs), Public Administration (+18), and Construction (+10).

NAICS	Industry	Current			5-Year History		1-Year Forecast				
		Four Quarters Ending with 2018q4			Total Change	Avg Ann % Chg in Empl	Separations (Approximate)			---Growth---	
		Empl	Avg Ann Wages	LQ	Empl	Region	Total New Demand	Exits	Transfers	Empl	Avg Ann Rate
11	Agriculture, Forestry, Fishing and Hunting	105	\$33,652	1.76	59	18.0%	13	5	7	2	1.8%
23	Construction	409	\$35,543	1.66	155	10.0%	50	15	26	10	2.4%
31	Manufacturing	81	\$45,602	0.22	-7	-1.6%	9	3	5	1	1.1%
42	Wholesale Trade	52	\$111,446	0.31	1	0.4%	6	2	3	1	1.5%
44	Retail Trade	241	\$28,373	0.52	72	7.4%	37	14	18	4	1.9%
48	Transportation and Warehousing	50	\$44,087	0.26	14	6.8%	6	2	3	1	1.8%
51	Information	45	\$36,899	0.53	17	10.2%	5	2	3	0	0.3%
52	Finance and Insurance	53	\$67,001	0.31	0	0.1%	6	2	3	1	2.3%
53	Real Estate and Rental and Leasing	12	\$40,801	0.16	-19	-17.3%	1	1	1	0	1.8%
54	Professional, Scientific, and Technical Services	125	\$56,876	0.43	58	13.1%	14	4	7	3	2.5%
55	Management of Companies and Enterprises	12	\$143,451	0.18	12	n/a	1	0	1	0	2.0%
56	Administrative and Support and Waste Management and Remediation Services	1,219	\$30,800	4.33	352	7.0%	172	60	82	31	2.5%
61	Educational Services	258	\$40,106	0.72	12	0.9%	28	12	12	4	1.7%
62	Health Care and Social Assistance	346	\$43,660	0.55	10	0.6%	42	16	17	9	2.6%
71	Arts, Entertainment, and Recreation	37	\$24,204	0.43	-1	-0.7%	6	2	3	1	2.3%
72	Accommodation and Food Services	164	\$19,272	0.42	114	27.1%	30	12	15	4	2.2%
81	Other Services (except Public Administration)	203	\$25,443	1.06	18	1.9%	27	11	13	4	2.0%
92	Public Administration	947	\$47,309	4.61	155	3.6%	105	37	50	18	1.9%
99	Unclassified	4	\$23,129	0.59	4	n/a	1	0	0	0	2.1%
Total - All Industries		4,365	\$37,018	1.00	1,026	5.5%	574	206	274	94	2.1%

Source: [JobsEQ®](#)

Employment data are derived from the Quarterly Census of Employment and Wages, provided by the Bureau of Labor Statistics and imputed where necessary. Data are updated through 2018Q2 with preliminary estimates updated to 2018Q4. Forecast employment growth uses national projections adapted for regional growth patterns.

Occupation Snapshot

The largest major occupation group in the City of Bunnell, FL is Building and Grounds Cleaning and Maintenance Occupations, employing 956 workers. The next-largest occupation groups in the region are Office and Administrative Support Occupations (525 workers) and Construction and Extraction Occupations (373). High location quotients (LQs) indicate occupation groups in which a region has high concentrations of employment compared to the national average. The major groups with the largest LQs in the region are Building and Grounds Cleaning and Maintenance Occupations (LQ = 6.31), Protective Service Occupations (3.17), and Farming, Fishing, and Forestry Occupations (2.29).

Occupation groups in the City of Bunnell, FL with the highest average wages per worker are Legal Occupations (\$93,900), Management Occupations (\$88,900), and Architecture and Engineering Occupations (\$65,000). The unemployment rate in the region varied among the major groups from 2.8% among Personal Care and Service Occupations to 7.8% among Farming, Fishing, and Forestry Occupations.

Over the next 1 year, the fastest growing occupation group in the City of Bunnell, FL is expected to be Healthcare Support Occupations with a +2.5% year-over-year rate of growth. The strongest forecast by number of jobs over this period is expected for Building and Grounds Cleaning and Maintenance Occupations (+24 jobs) and Construction and Extraction Occupations (+9). Over the same period, the highest separation demand (occupation demand due to retirements and workers moving from one occupation to another) is expected in Building and Grounds Cleaning and Maintenance Occupations (123 jobs) and Office and Administrative Support Occupations (60).

Occupation Snapshot in City of Bunnell, FL, 2018q4

SOC	Occupation	Current					5-Year History		1-Year Forecast				
		Four Quarters Ending with 2018q4			----2018q4----		Total Change	Avg Ann % Chg in Empl	Total New Demand	--Separations--		---Growth---	
		Empl	Avg Ann Wages ¹	LQ	Unempl	Unempl Rate				Empl	Region	Exits	Transfer
11-0000	Management	190	\$88,900	0.72	0	n/a	42	5.2%	20	6	10	4	2.2%
13-0000	Business and Financial Operations	128	\$61,200	0.56	0	n/a	26	4.7%	15	4	8	3	2.2%
15-0000	Computer and Mathematical	43	\$61,600	0.33	0	n/a	9	5.0%	4	1	2	1	2.2%
17-0000	Architecture and Engineering	42	\$65,000	0.56	0	n/a	7	3.7%	4	1	2	1	2.2%
19-0000	Life, Physical, and Social Science	25	\$48,200	0.71	0	n/a	6	5.4%	3	1	2	1	2.3%
21-0000	Community and Social Service	104	\$39,600	1.47	0	n/a	20	4.3%	15	5	8	2	2.4%
23-0000	Legal	41	\$93,900	1.15	0	n/a	9	5.4%	3	1	2	1	2.2%
25-0000	Education, Training, and Library	198	\$37,500	0.81	0	n/a	12	1.2%	21	9	9	4	1.9%
27-0000	Arts, Design, Entertainment, Sports, and Media	41	\$43,200	0.52	0	n/a	7	3.6%	5	2	2	1	1.9%
29-0000	Healthcare Practitioners and Technical	135	\$58,500	0.54	0	n/a	17	2.7%	11	4	4	3	2.4%
31-0000	Healthcare Support	100	\$26,200	0.82	1	4.7%	4	0.8%	15	6	6	2	2.5%
33-0000	Protective Service	297	\$38,600	3.17	1	4.5%	38	2.8%	33	12	15	6	2.0%
35-0000	Food Preparation and Serving Related	191	\$22,900	0.51	15	6.7%	106	17.6%	39	16	19	4	2.2%
37-0000	Building and Grounds Cleaning and Maintenance	956	\$26,500	6.31	12	6.3%	319	8.5%	147	50	73	24	2.5%

Occupation Snapshot in City of Bunnell, FL, 2018q4

SOC	Occupation	Current					5-Year History		1-Year Forecast				
		Four Quarters Ending with 2018q4			----2018q4----		Total Change	Avg Ann % Chg in Empl	Total New Demand	--Separations--		---Growth---	
		Empl	Avg Ann Wages ¹	LQ	Unempl	Unempl Rate				Exits	Transfer	Empl	Avg Ann Rate
Empl	Region	Empl	Region	Empl	Region	Empl	Region	Empl	Region	Empl	Region	Empl	Region
39-0000	Personal Care and Service	147	\$25,800	0.79	1	2.8%	11	1.6%	26	11	12	3	2.3%
41-0000	Sales and Related	275	\$36,100	0.63	6	4.5%	61	5.1%	44	16	23	5	2.0%
43-0000	Office and Administrative Support	525	\$31,400	0.83	6	4.3%	95	4.1%	67	29	31	7	1.3%
45-0000	Farming, Fishing, and Forestry	65	\$22,700	2.29	2	7.8%	34	16.3%	11	3	8	1	1.7%
47-0000	Construction and Extraction	373	\$34,200	1.85	13	6.1%	125	8.5%	50	14	26	9	2.4%
49-0000	Installation, Maintenance, and Repair	179	\$36,500	1.07	3	3.8%	40	5.2%	22	7	12	4	2.1%
51-0000	Production	109	\$34,100	0.41	5	4.4%	1	0.1%	14	5	8	2	1.4%
53-0000	Transportation and Material Moving	201	\$30,800	0.67	7	5.3%	37	4.2%	30	11	15	5	2.3%
Total - All Occupations		4,365	\$36,900	1.00	n/a	n/a	1,026	5.5%	601	214	294	93	2.1%

Source: [JobsEQ®](#)

Data as of 2018Q4 unless noted otherwise

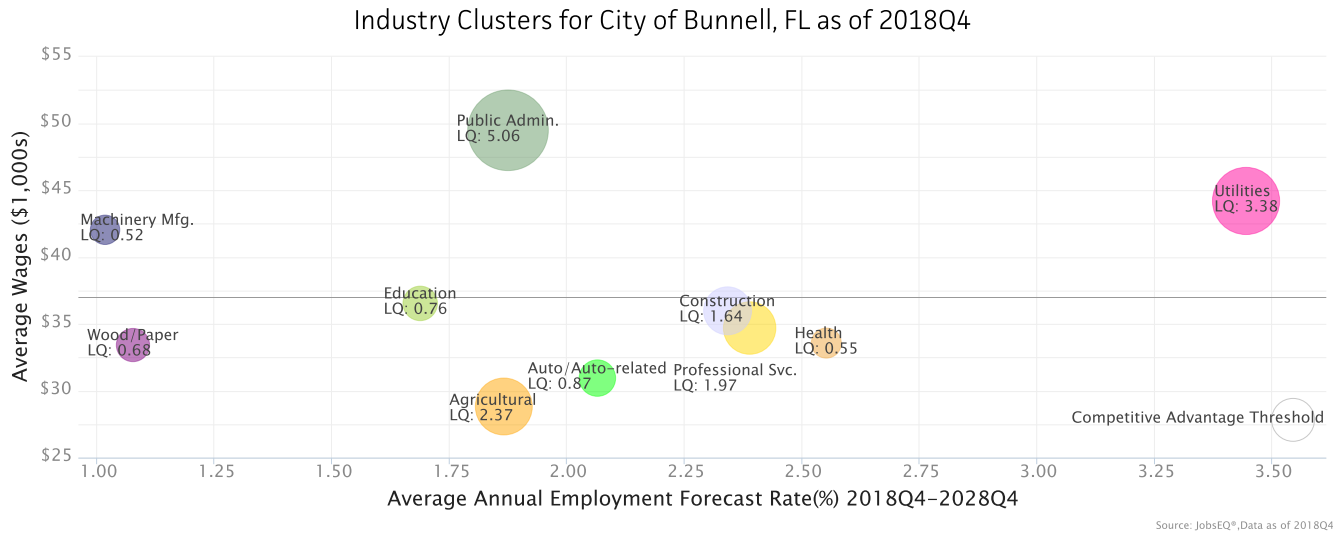
Note: Figures may not sum due to rounding.

1. Occupation wages are as of 2017 and should be taken as the average for all Covered Employment

Occupation employment data are estimated via industry employment data and the estimated industry/occupation mix. Industry employment data are derived from the Quarterly Census of Employment and Wages, provided by the Bureau of Labor Statistics and currently updated through 2018Q2, imputed where necessary with preliminary estimates updated to 2018Q4. Wages by occupation are as of 2017 provided by the BLS and imputed where necessary. Forecast employment growth uses national projections from the Bureau of Labor Statistics adapted for regional growth patterns.

Industry Clusters

A cluster is a geographic concentration of interrelated industries or occupations. The industry cluster in the City of Bunnell, FL with the highest relative concentration is Public Admin. with a location quotient of 5.06. This cluster employs 947 workers in the region with an average wage of \$49,488. Employment in the Public Admin. cluster is projected to expand in the region about 1.9% per year over the next ten years.

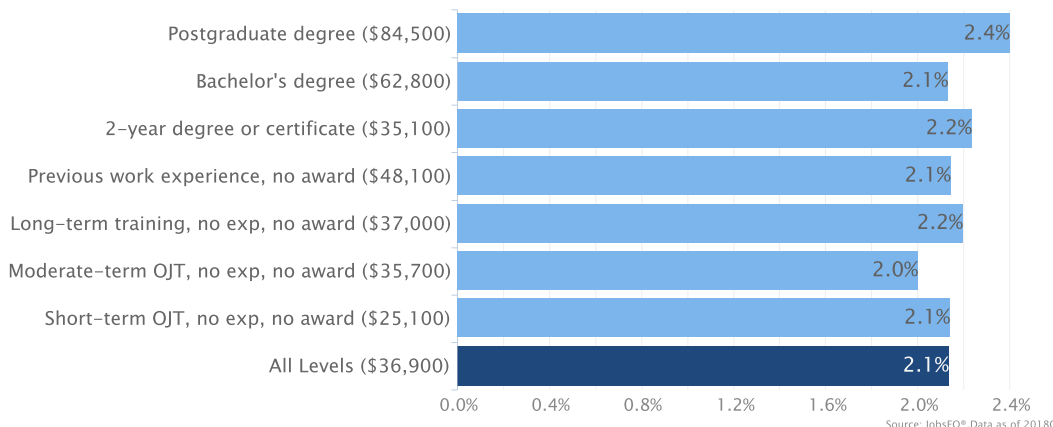


Location quotient and average wage data are derived from the Quarterly Census of Employment and Wages, provided by the Bureau of Labor Statistics, imputed where necessary, and updated through 2018Q2 with preliminary estimates updated to 2018Q4. Forecast employment growth uses national projections from the Bureau of Labor Statistics adapted for regional growth patterns.

Education Levels

Expected growth rates for occupations vary by the education and training required. While all employment in the City of Bunnell, FL is projected to grow 2.1% over the next ten years, occupations typically requiring a postgraduate degree are expected to grow 2.4% per year, those requiring a bachelor's degree are forecast to grow 2.1% per year, and occupations typically needing a 2-year degree or certificate are expected to grow 2.2% per year.

Annual Average Projected Job Growth by Training Required for City of Bunnell, FL



Employment by occupation data are estimates as of 2018Q4. Education levels of occupations are based on BLS assignments. Forecast employment growth uses national projections from the Bureau of Labor Statistics adapted for regional growth patterns.

FAQ

What is a location quotient?

A location quotient (LQ) is a measurement of concentration in comparison to the nation. An LQ of 1.00 indicates a region has the same concentration of an industry (or occupation) as the nation. An LQ of 2.00 would mean the region has twice the expected employment compared to the nation and an LQ of 0.50 would mean the region has half the expected employment in comparison to the nation.

What is separation demand?

Separation demand is the number of jobs required due to separations—labor force exits (including retirements) and turnover resulting from workers moving from one occupation into another. Note that separation demand does not include all turnover—it does not include when workers stay in the same occupation but switch employers. The total projected demand for an occupation is the sum of the separation demand and the growth demand (which is the increase or decrease of jobs in an occupation expected due to expansion or contraction of the overall number of jobs in that occupation).

What is a cluster?

A cluster is a geographic concentration of interrelated industries or occupations. If a regional cluster has a location quotient of 1.25 or greater, the region is considered to possess a *competitive advantage* in that cluster.

What is the difference between industry wages and occupation wages?

Industry wages and occupation wages are estimated via separate data sets, often the time periods being reported do not align, and wages are defined slightly differently in the two systems (for example, certain bonuses are included in the industry wages but not the occupation wages). It is therefore common that estimates of the average industry wages and average occupation wages in a region do not match exactly.

What is NAICS?

The North American Industry Classification System (NAICS) is used to classify business establishments according to the type of economic activity. The NAICS Code comprises six levels, from the “all industry” level to the 6-digit level. The first two digits define the top level category, known as the “sector,” which is the level examined in this report.

What is SOC?

The Standard Occupational Classification system (SOC) is used to classify workers into occupational categories. All workers are classified into one of over 820 occupations according to their occupational definition. To facilitate classification, occupations are combined to form 23 major groups, 96 minor groups, and 449 occupation groups. Each occupation group includes detailed occupations requiring similar job duties, skills, education, or experience.

About This Report

This report and all data herein were produced by JobsEQ®, a product of Chmura Economics & Analytics. The information contained herein was obtained from sources we believe to be reliable. However, we cannot guarantee its accuracy and completeness.



St. Johns River

Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

December 09, 2016

Mick Cuthbertson
City of Bunnell
201 W Moody Blvd
Bunnell, FL 32110-6045

SUBJECT: 93481-16
Flagler Central Commerce Park - Roadway Construction

Dear Sir:

Enclosed is your individual permit issued by the St. Johns River Water Management District on December 09, 2016. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

Technical Staff Report:

If you wish to review a copy of the Technical Staff Report (TSR) that provides the District's staff analysis of your permit application, you may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting. Using the "search applications and permits" feature, you can use your permit number or project name to find information about the permit. When you see the results of your search, click on the permit number and then on the TSR folder.

Noticing Your Permit:

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become non-final and any activities that you choose to undertake pursuant to your permit will be at your own risk.

Compliance with Permit Conditions:

To submit your required permit compliance information, go to the District's website at www.sjrwmd.com/permitting. Under the "Apply for a permit or submit compliance data" section, click to sign-in to your existing account or to create a new account. Select the "Compliance Submittal" tab, enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select the compliance item that you are ready to submit and then attach the appropriate information or form. The forms to comply with your permit conditions are available at www.sjrwmd.com/permitting under the section "Handbooks, forms, fees, final orders". Click on forms to view all permit compliance forms, then scroll to the ERP application forms section and select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need

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Carla Yetter
FERNANDINA BEACH

copies of the appropriate forms, please contact the Bureau of Regulatory Support at (386) 329-4570.

