

REGULAR MEETING
APALACHICOLA CITY COMMISSION
TUESDAY, AUGUST 6, 2024 – 6:00PM
FORMER APALACHICOLA MUNICIPAL LIBRARY
74 6TH STREET, APALACHICOLA, FLORIDA 32320

AMENDED AGENDA

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

- I. Call to Order**
 - **Invocation**
 - **Pledge of Allegiance**

- II. Agenda Adoption**

- III. Public Comment**

- IV. New Business**
 - 1. Budget Calendar**
 - 2. Encroachment Agreement Addendum – Drew**
 - 3. Encroachment Agreement Request – Pendleton**
 - 4. Encroachment Agreement – 196 8th Street**
 - 5. First Baptist Christian School – Variance Fee Refund Request**
 - 6. Riverfront Park Fountain**
 - 7. FWC No Wake Ordinance 2024-04 1st Reading**
 - 8. Floodplain Ordinance 2024-05 1st Reading**
 - 9. Trail-Go Grant Application Approval**
 - 10. CEI Procurement for Leslie Street project**

- V. Unfinished Business**
 - 1. Engineering Award – Stormwater Mitigation Grant Project**
 - 2. Grant Application Approval Policy (Draft)**

- VI. Mayor and Commissioner Comments**

- VII. City Manager Communications - Report Attached**

VIII. Finance Director Communications - Report Attached

IX. Attorney Communications

X. Consent Agenda

Commission Meeting Minutes Adoption:

07/02/2024, Regular Meeting

07/02/2024, Workshop Meeting: African American History Museum

07/02/2024, Workshop Meeting: Popham Building

07/02/2024, Workshop Meeting: FEMA/CRS

07/09/2024, Special Meeting: FDOT-MSCOP AWARD & Tentative Millage Rate Adoption

07/16/2024, Special Meeting: FDACS Grant Application Submission

P & Z Meeting Minutes – 6/10/24, Regular Meeting

XII. Department Reports – Included in Agenda Packet

Adjournment

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

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: **FY 24/25 Budget Calendar**

AGENDA INFORMATION:

Agenda Location: **New Business**
Item Number: **1**
Department: **Finance**
Contact: **Lee Mathes**
Presenter: **Lee**

BRIEF SUMMARY: Attached is the 24/25 Budget Calendar. Workshop dates may be changed or additional workshops may be added if needed.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Approve

FUNDING SOURCE: N/A

ATTACHMENTS: 24/25 Budget Calendar

STAFF'S COMMENTS AND RECOMMENDATIONS: Approve

CITY OF APALACHICOLA 2024 – 2025 BUDGET CALENDAR

July 1, 2024	Certification of Taxable Value (Form DR-420) From Property Appraiser
July 9, 2024	Tentatively Adopt Millage Rate Special Meeting – 6:00 PM
July 19, 2024	Enter Form DR-420 and Form DR-420MMP into OASYS (Including Proposed Millage Rate, Rolled-Back Rate, and Date & Time of 1 st Budget Public Hearing)
July 22 – 31, 2024	City Manager & Finance Director meet with Department Heads to discuss Budget Needs
Week of July 29, 2024	Finance Director meets with City Manager & Finance Commissioner to review FY 23/24 Revenues & Expenses and Discuss Upcoming FY 24/25 Budget
August 9 – 14 th	Draft Budget Must be Completed no later than August 14 th
August 20, 2024	Budget Workshop – 6:00 PM
August 24, 2024	Property Appraiser Mails Notices of Proposed Property Taxes to Property Owners
August 27, 2024	Budget Workshop – 6:00 PM
September 3, 2024	Budget Workshop (If Needed) Prior to Regular Meeting – 6:00 PM
September 10, 2024	First Budget Public Hearing & Special Meeting to Tentatively Adopt Millage Rate & Budget – 6:00 PM
September 12, 2024	Submit Budget Advertisement to Apalachicola Times
September 19, 2024	Budget Ads run in Apalachicola Times
September 24, 2024	Second Budget Public Hearing & Special Meeting – Final Adoption of Millage Rate & Budget – 6:00 PM
September 25, 2024	Submit Resolution Adoption Millage Rate to Property Appraiser, Tax Collector, and Department of Revenue

September 25, 2024

Complete and Certify Final TRIM Forms in OASYS

Complete and Certify Final Taxable Value Once Received From Property Appraiser Office

October 18, 2024

Submit Trim Package to Department of Revenue
Certification of Compliance (Form DR-487)

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Submission of proposed Addendum to existing City of Apalachicola
Encroachment/Variance Agreement

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 2
Department: Administration
Presenter: Kristy Banks, on behalf of property owner David Drew

BRIEF SUMMARY:

Request to modify existing Encroachment/Variance Agreement removing prior “shed” in its entirety and approving the replacement of the deteriorated wood deck within its prior approved existing footprint.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Motion to adopt proposed Addendum to existing City of Apalachicola Encroachment/Variance Agreement – copy of proposed Addendum attached.

FUNDING SOURCE:

NA

ATTACHMENTS:

City of Apalachicola Encroachment/Variance Agreement dated March 10, 2022
Proposed Addendum
Franklin County Property Appraiser information on subject property
Warranty Deed dated July 12, 2023
Survey dated 08/03/1992
Survey dated 06/07/2023
Current survey reflecting removal of “shed” and footprint of “deck” is forthcoming

STAFF’S COMMENTS AND RECOMMENDATIONS:

CITY OF APALACHICOLA

ADDENDUM TO ENCROACHMENT/VARIANCE AGREEMENT

WHEREAS, the City of Apalachicola previously granted an Encroachment/Variance Agreement to the property owner of Block 5, Lot 5, in the City of Apalachicola on March 10, 1998, authorizing existing encroachments into the right-of-ways of Market Street Avenue "H" and the adjoining alleyway and also the existing set backs as shown by attachment to the original Agreement attached as Exhibit "A." The property owner has made certain repairs to the decking portion of the encroachment and was directed by City Staff to seek this Addendum to maintain compliance with the original agreement.

WHEREAS, said applicant by his signature below hereby certifies that he has provided all data and information regarding said property to the City and that the City has determined that it finds no objection or reason to deny the request; and

WHEREAS, said applicant by his signature below hereby agrees and binds the applicant and all owners, successors and assigns of the subject property to the obligations, conditions and responsibilities set forth in this document and that such obligations and conditions shall constitute covenants that run with the land or property; and

WHEREAS, the applicant hereby certifies that his signature below as applicant constitutes the total owners of the property and all persons who are required to bind the property to these conditions; and

WHEREAS, the applicant and his successors and assigns by his signature below hereby agree to indemnify, hold harmless and defend the City of Apalachicola from and against all personal injury and property damage, claims, demands, suits or judgements which may be made against it by reason of said encroachment or any characteristic thereof; and

WHEREAS, the applicant by his signature below hereby binds said applicant and his successors and assigns to the agreement that the encroachment shall and may only be repaired and maintained, and that once the structure to which the encroachment is connected is destroyed by 50% or more as determined by the City Building Inspector this variance and agreement shall cease and the encroachment shall be removed; and

WHEREAS, the applicant by his signature below agrees and binds said applicant and his successors and assigns that this allowance of encroachment is subject to the rights of the City with respect to the maintenance of any utilities that may underlie the said encroachment; and

WHEREAS, the City Commission of the City of Apalachicola, based on the above certifications and agreements, has agreed to allow the encroachment conditioned upon the requirements set herein on the part of the applicant.

NOW THEREFORE, conditioned and based on the agreements and requirements set forth herein, the City of Apalachicola has approved the variance allowing the existing set -backs and/or encroachments onto the City of Apalachicola property subject to said conditions.

FOR THE CITY OF APALACHICOLA

Brenda Ash, Mayor

ATTEST:

Travis Wade, City Manager

State of Florida

County of Franklin

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of August, 2024 by Brenda Ash who is personally known or has produced a driver's license as identification.

Notary Public

State of Florida

County of Franklin

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of July, 2024 by Kathleen A. Blake who is personally known or has produced a driver's license as identification.

Notary Public

CITY OF APALACHICOLA
ENCROACHMENT/VARIANCE AGREEMENT

KENDALL WADE CLERK
CO:FRANKLIN ST:FL

RECORD VERIFIED
BY Risa Zingarelli

WHEREAS, a request has been made to the City of Apalachicola by the owners of the structure set forth in the site plan attached as Exhibit "A", property being more specifically described as Block 5, Lot 5, in the City of Apalachicola, Florida, for the City to authorize existing encroachments into the right-of-ways of Market Street, Avenue "H" and the adjoining alleyway, also the existing set backs as shown in the attached Exhibit "A";

WHEREAS, said applicant(s) by their signature below hereby certify that they have provided all data and information regarding said property to the City and that the City has determined that it finds no objection or reason to deny the request; and

WHEREAS, said applicant(s) by their signature below hereby agree and bind the applicant(s) and all owners, successors and assigns of the subject property to the obligations, conditions and responsibilities set forth in this document and that such obligations and conditions shall constitute covenants that run with said land or property; and

WHEREAS, the applicant(s) hereby certify that their signature set forth below as applicant(s) constitutes the total owners of the property and all persons who are required to bind the property to these conditions; and

WHEREAS, the applicant(s) and their successors and assigns by their signature below hereby agree to indemnify, hold harmless and defend the City of Apalachicola from and against all personal injury and property damage, claims, demands, suits or judgements which may be made against it by reason of said encroachment or any characteristic thereof; and

WHEREAS, the applicant(s) by their signature below hereby bind said applicant and their successors and assigns to the agreement that the encroachment shall and may only be repaired and maintained, and that once the structure to which the encroachment is connected is destroyed by 50% or more as determined by the City Building Inspector this variance and agreement shall cease and the encroachment shall be removed; and

WHEREAS, the applicant(s) by their signature below agree and bind said applicant(s) and their successors and assigns that this allowance of encroachment is subject to the rights of the City with respect to the maintenance of any utilities that may underlie the said encroachment; and

WHEREAS, the City Commission of the City of Apalachicola, based on the above certifications and agreements, has agreed to allow the encroachment conditioned upon the requirements set herein on the part of the applicant(s).

NOW THEREFORE, conditioned and based on the agreements and requirements set forth herein, the City of Apalachicola has approved the variance allowing the existing set-backs and/or encroachments onto the City of Apalachicola property subject to said conditions.

FOR THE CITY OF APALACHICOLA

Robert L. Howell

Robert L. Howell, Mayor

ATTEST:

Betty Taylor-Webb
Betty Taylor-Webb, City Clerk

By the signature(s) below, I/we hereby certify that I/we are the sole owners of the property on which the structure is principally located as set forth in the attached site plan that by we by the signatures below agree, warrant and certify to the matters set forth above in this agreement and hereby bind our successors and assigns of the subject property to these conditions as covenants running with the land.

DATED this 10th day of March, 1998.

Linda Maloy
Witness: Linda Maloy

Clifford J. Allen
Applicant Clifford J. Allen

Deborah J. Shiver
Witness: Deborah J. Shiver

Applicant

STATE OF FLORIDA - COUNTY OF FRANKLIN

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared Clifford J. Allen, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he executed the same, that I relied upon the following form of identification of the above-named person: personally known to me, and that an oath (was) (~~was not~~) taken.

WITNESSES and official seal in the County and State of Florida, this 10th day of March, ~~XXXXXX~~ 1998.



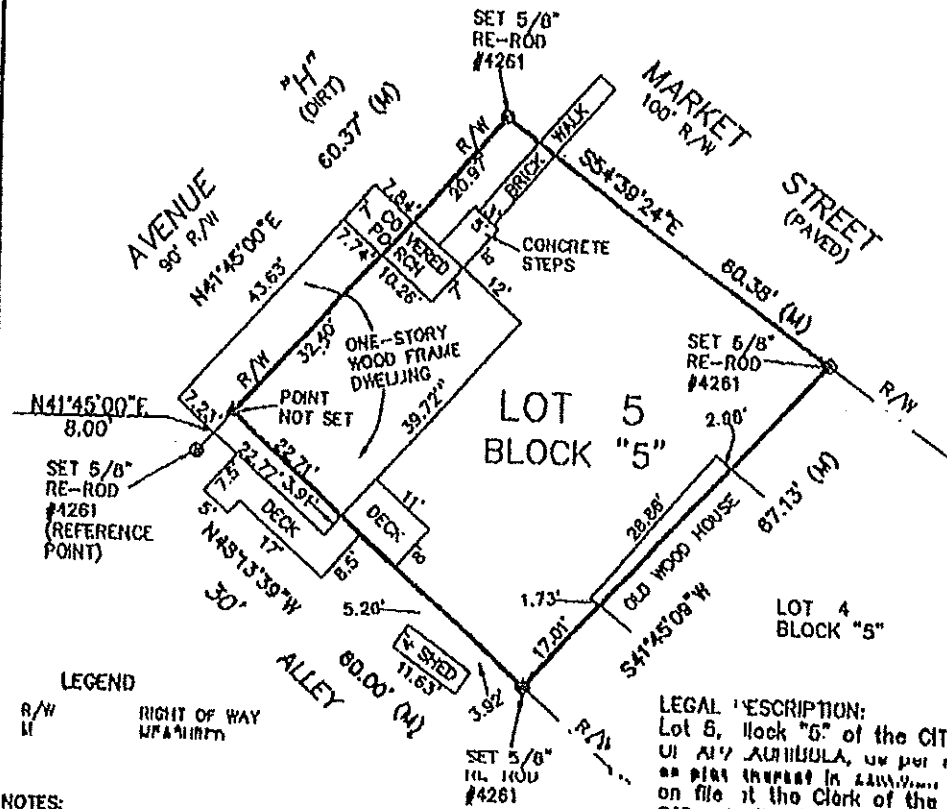
Linda Maloy
NOTARY PUBLIC:

James "Thurman" Roddenberry Professional Land Surveyor

Post Office Box 418 • 114 Municipal Avenue • Sopchoppy, Florida 32358-0418 • (904) 862-2530

PLAT OF BOUNDARY SURVEY CERTIFIED TO:
CLIFFORD J. ALLEN,
SUNTRUST BANK, NORTH FLORIDA, N.A.,
DODD TITLE CO., INC.,
STEWART TITLE GUARANTY CO.

EXHIBIT "A"



LEGEND
R/W RIGHT OF WAY
M MUNICIPAL

NOTES:

1. SURVEY SOURCE: Record plat and a field survey performed by the undersigned surveyor.
2. BEARING REFERENCE: Southeastern right of way boundary of Avenue "H" having an assumed bearing of North 41 degrees 45 minutes 00 seconds East.
3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
4. There are no other improvements shown on this survey other than shown hereon.
5. This survey is dependent upon EXISTING MONUMENTATION.
6. This plat shall show the signature and the official seal of a Florida licensed surveyor and mapper.

LEGAL DESCRIPTION:
Lot 5, Block "5" of the CITY OF FRANKLIN, as per map on file at the Clerk of the Circuit Office of Franklin County, Florida.

FL 981065 B 592 P 363
CO:FRANKLIN ST:FL

FILE: 08094.DWG

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

LOCAL

CERTIFICATE: I hereby certify that this is a true and correct representation of the property shown hereon and that this survey meets the minimum established standards for land surveying (Chapter 610.17-8, Florida Administrative Code).