Transferring Your Permit:

Your permit requires you to notify the District within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit," available at <http://www.sjrwmd.com/permitting/permitforms.html>.

Please note that a permittee is liable for compliance with the permit before the permit is transferred. The District, therefore, recommends that you request a permit transfer in advance in accordance with the applicable rules. You are encouraged to contact District staff for assistance with this process.

Thank you and please let us know if you have additional questions. For general questions contact e-permit@sjrwmd.com or (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Enclosures: Permit

cc: District Permit File

cc: Chris D Frank
Michael Baker Int'l
615 Crescent Executive Ct Ste 200
Lake Mary, FL 32746-2146

Charles Faulkner
Faulkner & Associates
139 N Palmetto Ave
Flagler Beach, FL 32136-3303

Bill Lites
Zev Cohen & Associates
300 Interchange Blvd Ste C
Ormond Beach, FL 32174-1859

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 93481-16

DATE ISSUED: December 09, 2016

PROJECT NAME: Flagler Central Commerce Park - Roadway Construction

A PERMIT AUTHORIZING:

Authorization of a Stormwater Management System for Flagler Central Commerce Park - Roadway Construction, a 108.5984 - acre project to be constructed and operated as per plans received by the District on December 1, 2016.

LOCATION:

Section(s): 14, 12, 24, 13, Township(s): 12S Range(s): 30E
11

Flagler County

Receiving Water Body:

Name	Class
Black Branch Swamp	III Fresh

ISSUED TO:

City of Bunnell
201 W Moody Blvd
Bunnell, FL 32110-6045

Oare Associates LLC
203 E Rich Ave
DeLand, FL 32724-4356

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated December 09, 2016

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory, Engineering and Environmental Services

A handwritten signature in black ink, appearing to read "John Julianna". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

By:

John Julianna
Regulatory Coordinator

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 93481-16
Flagler Central Commerce Park - Roadway Construction
DATED December 09, 2016

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the District a fully executed Form 62-330.350(1), "Construction Commencement Notice,"[10-1-13], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the District, as described in subsection 62-330.010(5), F.A.C. If available, an District website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities — "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.
20. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.
21. The surface water management system must be constructed and operated in accordance with the plans received by the District on December 1, 2016.

22. As mitigation to offset the 9.264 units of functional loss caused by the 9.53 acres of direct wetland impacts and 24.78 acres of secondary wetland impacts, 9.264 units of functional gain were deducted from the FCCP Mitigation Ledger.

Upon issuance of Permit No. IND-035-93481-16, the remaining FCCP Mitigation Ledger balance will be 11.032 units of functional gain.

23. As shown on the final approved construction plans, received by the District on December 1, 2016, in all locations where wildlife fencing is proposed along the conservation easement, the fencing shall be constructed on our outside the conservation easement boundaries.

In addition, conservation easement signs shall be installed on the fencing, facing the roadway, spaced no more than 300 feet apart.

Notice of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Mick Cuthbertson
City of Bunnell
201 W Moody Blvd
Bunnell, FL 32110-6045

This 9th day of December, 2016.



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Permit Number: 93481-16

NOTICING INFORMATION

Dear Permittee:

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwm.com (preferred method) or send a copy of the original affidavit to:

Margaret Daniels, Office Director
Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on _____:

(Name and address of applicant) _____
permit# _____. The project is located in _____ County, Section
_____, Township _____ South, Range _____ East. The permit authorizes a surface
water management system on _____ acres for _____ known as
_____. The receiving water body is _____.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka FL 32178-1429 (4049 Reid St, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., may be available and choosing mediation does not affect your right to an administrative hearing.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwm.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile (fax) is prohibited and shall not constitute filing.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwm.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the permit application(s) described above. You can also request the Notice of Rights by contacting the Director of Regulatory Support, 4049 Reid St., Palatka, FL 32177-2529, tele. no. (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRAFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386- 681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Seminole Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
MacLenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Vero Beach Press Journal, Legal Advertising
P. O. Box 1268
Vero Beach, FL 32961-1268
772-221-4282/ fax 772-978-2340

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3436

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



St. Johns River

Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

December 09, 2016

Austin Brockenbrough
Oare Associates LLC
c/o Janet Martinez, Shuffield Lowman
203 E Rich Ave
DeLand, FL 32724-4356

SUBJECT: 93481-16
Flagler Central Commerce Park - Roadway Construction

Dear Sir:

Enclosed is your individual permit issued by the St. Johns River Water Management District on December 09, 2016. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

Technical Staff Report:

If you wish to review a copy of the Technical Staff Report (TSR) that provides the District's staff analysis of your permit application, you may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting. Using the "search applications and permits" feature, you can use your permit number or project name to find information about the permit. When you see the results of your search, click on the permit number and then on the TSR folder.

Noticing Your Permit:

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become non-final and any activities that you choose to undertake pursuant to your permit will be at your own risk.

Compliance with Permit Conditions:

To submit your required permit compliance information, go to the District's website at www.sjrwmd.com/permitting. Under the "Apply for a permit or submit compliance data" section, click to sign-in to your existing account or to create a new account. Select the "Compliance Submittal" tab, enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select the compliance item that you are ready to submit and then attach the appropriate information or form. The forms to comply with your permit conditions are available at www.sjrwmd.com/permitting under the section "Handbooks, forms, fees, final orders". Click on forms to view all permit compliance forms, then scroll to the ERP application forms section and

GOVERNING BOARD

John A. Miklos, CHAIRMAN
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Douglas Burnett
ST. AUGUSTINE

Maryam H. Ghyabi
ORMOND BEACH

Carla Yetter
FERNANDINA BEACH

select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need copies of the appropriate forms, please contact the Bureau of Regulatory Support at (386) 329-4570.

Transferring Your Permit:

Your permit requires you to notify the District within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit," available at <http://www.sjrwmd.com/permitting/permitforms.html>.

Please note that a permittee is liable for compliance with the permit before the permit is transferred. The District, therefore, recommends that you request a permit transfer in advance in accordance with the applicable rules. You are encouraged to contact District staff for assistance with this process.

Thank you and please let us know if you have additional questions. For general questions contact e-permit@sjrwmd.com or (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Enclosures: Permit

cc: District Permit File

cc: Chris D Frank
Michael Baker Int'l
615 Crescent Executive Ct Ste 200
Lake Mary, FL 32746-2146

Charles Faulkner
Faulkner & Associates
139 N Palmetto Ave
Flagler Beach, FL 32136-3303

Bill Lites
Zev Cohen & Associates
300 Interchange Blvd Ste C
Ormond Beach, FL 32174-1859

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 93481-16

DATE ISSUED: December 09, 2016

PROJECT NAME: Flagler Central Commerce Park - Roadway Construction

A PERMIT AUTHORIZING:

Authorization of a Stormwater Management System for Flagler Central Commerce Park - Roadway Construction, a 108.5984 - acre project to be constructed and operated as per plans received by the District on December 1, 2016.

LOCATION:

Section(s): 14, 12, 24, 13, Township(s): 12S Range(s): 30E
11

Flagler County

Receiving Water Body:

Name	Class
Black Branch Swamp	III Fresh

ISSUED TO:

City of Bunnell
201 W Moody Blvd
Bunnell, FL 32110-6045

Oare Associates LLC
203 E Rich Ave
DeLand, FL 32724-4356

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated December 09, 2016

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory, Engineering and Environmental Services

A handwritten signature in black ink, appearing to read "John Julianna". The signature is fluid and cursive, with a long horizontal stroke at the end.

By:

John Julianna
Regulatory Coordinator

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 93481-16
Flagler Central Commerce Park - Roadway Construction
DATED December 09, 2016

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the District a fully executed Form 62-330.350(1), "Construction Commencement Notice,"[10-1-13], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the District, as described in subsection 62-330.010(5), F.A.C. If available, an District website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities — "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.
20. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.
21. The surface water management system must be constructed and operated in accordance with the plans received by the District on December 1, 2016.

22. As mitigation to offset the 9.264 units of functional loss caused by the 9.53 acres of direct wetland impacts and 24.78 acres of secondary wetland impacts, 9.264 units of functional gain were deducted from the FCCP Mitigation Ledger.

Upon issuance of Permit No. IND-035-93481-16, the remaining FCCP Mitigation Ledger balance will be 11.032 units of functional gain.

23. As shown on the final approved construction plans, received by the District on December 1, 2016, in all locations where wildlife fencing is proposed along the conservation easement, the fencing shall be constructed on our outside the conservation easement boundaries.

In addition, conservation easement signs shall be installed on the fencing, facing the roadway, spaced no more than 300 feet apart.

Notice of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Austin Brockenbrough
Oare Associates LLC
c/o Janet Martinez, Shuffield Lowman
203 E Rich Ave
DeLand, FL 32724-4356

This 9th day of December, 2016.



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Permit Number: 93481-16

NOTICING INFORMATION

Dear Permittee:

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwm.com (preferred method) or send a copy of the original affidavit to:

Margaret Daniels, Office Director
Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on _____:

(Name and address of applicant) _____
permit# _____. The project is located in _____ County, Section
_____, Township _____ South, Range _____ East. The permit authorizes a surface
water management system on _____ acres for _____ known as
_____. The receiving water body is _____.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka FL 32178-1429 (4049 Reid St, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., may be available and choosing mediation does not affect your right to an administrative hearing.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwm.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile (fax) is prohibited and shall not constitute filing.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwm.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the permit application(s) described above. You can also request the Notice of Rights by contacting the Director of Regulatory Support, 4049 Reid St., Palatka, FL 32177-2529, tele. no. (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRAFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386-681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Seminole Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
MacLenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Vero Beach Press Journal, Legal Advertising
P. O. Box 1268
Vero Beach, FL 32961-1268
772-221-4282/ fax 772-978-2340

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3436

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322

DEPARTMENT OF THE ARMY PERMIT

Permittee: Oare Associates, LLC
191 Island Estates Parkway
Palm Coast, Florida 32137

Permit No: SAJ-2004-4984-PRJ

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The permittee is authorized to place fill material in 29.25 acres of waters of the United States in association with the construction of a commercial, residential, and industrial development. The work described above is to be completed in accordance with the 16 pages of drawings and attachments affixed at the end of this permit instrument.

Issuance of this permit would replace all limitations and conditions of the previous permit issued to Oare Associates, LLC, signed into effect on February 16, 2007.

Project Location: The project is located at East Moody Boulevard and Commerce Parkway on a parcel bordered by State Road (SR) 100 to the north, US Highway 1 to the west, and Belle Terre Parkway to the east and south, in Sections 11, 12, 13, 14, and 24, Township 12 South, Range 30 East, Bunnell, Flagler County, Florida.

Directions to site: From Jacksonville take I-95 South to Exit 298/US-1, toward Bunnell. Take East Moody Boulevard to the project site. The project site is located on the south side of East Moody Boulevard and is bordered by US Highway 1 to the west and Belle Terre Parkway to the east and south.

Latitude & Longitude: Latitude: 29.4630° North
Longitude: 81.2427° West

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **(Note: 10 Years from permit issuance)**. If you find that you need more time to complete the authorized activity, submit your

↳ 22 Nov 2011

PERMIT NUMBER: SAJ-2004-4984(SP-PRJ)
PERMITTEE: Oare Associates, LLC
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request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, Florida 32232. The Permittee shall reference this permit number, SAJ-2004-4984-PRJ, on all submittals.

2. **Commencement Notification:** Within 72 hours prior to initiating the authorized work and mitigation work in each location, the Permittee shall provide the Corps a written notification of the date of commencement and location of work authorized or required by this permit.

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3. Native American Cultural Resources: If, during any ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (such as, but not limited to: pottery, modified shell, flora, faunal, dugout canoes, human remains, glass, iron nails, and other historical artifacts) which may be associated with Native American Cultural, early colonial or American settlement, the permittee shall immediately stop all work in the immediate vicinity and notify the State Archaeologist, the Corps Regulatory Project Manager and Corps Regulatory Archaeologist to assess the significance of the discovery and devise appropriate actions. Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

In the unlikely event that unmarked human remains are identified, the permittee shall treat the remains in accordance with Florida State Regulations 872.02 and 872.05(5); all work in the immediate vicinity shall immediately cease, the State Archaeologist; Corps Regulatory Project Manager; Corps Regulatory Native American Coordinator; Corps Regulatory Archaeologist; and local authorities shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist for finds under his or her jurisdiction.

4. Historic Properties: Prior to commencement of work, the applicant shall place a protective earthen cap over the Gore Lake Mound site (8FL29) and a 5-foot buffer must be established around the mound to preserve the site.

No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at; <http://www.cr.nps.gov/nr/research>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at fmsfile@dos.state.fl.us or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

5. Erosion Control: Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

6. Compensatory Mitigation: The compensatory mitigation is located on the project site. The Permittee shall enhance 38.31 acres of onsite hydric planted pine to a mixed forested wetland, create a 3.26 acre of littoral shelf around the borrow pit area, remove and restore the 0.70 acre borrow road, and preserve 796.04 acres of wetland. The Permittee shall complete the following mitigation objectives as detailed in the attached Mitigation Plan, dated September 20, 2011, and in accordance with the project drawings pages 1 through 16. These onsite compensatory mitigation areas shall be preserved in perpetuity in accordance with the **Conservation Easement Special Condition** of this permit.

a. The Permittee shall perform the enhancement in the following phases:

(1) The first 12.77 acres of enhancement shall be completed within 18 months of reaching the first 9.51 acres of wetland impact, or within 5 years from permit issuance, whichever occurs first. *NOV 22, 2016*

(2) The second 12.77 acres of enhancement shall be completed within 18 months of reaching 19.02 acres of wetland impact acreage, or within 10 years from permit issuance, whichever occurs first.

(3) The last 12.77 acres of enhancement shall be completed within 18 months of reaching 29.25 acres of wetland impact acreage, or within 12 years from permit issuance, whichever occurs first.

b. Creation: The Permittee shall create 3.26 acres of littoral shelf around the borrow pit within 12 number of months from completing the excavation at the borrow pit area, or within 11 years from permit issuance, whichever occurs first.

c. Borrow road removal and restoration: The Permittee shall remove the 0.70 acre borrow road within 12 years from permit issuance and plant in accordance with the attached Mitigation Plan.

d. Preservation: The Permittee shall preserve 796.04 acres of wetlands in accordance with the **Conservation Easement Special Condition** of this permit.

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7. Performance Standards: To meet the objectives of the approved compensatory mitigation, the Permittee shall achieve the following performance standards in the enhancement, creation, and borrow road removal/restoration areas:

- a. At least 80 percent cover by appropriate wetland species (i.e., FAC or wetter).
- b. Cover of Category I and II invasive exotic plant species, pursuant to the most current list established by the Florida Exotic Pest Plant Council at <http://www.fleppc.org>, and the nuisance species, dogfennel (*Eupatorium capillifolium*), Bermudagrass (*Cynodon spp.*), Bahiagrass (*Paspalum notatum*), and cattail (*Typha spp.*) shall total less than 5 percent.
- c. Less than 20 percent mortality of planted wetland species.
- d. Hydrologic enhancement will result in soils that are saturated to the surface between 5 and 12.5 percent of the growing season.

8. Compensatory Mitigation Assurance: The Permittee shall achieve the above performance standards by the end of each 5-year monitoring period, with no maintenance during the 5th year of monitoring. In the event that the above performance standards have not been achieved, the Permittee shall undertake a remediation program approved by the Corps in accordance with the **Remediation Special Condition** of this permit.

9. Monitoring and Reporting Timeframes: To show compliance with the performance standards the Permittee shall complete the following:

- a. Perform a time-zero monitoring event of the wetland mitigation area(s) within 60 days of completion of each of the compensatory mitigation objectives identified in the **Compensatory Mitigation Special Condition** of this permit.
- b. Submit the time-zero report to the Corps within 60 days of completion of the monitoring event. The report will include at least one paragraph depicting baseline conditions of the mitigation site(s) prior to initiation of the compensatory mitigation objectives and a detailed plan view drawing of all created, enhanced and/or restored mitigation areas.
- c. Subsequent to completion of the compensatory mitigation objectives, perform semi-annual monitoring of the wetland mitigation areas for the first 3 years and annual monitoring thereafter for a total of no less than 5 years of monitoring.
- d. Submit annual monitoring reports to the Corps within 60 days of completion of the monitoring event. Semi-annual monitoring will be combined into one annual monitoring report.

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e. Monitor the mitigation area(s) and submit annual monitoring reports to the Corps until released in accordance with the **Mitigation Release** Special Condition of this permit.

10. Reporting Format: Annual monitoring reports shall follow a 10-page maximum report format for assessing compensatory mitigation sites. The Permittee shall submit all documentation to the Corps on 8½-inch by 11-inch paper, and include the following:

a. Project Overview (1 Page):

(1) Department of the Army Permit Number

(2) Name and contact information of Permittee and consultant

(3) Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted

(4) A brief paragraph describing the purpose of the approved project, acreage and type of aquatic resources impacted, and mitigation acreage and type of aquatic resources authorized to compensate for the aquatic impacts.

(5) Written description of the location, any identifiable landmarks of the compensatory mitigation project including information to locate the site perimeter(s), and coordinates of the mitigation site (expressed as latitude, longitudes, UTM's, state plane coordinate system, etc.).

(6) Dates compensatory mitigation commenced and/or was completed

(7) Short statement on whether the performance standards are being met

(8) Dates of any recent corrective or maintenance activities conducted since the previous report submission

(9) Specific recommendations for any additional corrective or remedial actions.

b. Requirements (1 page): List the monitoring requirements and performance standards, as specified in the approved mitigation plan and special conditions of this permit, and evaluate whether the compensatory mitigation project site is successfully achieving the approved performance standards or trending towards success. A table is a recommended option for comparing the performance standards to the conditions and status of the developing mitigation site.

c. **Summary Data (maximum of 4 pages):** Summary data should be provided to substantiate the success and/or potential challenges associated with the compensatory mitigation project. Photo documentation may be provided to support the findings and recommendations referenced in the monitoring report and to assist the PM in assessing whether the compensatory mitigation project is meeting applicable performance standards for that monitoring period. Submitted photos should be formatted to print on a standard 8 ½" x 11" piece of paper, dated, and clearly labeled with the direction from which the photo was taken. The photo location points should also be identified on the appropriate maps.

d. **Maps and Plans (maximum of 3 pages):** Maps shall be provided to show the location of the compensatory mitigation site relative to other landscape features, habitat types, locations of photographic reference points, transects, sampling data points, and/or other features pertinent to the mitigation plan. In addition, the submitted maps and plans should clearly delineate the mitigation site perimeter(s). Each map or diagram should be formatted to print on a standard 8 ½" x 11" piece of paper and include a legend and the location of any photos submitted for review. As-built plans may be included.

e. **Conclusions (1 page):** A general statement shall be included that describes the conditions of the compensatory mitigation project. If performance standards are not being met, a brief explanation of the difficulties and potential remedial actions proposed by the Permittee or sponsor, including a timetable, shall be provided. The District Commander will ultimately determine if the mitigation site is successful for a given monitoring period.

11. Remediation: If the compensatory mitigation fails to meet the performance standards 5 years after completion of each of the compensatory mitigation objectives, the compensatory mitigation will be deemed unsuccessful. Within 60 days of notification by the Corps that the compensatory mitigation is unsuccessful, the Permittee shall submit to the Corps an alternate compensatory mitigation proposal sufficient to create the functional lift required under the permit. The alternate compensatory mitigation proposal may be required to include additional mitigation to compensate for the temporal loss of wetland function associated with the unsuccessful compensatory mitigation activities. The Corps reserves the right to fully evaluate, amend, and approve or reject the alternate compensatory mitigation proposal. Within 120 days of Corps approval, the Permittee will complete the alternate compensatory mitigation proposal.

12. Mitigation Release: The Permittee's responsibility to complete the required compensatory mitigation, as set forth in the **Compensatory Mitigation** Special Condition of this permit will not be considered fulfilled until mitigation success has been demonstrated and written verification has been provided by the Corps. A mitigation area which has been released will require no further monitoring or reporting by the Permittee; however the Permittee, Successors and subsequent Transferees remain perpetually responsible to ensure that each mitigation area remains in a condition appropriate to offset the authorized impacts in accordance with General Condition 2 of this permit.

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13. As-Builts: Within 60 days of completion of all authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attached) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

14. Notice of Permit: The Permittee shall complete and record the Notice of Department of the Army Permit (Attached) with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized activity. Within 90 days from the effective date of this permit the Permittee shall provide a copy of the recorded Notice of Permit to the Corps clearly showing a stamp from the appropriate official indicating the book and page at which the Notice of Permit is recorded and the date of recording.

15. Conservation Easement: The Permittee shall preserve the areas referenced in the **Compensatory Mitigation** Special Condition which includes 753.77 acres of wetlands (preservation only) and 42.27 acres of wetlands (creation, enhancement, and borrow road restoration) in perpetuity by recording a conservation easement within the boundaries and location annotated on the attached permit drawings, and in accordance with procedures outlined in the Special Conditions of the St. Johns River Water Management District (SJRWMD) conceptual permit (SJRWMD permit number 4-035-93481) and the following conditions:

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a. Within 30 days from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs, the Permittee shall submit to the Corps a copy of the recorded conservation easement document with exhibits (including legal description and sketch).

b. These natural preserve areas will not be disturbed by any dredging, filling, land clearing, agricultural activities, planting, or other construction work whatsoever except as required or authorized by this permit. The Permittee agrees that the only future utilization of the preserved areas in question will be as a purely natural area. Any deviation from the established conservation easement cannot be performed without a modification to this permit instrument. The ability to modify or remove this conservation easement is neither implied nor guaranteed. If the conservation easement is removed for any reason, the Permittee shall provide appropriate mitigation to compensate for functional wetland loss.

16. Fill Material: The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

17. Regulatory Agency Changes: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Jacksonville Regulatory Office.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be

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required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Carol Forbes Oare, managing member
(PERMITTEE)

11-16-11
(DATE)

Carol Forbes Oare
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Alfred A. Pantano, Jr.
(DISTRICT ENGINEER)

22 NOV 2011
(DATE)

fo

Alfred A. Pantano, Jr.
Colonel, U.S. Army
District Commander

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

PERMIT NUMBER: SAJ-2004-4984(SP-PRJ)
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*Attachments to Department of the Army
Permit Number SAJ-2004-4984-PRJ*

1. PERMIT DRAWINGS: 16 pages, dated September 20, 2011

2. COMPENSATORY MITIGATION PLAN: dated September 20, 2011

3. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 4 pages of the St. Johns River Water Management District conceptual permit – January 5, 2007, and 9 pages of the SJRWMD Individual Environmental Resource Permit Technical Staff Report - July 16, 2010.

4. AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Permanent and Temporary Impact Areas

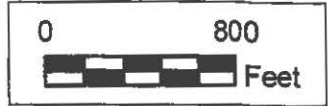
Authorized Impacts
From 2004 Permit: 24.21 Acres

Additional Impact Acreage: 5.04 Acres

Total Impacts: 29.25 Acres

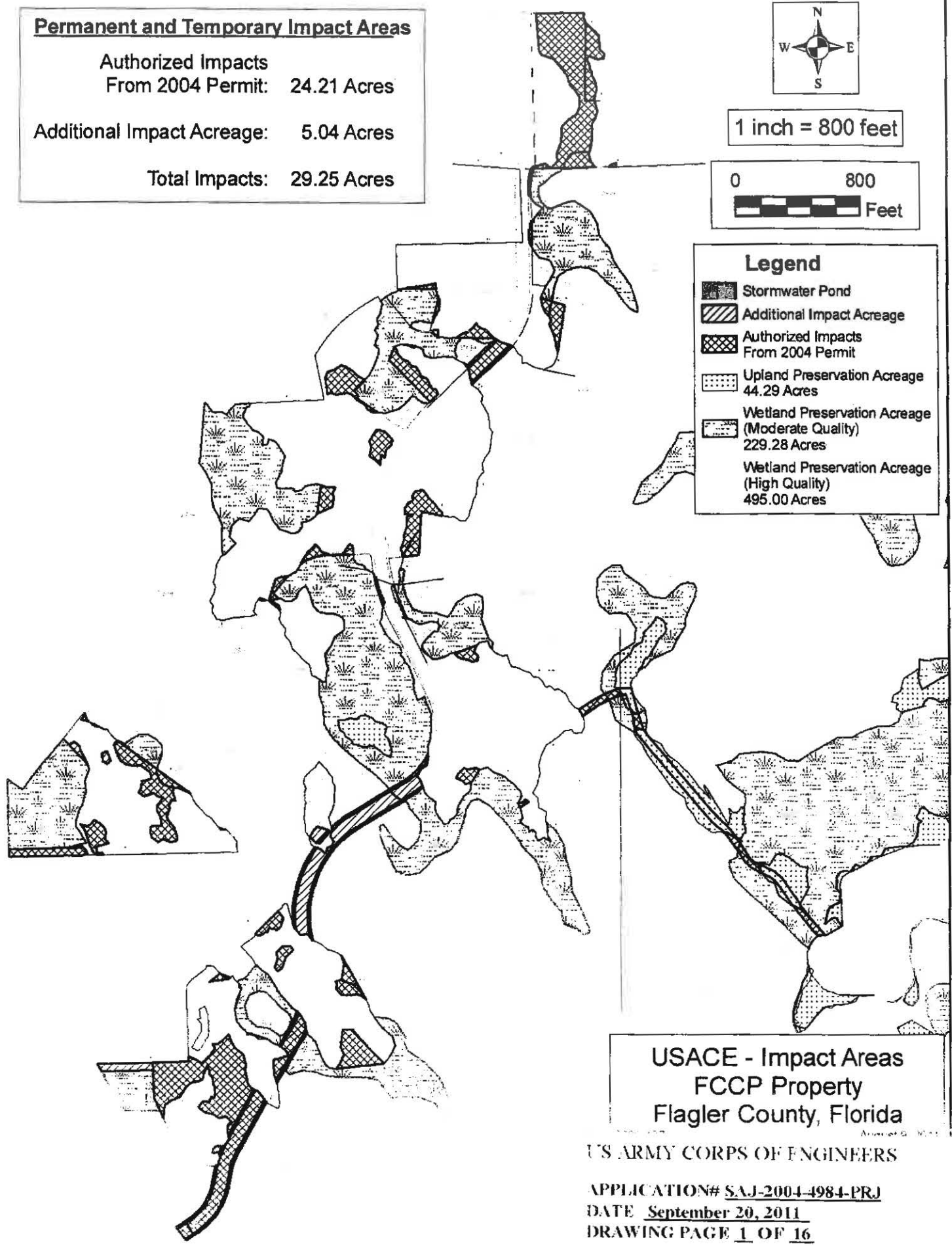


1 inch = 800 feet



Legend

- Stormwater Pond
- Additional Impact Acreage
- Authorized Impacts From 2004 Permit
- Upland Preservation Acreage 44.29 Acres
- Wetland Preservation Acreage (Moderate Quality) 229.28 Acres
- Wetland Preservation Acreage (High Quality) 495.00 Acres

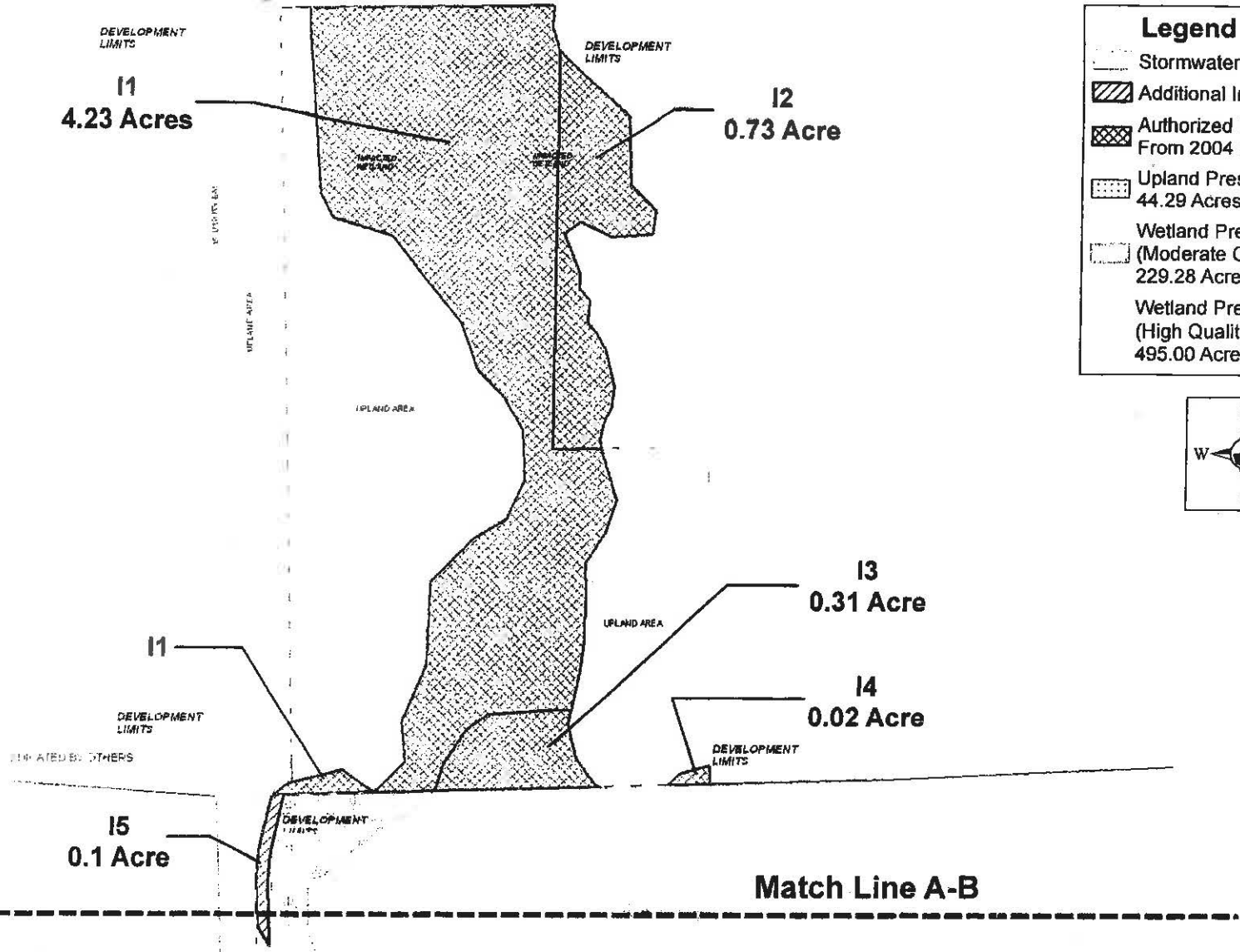


**USACE - Impact Areas
FCCP Property
Flagler County, Florida**

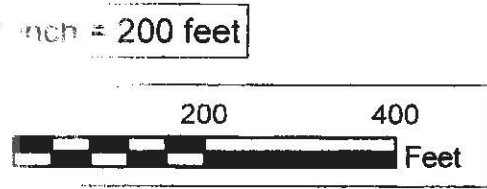
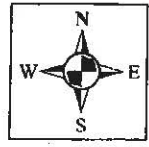
U.S. ARMY CORPS OF ENGINEERS

APPLICATION# SAJ-2004-4984-PRJ
DATE September 20, 2011
DRAWING PAGE 1 OF 16

U.S. ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 2 OF 16



Legend	
	Stormwater Pond
	Additional Impact Acreage
	Authorized Impacts From 2004 Permit
	Upland Preservation Acreage 44.29 Acres
	Wetland Preservation Acreage (Moderate Quality) 229.28 Acres
	Wetland Preservation Acreage (High Quality) 495.00 Acres

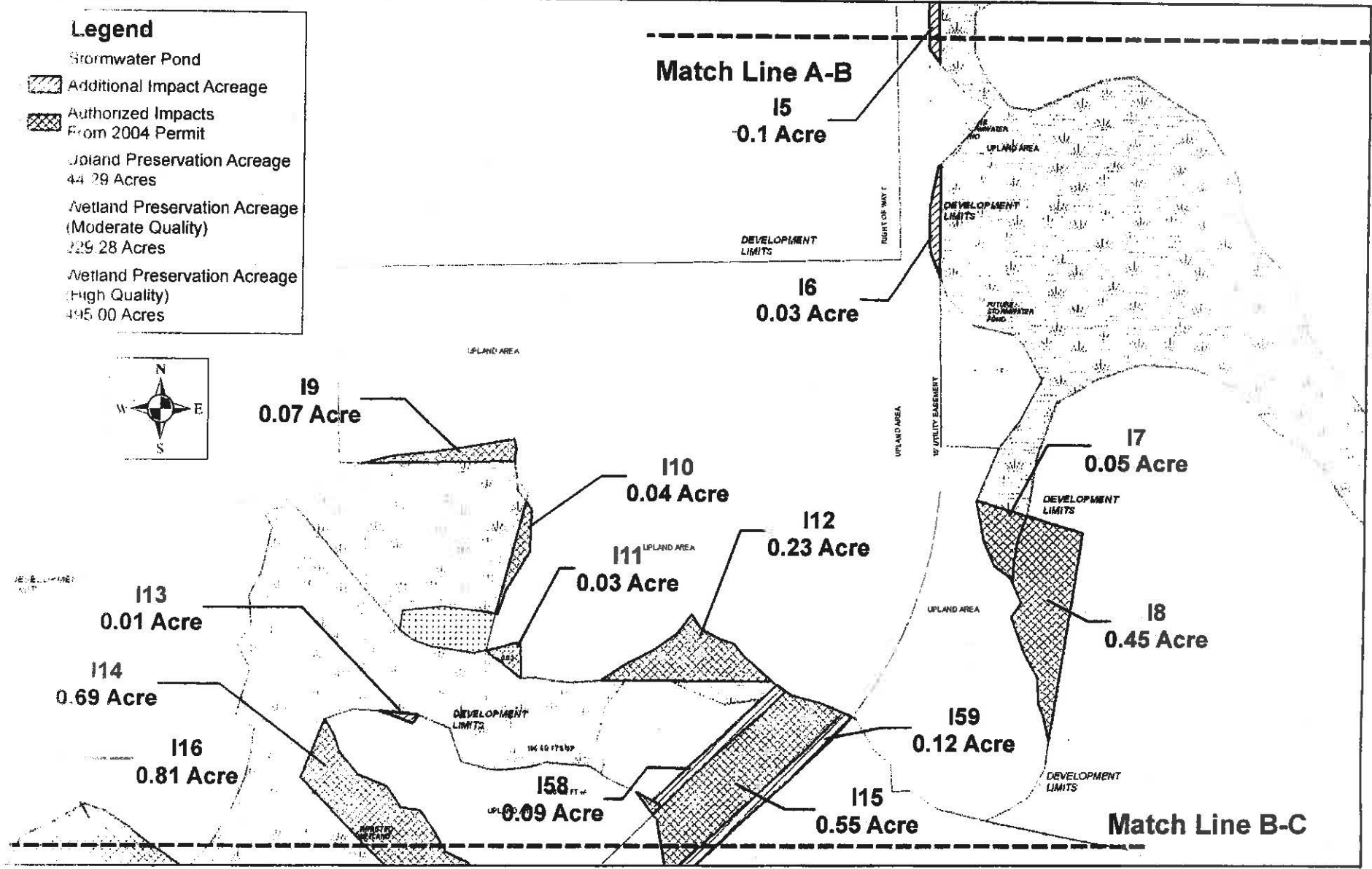


Drawing A
 USACE - Impact Areas
 FCCP Property
 Flagler County, Florida
 2009-132 May 28, 2011