James T. Roddenberry
JAMES T. RODDENBERRY
 Surveyor & Mapper
 Florida State License No. 4281
 Date of last Field Work
 2/17/98

Date 2/23/98
 Job No. 70-1043
 P.L. 233 B30E 50 51
 County FRANKLIN
 Sec. T. R.

FLOOD STATEMENT
 ZONE: A-B (ELEV. 9FT)
 As per Federal Flood Insurance Rate Map Community Panel No. 120089-0001A
 DATED/INDEX: 3/3/92
 FRANKLIN COUNTY



Property Search

You are here: Franklin County > Property Search

Parcel 01-09S-08W-8330-0005-0041

Owners

DREW DAVID
 103 PINEHURST WAY
 CARROLLTON, GA 30116

Parcel Summary

Location	32320
Use Code	000100: SINGLE FAMILY
Tax District	3: CITY OF APALACHICOLA
Section	1
Township	9S
Range	8W
Acreage	.0000



Keyline Description

BL 5 NW 1/2 LOT 4
 OR/FF/504 150/176 226/610
 OR/529/5 1368/610

Value History

	2023	2022	2021	2020	2019	2018
Total Building Value	\$7,984	\$4,405	\$4,404	\$3,854	\$3,854	\$3,303
Total Extra Features Value	\$0	\$0	\$0	\$0	\$0	\$0
Land Value	\$39,000	\$25,500	\$42,000	\$2,610	\$2,610	\$2,610
Ag Land Value	\$0	\$0	\$0	\$0	\$0	\$0
Market Ag Land Value	\$0	\$0	\$0	\$0	\$0	\$0

	2023	2022	2021	2020	2019	2018
Market Value	\$46,984	\$29,905	\$46,404	\$6,464	\$6,464	\$5,913
Assessed Value	\$8,603	\$7,821	\$7,110	\$6,464	\$6,464	\$5,913
Exempt Value	\$0	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$8,603	\$7,821	\$7,110	\$6,464	\$6,464	\$5,913

Document/Transfer/Sales History

Instrument / Official Record	Official Record	Date	Type	V/I	Sale Price	Ownership	Red Flag
<u>WD</u> 202319003542	202319003542	2023-07-12	Warranty Deed	Improved	\$400,000	Grantor: ALLEN CLIFFORD J Grantee: DREW DAVID	
<u>WD</u> 0529/0005	0529/0005	1995-12-20	Warranty Deed	Improved	\$5,500	Grantor: MARSHALL Grantee: ALLEN	

Buildings

Building # 1, Section # 1, 4404, RESIDENTIAL

Type	Model	Heated Sq Ft	Repl Cost New	YrBlt	WAY	Other % Dpr	Normal % Dpr	% Cond	Value
000101	01	430	\$29,495	1935	1935	12.00%	72.00%	28.00%	\$8,259

Structural Elements

Type	Description	Code	Details
EW	Exterior Wall	01	MINIMUM
RS	Roof Structure	03	GABLE/HIP
RC	Roof Cover	01	MINIMUM
IW	Interior Wall	02	WALL BD/WD
IF	Interior Flooring	09	PINE WOOD
AC	Air Conditioning	01	NONE
HT	Heating Type	01	NONE
BDR	Bedrooms	0.00	
BTH	Bathrooms	1.00	
PL	Plumbing	0.00	
FR	Frame		
SH	Story Height	0.00	

Subareas

Type	Gross Area	Percent of Base	Adjusted Area
<u>BAS</u>	430	100%	430
<u>UOP</u>	60	20%	12
<u>USP</u>	45	40%	18

Prepared by and return to:
Kristy Banks
Kristy Branch Banks, P.A.
171 US Hwy 98 W Suite A
Eastpoint, FL 32328
(850) 670-1255
File Number: FP23-168
Will Call No.:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 12th day of July, 2023 between Clifford J. Allen, an unmarried man, whose post office address is 48 Avenue H, Apalachicola, FL 32320, grantor, and David Drew whose post office address is 103 PineHurst Way, Carrollton, GA 30116, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Franklin County, Florida to-wit:

The North one-half of Lot Four (4), All of Lot Five (5), and All of Lot Six (6) of Block 5, City of Apalachicola, Florida, according to the Official Map of said City, adopted September 12, 1946 by the City Commission of Apalachicola, Franklin County, Florida.

Parcel Identification Number: 01-09S-08W-8330-0005-0060

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to 12/31/2022.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Brant S. Banks

Witness
Printed Name: Brant S. Banks
PO Address: 171 US HWY 98 W, Suite A
Eastport, FL 32328

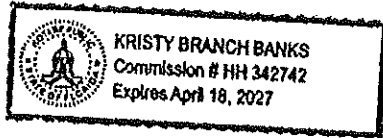
Witness
Printed Name: Kristy Branch Banks
PO Address: 171 US HWY 98 W, Suite A
Eastport, FL 32328

State of Florida
County of Franklin

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12th day of July, 2023 by Clifford J. Allen who is personally known or has produced a driver's license as identification.

Clifford J. Allen
Clifford J. Allen

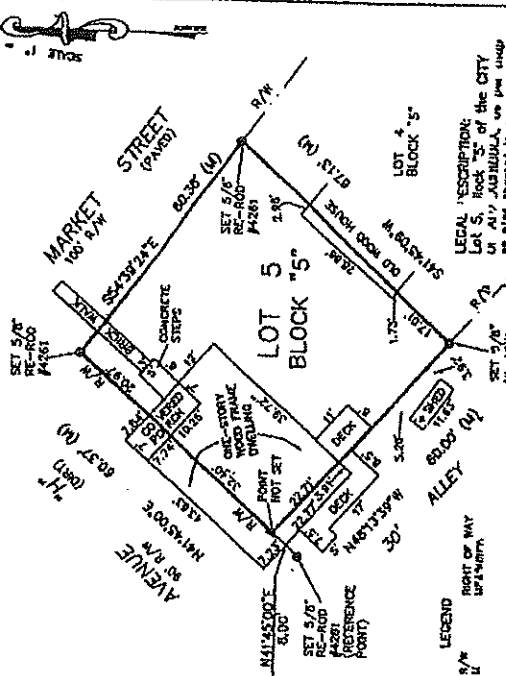
[Seal]



Kristy Branch Banks
Notary Public
Print Name: Kristy Branch Banks
My Commission Expires: 4.18.2027

James "Thurman" Roddenberry
 Professional Land Surveyor
 Post Office Box 678 • 114 Municipal Avenue • Sebring, Florida 33898-0478 • (808) 882-2528
CLIFFORD J. ALLEN
 Surveyor
SUNTRUST BANK, NORTH FLORIDA, N.A.
DODD TITLE CO., INC.
STEWART TITLE GUARANTY CO.

EXHIBIT "A"



NOTES

1. SURVEY SOURCE: Record plat and a field survey performed by the undersigned surveyor.
2. BEARING REFERENCE: Substantially true of any homestead of bearing "N" being on assumed bearing of North 41 degrees 45 minutes 00 seconds East.
3. NO IMPROVEMENTS have been located in the survey other than shown hereon.
4. There are set signs, 1 inch diameter, cast in concrete, on all corners of the surveyed area.
5. THIS SURVEY IS DEPENDENT UPON EXISTING MONUMENTATION.
6. ALL LOTS ARE SUBJECT TO THE RIGHTS OF THE CITY OF SEBRING, FLORIDA.

FL 981065 B. 592 P. 363
 CO: FRANKLIN ST: FL

LEGAL DESCRIPTION:
 Lot 5, Block 5, of the City of Sebring, Florida, as plat thereof in and to the Clerk of the Circuit Office 1, Franklin County, Florida.

CERTIFICATE: I hereby certify that this is a true and correct copy of the original plat as shown to me by the undersigned surveyor, and that the same is a true and correct copy of the original plat as shown to me by the undersigned surveyor, and that the same is a true and correct copy of the original plat as shown to me by the undersigned surveyor, and that the same is a true and correct copy of the original plat as shown to me by the undersigned surveyor.

James Thurman Roddenberry
 JAMES T. RODDENBERRY
 Surveyor
 114 Municipal Ave. SEBRING, FLORIDA 33898-0478
 State of Florida

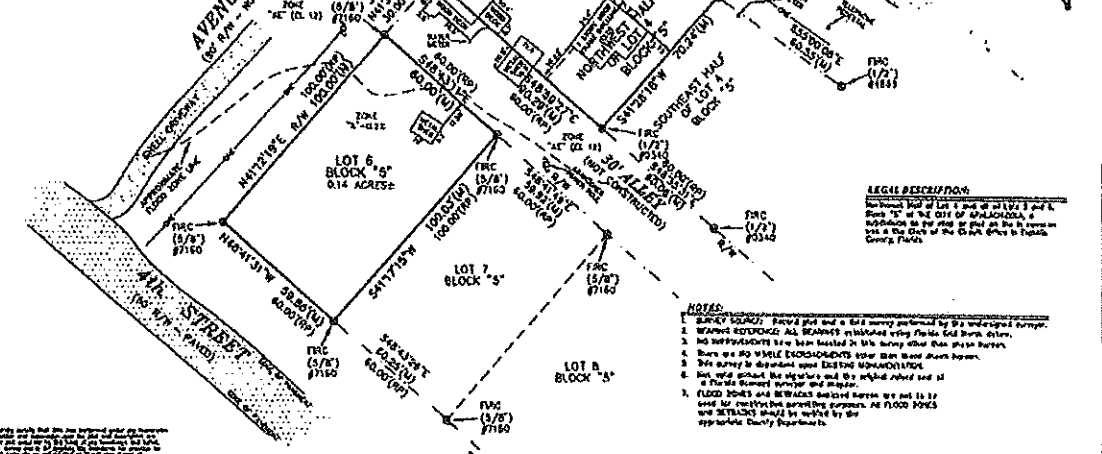
LOCAL

PLANS OPERATIVE
 ZONING: RES-1.5
 As per Plat of Flood Insurance Map No. 50386-004A
 JAMES T. RODDENBERRY
 Surveyor
 114 Municipal Ave. SEBRING, FLORIDA 33898-0478

PLAT OF BOUNDARY SURVEY CERTIFIED TO:
 DAVID DREW,
 EASTY BRANCH BANKS, P.A.,
 OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

LEGEND

- BOUNDARY LINE
- PLAT CORNER MONUMENT
- POINT OF CONVEYANCE
- POINT OF BEGINNING
- POINT OF REFERENCE
- POINT OF VIEW
- POINT OF SETBACK
- POINT OF CONSTRUCTION



FLOOD ZONE INFORMATION
 Subject property is located in East "A" (S. 11) and "S-13" as per Flood Hazard Map for Community Flood No. 50386-004A Issue Date February 8, 2014, Franklin County, Florida.

TR & A		Thurman Roddenberry & Associates, Inc.	
DATE: 02/18/59	DRAWN BY: JR	REVISION: 1	LOCAL: FL
FILE: 1001004	BOOK: 1001004	SHEET: 363	JOB NUMBER: 11-31



LEGAL DESCRIPTION
 Substantially true of any homestead of bearing "N" being on assumed bearing of North 41 degrees 45 minutes 00 seconds East.

- NOTES**
1. SURVEY SOURCE: Record plat and a field survey performed by the undersigned surveyor.
 2. BEARING REFERENCE: Substantially true of any homestead of bearing "N" being on assumed bearing of North 41 degrees 45 minutes 00 seconds East.
 3. NO IMPROVEMENTS have been located in the survey other than shown hereon.
 4. There are set signs, 1 inch diameter, cast in concrete, on all corners of the surveyed area.
 5. THIS SURVEY IS DEPENDENT UPON EXISTING MONUMENTATION.
 6. ALL LOTS ARE SUBJECT TO THE RIGHTS OF THE CITY OF SEBRING, FLORIDA.

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Encroachment Agreement Request for 109 MLK Ave

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 3
Department: Planning/Zoning
Contact: Bree Robinson/Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: Realtor Shaun Donahoe is requesting an encroachment agreement related to a 9' encroachment into the City alley for the building formerly known as Q's Lounge, located at 109 MLK Ave. Mr. Donahoe states that the encroachment has existed for more than 100 years and provided a letter from the Florida Department of State stating that the property is registered on the National Register of Historic Places (NRHP).

RECOMMENDED MOTION AND REQUESTED ACTIONS: Recommend motion to approve encroachment agreement for the existing structure with caveat that no new encroachment can be added and that in the event the building is removed, any new construction must adhere to setbacks and may not occur in the City right of way.

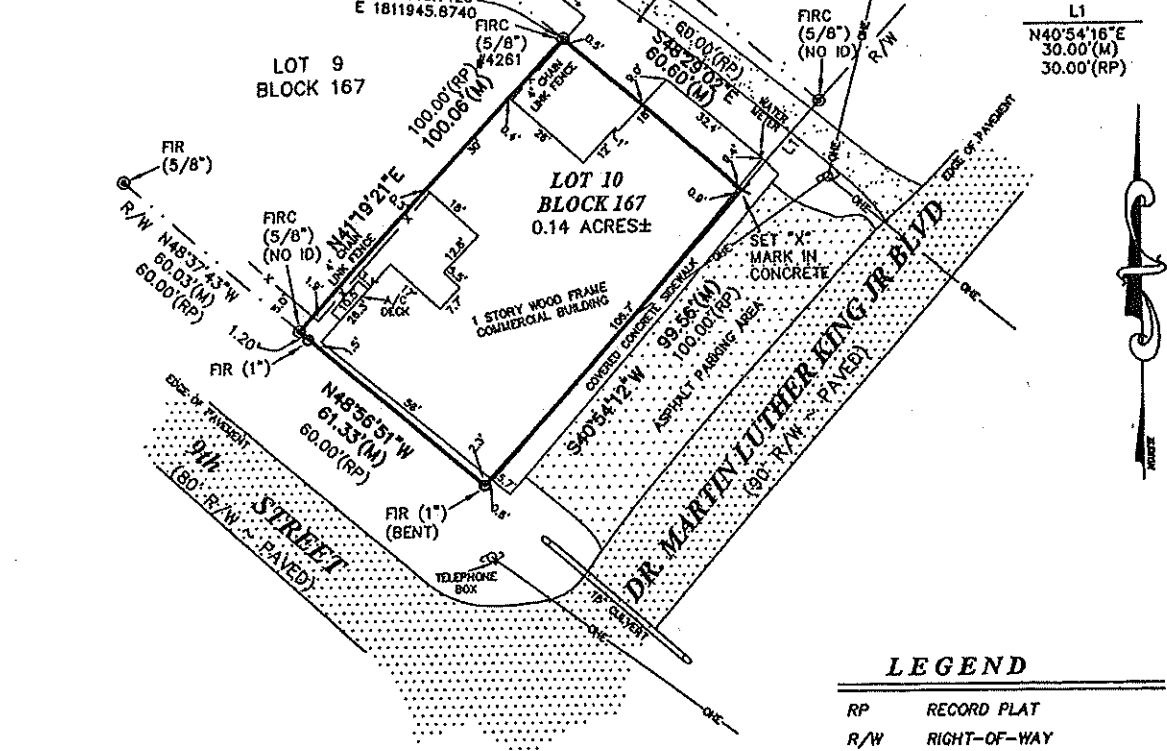
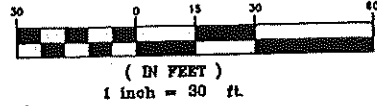
FUNDING SOURCE: N/A

ATTACHMENTS: Survey and NRHP letter from Department of State

STAFF'S COMMENTS AND RECOMMENDATIONS:

PLAT OF BOUNDARY SURVEY CERTIFIED TO:
KIMBERLY TIPTON-VALENTINO,
JENNIFER QUINN,
KRISTY BRANCH BANKS, P.A.,
OLD REPUBLIC NATIONAL TITLE
INSURANCE COMPANY

GRAPHIC SCALE



L1
 N40°54'16\"/>

LEGAL DESCRIPTION:

Lot 10, Block "167" of the CITY OF APALACHICOLA, as per map or plat thereof in common use on file at the Clerk of the Circuit Office in Franklin County, Florida.