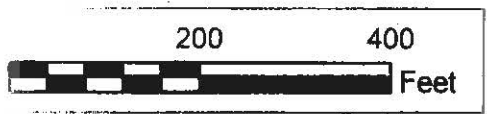
L&G² ENVIRONMENTAL SOLUTIONS, INC
 14785 Old St. Augustine Road, Suite 4
 Jacksonville, Florida 32258
 (904) 288-8631

Legend

- Stormwater Pond
- Additional Impact Acreage
- Authorized Impacts From 2004 Permit
- Upland Preservation Acreage
44.29 Acres
- Wetland Preservation Acreage
(Moderate Quality)
229.28 Acres
- Wetland Preservation Acreage
(High Quality)
495.00 Acres









1 inch = 200 feet

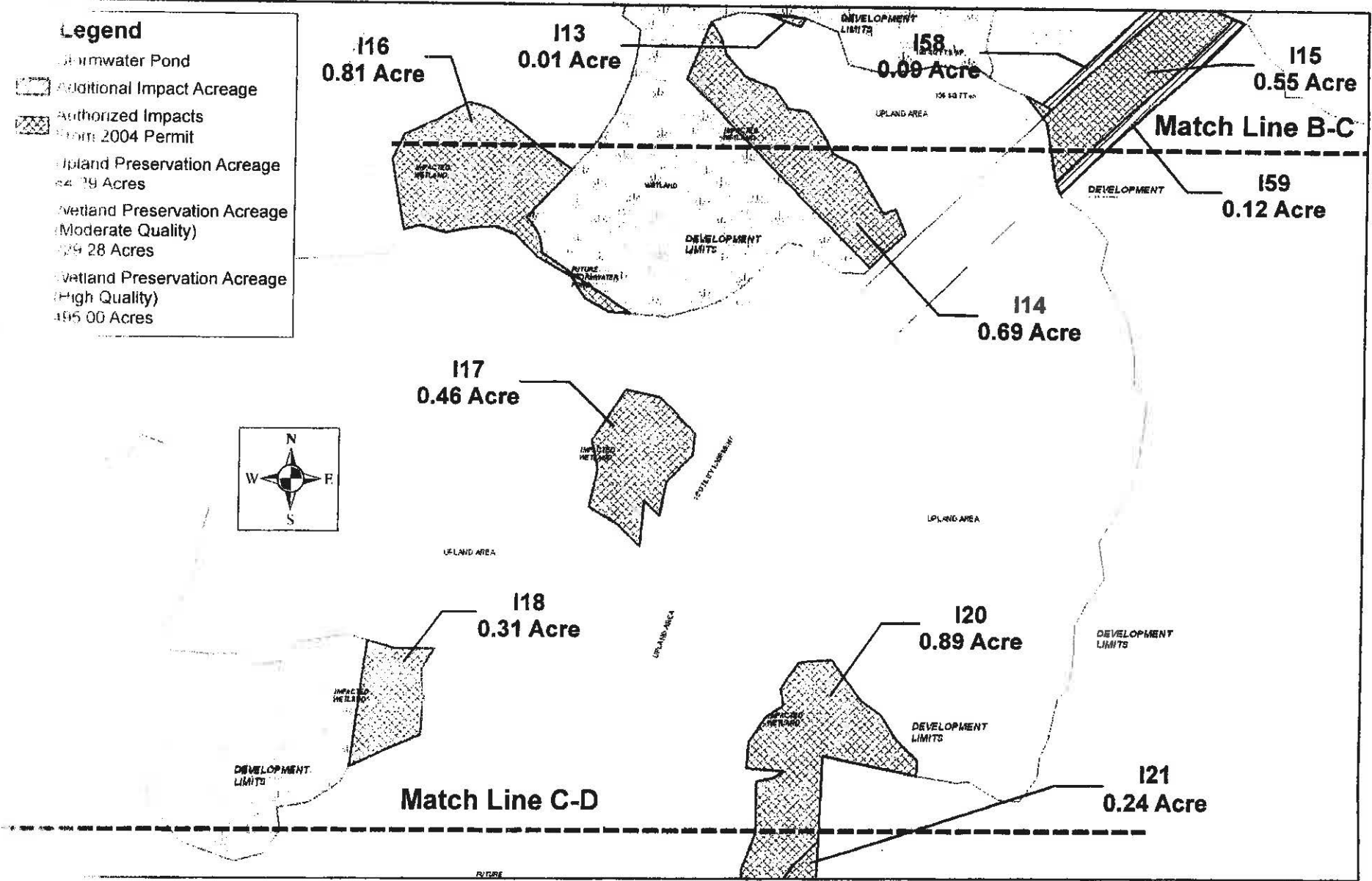


Drawing B
USACE - Impact Areas
FCCP Property
Flagler County, Florida
 2009-132 May 26, 2011

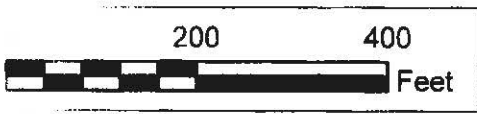
US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 3 OF 16

Legend

-  Stormwater Pond
-  Additional Impact Acreage
-  Authorized Impacts from 2004 Permit
-  Upland Preservation Acreage 24.29 Acres
-  Wetland Preservation Acreage (Moderate Quality) 29.28 Acres
-  Wetland Preservation Acreage (High Quality) 195.00 Acres

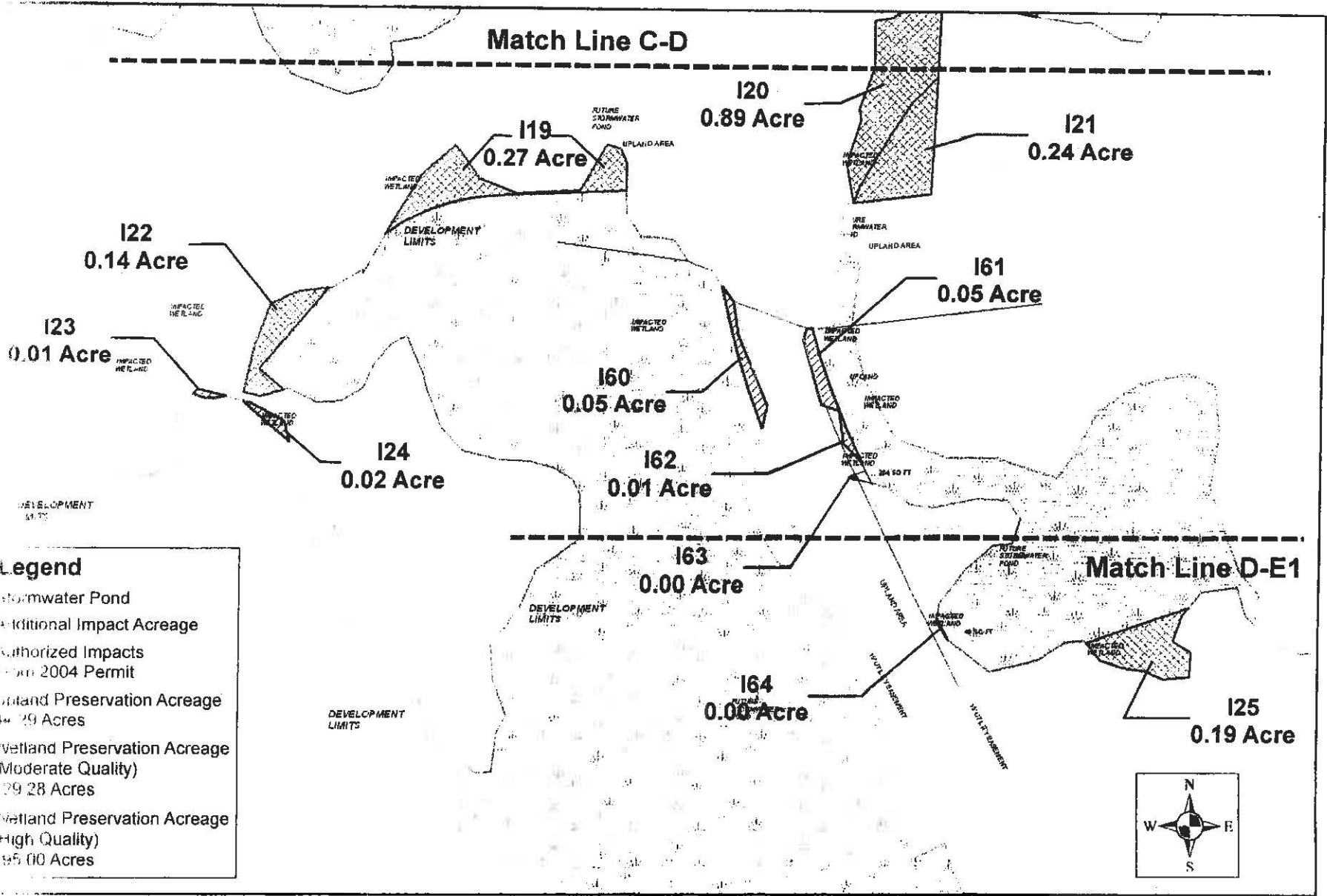


1 inch = 200 feet

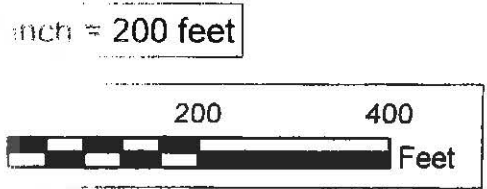


Drawing C
USACE - Impact Areas
FCCP Property
Flagler County, Florida
2009-132 May 26, 2011

US ARMY CORPS OF ENGINEERS
APPLICATION# SAJ-2004-4984-PRJ
DATE September 20, 2011
DRAWING PAGE 4 OF 16



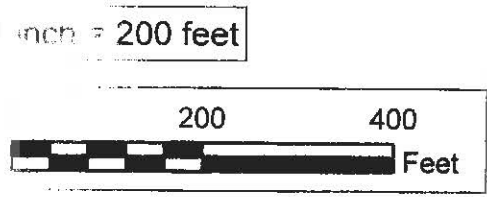
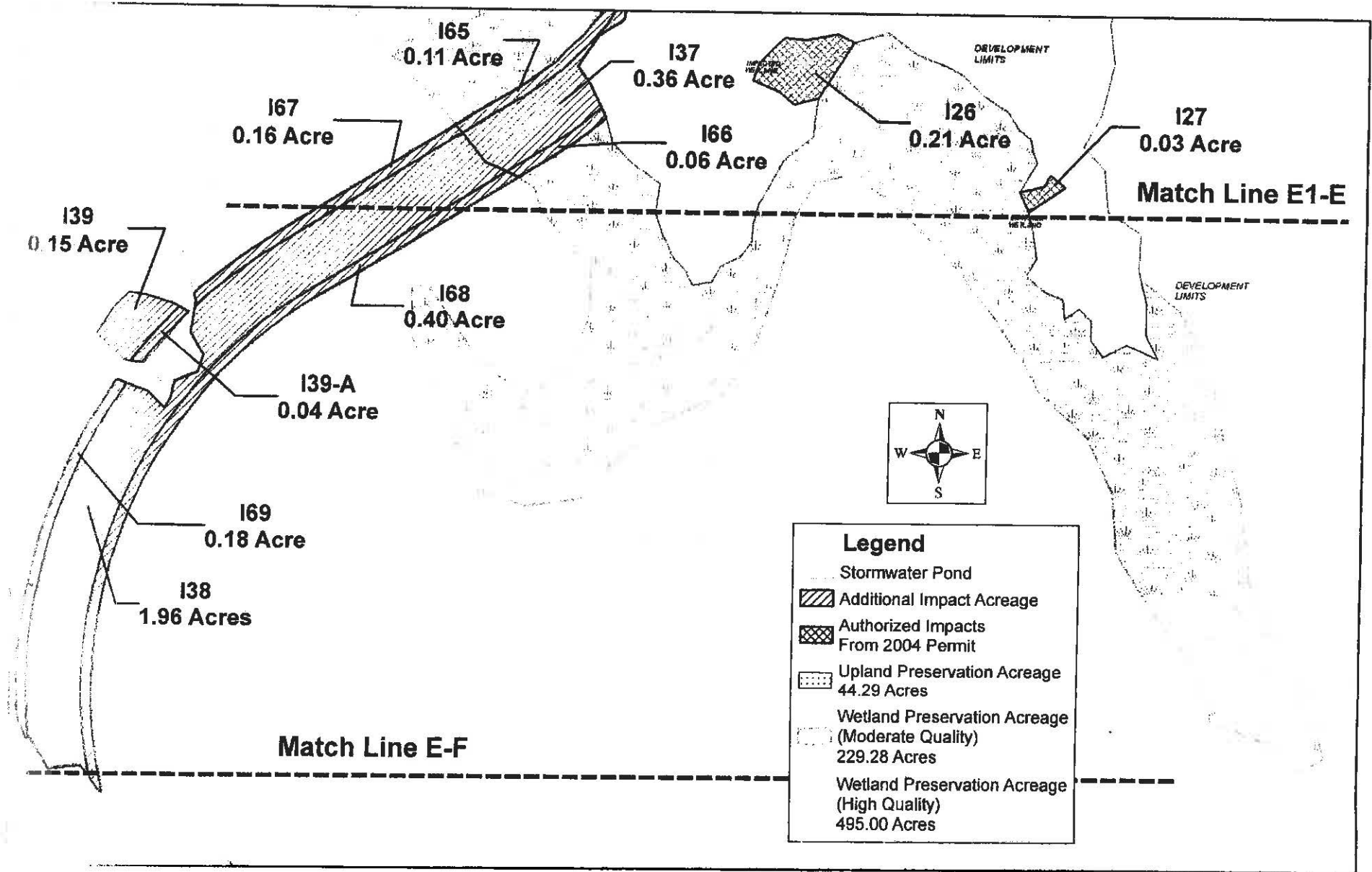
- Legend**
- Stormwater Pond
 - Additional Impact Acreage
 - Authorized Impacts from 2004 Permit
 - Upland Preservation Acreage 44.29 Acres
 - Wetland Preservation Acreage (Moderate Quality) 29.28 Acres
 - Wetland Preservation Acreage (High Quality) 195.00 Acres