NOTES:

1. SURVEY SOURCE: Record plot and a field survey performed by the undersigned surveyor.
2. BEARING REFERENCE: ALL BEARINGS established by Florida Grid North datum.
3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
4. There are NO VISIBLE ENCROACHMENTS other than those shown hereon.
5. This survey is dependent upon EXISTING MONUMENTATION.
6. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
7. ELEVATIONS shown hereon were established using NAVD 1988 datum.
8. FLOOD ZONES and SETBACKS depicted hereon are not to be used for construction permitting purposes. All FLOOD ZONES and SETBACKS should be verified by the appropriate County Departments.

LEGEND

RP	RECORD PLAT
R/W	RIGHT-OF-WAY
M	MEASURED
	NOT TO SCALE
	POINT NOT SET OR FOUND
FCM	FOUND CONCRETE MONUMENT
FIR	FOUND IRON ROD
FIRC	FOUND (5/8") IRON ROD AND CAP
SIRC	SET (5/8") IRON ROD AND CAP #7160
FIP	FOUND IRON PIPE
	ELECTRIC UTILITY POLE
OHE	OVERHEAD ELECTRICAL LINES

FLOOD ZONE INFORMATION:

Subject property is located in Zones "X" as per Flood Insurance Rate Map Community Panel No: 120089 0526F, index date: February 05, 2014, Franklin County, Florida.

I hereby certify that this was performed under my responsible direction and supervision and the plot and description are true and accurate to the best of my knowledge and belief. The survey maps are for the purposes for practice for land surveying in accordance with the Florida Board of Professional Surveyors and Mappers (FS-17,031/052).

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of record, unrecorded deeds, easements or other instruments which could affect the boundaries.

JAMES T. RODDENBERRY
 Surveyor and Mapper
 Florida Certificate No: 4281



Thurman Roddenberry & Associates, Inc.

PROFESSIONAL SURVEYORS AND MAPPERS
 P.O. BOX 100 • 125 SHELDON STREET • SOPCHOPPY, FLORIDA 32358
 PHONE NUMBER: 910-943-2320 FAX NUMBER: 910-943-1110
 LB 97140

DATE: 05/21/24	DRAWN BY: BB	N.B. PER PLAT	COUNTY: FRANKLIN
FILE: 24402.DWG	DATE OF LAST FIELD WORK: 05/20/24	CHECKED BY: AW	JOB NUMBER: 24-402

City of Apalachicola Encroachment/Variance Agreement

WHEREAS a request has been made to the City of Apalachicola by the owner(s) of the Property set forth in the survey attached as Exhibit "A", Property being more specifically described as the Beginning at the Northeast corner of Lot 10, Block "35" of the City of Apalachicola, a subdivision as per map or plat in common use on file at the Clerk of the Circuit Office in Franklin County, Florida, said point also lying on the Northwesterly right-of-way boundary of Avenue "B". From said POINT OF BEGINNING and leaving said right-of-way boundary run North 40 degrees 00 minutes 11 seconds West 120.04 feet, thence run South 49 degrees 56 minutes 25 seconds West 50.76 feet, thence run South 40 degrees 00 minutes 11 seconds East 120.04 feet lying on the Northwesterly right-of-way boundary of Avenue "B", thence run North 49 degrees 56 minutes 17 seconds East along said right-of-way boundary 50.76 feet to the POINT OF BEGINNING.

The above described being a portion of Lot 9 and Lot 10, Block "35" of the City of Apalachicola, Florida now in common use, for the City to authorize any and all existing encroachments into setbacks and onto the City Right-of-Way (ROW) of that alley running on the Eastern Boundary of the Property as shown in attached Exhibit "A".

WHEREAS, said applicant(s) by their signature below hereby certify that they have provided all data and information regarding said Property to the City and that the City has determined that it finds no objection or reason to deny the request; and

WHEREAS, said applicant(s) by their signature below hereby agree and bind the applicant(s) and all owners, successors and assigns of the subject property to the obligations, conditions and responsibilities set forth in this document and that such obligations and conditions shall constitute covenants that run with said land or property; and

WHEREAS, the applicant(s) hereby certify that their signatures set forth below as applicant(s) constitutes the total owners of the property and all persons who are required to bind the property to these conditions; and

WHEREAS, the applicant(s) and their successors and assigns by their signature below hereby agree to indemnify, hold harmless and defend the City of Apalachicola from and against all personal injury and property damage, claims, demands, suits or judgments which may be made against it by reason of said encroachment into existing setbacks and ROW or any characteristics thereof; and

WHEREAS, the applicant(s) by their signature below agree and bind said applicant(s) and their successors and assigns that this allowance of encroachments is subject to the rights of the City with respect to maintenance of any utilities that may underlie the said encroachments; and

WHEREAS, the applicant(s), by their signature below hereby bind said applicant(s) and their successors and assigns to the agreement that the encroachment shall and may only be repaired and maintained under certain conditions, specifically that once the structure to which the encroachment is connected is destroyed by 50% or more as determined by the Building Inspector/Official this encroachment/variance agreement shall cease and the encroachment shall be removed; and

WHEREAS, the City Commission of the City of Apalachicola, based on the above certifications and agreements, has agreed to allow the existing encroachments conditioned upon the requirements set herein on the part of the applicant(s).

NOW, THEREFORE, conditioned and based on the agreements and requirements set forth herein, the City of Apalachicola has approved the existing encroachments illustrated in Exhibit "A" to extend onto City of Apalachicola property subject to said conditions.

IN WITNESS WHEREOF, the undersigned parties have hereby caused this Agreement to be duly executed on the day and year first written.

CITY OF APALACHICOLA
FRANKLIN COUNTY, FL

ATTEST

By: [Signature]
Title: Mayor
Date: 5/3/2022

By: [Signature]
Title: City Clerk
Date: 5-3-22

By the signature(s) below, I/we hereby certify that I/we are the sole owners of the property on which the encroaching structure is principally located as set forth in the attached survey (Exhibit A) and that I/we by the signatures below agree, warrant and certify to the matters set forth above in this agreement and hereby bind our successors and assigns of the subject property to these conditions as covenants running with the land.

[Signature]
Witness:

By: Michael A. James
Name: Michael A. James

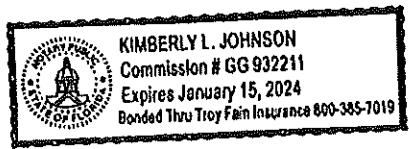
Witness:

By: [Signature]
Name: Jessica H. Dykes

STATE OF FLORIDA
COUNTY OF Franklin

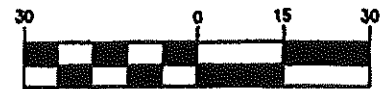
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 17 day of May, 2022, by Michael A James, who are personally known to me or who produced _____ as identification.

[Signature]
NOTARY PUBLIC

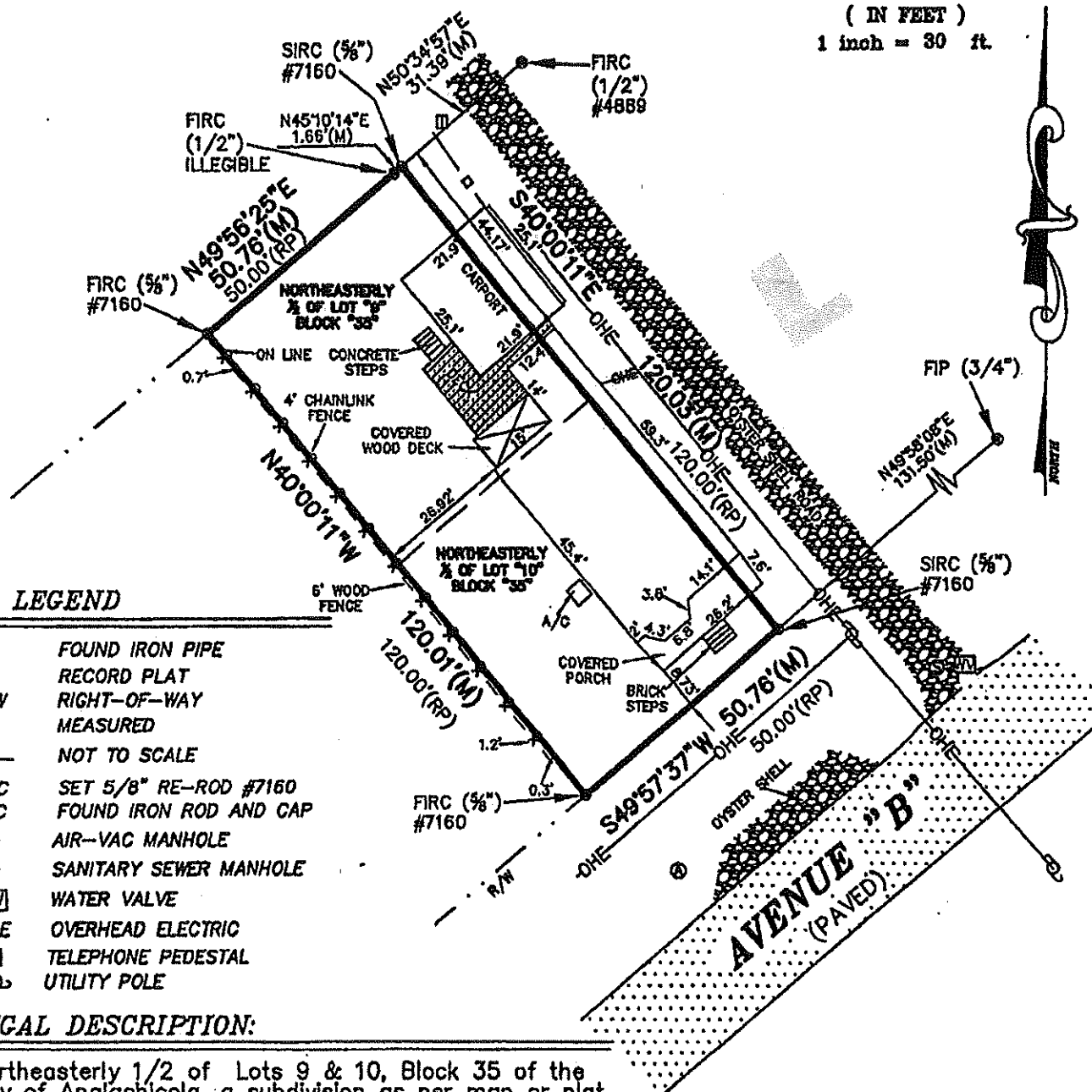


PLAT OF BOUNDARY SURVEY CERTIFIED TO:
 MARK A. MCVEY & CAROL H. CAVALLARO,
 MANAUSA, SHAW & MINACCI, P.A.,
 INVESTORS TITLE INSURANCE COMPANY

GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.



LEGEND

- FIP FOUND IRON PIPE
- RP RECORD PLAT
- R/W RIGHT-OF-WAY
- M MEASURED
- NOT TO SCALE
- SIRC SET 5/8" RE-ROD #7160
- FIRC FOUND IRON ROD AND CAP
- Ⓐ AIR-VAC MANHOLE
- Ⓢ SANITARY SEWER MANHOLE
- Ⓦ WATER VALVE
- OHE OVERHEAD ELECTRIC
- ☐ TELEPHONE PEDESTAL
- ☪ UTILITY POLE

LEGAL DESCRIPTION:

Northeasterly 1/2 of Lots 9 & 10, Block 35 of the City of Apalachicola, a subdivision as per map or plat in common use on file at the Clerk of the Circuit Office in Franklin County, Florida.

NOTES

1. SURVEY SOURCE: Record plat, previous survey performed by this firm (Job No. 04-732, dated 6/27/13) and a field survey performed by the undersigned surveyor.
2. BEARING REFERENCE: Northeasterly boundary of subject parcel being South 40 degrees 00 minutes 11 seconds East as per previous survey mentioned above.
3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
4. There are NO VISIBLE ENCROACHMENTS other than those shown hereon.
5. This survey is dependent upon EXISTING MONUMENTATION.

**REGULAR MEETING
APALACHICOLA CITY COMMISSION
TUESDAY, MAY 3, 2022 – 4:00PM
BATTERY PARK COMMUNITY CENTER
1 BAY AVE., APALACHICOLA, FLORIDA 32320**

Agenda

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

- I. Call to Order**
 - Invocation
 - Pledge of Allegiance

- II. Agenda Adoption**

- III. Public Comment**

- IV. Unfinished Business**
 - 1. Resolution 2022-02 -Private Building Inspection Discount

- V. New Business**
 - 1. Apalachicola Bay Restoration – Dr. Sandra Brooke
 - 2. Apalachicola Main Street July 3rd Fireworks Event
 - 3. 107 Ave B Encroachment Agreement – Dykes, James Property
 - 4. Schedule second workshop for Noise Ordinance
 - 5. Request to expend ARPA funds for spray field tractor and implement

- VI. Mayor and Commissioner Comments – Reports Attached**

- VII. City Manager Communications – Report Attached**

- VIII. Finance Director Communications – Report Attached**

- IX. Grants Coordinator Communications – Report Attached**

- X. Attorney Communications – Report Attached**



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

January 30, 2024

Ms. Andrea Pendleton
10 Big Oaks
Apalachicola, Florida 32320

RE: PSIQ response for 109 Martin Luther King Avenue (FMSF# FR00715), Apalachicola, Florida 32320, Frankling County.

Dear Ms. Pendleton,

Thank you for submitting a Preliminary Site Information Questionnaire (PSIQ) for the above referenced project. Congratulations! After reviewing the submitted materials, our office has determined that the building is already listed in the National Register of Historic Places (NRHP) as a contributing resource to the Apalachicola Historic District. It is listed at the local level under the following Criteria A areas of significance: Architecture, Commerce, Community Planning, Economics, Exploration/Settlement, and Industry.

A property that contributes to a historic district is listed in the National Register. To contribute to a historic district, properties must meet all three criteria for listing—age, significance, and integrity—just as they would need to for individual listing. As such, the National Register views both individual listing and contributing status as equal. In other words, a property is either in the National Register, with the full honors that designation accords, or it is not.

However, you may still pursue individual listing for contributing resources if the property is significant for reasons other than the areas of significance the Historic District is listed under.

If you have any questions, please contact me by email at samantha.schmidt@dos.myflordia.com, or by telephone at (850) 245-6365.

Sincerely,

Sam Schmidt
Historic Preservationist
Florida Bureau of Historic Preservation

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: 196 8th Street

AGENDA INFORMATION:

Agenda Location: **New Business**
Item Number: **4**
Department: **Planning/Zoning**
Contact: **Bree Robinson/Travis Wade**
Presenter: **Richard Dagenhart**

BRIEF SUMMARY: Mr. Richard Dagenhart and Mr. Wes Warren are requesting an existing encroachment agreement for a three-foot encroachment into the 8th Street right-of-way at the Ziegler Store Bed and Breakfast (196 8th Street), a historic commercial building in the Hill Community. Included in the encroachment will be a chain drain and rain barrel to retain volume of a 24 hour/25-year storm runoff from the encroaching roof. The rain barrel will drain to the proposed landscaped 8th Street ROW as shown on the site plan.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

FUNDING SOURCE: N/A

ATTACHMENTS: Property survey, site plan, and historic photographs of the building.

STAFF'S COMMENTS AND RECOMMENDATIONS:

Dear Commission Members:

This is a request by Wes Warren, owner of the former Ziegler Store 196 8th Street, regarding encroachments on the City's 8th Street right-of-way.

The P&Z Board approved a special exception to convert the Store for a bed and breakfast and conditionally approved a Certificate of Appropriateness July 8, 2024. The conditions are to (1) gain Commission approval for proposed encroachments, (2) return to the P&Z for approval of a sign permit, (3) complete the Stormwater Management Plan, and (4) confirm alley access for parking. Approval for encroachments is the most important first step for full approval.

The Ziegler Store is a listed historic building. It was originally located at 7th and Ave. I. It was moved to its current location in the early 1960's and continued operations for some time. It has been vacant for many years. The plan is to rehabilitate the building into a two-unit bed and breakfast, retaining historic features as much as possible and fully restoring the front elevation, including a metal canopy and original signs, guided by historic photographs. The building itself encroaches about 3 feet into the 8th Street right of way. See the attached property survey.

The approval request is as follows.

- A corrugated galvalume canopy will replicate the historic metal canopy over the store entry. It will be about 10 feet wide and project 3 feet from the front of the building. This will be a total of about 6 feet into the 8th Street right of way. The canopy supports will be welded steel angles on about 3-foot centers. There will be no supporting columns. The historic 5-ft x 8-ft entry door will be replaced by a Dutch double door acting as a window for one B and B unit. It will not be a building entry. The other unit has a large historic window.
- The canopy will drain into a 4 inch round galvanized gutter and then flow with a chain drain (if feasible) to a 160 gallon galvanized rain barrel below. The details of the drain and the capacity of the rain barrel will be confirmed in the Stormwater Management Plan. The rain barrel will be about 2'-6" in diameter and about 4 feet tall. It will sit directly below the 4-inch cutter and chain.
- The restored building "front yard" will be landscaped with ground cover plantings and will be irrigated with a spreader from the rain barrel. This will also serve to infiltrate stormwater.
- The new sign for the bed and breakfast will replicate the projecting historic sign, as shown in the historic photograph. The sign itself is about a 2-foot circle with a suspended rectangular sign below. It hangs about 5 feet from the front of the building on a 10-foot galvanized iron pipe projecting from the building. The pipe is suspended by a steel chain attached to the building front. (The historic pipe and chain are still hanging from the building) Guy wires will be attached to deal with wind loads. The sign lettering has not been designed but will include the name – Ziegler Store Bed and Breakfast, address, and phone number on the rectangular with a logo designed for the circle sign. The total extension over the 8th Street right of way is about 13 feet. The bottom of the rectangular sign will be about 12 feet above the ground; the iron pipe will be about 15 feet above the ground. The sign will not be lighted. There is sufficient ambient light from the nearby streetlights.
- If available, a traditional 2-ft diameter Pepsi bottle cap sign and a Nehi (or other branded) 2-3-ft high thermometer will be mounted on the front of the building.

See the following photographs and illustrations.

Site Survey showing building encroachment.

Historic Photo of Ziegler Store on 7th and Ave. I

Historic Photo of Ziegler Store on 8th Street after relocation.

Site Plan showing the canopy, rain barrel, sign and landscaped "front yard".

Ziegler Store 8th Street elevation showing the canopy, rain barrel, and sign.

Ziegler Store Cross Section showing the canopy, rain barrel and sign and "front yard"

The full set of schematic design drawings are included separately.

Many thanks,

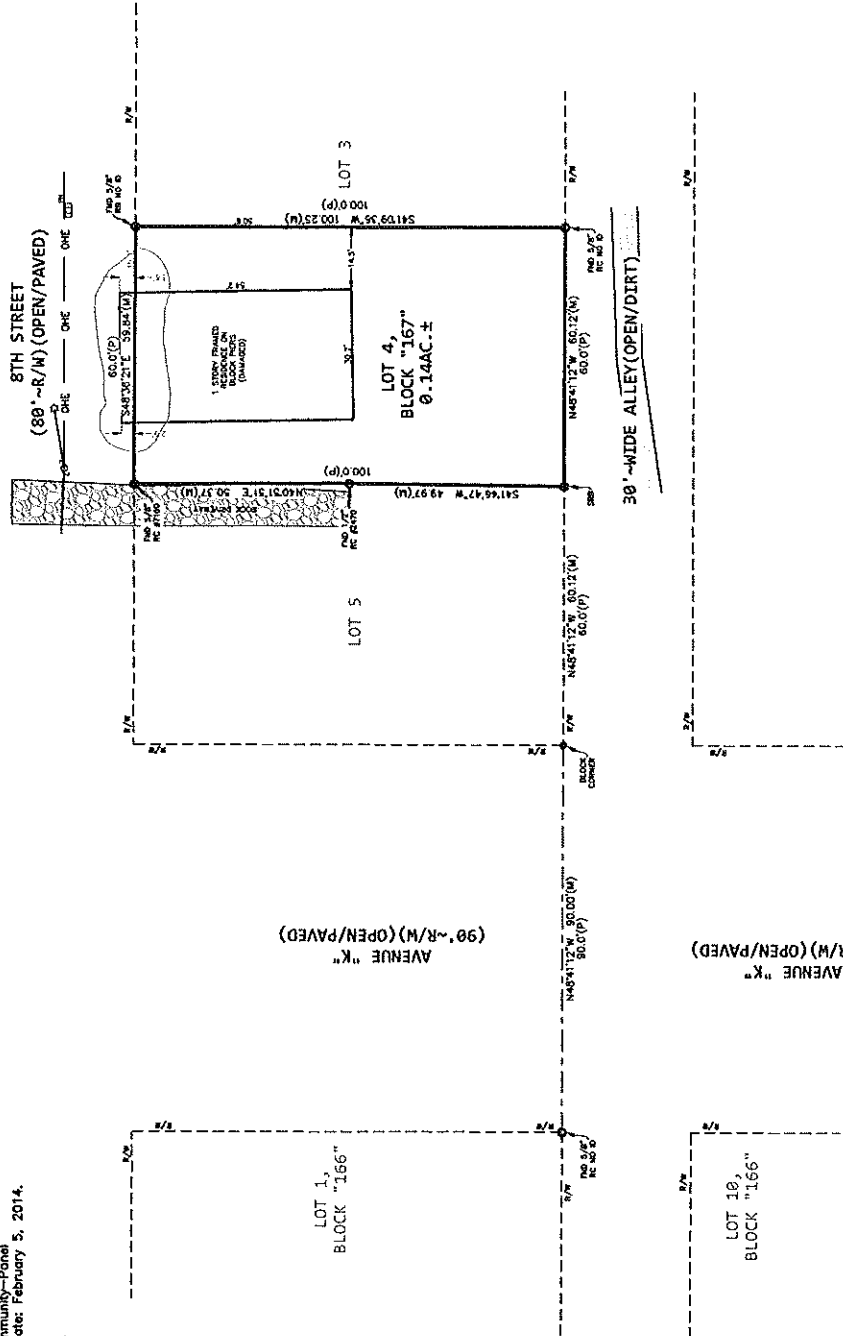
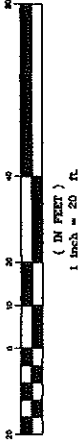
Wes Warren, Owner and Richard Dagenhart, Architect

LEGAL DESCRIPTION
 Lot 4, Block "167", Map of the Greater Apalachicola, Florida as per map or plat thereof recorded in Deed Book "M", Page 437 in the Public Records of Franklin County, Florida

NOTES:

- No improvements were located in this survey other than those shown hereon.
- No underground encroachments, utilities or foundations were located in this survey.
- All measurements shown hereon are Standard U.S. Survey Feet, and decimals thereof.
- As scaled from Flood Insurance Rate Map for Franklin County, Florida, Community-Panel Number 12037C 0328 F; Firm Index Date: February 3, 2014; Firm Panel Date: February 5, 2014. This Property is located in Zone "X".
- The use of this survey is limited to the specific transaction shown hereon.
- Subject to zoning setbacks, easements and restrictions of record.
- Adjoining deeds of record were not provided to this firm.

GRAPHIC SCALE



EDWIN BROWN & ASSOCIATES
 SURVEYORS * MAPPERS
 (850) 925-2010 800-433-4438 FAX (850) 925-8180
 P.O. Box 2813 Clearwater Hwy. Clearwater, FL 32226

The undersigned surveyor has not been provided a current site opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

Not valid without the signature and the original related seal of a Florida licensed surveyor and mapper.

WADE G. BROWN
 Surveyor & Mapper
 Florida Certificate No. 5959
 (LBF 5475)

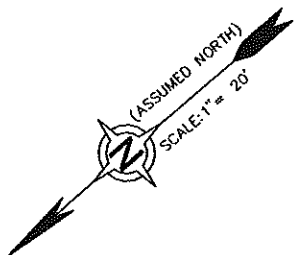
THIS SURVEY IS CERTIFIED TO:
 643 HOLDINGS, LLC

THIS SURVEY WAS PREPARED FOR THE SOLE BENEFIT OF THE ABOVE CERTIFIED ENTITIES AND/OR INDIVIDUALS AND IS INTENDED TO BE USED FOR THE CURRENT TRANSACTION ONLY. THE SURVEYOR IS NOT OBLIGATED TO RELY UPON THIS BOUNDARY SURVEY FOR ANY PURPOSE. FURTHERMORE, THIS SURVEYOR IS NOT OBLIGATED TO AND WILL NOT SUPPORT THIS BOUNDARY SURVEY TO ANY INDIVIDUAL OR ENTITY WHICH IS NOT SPECIFICALLY LISTED ABOVE.

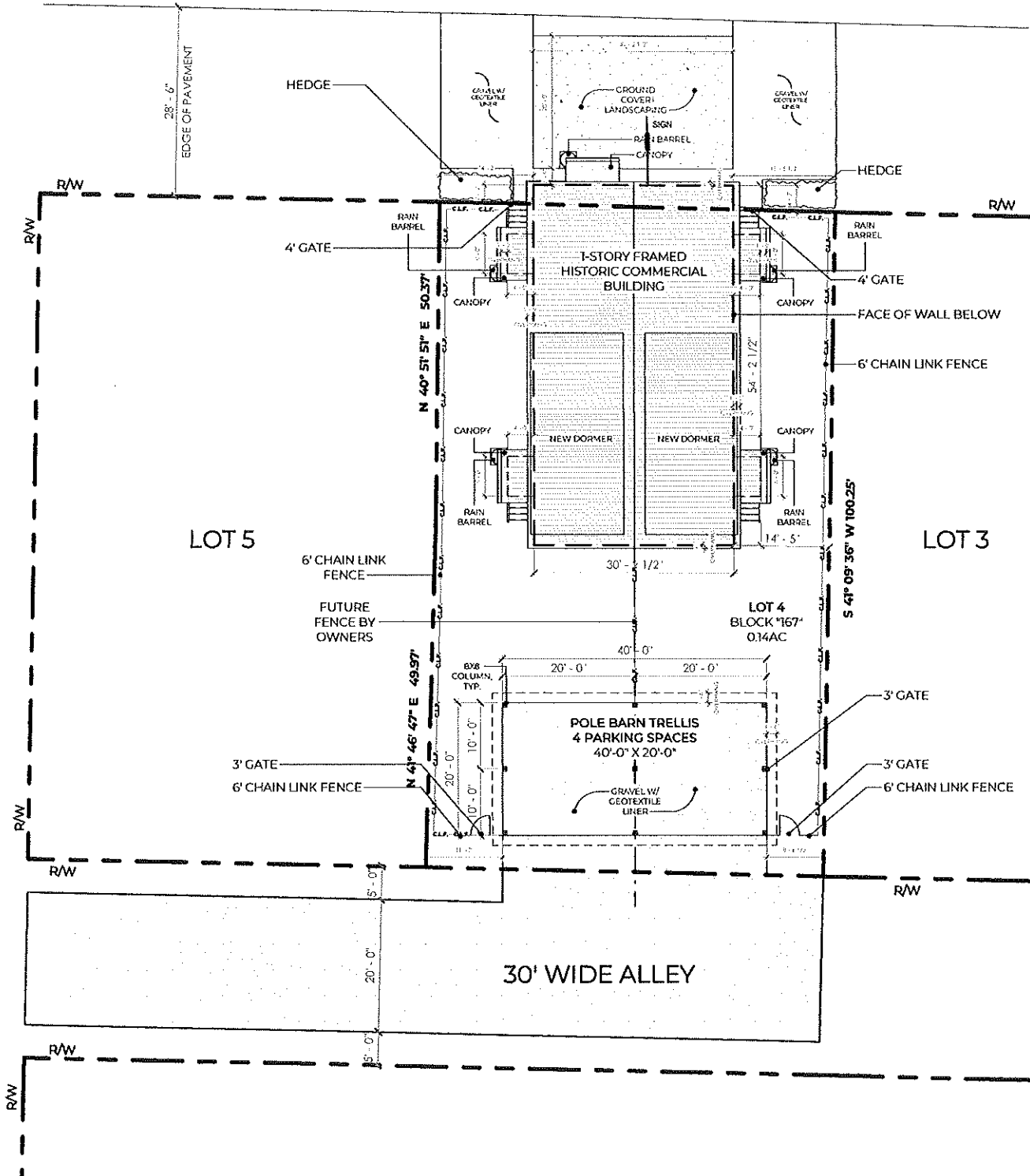
PREPARED BY		EDWIN G. BROWN AND ASSOCIATES, INC.	
ADDRESS/MAIL	COURT: FRANKLIN	JUDICIAL DISTRICT: 11	REVISION: 01-2018
DATE/FILE	SECTION: 1	SCALE: 1" = 20'	REVISION: 01-2018
SURVEYOR/PLAT	TOWNSHIP: 9-SOUTH	SURVEY DATE: MARCH 5, 2024	REVISION: 01-2018
SHEET: 1 OF 1	RANGE: 8-WEST	JOB NUMBER: 24-081	PLAT: 49078