Drawing D
 USACE - Impact Areas
 FCCP Property
 Flagler County, Florida

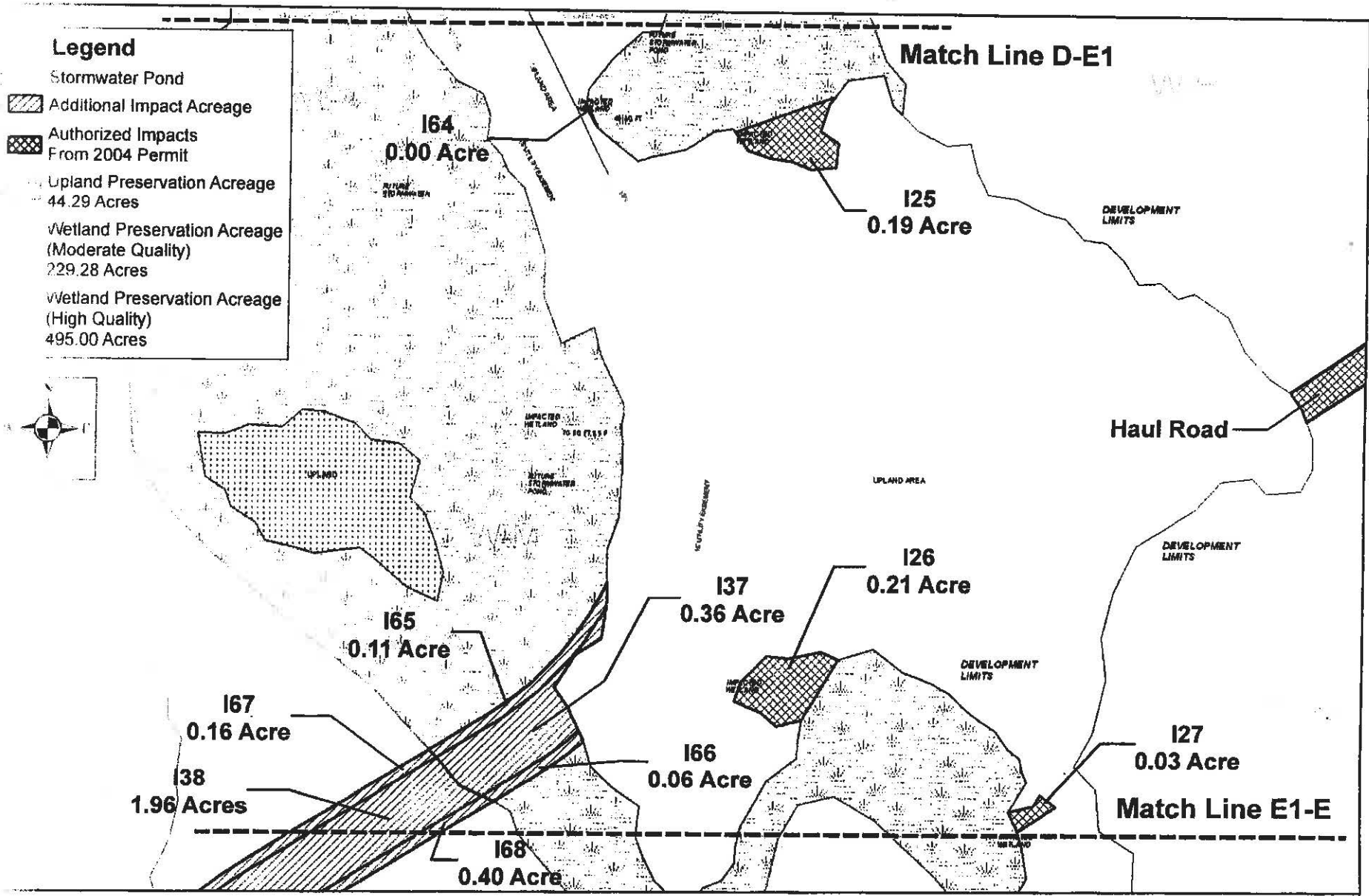
2009-132 May 26, 2011

US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 5 OF 16

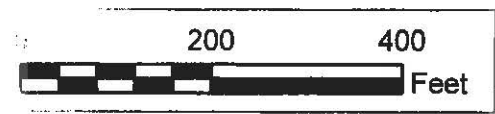


Drawing E
USACE - Impact Areas
FCCP Property
Flagler County, Florida
 2009-132 May 26, 2011

US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 6 OF 16



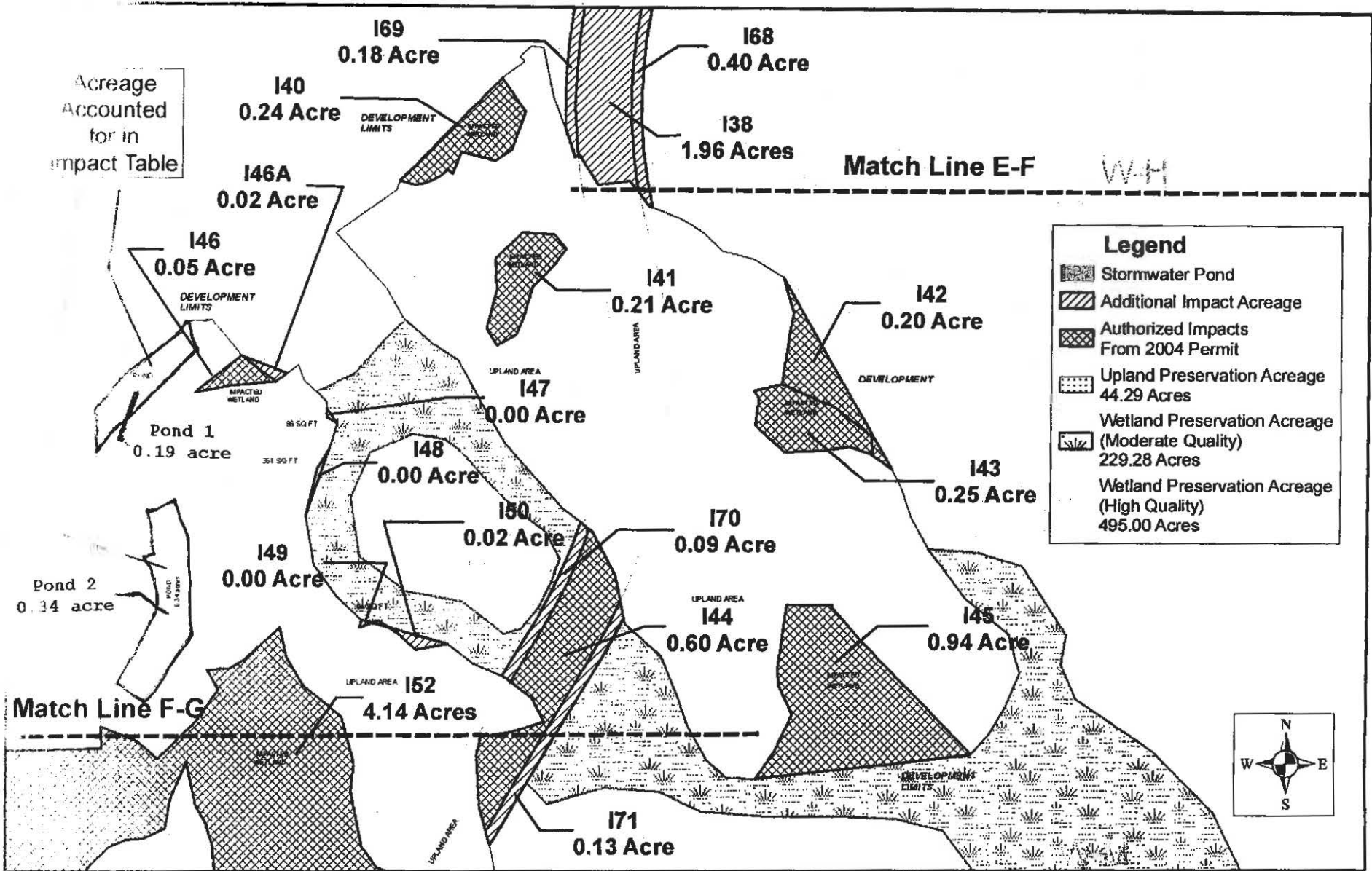
1 inch = 200 feet



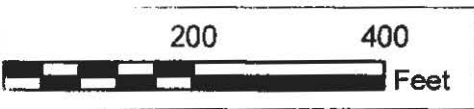
Drawing E1
 USACE - Impact Areas
 FCCP Property
 Flagler County, Florida
 2009-132 June 2, 2011

US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 7 OF 16

Acreage
Accounted
for in
Impact Table

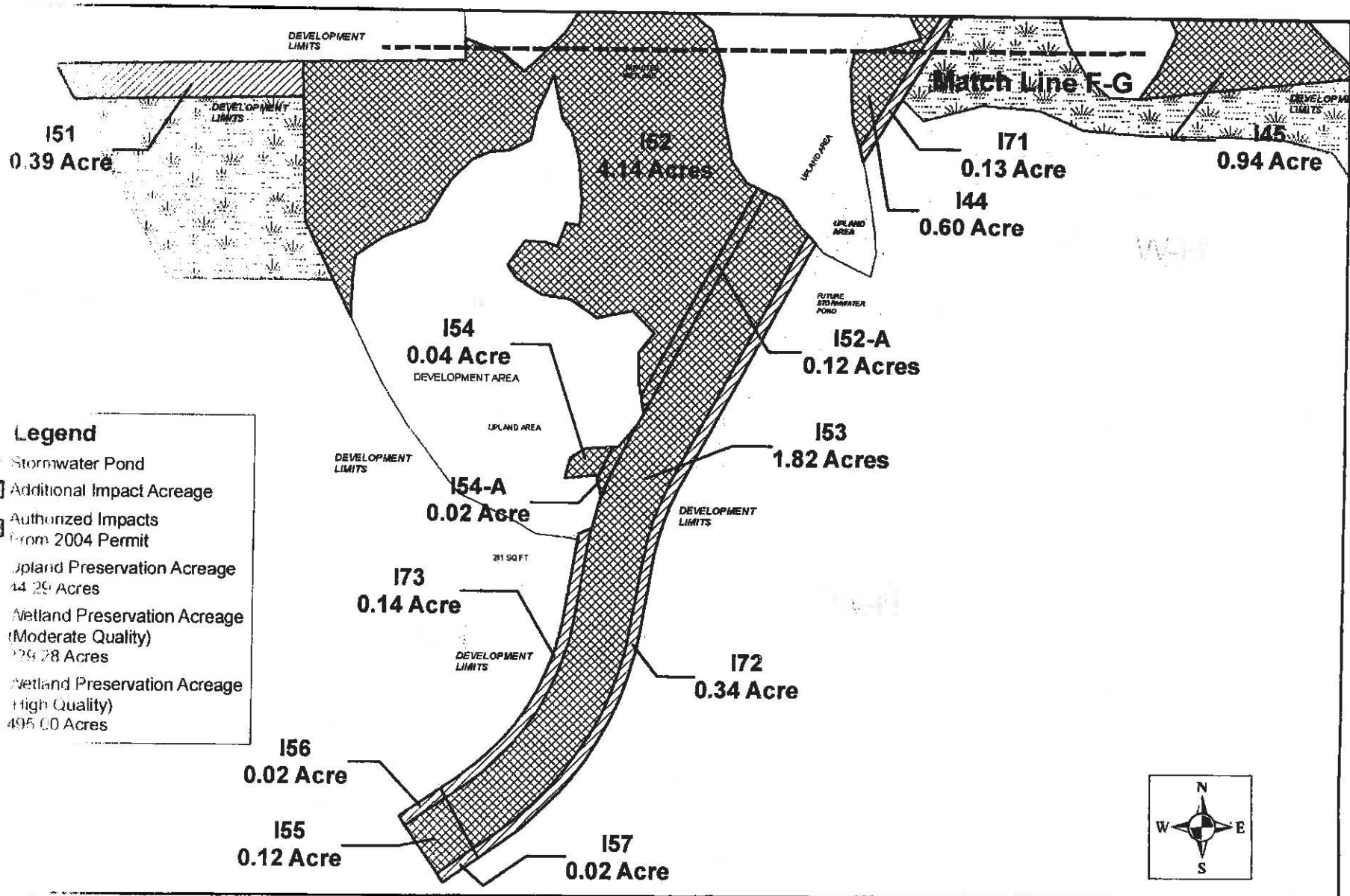


1 inch = 200 feet

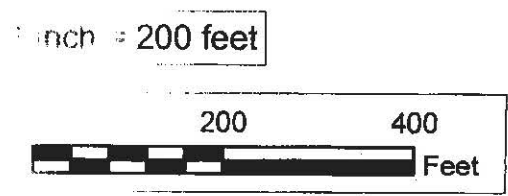
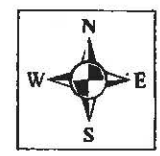


Drawing F
USACE - Impact Areas
FCCP Property
Flagler County, Florida
2009-132 August 9, 2011

US ARMY CORPS OF ENGINEERS
APPLICATION# SAJ-2004-4984-PRJ
DATE September 20, 2011
DRAWING PAGE 8 OF 16



- Legend**
- Stormwater Pond
 - Additional Impact Acreage
 - Authorized Impacts from 2004 Permit
 - Upland Preservation Acreage
44.29 Acres
 - Wetland Preservation Acreage (Moderate Quality)
224.28 Acres
 - Wetland Preservation Acreage (High Quality)
495.00 Acres



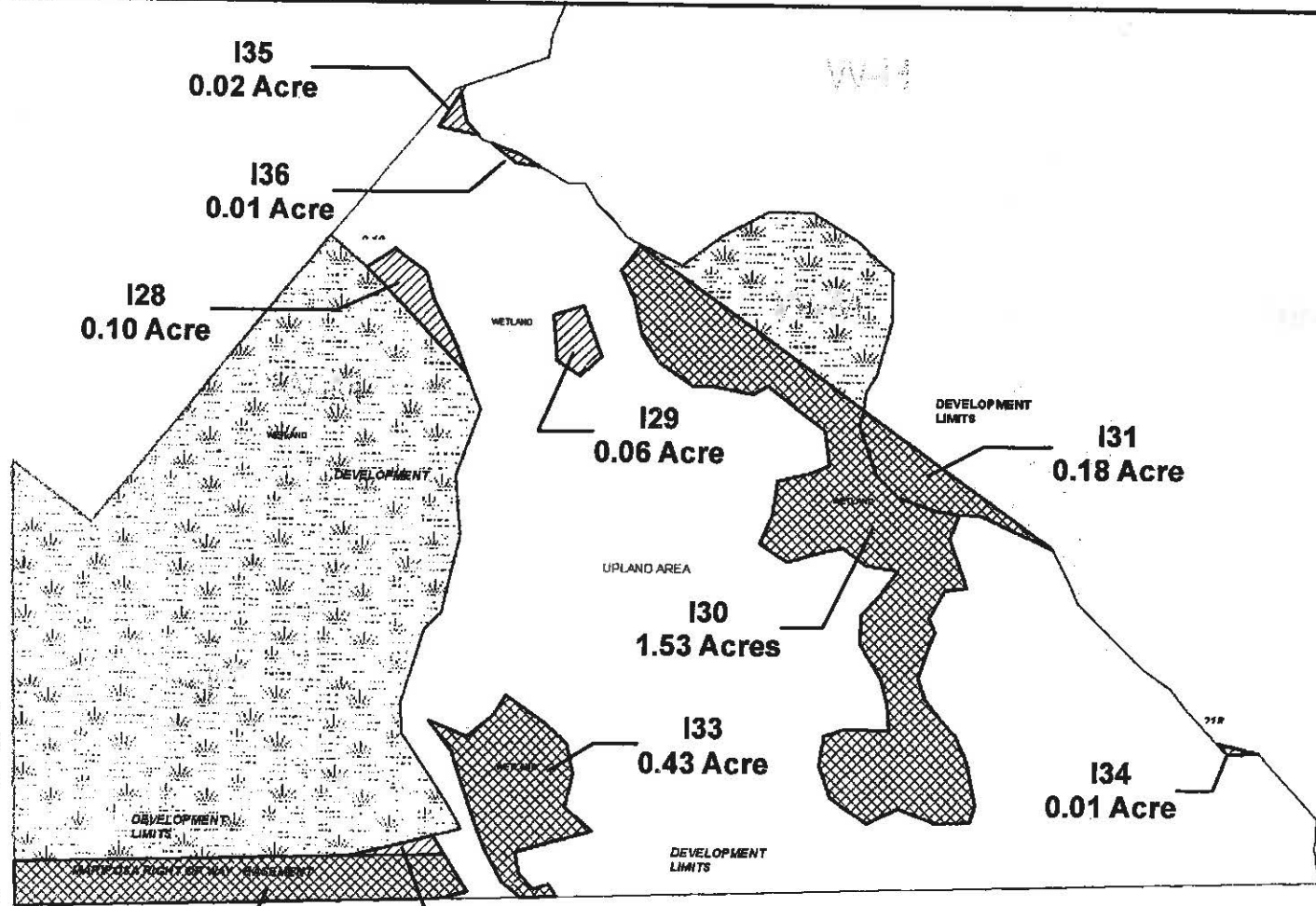
Drawing G
USACE - Impact Areas
FCCP Property
Flagler County, Florida
 2009-132 August 9, 2011

US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 9 OF 16

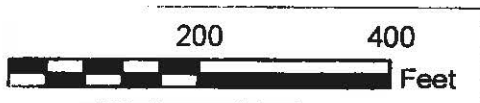


Legend

- Stormwater Pond
- Additional Impact Acreage
- Authorized Impacts From 2004 Permit
- Upland Preservation Acreage
14.29 Acres
- Wetland Preservation Acreage
(Moderate Quality)
129.28 Acres
- Wetland Preservation Acreage
(High Quality)
195.00 Acres