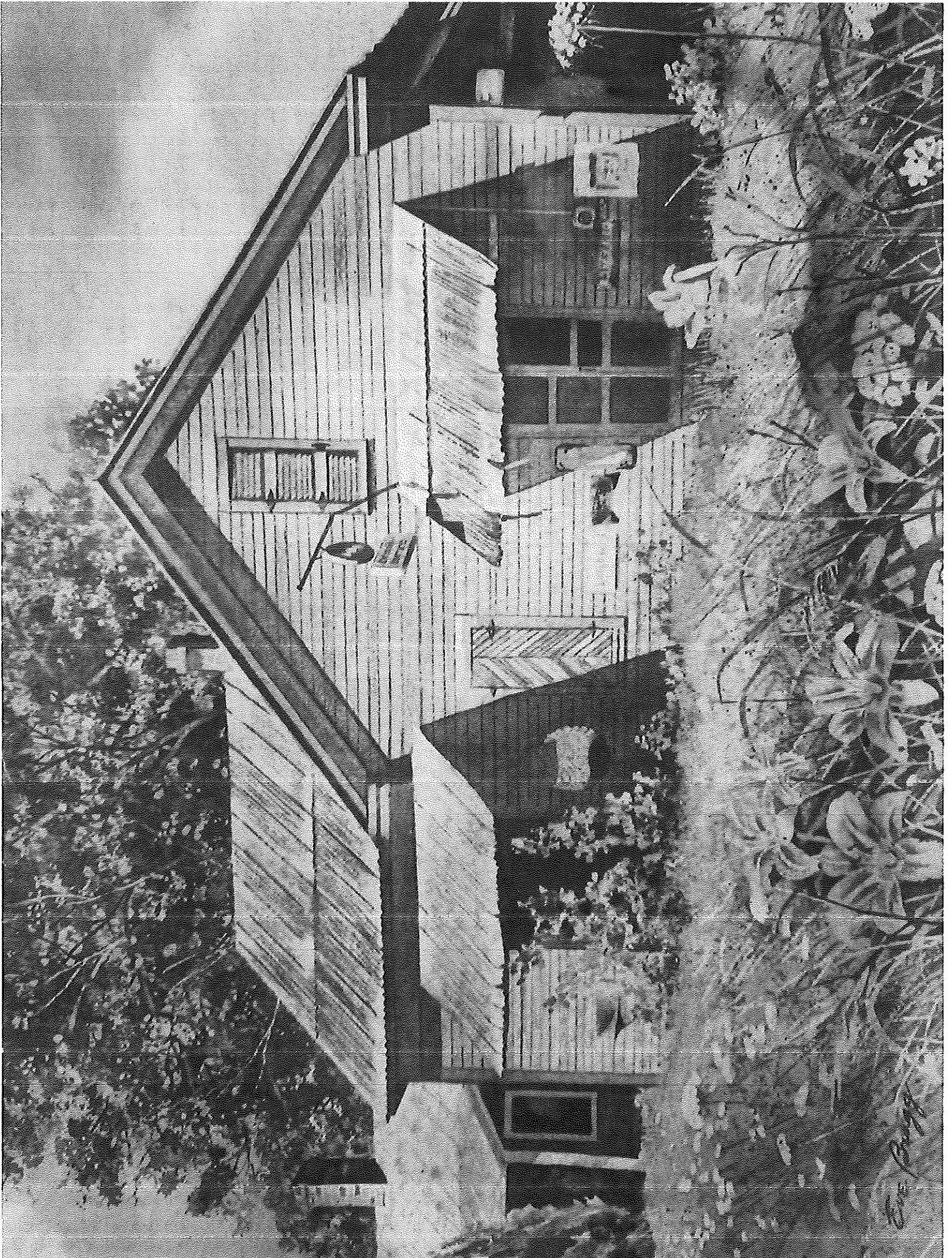
- LEGEND**
- PF - POWER POLE
 - WC - WALL AND CURB
 - CB - CONCRETE CURB
 - ID - IRON CONCRETE MONUMENT
 - CP - CONCRETE MONUMENT
 - SP - SERVICE POLE
 - MO - MONUMENT
 - HO - HOIST
 - NO - NON-PERMANENT
 - LO - LOCK
 - LI - LINK TAG (SEE CURVE TABLE)
 - UI - UTILITY
 - IS - IRON ROD
 - PC - PNEUMATIC CONCRETE
 - PH - PHASE BOX
 - WM - WATER METER
 - SW - SEASONAL HIGH WATER LINE
 - SH - SHALLOWS
 - MI - MEAN HIGH WATER LINE
 - FR - FLORIDA DEPARTMENT OF TRANSPORTATION
 - CSL - 1975 COASTAL SETBACK LINE

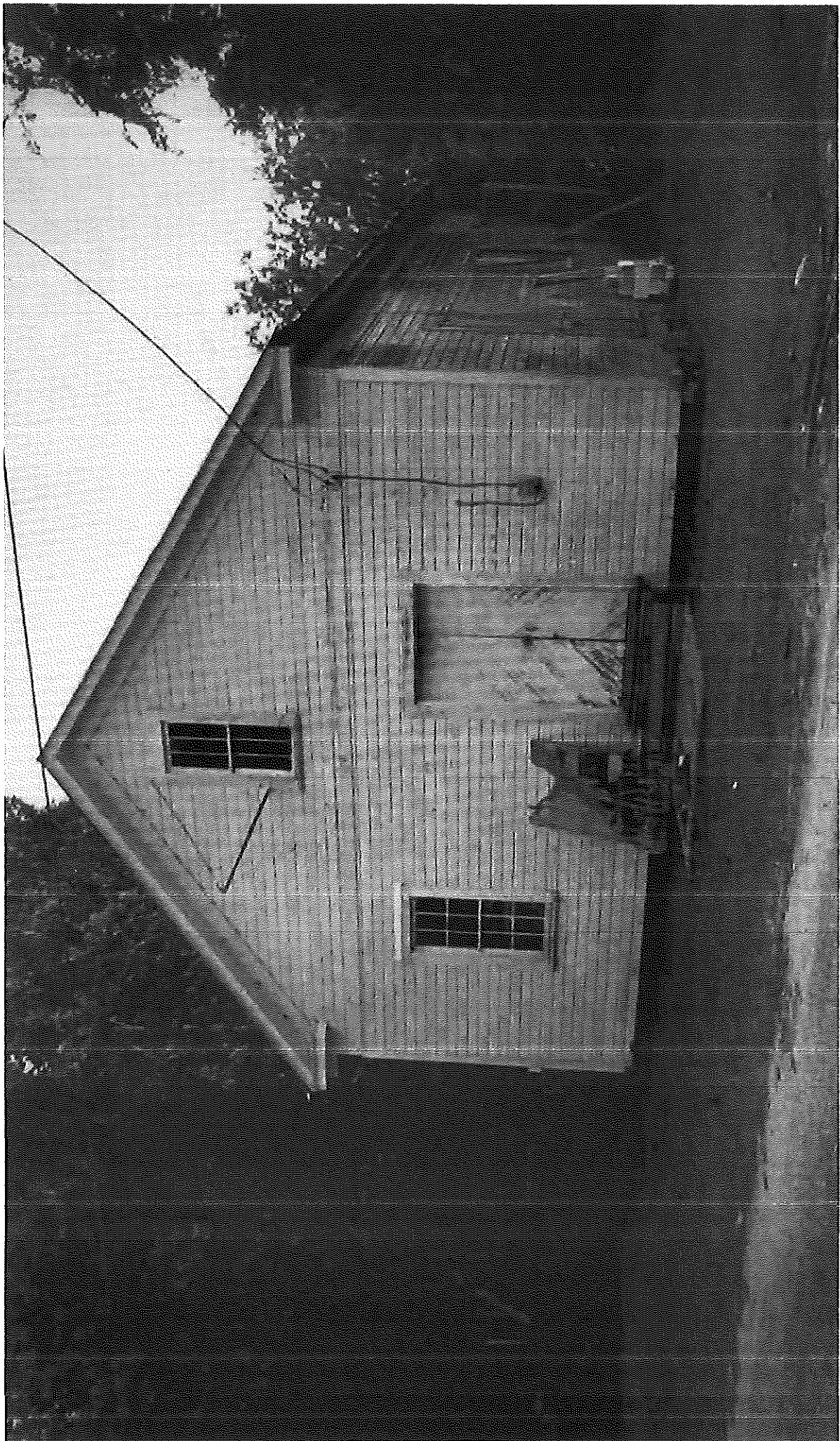
- PFZ - PRELIMINARY FLOOD ZONE
- CB - CONCRETE CURB
- MO - MONUMENT
- SP - SERVICE POLE
- HO - HOIST
- NO - NON-PERMANENT
- LO - LOCK
- LI - LINK TAG (SEE CURVE TABLE)
- UI - UTILITY
- IS - IRON ROD
- PC - PNEUMATIC CONCRETE
- PH - PHASE BOX
- WM - WATER METER
- SW - SEASONAL HIGH WATER LINE
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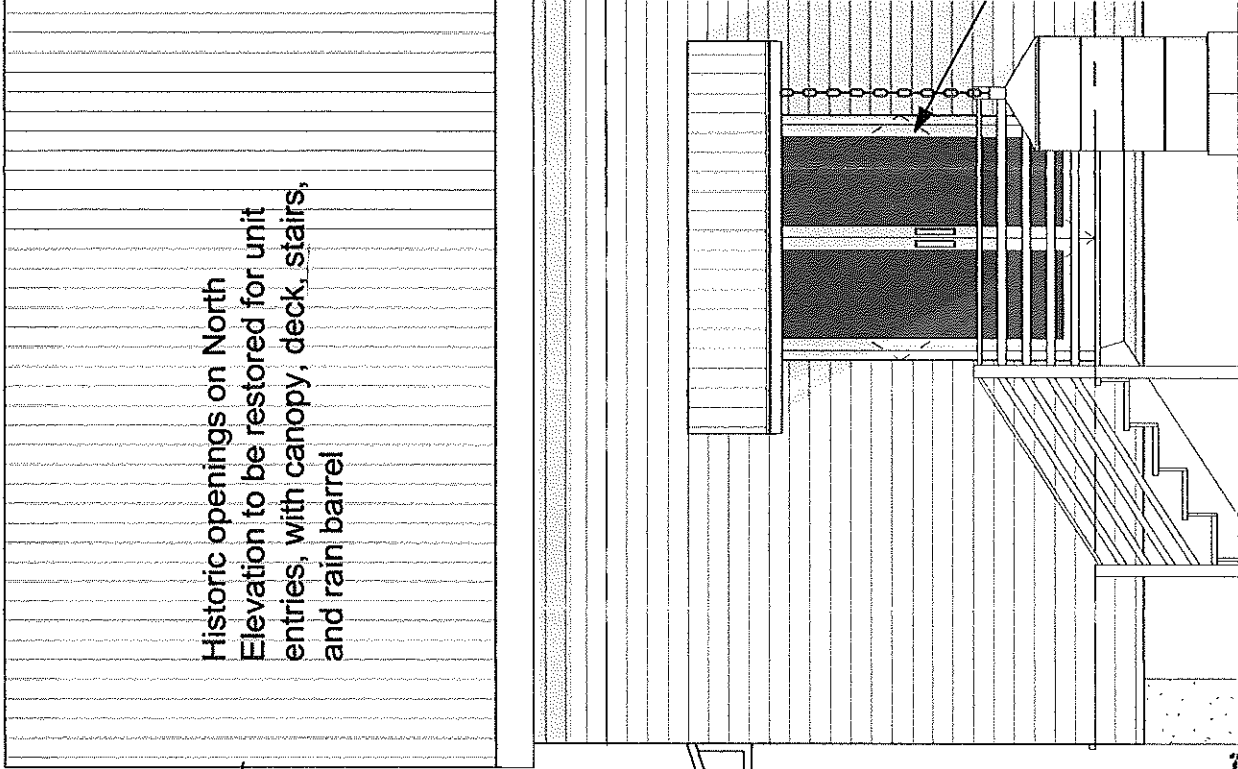


8TH STREET 80' R/W - OPEN/PAVED









Historic openings on North Elevation to be restored for unit entries, with canopy, deck, stairs, and rain barrel

10'

SIGN

15'

12'

4" HALF-ROUND CUTTER, TYP.

RAIN CHAIN

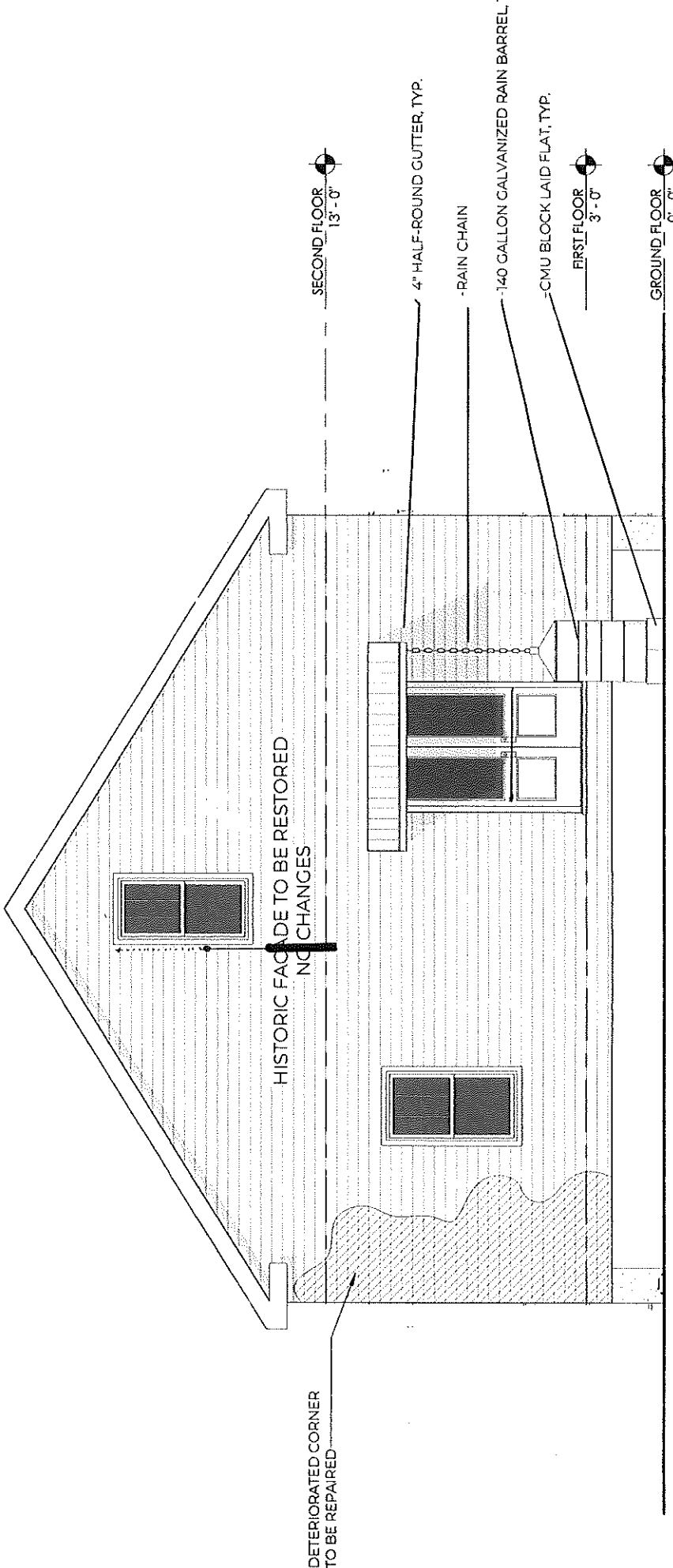
140 GALLON GALVANIZED RAIN BARREL, TYP.

CMU BLOCK LAID FLAT, TYP.