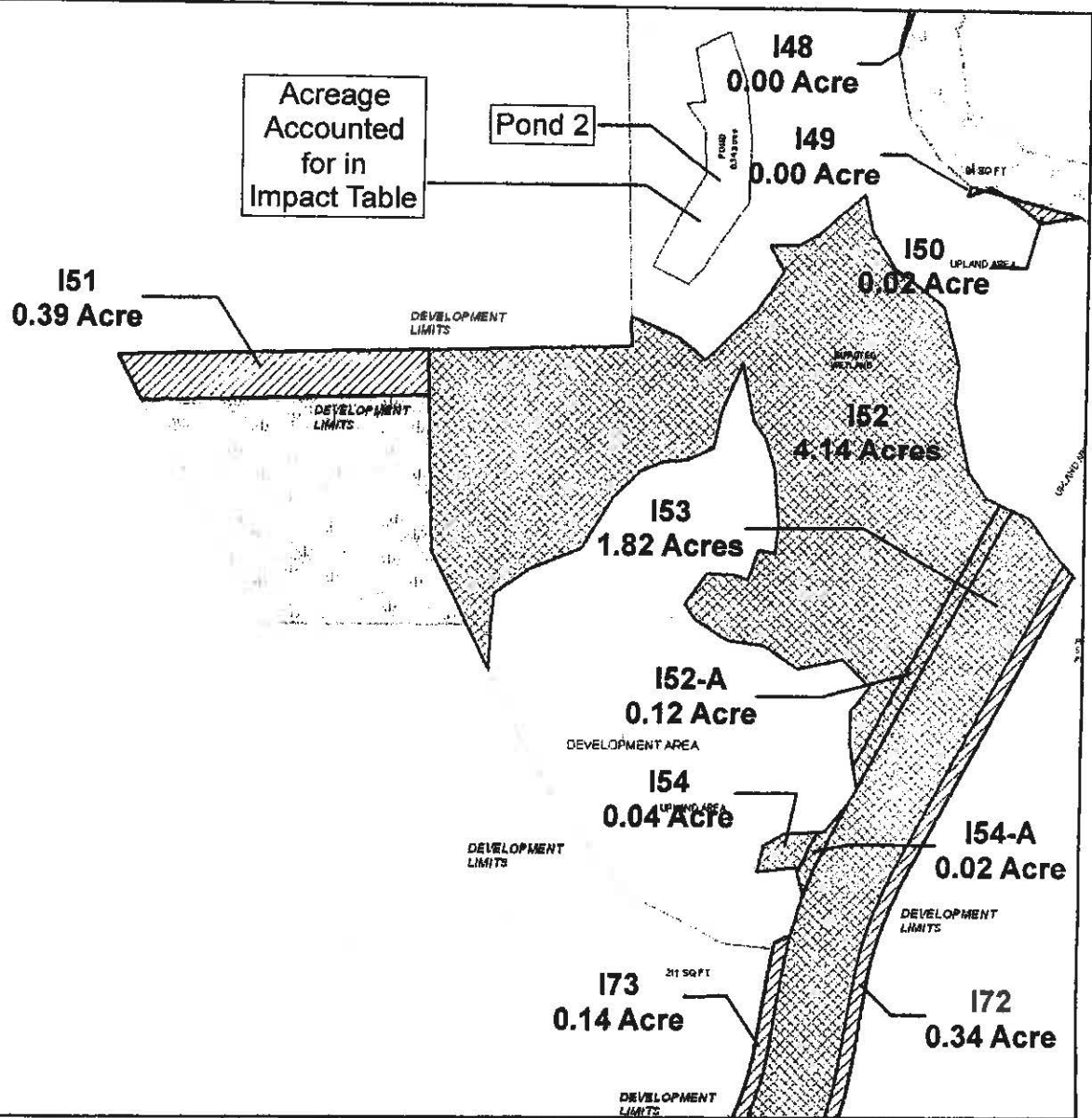


1 inch = 200 feet



Drawing H
USACE - Impact Areas
FCCP Property
Flagler County, Florida
2009-132 May 26, 2011

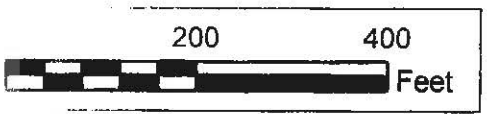
US ARMY CORPS OF ENGINEERS
APPLICATION# SAJ-2004-4984-PRJ
DATE September 20, 2011
DRAWING PAGE 10 OF 16



Legend

- Stormwater Pond
- Additional Impact Acreage
- Authorized Impacts from 2004 Permit
- Upland Preservation Acreage
44.29 Acres
- Wetland Preservation Acreage (Moderate Quality)
229.28 Acres
- Wetland Preservation Acreage (High Quality)
495.00 Acres

1 inch = 200 feet



Drawing I
USACE - Impact Areas
FCCP Property
Flagler County, Florida

2009-132 May 26, 2011

US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 11 OF 16

I26
0.21 Acre

I37
0.36 Acre

I66
0.06 Acre

I65
0.11 Acre

I67
0.16 Acre

I68
0.40 Acre

I38
1.96 Acres

I39-A
0.04 Acre

I39
0.15 Acre

I69
0.18 Acre

I40
0.24 Acre

I41
0.21 Acre

I42
0.20 Acre

I45
0.94 Acre







I43
0.25 Acre

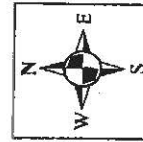
I71
0.13 Acre

I44
0.60 Acre

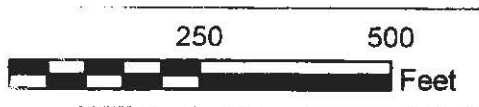
I70
0.09 Acre

Legend

-  Stormwater Pond
-  Additional Impact Acreage
-  Authorized Impacts From 2004 Permit
-  Upland Preservation Acreage
44.29 Acres
-  Wetland Preservation Acreage (Moderate Quality)
229.28 Acres
-  Wetland Preservation Acreage (High Quality)
495.00 Acres



1 inch = 250 feet



Drawing J

USACE - Impact Areas
FCCP Property
Flagler County, Florida

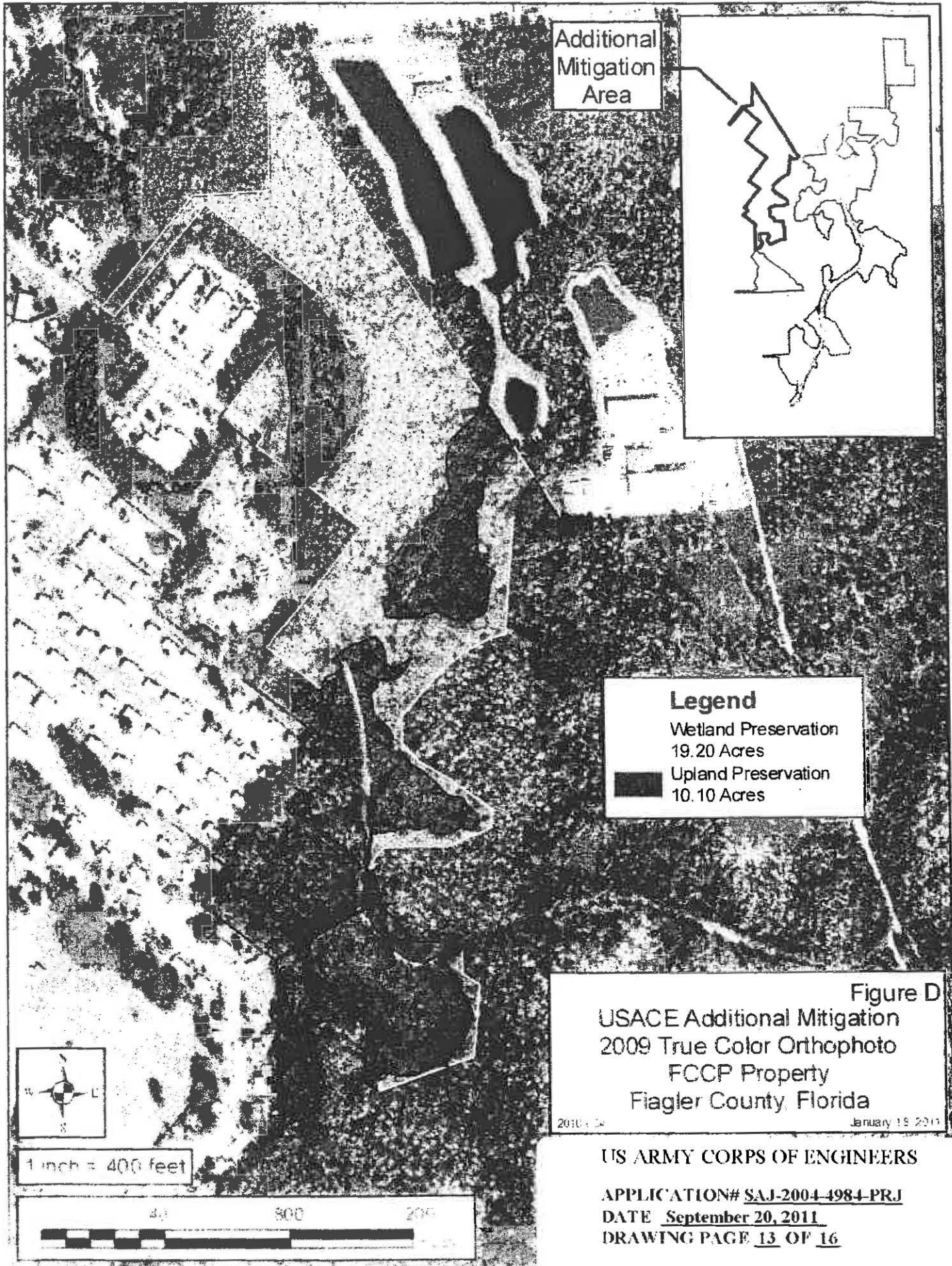
2009-132 May 26, 2011

US ARMY CORPS OF ENGINEERS

APPLICATION# SAJ-2004-4984-PRJ

DATE September 20, 2011

DRAWING PAGE 12 OF 16



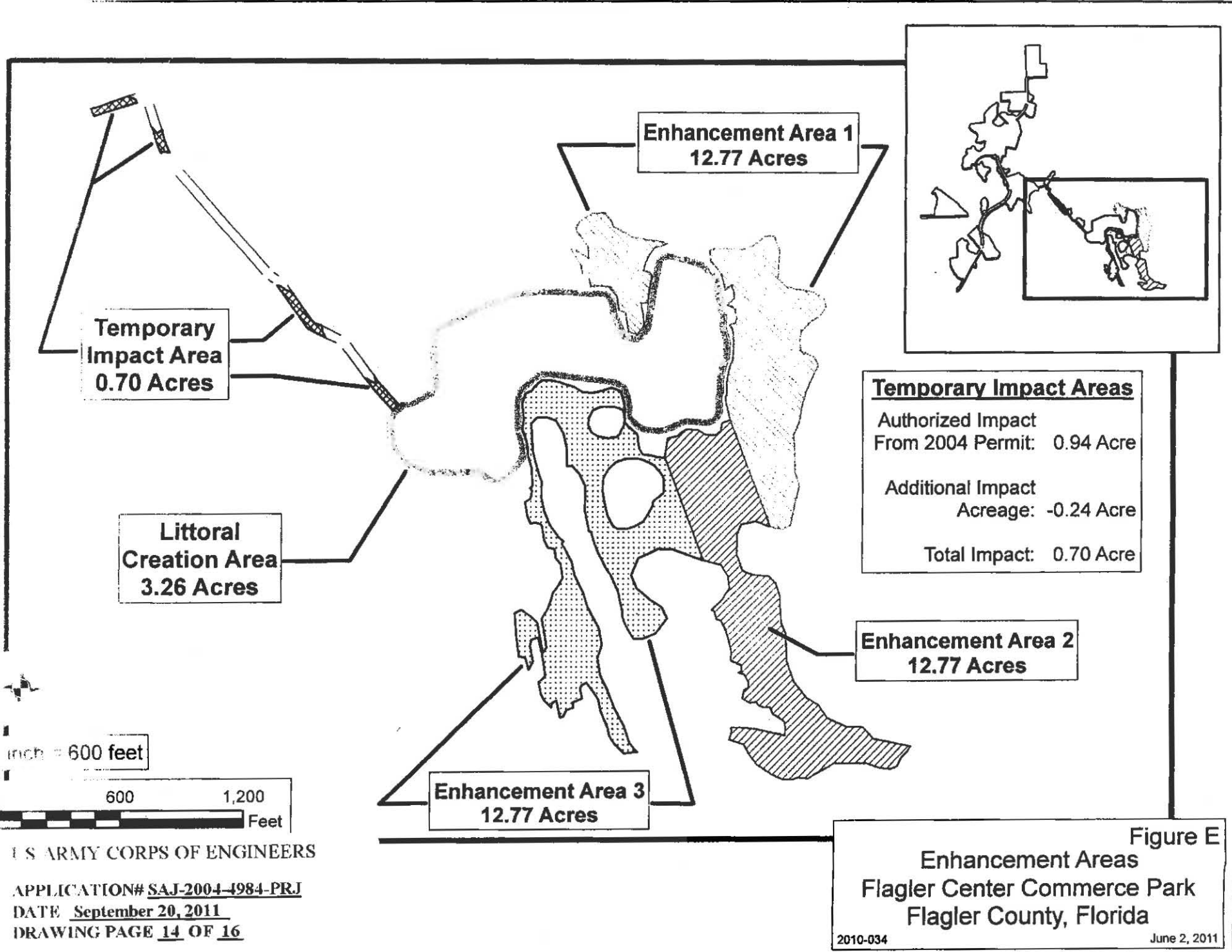
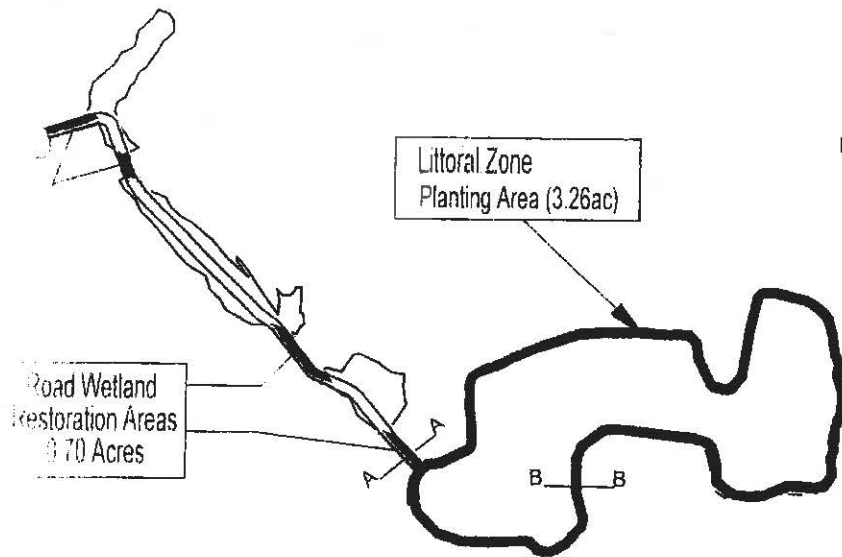
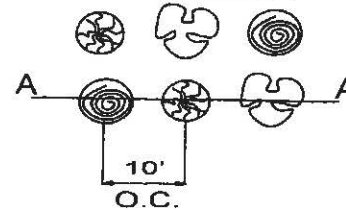


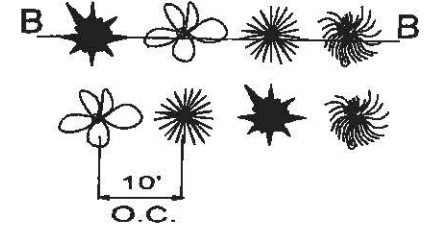
Figure E
Enhancement Areas
Flagler Center Commerce Park
Flagler County, Florida



Road Wetland Planting Detail



Littoral Planting Detail

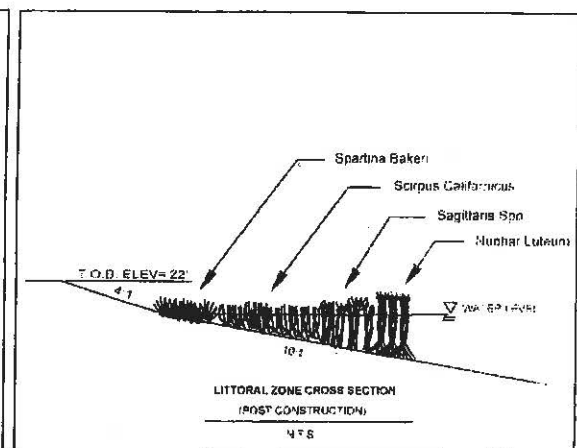
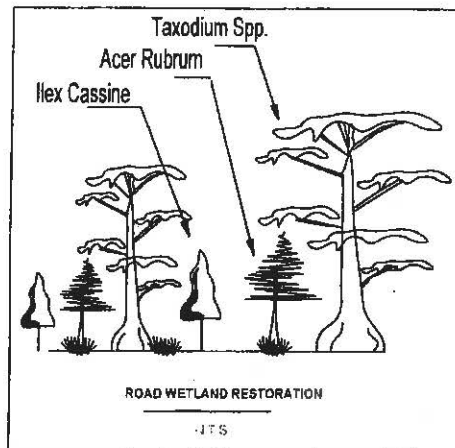


Road Restoration Planting

SPECIES	SIZE	NUMBER
Cypress (Taxodium Spp.)	3 Gallon	102
Maple (Acer Rubrum)	3 Gallon	102
Holly (Ilex Cassine)	3 Gallon	101