Handwritten signature

1 NORTH ELEVATION - SIDE

1/4" = 1'-0"



DETERIORATED CORNER
TO BE REPAIRED

HISTORIC FACADE TO BE RESTORED
NO CHANGES

SECOND FLOOR
13'-0"

4" HALF-ROUND GUTTER, TYP.

RAIN CHAIN

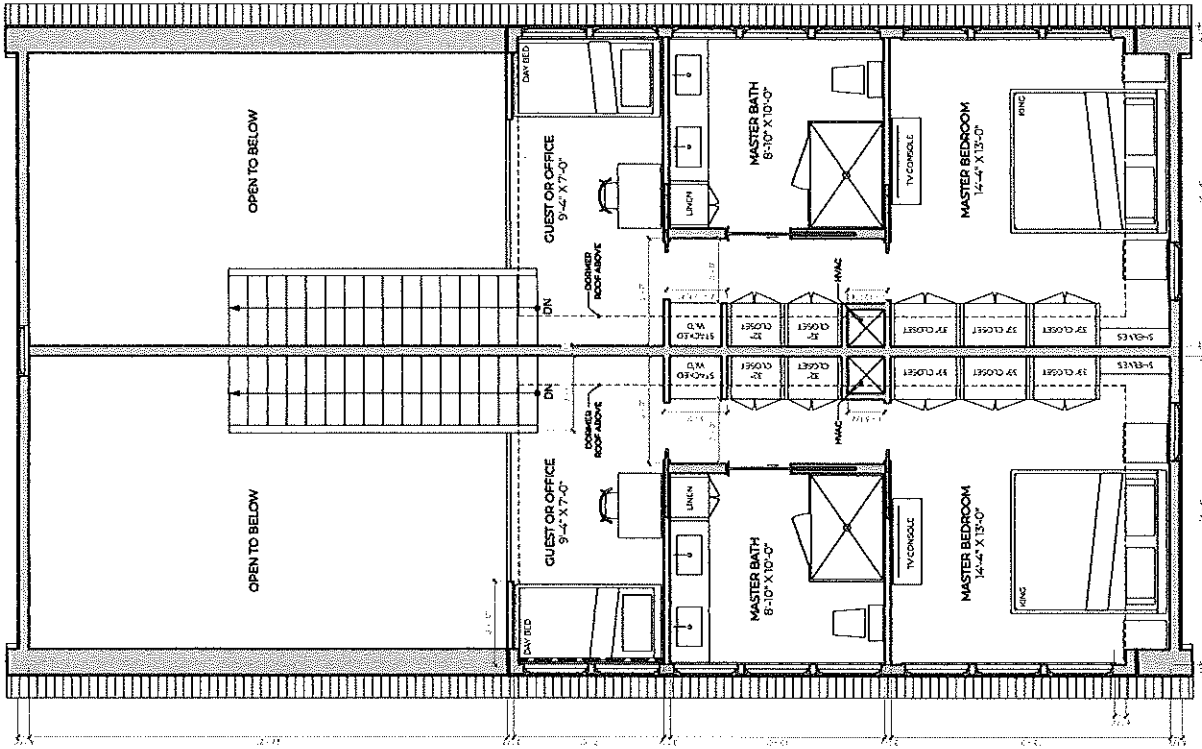
140 GALLON GALVANIZED RAIN BARREL

CMU BLOCK LAID FLAT, TYP.

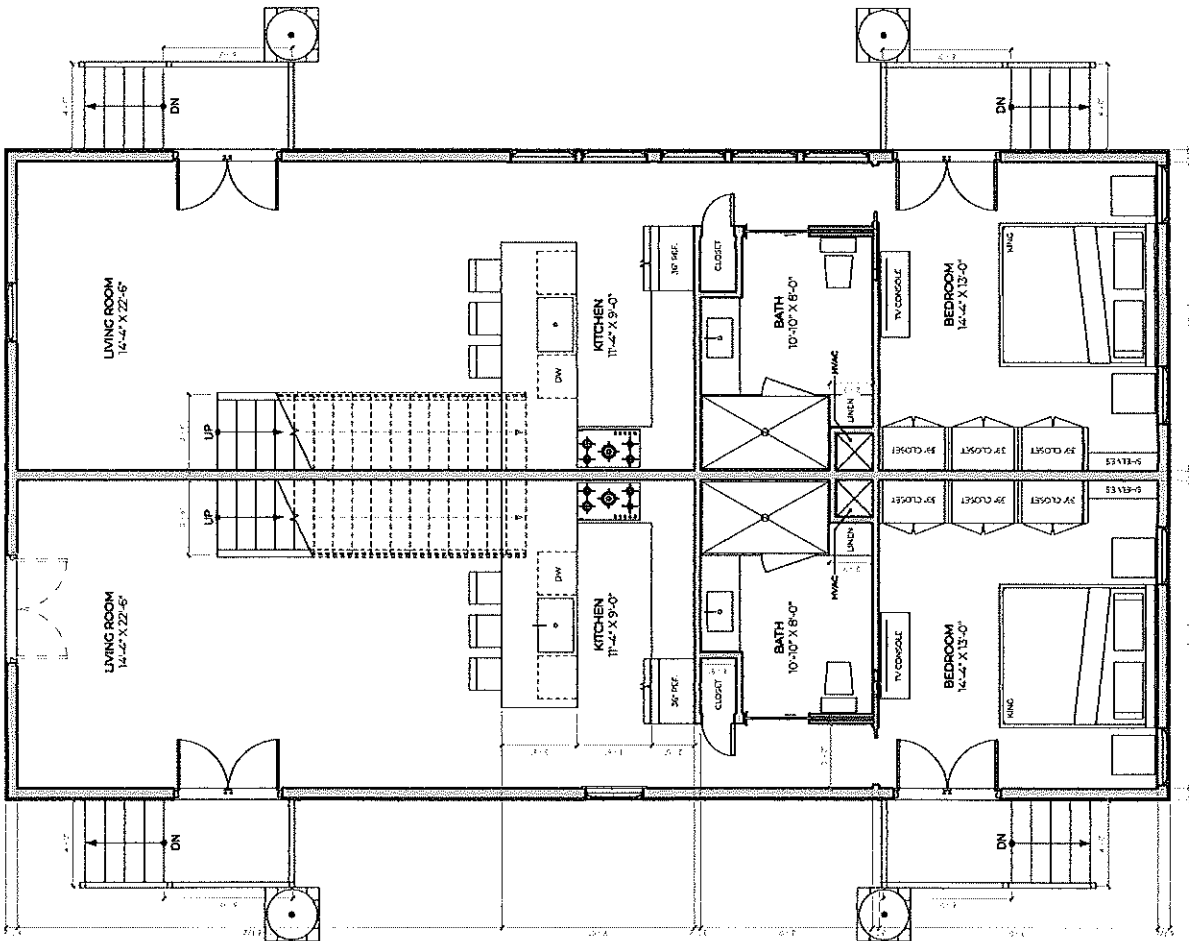
FIRST FLOOR
3'-0"

GROUND FLOOR
0'-0"

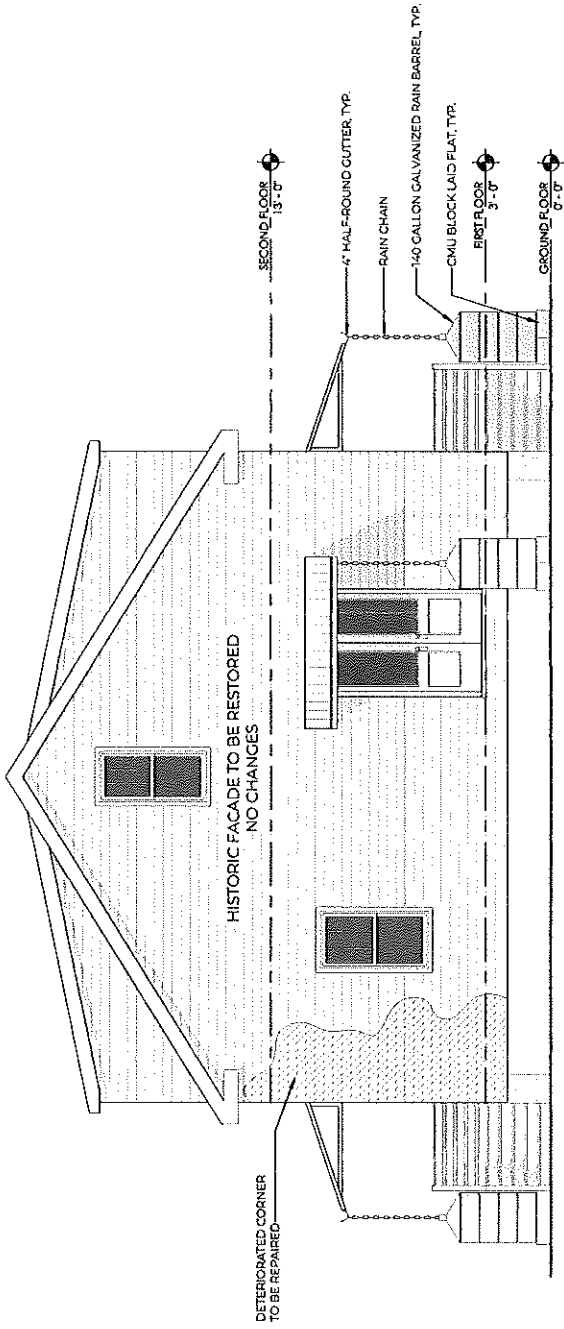
① EAST ELEVATION - FRONT
1/4" = 1'-0"



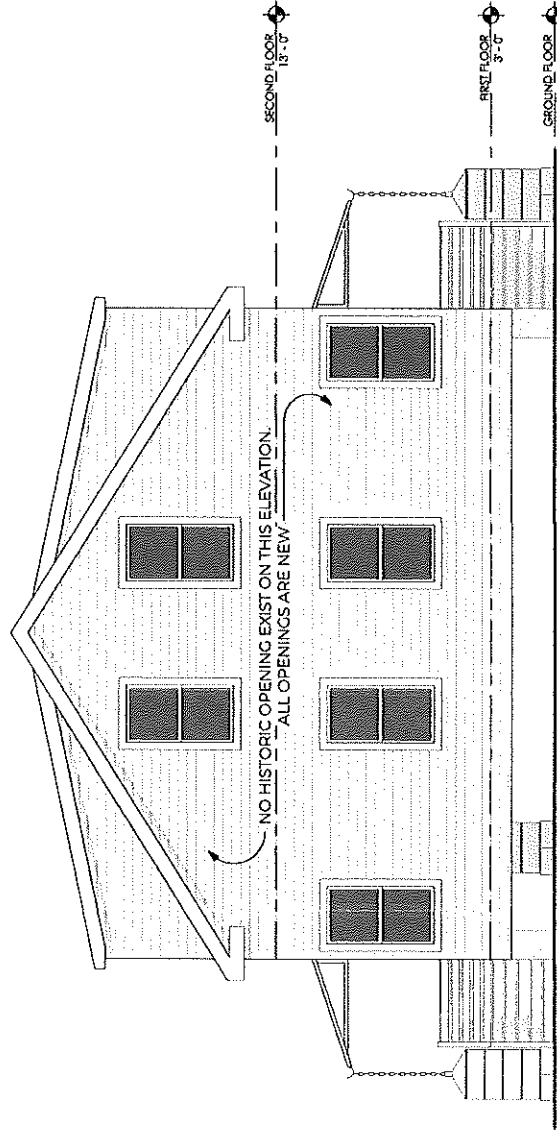
② SECOND FLOOR PLAN
1/4" = 1'-0"



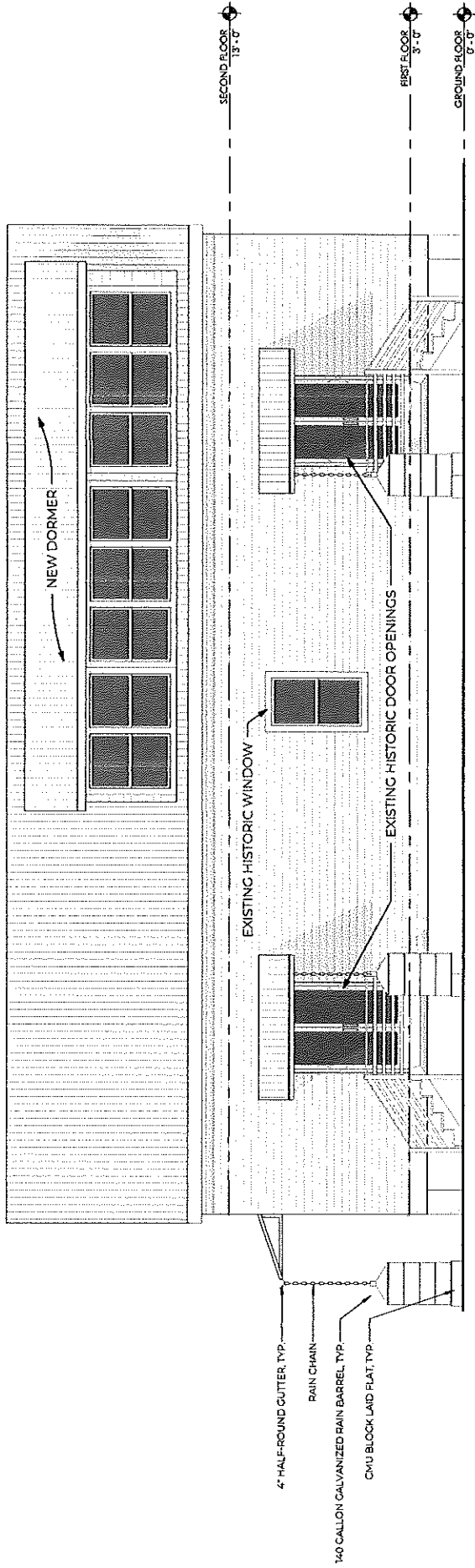
① FIRST FLOOR PLAN
1/4" = 1'-0"



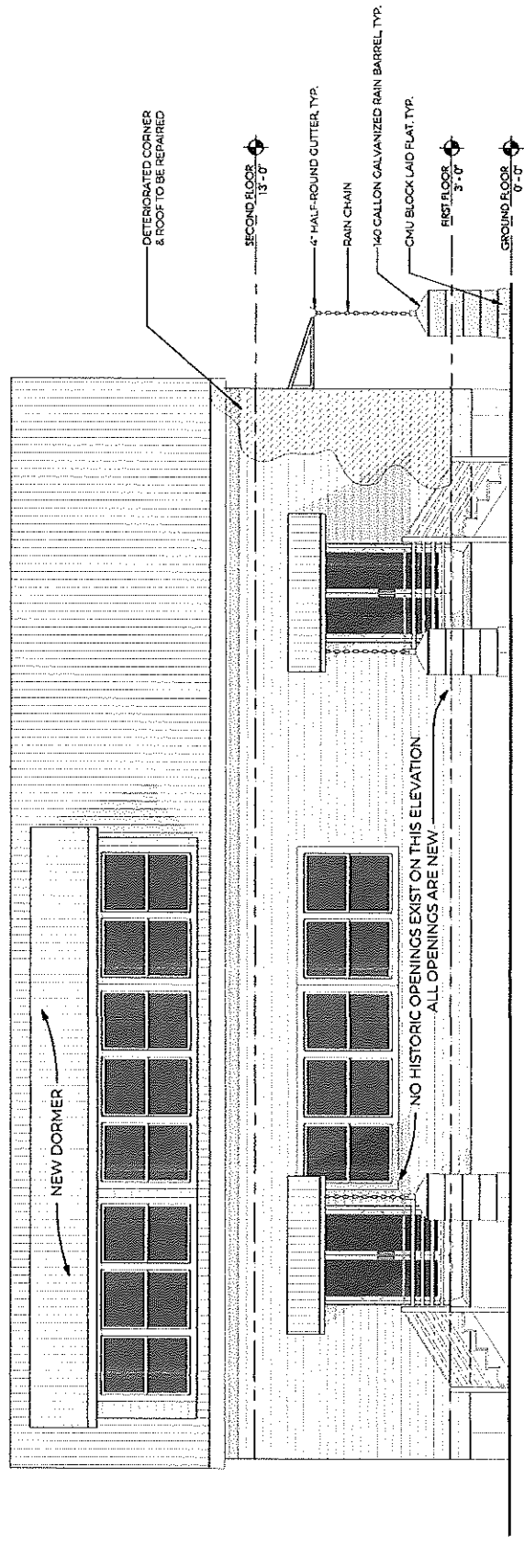
① EAST ELEVATION - FRONT
1/4" = 1'-0"



② WEST ELEVATION - REAR
1/4" = 1'-0"



① NORTH ELEVATION - SIDE
1/4" = 1'-0"



② SOUTH ELEVATION - SIDE
1/4" = 1'-0"

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Apalachicola First Baptist Christian School

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 5
Department: Planning/Zoning
Contact: Bree Robinson/Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: Pastor Jeff Strickland has requested a waiver/refund of the \$1,600 variance fee paid by the First Baptist Christian School. The school is requesting a variance for a fence on the property and has requested that the fee that was paid be refunded to them. The variance request is scheduled to be heard by the Board of Adjustments on Monday, August 19 at 6pm.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

FUNDING SOURCE: N/A

ATTACHMENTS: None

STAFF'S COMMENTS AND RECOMMENDATIONS:

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Riverfront Park

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 6
Department: Parks and Recreation Committee
Presenter: Donna Ingle

BRIEF SUMMARY:

A decision needs to be made regarding the fountain at Riverfront Park. Volunteers have been maintaining many items within the park including the fountain before it was shut down. Currently there is not a potable water source for Riverfront Park which is badly needed for the public.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

The Parks & Recreation Committee is requesting the City Commission to formally decide the future of the fountain. There are two options:

- (1) Fix and maintain it
- (2) Remove it and landscape the area to include a passive sculpture element that reflects the history and maritime character of Apalachicola.

FUNDING SOURCE:

Unknown

ATTACHMENTS:

STAFF'S COMMENTS AND RECOMMENDATIONS:

The Parks & Recreation Committee is recommending that the fountain be removed due to the chronic problems it has experienced over the years. A potable water source does need to be restored. If the recommendation to remove the fountain is approved the Parks & Recreation Committee will bring to the City Commission options for landscaping this area of the park.

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Ordinance 2024-04 FWC No Wake Ordinance

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 7
Department: Administration
Contact: Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: After the deadly boating accident in Scipio Creek in 2023, FWC scheduled installation of No Wake Zone signs in the Apalachicola River channel. The No Wake Zone will extend north in Scipio Creek as shown in the attached map. However, the FWC requires signage notifying boaters to “Resume Normal Safe Operation” at the end of the No Wake Zones (See Map A). That sign will be placed south of several creek front businesses and will allow boaters to create a wake that could be dangerous and damaging to vessels. This Ordinance will replace that sign with a “No Wake” sign and the “Resume Normal Safe Operation” sign will be moved to the north side of the Mill Pond. Additionally, a “No Wake” sign will be placed north of the Mill Pond for southbound vessels to protect those businesses from dangerous wake. I spoke with FWC and they advised that by passing the attached Ordinance, and completing paperwork that I have already begun, the No Wake Zone will be extended to a point immediately north of the City’s Scipio Creek Marina (Mill Pond).

RECOMMENDED MOTION AND REQUESTED ACTIONS: Motion to approve the 1st reading of Ordinance 2024-04 and proceed with Public Notice and Adoption process.

FUNDING SOURCE: N/A

ATTACHMENTS: Ordinance 2024-04: FWC No-Wake Ordinance

STAFF’S COMMENTS AND RECOMMENDATIONS: Recommend approval of 1st Reading.

ORDINANCE 2024-04

**AN ORDINANCE RELATING TO CITY OF APALACHICOLA;
AMENDING BOATING RESTRICTIONS/REGULATIONS FOR
THE SCIPIO CREEK AREA; PROVIDING FOR PENALTIES;
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, boating safety concerns were brought to the attention of City of Apalachicola officials around Scipio Creek and the Scipio Creek Boat Ramp within the Apalachicola River; and

WHEREAS, Florida Statutes § 327.46(1)(b) authorizes the City of Apalachicola to establish Idle Speed No Wake boating safety zones by ordinance without additional agency approval within 300 feet of public boat ramps; and

WHEREAS, the City of Apalachicola has elected to establish Idle Speed No Wake boating safety zones around Scipio Creek and the Scipio Creek Boat Ramp within the Apalachicola River.

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

SECTION I. City of Apalachicola Ordinance 2024- establishes the following boating restrictions.

1. Pursuant to Florida Administrative Code Chapter 68D-23.103, "Idle Speed No Wake" and "Idle Speed" may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow. 2. Idle Speed No Wake boating safety zone from shoreline to shoreline, on Scipio Creek, southeast of a line that passes through a point (29°44'09"N 84°59'41"W) perpendicular

to the centerline of the waterway, and northwest of a line that passes through a point (29° 43'831"N 84° 59'33"W) perpendicular to the centerline of the waterway, as depicted in the attached Exhibit A.

SECTION 2. PENALTY. The provisions of this section may be enforced by any law enforcement officer as defined in Section 943.10, Florida Statutes. Pursuant to Section 327.73, Florida Statutes, any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided for allowable county court costs for boating infractions. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 3. REFERENCE TO OTHER AUTHORITY. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 4. CODIFICATION. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the City of Apalachicola. The sections of this ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be effective upon completion of the following: approved and adopted pursuant to the City of Apalachicola's procedure, approval by the Florida Fish and Wildlife Conservation Commission pursuant to Section 327.46, Florida Statutes and upon posting of the regulatory markers.

This Ordinance was read and adopted on _____, 2024. Motion to adopt Ordinance was made by Commissioner _____, second by Commissioner _____.

Voting Aye:

Voting Nay:

FOR THE CITY COMMISSION OF THE CITY OF APALACHICOLA

ATTEST:

Sheneidra Cummings, City Clerk

Brenda Ash, Mayor

Apalachicola River Waterway Marker Installation and Repairs



<p>Legend:</p> <p>Markers</p> <ul style="list-style-type: none"> ★ Install ✕ Remove ● Repair ▨ Boating Safety Zones 	<p>Prepared For:</p>  <p>Florida Fish and Wildlife Conservation Commission MyFWC.com</p>	<p>Prepared By:</p> <p>AtkinsRéalis</p> <p>Data Source: FWC Coordinate System: WGS 1984 Web Mercator</p>	<p>MAP 1</p> <p>Drawn: JKL QC Review: SMY Date: 1/31/2024</p>
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Apalachicola River Waterway Marker Installation and Repairs

Mounting/Pile Information		WORK TO BE PERFORMED													
Marker ID	MapSheet	Latitude:	Longitude:	Faces	Rule	Remove Sign		Install Sign		Install/Replace		Marker	Drawing		
10295	1	29 43.434	-84 58.766	N		3x4	4x6	5x7	Other	3x4	4x6	5x7	Other	Comments	Number
						<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

Side 1 89-029 68D-24.015 N ON BRIDGE PILING
 Current Sign Message RESUME NORMAL SAFE OPERATION
 Flip Sign Message
 New Sign Message RESUME NORMAL SAFE OPERATION

Mounting/Pile Information		WORK TO BE PERFORMED													
Marker ID	MapSheet	Latitude:	Longitude:	Faces	Rule	Remove Sign		Install Sign		Install/Replace		Marker	Drawing		
10296	1	29 43.442	-84 58.729	S		3x4	4x6	5x7	Other	3x4	4x6	5x7	Other	Comments	Number
						<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

Side 1 59029 68D-24.015 S ON BRIDGE PILING - EPOXY HOLES
 Current Sign Message SLOW SPEED MINIMUM WAKE
 Flip Sign Message
 New Sign Message

WORK TO BE PERFORMED

Mounting/Pile Information	
Latitude:	29 43.831
Longitude:	-84 59.033

Remove	Mounting Type	Install	Mounting Type	Pile Tape	Pile Cap	Pile Cap Qty.	Pile Wrap
<input checked="" type="checkbox"/>	1-PILE	<input type="checkbox"/>					

Remove Sign	Install Sign	Install/Replace	Marker	Drawing			
3x4	4x6	5x7	Other	XArms	Hardware	Comments	Number
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
1	89-029	68D-24.015	SE	3x4	4x6	5x7	Other	XArms	
				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
				SLOW SPEED MINIMUM WAKE					
				SHALLOW WATER / LISTING					

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
2	89-029	68D-24.015	NW	3x4	4x6	5x7	Other	XArms	
				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
				SLOW SPEED MINIMUM WAKE					

WORK TO BE PERFORMED

Mounting/Pile Information	
Latitude:	29 43.742
Longitude:	-84 58.598

Remove	Mounting Type	Install	Mounting Type	Pile Tape	Pile Cap	Pile Cap Qty.	Pile Wrap
<input type="checkbox"/>	1-PILE	<input checked="" type="checkbox"/>				1	<input checked="" type="checkbox"/>

Remove Sign	Install Sign	Install/Replace	Marker	Drawing			
3x4	4x6	5x7	Other	XArms	Hardware	Comments	Number
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
1	89-029	68D-24.015	SE	3x4	4x6	5x7	Other	XArms	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
				BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE					

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
2	89-029	68D-24.015	NW	3x4	4x6	5x7	Other	XArms	
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
				RESUME NORMAL SAFE OPERATION					

WORK TO BE PERFORMED

Mounting/Pile Information	
Latitude:	29 43.906
Longitude:	-84 58.740

Marker ID	M002	MapSheet	1	Side	Permit	Rule	Faces	Remove Sign			Install Sign			Install/Replace		Marker	Comments	Drawing	Number
								3x4	4x6	5x7	Other	3x4	4x6	5x7	Other				
1	89-029	68D-24.015	E					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				14
Current Sign Message Flip Sign Message New Sign Message																			
BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE																			

Marker ID	M003	MapSheet	1	Side	Permit	Rule	Faces	Remove Sign			Install Sign			Install/Replace		Marker	Comments	Drawing	Number
								3x4	4x6	5x7	Other	3x4	4x6	5x7	Other				
2	89-029	68D-24.015	W					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				14
Current Sign Message Flip Sign Message New Sign Message																			
RESUME NORMAL SAFE OPERATION																			

WORK TO BE PERFORMED

Mounting/Pile Information	
Latitude:	29 44.149
Longitude:	-84 59.045

Marker ID	M003	MapSheet	1	Side	Permit	Rule	Faces	Remove Sign			Install Sign			Install/Replace		Marker	Comments	Drawing	Number
								3x4	4x6	5x7	Other	3x4	4x6	5x7	Other				
1	89-029	68D-24.015	NW					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				21
Current Sign Message Flip Sign Message New Sign Message																			
BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE																			

Marker ID	M003	MapSheet	1	Side	Permit	Rule	Faces	Remove Sign			Install Sign			Install/Replace		Marker	Comments	Drawing	Number
								3x4	4x6	5x7	Other	3x4	4x6	5x7	Other				
2	89-029	68D-24.015	SE					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				21
Current Sign Message Flip Sign Message New Sign Message																			
RESUME NORMAL SAFE OPERATION																			

Marker ID		WORK TO BE PERFORMED											
M004		M004		M004		M004		M004		M004			
MapSheet		MapSheet		MapSheet		MapSheet		MapSheet		MapSheet			
1	89-029	68D-24.015	NW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2	<input checked="" type="checkbox"/>
Current Sign Message		LONGER PILES REQUIRED											
Flip Sign Message													
New Sign Message		BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE											

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
				3x4	4x6	5x7	Other	Comments	Number
1	89-029	68D-24.015	NW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	21
Current Sign Message		LONGER PILES REQUIRED							
Flip Sign Message									
New Sign Message		BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE							

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
				3x4	4x6	5x7	Other	Comments	Number
2	89-029	68D-24.015	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	21
Current Sign Message		LONGER PILES REQUIRED							
Flip Sign Message									
New Sign Message		RESUME NORMAL SAFE OPERATION							

Marker ID		WORK TO BE PERFORMED											
M005		M005		M005		M005		M005		M005			
MapSheet		MapSheet		MapSheet		MapSheet		MapSheet		MapSheet			
1	89-029	68D-24.015	NW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	<input checked="" type="checkbox"/>
Current Sign Message		ANGLE TOWARD CUT											
Flip Sign Message													
New Sign Message		BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE											

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
				3x4	4x6	5x7	Other	Comments	Number
1	89-029	68D-24.015	NW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
Current Sign Message		ANGLE TOWARD CUT							
Flip Sign Message									
New Sign Message		BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE							

Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	
				3x4	4x6	5x7	Other	Comments	Number
2	89-029	68D-24.015	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14
Current Sign Message		ANGLE TOWARD CUT							
Flip Sign Message									
New Sign Message		RESUME NORMAL SAFE OPERATION							

Marker ID		Mounting/Pile Information		WORK TO BE PERFORMED											
Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	Remove Sign	Install Sign	Install/Replace	Marker	Drawing		
				3x4	4x6	5x7	Other	3x4	4x6	5x7	Other	Comments	Number		
M006			SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
MapSheet				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
1				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	89-029	68D-24.015	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ON BRIDGE FENDER 1		
	Current Sign Message														
	Flip Sign Message														
	New Sign Message BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE														

Marker ID		Mounting/Pile Information		WORK TO BE PERFORMED											
Side	Permit	Rule	Faces	Remove Sign	Install Sign	Install/Replace	Marker	Drawing	Remove Sign	Install Sign	Install/Replace	Marker	Drawing		
				3x4	4x6	5x7	Other	3x4	4x6	5x7	Other	Comments	Number		
M007			SW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
MapSheet				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
1				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	89-029	68D-24.015	SW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ON BRIDGE FENDER 1		
	Current Sign Message														
	Flip Sign Message														
	New Sign Message BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE														

Marker ID		Mounding/Pile Information		WORK TO BE PERFORMED													
M008	MapSheet	Latitude:	29 43.871	Remove	Mounding Type	Install	Mounding Type	Pile Tape	Pile Cap	Pile Cap Qty.	Pile Wrap						
	1	Longitude:	-84 59.117	<input type="checkbox"/>	1-PILE	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	<input checked="" type="checkbox"/>						
Side	Permit	Rule	Faces	Remove Sign		Install Sign			Install/Replace		Marker	Drawing					
				3x4	4x6	5x7	Other	3x4	4x6	5x7	Other	XArms	Hardware	Comments	Number		

1	89-029	68D-24.015	NW	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			14
				BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE												
				RESUME NORMAL SAFE OPERATION												
2	89-029	68D-24.015	SE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			14
				BOATING SAFETY ZONE SLOW SPEED MINIMUM WAKE												
				RESUME NORMAL SAFE OPERATION												

MAP A



M003

M004

M005
M008

M002

M001

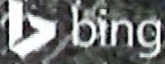
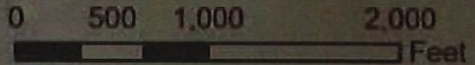
10304

10295

10296

M007
M006

Location of "Resume Normal Safe Operation" sign for northbound vessels.