Littoral Zone Planting

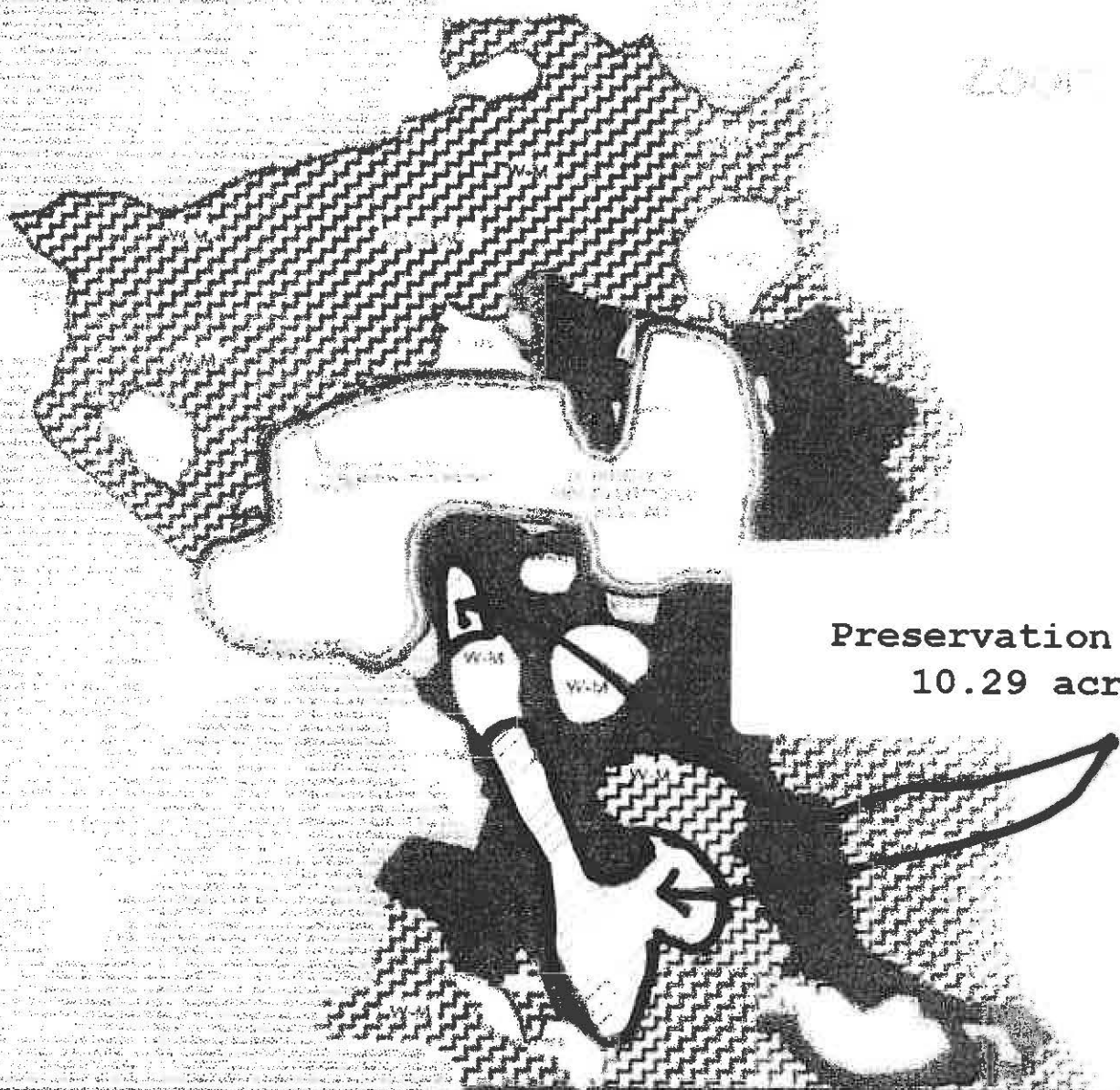
SPECIES	SIZE	NUMBER
NUPHAR LUTEUM	BARE ROOT	500
SAGITTARIA SPP.	BARE ROOT	500
SPARTINA BAKERI	4" PLUG	164
SCIRPUS CALIFORNICUS OR OTHER AVAILABLE SPECIES	LINER	500



US ARMY CORPS OF ENGINEERS
 APPLICATION# SAJ-2004-4984-PRJ
 DATE September 20, 2011
 DRAWING PAGE 15 OF 16

Mitigation Planting Plan
 Flagler Center Commerce Park
 Flagler County, Florida

Figure: E1
 Date: March 01, 2011
 Scale: N.T.S.
 Project Number: 2008-171



Z004

Preservation Marsh
10.29 acres

US ARMY CORPS OF ENGINEERS

APPLICATION# SAJ-2004-4984-PRJ

DATE September 20, 2011

DRAWING PAGE 16 OF 16

Mitigation Plan
Flagler Central Commerce Park
September 20, 2011

Methods – Enhancement

A 38.3 acre area of hydric planted pine wetland is found within the northeast portion of the Black Branch Swamp. Historic photographs show that this area was once vegetatively and hydrologically part of the surrounding swamp. As part of the mitigation plan, this area will be intensively enhanced. First, the raised beds and furrows that alter the natural sheet flow will be removed along with the planted slash pine. This will restore natural sheetflow through the area and restore connections to the surrounding swamp. Next, the flattened areas created by the rollerchopping will be planted with cypress, maple, and other one gallon or bare root wetland hardwood tree species (as available) on ten foot centers. These activities will convert the hydrologically-restrictive planted pine monoculture into a free-flowing mixed cypress/hardwood swamp. The increased hydrological connectivity and the diversity of vegetation will make the enhanced area part of the larger surrounding swamp. See planting plans in permit drawings.

Methods – Creation

The project includes the creation of a large borrow pit in existing upland fallow planted pine. This pond is located within the preserved swamp/enhanced planted pine area. A littoral zone will be created and planted along the edge of this borrow pit. The edge of the pit will be graded to a 4:1 slope, and littoral zone of 20 feet wide (4 feet above the waterline and 16 feet below the waterline) will be created. A border of sand cordgrass will be planted along the upper edge at a spacing of ten feet. The remainder of the littoral zone will be planted with submerged species such as pickerel weed, arrowhead, bulrush, and spadderdock, or similar species as available. This area will be 3.26 acres in size. See planting plans in permit drawings.

Methods – Restoration

Temporary impacts necessary to allow for borrow pit construction; enhancement area and creation area completion, will total 0.70 acre. These impacts will occur by improving road crossings through forested wetlands. The materials placed in these crossings (culverts and a small amount of fill) will be removed after work is complete and wetland trees will be planted on ten foot centers to restore the wetland. The wetland portions of the road will be preserved after the road is removed and the restoration work is completed. It is anticipated that the road will remain in place for a maximum of 12 years. The road improvements to the upland portion of the road will also be removed. The upland portions of the road will be preserved after the road is removed. See planting plans in permit drawings.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Regulated Industries, *Chair*
Appropriations Subcommittee on the Environment
and Natural Resources
Commerce and Tourism
Environmental Preservation and Conservation
Ethics and Elections
Health Policy

SENATOR TRAVIS HUTSON

7th District

February 26, 2018

RE: Letter of Support & Recommendation

To whom it may concern:

I write to express my support for the efforts of the City of Bunnell, working in conjunction with Flagler County to obtain funding this year for the SHOVEL-READY Flagler Central Commerce Parkway project.

This much needed Public-Private partnership Project has been underway for over 14 years starting with a \$2,000,000 Federal Grant. The project will provide an alternative route from US 1 to SR 100 in Bunnell. It will increase capacity of both roads, provide for secondary access to our County Government Services Buildings and provide access to a great location for 120 acres of future commercial and industrial development. Most importantly, it will significantly strengthen the local economy by creating new jobs and broadening the tax base for the area. The proposed construction will also include water and sewer lines to service the new developments and significantly enhance the town's customer base.

Without reservation, I support the efforts of Flagler County and the City of Bunnell to obtain funding this year for the Flagler Central Commerce Parkway project.

Sincerely,

A handwritten signature in blue ink that reads "Travis Hutson".

Travis Hutson
Florida Senator, 7th District

REPLY TO:

- 4875 Palm Coast Parkway, NW, Suite 5, Palm Coast, Florida 32137 (386) 446-7610 FAX: (888) 263-3475
- 314 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5007

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

PART I - CHARTER

ARTICLE I. - CREATION AND POWERS

Sec. 1.01. - Creation and powers.

The City of Bunnell as heretofore created by Laws of Florida, ch. 28955 (1953), as amended by special law or otherwise, shall have all governmental, corporate and proprietary powers to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes except as otherwise prohibited by law.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

ARTICLE II. - CORPORATE LIMITS

Sec. 2.01. - Corporate limits.

The Corporate limits of the City of Bunnell shall consist of the boundaries of the City as established by prior Charter, or as enlarged or contracted pursuant to law, including but not limited to, procedures to be followed in the annexation or contraction of property as set forth in F.S. ch. 171, as it now exists or as it may be renumbered or amended.

All ordinances of annexation of the City heretofore adopted prior to the effective date of this Charter [March 5, 2002] are hereby incorporated herein and the lands described in such ordinances, together with the boundaries of the City as described in the prior Charter, as amended, are hereby declared to be the corporate limits of the City.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

ARTICLE III. - LEGISLATIVE

Sec. 3.01. - City Commission; powers and composition.

A. There shall be a City Commission with all long-term and short-term planning responsibilities, contractual powers, and legislative powers of the City vested therein consisting of four (4) at large members and the Mayor, who shall all be electors of the City.

B. The city shall have an elected Mayor, who shall be an elector of the City. This position will retain all of the enumerated responsibilities and duties as stated in paragraph A. of this section.

C. The City Commission may appoint such boards, pursuant to Florida Statutes, commissions, and advisory committees as may be necessary. Any boards, commissions or committees appointed pursuant to this section shall be established by resolution of a majority vote of the City Commission. Considerations by the City Commission may include but are not limited to setting forth the purpose of the boards, commissions or committees, the number of regular and/or alternate members, qualifications of members, terms of office, and procedure for appointment.

D. The City Commission shall be empowered to encumber City funds and enter into contractual agreements for purposes of securing professional services for the City Commission. Examples of the types of professional services shall include but are not limited to planning, fiscal, legal, and consultation. Specifically, the City Attorney/legal service for the City shall be selected by the City Commission and secured by contract with the City Commission; City fiscal auditing services shall be selected by the City Commission and secured by contract with the City Commission; professional planning services shall be selected by the City Commission and secured by contract with the City Commission; and other similar professional services or consulting services shall be selected by the City Commission and secured by contract with the City Commission. All contractual agreements entered into by the City of Bunnell shall be approved by a majority vote of the City Commission. The City Commission shall not approve any contract whose terms violate any Ordinance of the City of Bunnell. When such majority approval of the City Commission is recorded, the Mayor or designee shall promptly sign the contractual agreement(s) on behalf of the City Commission.

E. Members of the City Commission may place items on the next agenda only with ample prior public notice, unless the matter is such an extreme emergency that if not heard, it will cause irreparable harm to the city or its citizens, property owners, or interests. In such an emergency circumstance, the new agenda item shall be placed as the first item of business on the agenda.

F. Duties of City Commissioners. Members of the City Commission have the duty to attend all City Commission meetings, to abide by all laws, procedures, and actions of the council, to act with the best interest of the citizens on all votes and actions, to review and familiarize themselves with all items on the agenda and backup, and to represent the City in a professional and positive manner both at meetings and in public.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14; Election 3-5-2019)

Sec. 3.02. - Nonpartisan election.

All qualifications and elections of the City Commission and the office of Mayor shall be conducted on a nonpartisan basis without regard for or designation of political party affiliation of any nominee on any nomination petition of ballot.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 3.03. - Qualification.

Candidates for the office of City Commissioner and the office of Mayor shall qualify for such office by filing a written notice of candidacy with the designated official at such time and in such manner as may be prescribed by ordinance. Each candidate for the office of City Commissioner or Mayor shall have been, at the time of qualifying as a candidate for such office, a bona fide resident and elector of the City for a period of no less than one (1) year prior to qualifying, and shall be a registered elector of the City.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 3.04. - Election and terms.

A. Beginning in March of 2010, in March of every third year, two (2) Commissioners and the Mayor shall be elected and in March of the following year, two (2) Commissioners shall be elected and in March of the following year, two (2) Commissioners shall be elected for terms of three (3) years. Example: In March of 2010, two (2) Commissioners and the Mayor shall be elected. Those two Commission seats and the one (1) Mayor seat would come up for election again in March 2013; and then again in March of 2016, and would continue to come to election every third year thereafter. The following year, in March of 2011, the two (2) Commissioner seats would come up for election. Those two (2) seats would come up for election in March of 2014; and then again in March of 2017, and would continue in this fashion, thus always remaining in the election the year

following the election of the first two (2) Commission seats and one (1) Mayor seat.

B. Offices will be filled by candidates receiving the highest number of votes. Commissioners and Mayor shall be seated at the first regular meeting in April following the election date. The Commission shall set the election date by ordinance.

C. In the event not more than one (1) person qualifies for each designated seat of the Commission or Mayor to be filled, such candidates shall be declared elected without the necessity of being voted upon in the election and shall assume office at the first regular meeting in April following the election date pursuant to [section] 3.07.

D. City Commissioners and the Mayor are subject to the requirements of Florida's Resign-to-Run law, F.S. § 99.012, as amended from time to time.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 3.05. - Compensation and expenses.

The Commission shall determine the annual salary of Commission members and the Mayor by resolution. Except as provided herein, any increase in such annual salaries may not exceed the average percentage salary increase that was awarded to City employees for the current budget year. The aforementioned percentage shall be calculated by summing the salaries of all employee positions that existed in both the previous and current budget year (excluding the salaries of the Mayor, Commission members, and City Manager), and dividing the sum for the current budget year by the sum for the previous budget year. Any increase to the annual salary of the Commission members and the Mayor exceeding the foregoing limitation may only be approved by a majority of the electors of the City voting in a referendum, called for that purpose and specifying the amount of the increase, to be held during a regular municipal election. No resolution increasing the annual salary of the Commission members and the Mayor shall become effective until after the first regular election after the adoption of the resolution.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14; Election of 3-5-2019)

Sec. 3.06. - Mayor.

A. The Mayor shall preside at meetings of the Commission and shall vote on all issues.

B. Powers of the Mayor: Except as otherwise provided in this Charter, the Mayor may at any time, but at least on a quarterly basis review all City affairs. The Mayor shall call to the attention of the City Manager all violations of duty, any

misfeasance, nonfeasance or improper conduct on part of any city official that may come to his/her attention and report back to the City Commission if no corrections have been made. When the Mayor determines that it is in the best interest of the city, he/she may exercise his/her authority to suspend the City Manager and/or that portion of the City's daily business brought into question by his/her review. An emergency meeting of the City Commission shall be called by the Mayor to address the issues and suspension of the City Manager and state the reasons for that action, within seventy-two (72) hours of said suspension. The City Commission shall take action to reinstate or otherwise determine the status of the suspended City Manager or his/her replacement.

C. The Mayor shall communicate on at least a quarterly basis, at a regular meeting of the City Commission such information, recommendations and comments touching the welfare of the public, as he/she may deem proper.

D. The Mayor shall communicate to the public annually at an advertised meeting of the City Commission, scheduled as the second meeting in April. The Mayor shall present a "State of the City" address concerning such information, recommendations and comments touching the welfare of the public he/she may deem proper.

E. The Mayor shall be recognized as head of City Government for all ceremonial purposes, by Governor for purposes of military law, for the service of process, execution of contracts, deeds, and other documents, and as the City Official designated to represent the will of the City Commission in all agreements, with other governmental entities or certifications to other governmental entities, but shall have no administrative duties except to carry out the responsibilities as articulated in section 3.06. The Commission Vice Mayor shall act as temporary Mayor during the absence or disability of the Mayor as defined in [section] 3.07.

F. The Commission shall elect from among its members a Vice Mayor who shall preside at City Commission meetings in the absence of the Mayor. Election of the Vice Mayor shall be performed annually at the first regular Commission meeting in April.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14; Election 3-5-2019)

Sec. 3.07. - Vacancies; forfeiture of office; filling of vacancies.

A. Vacancies. The Office of a Commission member or Mayor shall become vacant upon the death, resignation, and removal from office in any manner authorized by law or forfeiture of the office of the member, such forfeiture to be declared by a majority of the remaining members of the commission.

B. Forfeiture of Office.

(1) A Commission member or Mayor shall forfeit that office if that

member:

- a. Lacks, at any time during that term of office, any qualification for the office prescribed by this charter or by law;
- b. Is convicted of a felony, or enters a plea of guilty or nolo contendere to a crime punishable as a felony, even if adjudication of guilt has been withheld;
- c. Is convicted of a first degree misdemeanor arising directly out of his/her official conduct or duties or enters a plea of guilty or nolo contendere thereto, even if adjudication of guilt has been withheld;
- d. Is found to have violated any standard of conduct or code of ethics established by law for public officials and has been suspended from office by the Governor, unless subsequently reinstated as provided by law; or
- e. Is absent from three consecutive regular Commission meetings or from one-third of the regular Commission meetings during any 12-month period without being excused by the Commission.

If any of these events should occur, then upon request of any Commission member or the Mayor, a hearing shall be conducted at the next regularly scheduled Commission meeting, and the Commission member or Mayor in question may be declared to have forfeited office by majority vote of the entire City Commission, excluding the Commission member or Mayor in question.

(2) The City Commission shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Commission member's or Mayor's office, including whether good cause for absence has been or may be established. The City Commission shall have the power to set additional written standards of conduct for its members beyond those specified in this charter and may provide for such penalties as it deems appropriate, including forfeiture of office. In order to exercise these powers, the council shall have power to subpoena witnesses, administer oaths, and require the production of evidence.

- C. Suspension from office. The Mayor or any other Commission member shall be suspended from office by the Commission acting as a body (excluding the Commission member or Mayor in question) upon return of an indictment or issuance of an information charging the Commission member or Mayor with any crime which is punishable as a felony or with any crime arising out of his/her official conduct or duties which is punishable as a misdemeanor. Pursuant thereto:

(1) During the period of suspension, the Mayor or the Commission member shall not perform any official act, duty, or function, or receive any allowance, emolument, or privilege of office.

(2) If the Mayor or the Commission member is subsequently found not guilty of the charge, or if the charge is otherwise dismissed or altered so that suspension would no longer be required as provided herein, the suspension shall be lifted by the Commission, and the Commission member or Mayor shall be entitled to receive full back allowances and such other emoluments or as he/she would have been entitled to had the suspension not occurred.

D. Filling of Vacancies. A vacancy of the Commission shall be filled by the Commission. The Commission shall appoint the successor(s) to fill the vacancies until a special election can be held simultaneous to the next regular election. A vacancy of the position of Mayor shall be filled by the Vice Mayor until the next regular election.

E. Extraordinary Vacancies.

(1) Notwithstanding any quorum requirements established herein, if at any time the members of the Commission are reduced to less than a quorum, the remaining members may, by majority vote, appoint additional members to the shortest unexpired term to obtain a quorum for the purpose of filling vacancies under section 3.07.C.

(2) In the event that all members of the Commission and Mayor are removed by death, disability, law or forfeiture of office, the governor shall appoint an interim Commission that shall call a special election.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14; Election of 3-5-2019)

Sec. 3.08. - Procedure.

A. Meetings. The Commission shall meet regularly at least twice in every month at such times, and places as the Commission may prescribe by rule. Special Meetings may be held on the call of the Mayor or any Commission member and with no less than seventy-two (72) hours' notice to each member and the public. Emergency Meetings may be called, with an attempt made to notify the public, by any commissioner or the Mayor, but must be of such importance that the community's health, safety, welfare, lives or the City's finances are in immediate peril. Special or Emergency Meetings shall be restricted to the subject(s) for which the meeting was called.

B. Rules and Journal. Within thirty (30) days following any regular election, the Commission shall determine its own written rules and order of business and shall keep a record of its proceedings.

C. Quorum. A majority of the commission shall constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the commission. No action of the commission except as otherwise provided in the

proceeding sentence and in section 3.07, shall be valid or binding unless adopted by the affirmative vote of the majority of a quorum present.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 3.09. - Prohibitions.

A. Running For/Holding Other Offices. No member of the City Commission or the Mayor, during the term for which he/she has been elected or appointed and for one (1) year thereafter, shall be eligible to hold any office, position or employment in the city other than on the City Commission or as Mayor.

B. Interfering with Administration. Except for the purpose of inquiry and information, neither individual City Commissioners nor the Mayor shall give orders to any officer or City employee, either publicly or privately, except as provided in section 3.06.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

ARTICLE IV. - ADMINISTRATIVE

Sec. 4.01. - City Manager.

There shall be a City Manager who shall be the Chief Administrative Officer of the City. He/she shall be responsible to the City Commission for the administration of all City affairs placed in his/her charge by the Commission or under this Charter. He/she shall serve at the will, pleasure and direction of the City Commission.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 4.02. - Qualifications, appointment, termination, compensation.

A. The City Manager shall be selected on the basis of experience, education, expertise and management ability as they pertain to running municipal government.

B. Appointment. The City Commission shall appoint a City Manager for an indefinite term by a majority vote of the entire City Commission. The appointment shall be secured with a contract for employment, which must contain the City Manager's Job Description developed by the City Commission and adopted by a majority vote of the entire City Commission. The City Manager's Job Description shall be a binding portion of the contract for employment. A provision of every City Manager's employment contract shall state that any portion of the City Manager's Job Description may be changed at any time by a majority vote of the entire City Commission.

C. Although the City Manager need not be a resident of the City at the time of appointment, within six (6) months after such appointment he or she shall establish and maintain residency within Flagler County.

D. Termination. The City Commission may terminate the City Manager by a majority vote of the entire City Commission.

E. Compensations. The compensation of the City Manager shall be fixed by a majority vote of the entire City Commission and shall not be reduced during that tenure.

F. Votes to Appoint or Terminate City Manager. A vote to appoint or terminate the City Manager shall occur only at a meeting of the City Commission at which all Commission Members are in attendance, unless the proposed action was noticed by inclusion in the published meeting agenda for the meeting at which the action is proposed to be taken.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14; Election 3-5-2019)

Editor's note— An ordinance passed by referendum March 4, 2014, changed the title of § 4.02 from "Appointment, termination, compensation" to read as herein set out.

Sec. 4.03. - Acting/Interim City Manager.

The City Manager shall designate a qualified city department supervisor to serve as Acting City Manager in his or her temporary absence. The Acting City Manager shall exercise the powers and duties of the City Manager. If the City Manager is incapacitated or permanently unable to perform his or her duties, the highest tenured City Department Head will act as City Manager until such time as the City Commission is able to meet for the purpose of appointing an Acting/ Interim City Manager.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Editor's note— An ordinance passed by referendum March 4, 2014, changed the title of § 4.03 from "Order of succession" to read as herein set out.

Sec. 4.04. - Scope of the City Manager's duties.

A. The City Manager will submit to the City Commission a complete report on the finances and administrative activities of the City at the end of the fiscal year in conjunction with the auditor's report. The City Manager's report will include a detailed operating statement of functions related to expenditures for each department and other "budgetary entities" within the City's fiscal structure. The City Manager shall address audit discrepancies, to include which City Officials, in addition to the City Manager, are accountable/responsible for each noted discrepancy, and report progress to the City Commission, initially within thirty (30) days after the audit report and thereafter at least monthly as required by the City Commission until each audit item is resolved to the satisfaction of the City Commission.

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

C. The City Commission as it is developing the City Manager's Employment Contract, Job Description or Change of Job Description, shall address but is not limited to the following provisions:

1. Human Resource Matters;
2. Procurements;
3. Budgetary Responsibility;

4. Economic and Grant Development.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

ARTICLE V. - TRANSITION SCHEDULE

Sec. 5.01. - Continuation of former Charter provision.

All provisions of Laws of Florida, ch. 28955, (the former Charter) as amended by special law or otherwise which are not embraced herein and which are not inconsistent with this Charter shall become ordinance of the city subject to modification or repeal in the same manner as other ordinances of the city.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Editor's note— In conjunction with the preparation of the Code of Ordinances, the former Charter was reviewed and provisions deemed viable codified. Therefore, the former Charter will be repealed by adoption of the City Code.

Sec. 5.02. - Ordinance preserved.

All Ordinances in effect upon the adoption of this Charter, to the extent not inconsistent with it, shall remain in force until repealed or changed as provided herein.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 5.03. - Rights of officers and employees.

Nothing in this Charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are City Officers or employees at the time of adoption. Elected officers shall continue to hold their offices and discharge the duties thereof until their successors are seated.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec 5.04. - Pending matters.

All rights, claims, actions, orders, contracts and legal or administrative proceedings involving the City shall continue except as modified pursuant to the provisions of this Charter.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

Sec. 5.05. - Deletion of the obsolete schedule items.

The City Commission shall have power, by resolution, to delete from this article V, and any section, including this one, when all events to which the section to be deleted is or could become applicable have occurred.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14)

ARTICLE VI. - CHARTER REVIEW

Sec. 6.01. - Establishment of Charter Review Committee and procedures.

The City Charter shall be reviewed by a Charter Review Committee. Charter reviews shall be accomplished at least every five (5) years. The City Commission shall establish the membership, timeline and procedures for the Charter Review Committee, provided that, without limitation, non-resident owners of businesses within the City may be members of the Charter Review Committee.

(Ord. No. 2006-35, § 1, Exh. A, 11-21-06; Ord. No. 2009-06, § 1, Exh. A, 2-3-09, Election of 3-3-09; Election of 3-4-14; Election 3-5-2019)

Sec. 6.02. - Charter amended by petition.

The City Charter may be amended by petition of the electors of the City of Bunnell, pursuant to F.S. § 166.031, as amended from time to time.

(Election of 3-4-14)

ARTICLE VII. - GENERAL PROVISIONS

Sec. 7.01. - Conflicts of interest and ethics.

Ethics. Chapter 112, Part III, Florida Statutes, as amended from time to time, shall govern conduct related to City Commission and city employee conflicts of interest and ethics. The City Commission shall appropriate sufficient funds to provide, require and attend annual training and education of city officials, appointed officials, employees, volunteer advisory board and committee members and candidates for public office regarding the ethics code.

Penalties. Penalties for ethical violations shall be as provided by general law or as established by ordinance.

(Election of 3-4-14)

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR
CITY MANAGER



COMMISSIONERS:

BILL BAXLEY

DONNIE NOBLES

JAN REEGER

BUNNELL CITY COMMISSION MINUTES

Monday, September 23, 2019

Meeting started immediately after Second Public Budget Hearing

7:00 PM

201 West Moody Boulevard,
City Commission Chambers - Building 3
Bunnell, FL 32110

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

Mayor Robinson called the meeting to order at 7:19 PM and lead the Pledge of Allegiance.

Roll Call Present: Mayor Catherine D. Robinson; Vice Mayor John Rogers; Commissioner Bill Baxley; Commissioner Donnie Nobles; Commissioner Jan Reeger; City Attorney Wade Vose; City Manager Dr. Alvin B. Jackson, Jr.; Finance Director Shanea Stankiewicz; City Clerk Kristen Bates; Deputy Clerk Saleena Randolph

Invocation for our Military Troops and National Leaders

Pastor Daisy Henry lead the invocation.

B. Introductions, Commendations, Proclamations, and Presentations:

B.1. Proclamation: Rail Safety Week

Mayor Robinson read the Proclamation into the record. Chief Foster accepted the Proclamation.

C. Consent Agenda:

C.1. Approval of Warrant

a. September 23, 2019 Warrant

C.2. Approval of Minutes

a. September 9, 2019 City Commission Meeting minutes

C.3. Request approval for a blanket purchase order to Lynch Oil for FY2019-20

C.4. Request Approval to create a blanket purchase order to Ferguson Waterworks for FY19-20

C.5. Request Approval to piggyback the City of Deltona's contract renewal with Hawkins, and approve creation of a blanket purchase order

C.6. Request Approval to Surplus Retired Equipment

C.7. Request Approval for Change of Company on Surety Bonds for DB Civil Construction.

NOTE: Item C-3 was pulled from the Consent Agenda for discussion.

Motion: Approve items C-1, C-2, C-4, C-5, C-6, and C-7 of the Consent Agenda.

Motion by: Commissioner Baxley

Seconded by: Commissioner Nobles

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

C.3. Request approval for a blanket purchase order to Lynch Oil for FY2019-20

This item was pulled for discussion by Commissioner Reeger. She questioned using the County fuel system. Her questions were answered by staff.

Motion: Approve item C-3 of the Consent Agenda.

Motion by: Commissioner Reeger

Seconded by: Vice Mayor Rogers

Board Discussion: Vice Mayor Rogers mentioned removing the fuel tanks will remove or reduce the liability to the City.

Public Discussion: None

Vote: Motion carried unanimously.

D. Public Comments:

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

Pastor Daisy Henry reported the County had reported the start on the addition to the Carver Gym was being held up by the City because of flowers. She requested that the City expedite the plan. She explained that the Carver Gym program is dynamic and need expansions to help with drop outs from the high school.

City Manager Jackson stated that plan was already approved by the City and it is now at the County for action.

E. Ordinances: (Legislative):

E.1. Ordinance 2019-13 Request to Change the Future Land Use Designation on Approximately 0.992 Acres of Property from City of Bunnell, Single-Family Low Density to City of Bunnell, Commercial-Medium - Second Reading

City Attorney Vose read the short title into the record. Community Development Director Rodney Lucas presented the item to the Board.

Motion: Adopt Ordinance 2019-13 Request to Change the Future Land Use Designation on Approximately 0.992 Acres of Property from City of Bunnell, Single-Family Low Density to City of Bunnell, Commercial-Medium - Second Reading

Motion by: Commissioner Baxley

Seconded by: Commissioner Nobles

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

E.2. Ordinance 2019-14 Request to Change the Future Land Use Designation on Approximately 1.354 Acres of Property from Flagler County Commercial-High Intensity to City of Bunnell Commercial-Medium - Second Reading

City Attorney Vose read the short title into the record. Community Development Director Rodney Lucas presented the item to the Board.

Motion: Adopt Ordinance 2019-14 Request to Change the Future Land Use Designation on Approximately 1.354 Acres of Property from Flagler County Commercial-High Intensity to City of Bunnell Commercial-Medium - Second Reading

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Reeger

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

E.3. Ordinance 2019-15 Request to Rezone Approximately 1.354 Acres of Property From C-2, General Commercial and Shopping Center District to City of Bunnell, B-1, Business District - Second Reading

City Attorney Vose read the short title into the record. Community Development Director Rodney Lucas presented the item to the Board.

Motion: Adopt Ordinance 2019-15 Request to Rezone Approximately 1.354 Acres of Property From C-2, General Commercial and Shopping Center District to City of Bunnell, B-1, Business District - Second Reading

Motion by: Commissioner Reeger

Seconded by: Vice Mayor Rogers

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

F. Resolutions: (Legislative):

F.1. Resolution 2019-15 Amending Resolution 2017-27, relating to Water and Wastewater Utility Rates, Ratifying Non-implementation of Annual Rate Adjustment

City Attorney Vose read the short title into the record and presented the item to the Board.

Motion: Adopt Resolution 2019-15 Amending Resolution 2017-27, relating to Water and Wastewater Utility Rates, Ratifying Non-implementation of Annual Rate Adjustment

Motion by: Commissioner Reeger

Seconded by: Commissioner Baxley

Board Discussion: Commissioner Reeger stated she is "delighted" that this is being done.

Public Discussion: None

Vote: Motion carried unanimously.

G. Old Business: None

H. New Business:

H.1. Request to Approve Bid Award for SR100 Reclaimed Water Main Extension Phase II

Infrastructure Director Dustin Vost presented the item to the Board.

Motion: Approve the request to award the Bid to SanPik, Inc. in an amount not to exceed \$367,528 for the SR100 Reclaimed Water Main Extension Phase II project.

Motion by: Commissioner Baxley

Seconded by: Commissioner Nobles

Board Discussion: Commissioner Reeger asked who was on the bid selection committee. Staff answered.

Public Discussion: None

Vote: Motion carried unanimously.

H.2. Flagler Central Commerce Parkway - 1 to 100 Employment District

Community Development Director Rodney Lucas presented the item to the Board.

Motion: Approve the partnership with Flagler County and authorize Staff to make grant applications for the project.

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Reeger

Board Discussion: Commissioner Reeger stated this is a beneficial project for the City and the City needs to apply for any grant that will get this road constructed.

Public Discussion: None

Vote: Motion carried unanimously.

H.3. Request to Appoint Planning, Zoning and Appeals Board Member

Community Development Director Rodney Lucas presented the item to the Board explaining the vacancy and the alternate.

Motion: Appoint Gwendolyn Lafferty as a regular member of the Planning, Zoning and Appeals Board Member to serve out the remainder of the term of a vacated seat

Motion by: Commissioner Reeger

Seconded by: Vice Mayor Rogers

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

Motion: Appoint Robin Tyler as the alternate on the Planning, Zoning and Appeals Board for a three-year term.

Motion by: Commissioner Reeger

Seconded by: Commissioner Nobles

Board Discussion: Mayor Robinson discussed Ms. Schultz and her experience. A discussion was made about choosing Robin Tyler as the Code Board Member instead.

Public Discussion: None

Vote: Motion carried 3 to 2.

Yes: Vice Mayor Rogers, Commissioner Nobles, Commissioner Reeger

No: Mayor Robinson, Commissioner Baxley

H.4. Request to Appoint Code Enforcement Board Members

Community Development Director Rodney Lucas presented the item to the Board explaining the vacancy and the alternate.

Motion: Appoint Tina Marie Schultz as a regular member of Code Enforcement Board Member.

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Reeger

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

Motion: Appoint Tammi Marquis as an alternate to the Code Enforcement Board Member.

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Baxley

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously.

I. Reports:

- **City Clerk** – reported the new A/C unit at the Versie Lee Community Center was installed and the building is available for rental again. The 1st November meeting will be Tuesday, November 12 due to the Veterans Day holiday.
- **City Attorney** - None
- **City Manager** – Reminded the Commission his Annual Evaluation was due in October and advised the Clerk will send out the evaluation instrument used for Management staff for the Commission to utilize.
- **Mayor and City Commissioners**
 - **Commissioner Reeger** – asked staff to look into by-laws for the PZA Board, advised she would like Volunteer Board members to get Sunshine Law training, and asked the Commission if they were interested in adopting a ranking system to choose Members being appointed to Volunteer Boards.

- **Vice Mayor Rogers** – thanked the Mayor and City Manager for going to the 9/11 Memorial explaining that it had a great Law Enforcement presence. He also mentioned the Holden House open house and how it was a nice event. The Carver Gym Block Party had a great turn out.
- **Commissioner Nobles** - None
- **Commissioner Baxley** – mentioned the City Manager job description.
- **Mayor Robinson** – thanked the Board for working through the budget process. Thanked Shanea for her work and she is looking forward to a full staff. Stated it is exciting where we are going. Thanked the departments for making the cuts. She loved the 9/11 motorcycle remembrance.

J. Call for Adjournment.

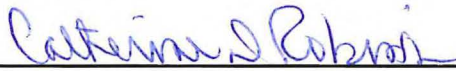
Motion: Adjourn.

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Baxley

Vote: Motion carried unanimously.

Meeting adjourned at 8:10 PM



Catherine D. Robinson, Mayor



Kristen Bates, CMC, City Clerk



Date



Date

****The City adopts summary minutes. Full audio from City Meetings is available on the City's website. Audio files in official City records are retained according the Florida Department of State GS1-SL records retention schedule****