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Apalachicola River

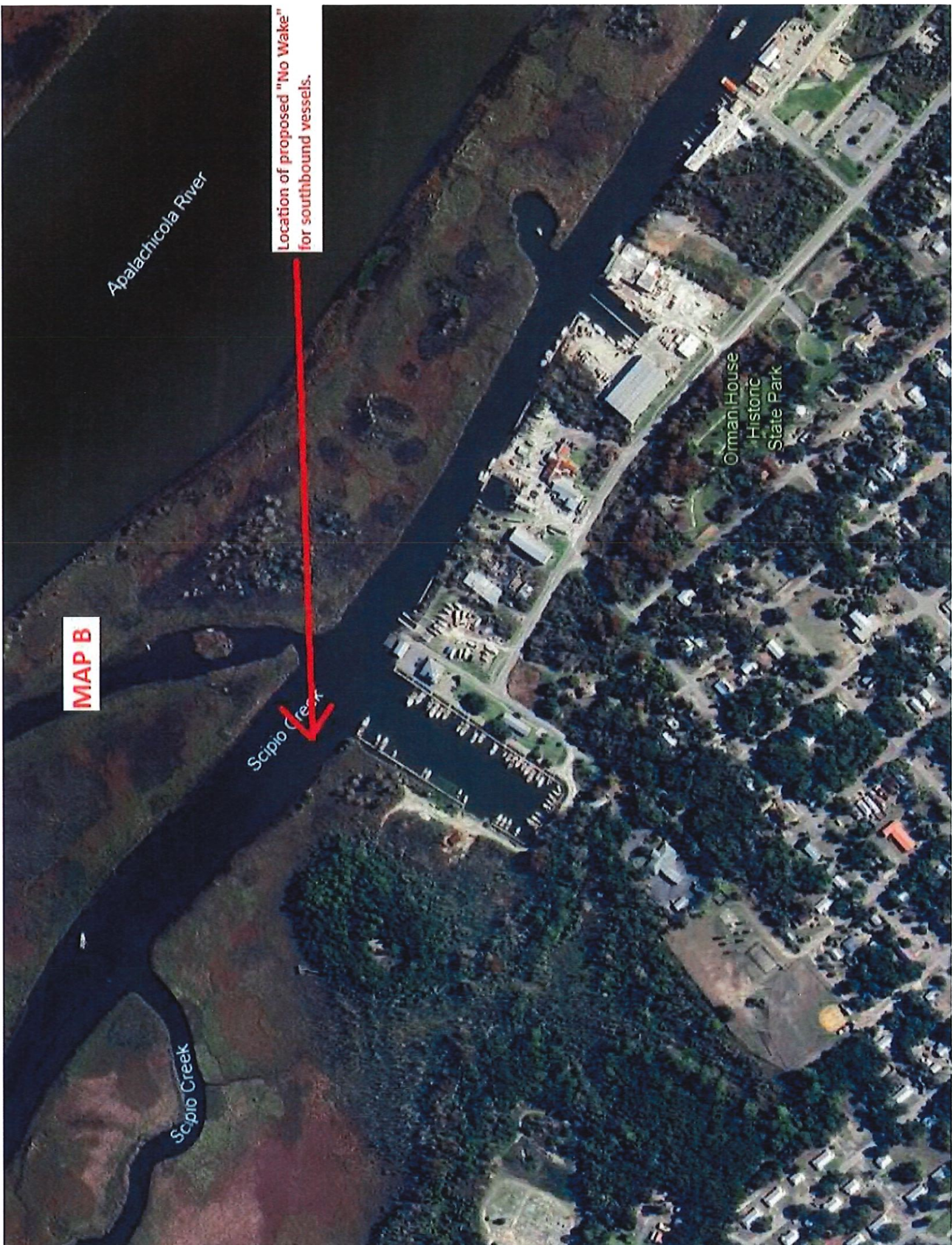
Location of proposed "No Wake" for southbound vessels.

MAP B

Scpio Creek

Orman House
Historic
State Park

Scpio Creek



**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Floodplain Ordinance 2024-05

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 8
Department: Building Department
Contact: Dan Hartman/Travis Wade
Presenter: Dan Hartman

BRIEF SUMMARY: The City participates in the National Flood Insurance Program (NFIP) and anticipates applying to the NFIP community rating system. In order to maintain eligibility and compliance with the NFIP periodic updates to the City's floodplain management ordinance are necessary. This ordinance provides for the most recent updates required to bring the City into compliance with federal and state floodplain management requirements.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Motion to approve 1st Reading of Flood Plan Ordinance 2024-05 and proceed with Public Notice and Adoption process

FUNDING SOURCE: N/A

ATTACHMENTS: Ordinance 2024-05: Flood Plain Ordinance

STAFF'S COMMENTS AND RECOMMENDATIONS: Approve.

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF APALCHICOLA, FLORIDA AMENDING ORDINANCE 2013-02 ALSO REFERRED TO AS THE CITY OF APALACHICOLA FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR AMENDMENT OF THE SUBPARTB, CHAPTER 101, SECTION 101-8 DEFINITIONS AND AMENDMENTS TO THE FLORIDA BUILDING CODE CHAPTER 107, SECTIONS 107-1, 107-4, 107-35, 107-74, 107-75, 107-101, 107-131, 107-132, 107-133, 07-134, 107-156, 107-186, 107-187, 107-251, 107-303, 107-326, 107-359, 107-361, 107-381, 107-472, 107-474, 107-475, and 107-476 AND DELETION OF SECTIONS 107-252, 107-253, 107-254, 107-284, 107-384, 107-35, 107-386, 107-473, 107-474, 107-475, 107-480, 107- 481, 107-482, 107-483; PROVIDING FOR APPLICABILITY AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Apalachicola participates in the National Flood Insurance Program and anticipates applying to the NFIP Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements; and

WHEREAS, in 2020, the NFIP Community Rating System established certain minimum prerequisites for communities to qualify for or maintain class ratings of Class 8 or better; and

WHEREAS, to satisfy the prerequisite and for the City of Apalachicola to obtain a Class 8 or better, all manufactured homes installed or replaced in special flood hazard areas must be elevated to or above at least the base flood elevation plus 1 foot, which necessitates modification of the existing requirements; and

WHEREAS, the City of Apalachicola determined that it is in the public interest to amend the floodplain management regulations to better protect manufactured homes and to qualify to participate in the CRS at a Class 8 or better; and

WHEREAS, Chapter 553, Florida Statutes, allows for local administrative and technical amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and allows adoption of local administrative and local technical amendments to the Florida Building Code to implement the National Flood Insurance Program and incentives; and

WHEREAS, the City of Apalachicola is reformatting and amending a previously adopted local amendment to require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a 1-year period for buildings and structures in flood hazard areas for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the *Florida Building Code*; and

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Apalachicola that Ordinance 2013-02 is amended as set forth in the following amendments, as shown in ~~strikethrough~~ and underline all intervening language that remains unchanged is indicated by *.....* format in Exhibit "A."

SECTION 1. AMENDMENTS

Amendments to Chapter 101 and 107 are as shown in Exhibit "A" attached hereto.

SECTION 3. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Apalachicola. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 4. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the City of Apalachicola that the provisions of this ordinance shall become and be made a part of the Apalachicola Code of Ordinances and that the sections of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 6. EFFECTIVE DATE.

This ordinance shall take effect upon adoption and any required State approval.

PASSED FIRST READING ON: _____

PASSED SECOND READING ON: _____

CITY OF APALACHICOLA

BY: _____
Brenda Ash, Mayor

ATTEST:

SHENEIDRA CUMMINGS
CITY CLERK

EXHIBIT A

Chapter 101 GENERAL AND ADMINISTRATIVE PROVISIONS

APALACHICOLA LAND DEVELOPMENT CODE

Sec. 101-8. - Definitions.

The following words, terms and phrases, when used in this land development code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

.....

~~*Alteration of a watercourse* means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.~~

.....

~~*Appeal* means a request for a review of the city's interpretation of any provisions of this Code or a request for a variance.~~

.....

~~*Coastal construction control line* means the line established by the state pursuant to F.S. § 161.053, and recorded in the official records of the community, which defines that portion of the beach dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.~~

Coastal high hazard area means the area below the elevation of the category 1 storm surge line as established by a sea, lake, and overland surges from hurricanes (SLOSH) computerized storm surge model.

Coastal high hazard area means, for the purposes of Chapter 107, a special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V.

.....

Development means, for the purpose of Chapter 107, any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

.....

Encroachment means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

.....

~~*Existing manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before July 18, 1983.~~

~~*Expansion to an existing manufactured home park or subdivision* means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).~~

.....

~~*Flood hazard boundary map (FHBM)* means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined.~~

Flood insurance rate map (FIRM) means the official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community.

Flood insurance study (FIS) means the official report provided by the Federal Emergency Management Agency that contains the flood insurance rate map, the flood boundary and floodway map (if applicable), the water surface elevation of the base flood, and supporting technical data.

Floodplain administrator means the office or position designated and charged with the administration and enforcement of Chapter 107 ~~this chapter~~ (may be referred to as the floodplain manager).

Floodplain development permit or approval means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance

of specific development activities that are located in flood hazard areas and that are determined to be compliant with Chapter 107 this chapter.

Floodway means the channel of a watercourse and portions of the adjoining floodplain which are reasonably required to carry and discharge the regulatory flood.

Floodway encroachment analysis means an engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevation; the evaluation shall be prepared by a qualified state licensed engineer using standard engineering methods and models.

.....

Lowest floor means, for the purposes of Chapter 107, the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage, provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24.

.....

Market value means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in Chapter 107 this chapter, the term "market value" refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, is the actual cash value (in-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction) determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the county property appraiser.

.....

New construction, for the purposes of administration of Chapter 107 this chapter and the flood-resistant construction requirements of the Florida Building Code, means structures for which the start of construction commenced on or after July 18, 1983 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after July 18, 1983.

.....

Start of construction means the date of issuance of permits for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, or the construction of columns. Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

* *

Substantial improvement means any combination of repair, reconstruction, rehabilitation, alteration, addition, or other improvement of a building or structure, taking place during a one-year ten-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the one-year ten-year period begins on the date of the first improvement or repair of that building or structure subsequent to 1993. If the structure has incurred substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term "substantial improvement" does not, however, include either:

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to ensure safe living conditions; or
- (2) Any alteration of an historic structure, provided the alteration will not preclude the structure's continued designation as an historic structure.

* *

~~*Watercourse* means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.~~

=====

Chapter 107 - FLOODS

ARTICLE I. - IN GENERAL

DIVISION 1. - GENERALLY

Sec. 107-1. - Established.

- (a) The Legislature of the State of Florida has, in F.S. ch. 166, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the city and such areas may be subject to

periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

- (b) The city was accepted for participation in the National Flood Insurance Program on July 18, 1983 and the city commission desires to continue to meet the requirements of 44 CFR 59 and 60, necessary for such participation.
- (c) F.S. ch. 553 was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code.
- (d) F.S. § 553.73(5) allows adoption of local administrative amendments to the Florida Building Code to implement the National Flood Insurance Program.
- (e) ~~Reserved. The city commission is adopting a requirement to limit the size of enclosures below elevated dwellings to no more than 299 square feet for buildings and structures in coastal high hazard areas (V zones) for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to F.S. § 553.73(5), is formatting that requirement to coordinate with the Florida Building Code.~~
- (f) The city commission is adopting a requirement to require the accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a ~~ten-year~~ one-year period for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to F.S. 553.73(5), is formatting that requirement to coordinate with the Florida Building Code.
- (g) The city commission has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the Florida Building Code.

(LDC, art. XVI, intro ¶; Ord. No. 2013-02, § 1, 8-6-2013)

Sec. 107-2. - Title.

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(LDC, art. XVI, § 2(101.1))

Sec. 107-3. - Scope.

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(LDC, art. XVI, § 2(101.2))

Sec. 107-4. - Intent.

The purposes of this chapter and the flood load and flood-resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health,

safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Manage the alteration of flood hazard areas, **watereourses**, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- (5) Minimize damage to public and private facilities and utilities;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- (7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and
- (8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the 44 CFR 59.22.

(LDC, art. XVI, § 2(101.3))

Sec. 107-5. - Coordination with the Florida Building Code.

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(LDC, art. XVI, § 2(101.4))

Sec. 107-6. - Warning.

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(LDC, art. XVI, § 2(101.5))

Sec. 107-7. - Disclaimer of liability.

.....

(LDC, art. XVI, § 2(101.6))

Secs. 107-8—107-32. - Reserved.

DIVISION 2. - APPLICABILITY

Sec. 107-33. - Generally.

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(LDC, art. XVI, § 2(102.1))

Sec. 107-34. - Areas to which this chapter applies.

.....

(LDC, art. XVI, § 2(102.2))

Sec. 107-35. - Basis for establishing flood hazard areas.

The Flood Insurance Study for Franklin County, Florida and Incorporated Areas, dated June 17, 2002 October 10, 2024, and all subsequent amendments and revisions, and the accompanying flood insurance rate maps (FIRMs), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this chapter and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the planning and building department.

(LDC, art. XVI, § 2(102.3))

Sec. 107-36. - Submission of additional data to establish flood hazard areas.

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(LDC, art. XVI, § 2(102.3.1))

Sec. 107-37. - Other laws.

.....

(LDC, art. XVI, § 2(102.4))

Sec. 107-38. - Abrogation and greater restrictions.

.....

(LDC, art. XVI, § 2(102.5))

Sec. 107-39. - Interpretation.

.....

(LDC, art. XVI, § 2(102.6))

Secs. 107-40—107-66. - Reserved.

DIVISION 3. - DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

Sec. 107-67. - Designation.

The zoning administrator is designated as the floodplain administrator. The floodplain administrator may delegate performance of certain duties to other employees.

(LDC, art. XVI, § 2(103.1))

Sec. 107-68. - General.

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(LDC, art. XVI, § 2(103.2))

Sec. 107-69. - Applications and permits.

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(LDC, art. XVI, § 2(103.3))

Sec. 107-70. - Substantial improvement and substantial damage determinations.

.....

(LDC, art. XVI, § 2(103.4))

Sec. 107-71. - Modifications of the strict application of the requirements of the Florida Building Code.

.....

(LDC, art. XVI, § 2(103.5))

Sec. 107-72. - Notices and orders.

.....

(LDC, art. XVI, § 2(103.6))

Sec. 107-73. - Inspections.

.....

(LDC, art. XVI, § 2(103.7))

Sec. 107-74. - Other duties of the floodplain administrator.

The floodplain administrator shall have other duties, including, but not limited to:

- (1) Establish, in coordination with the building official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to section 107-70;
- (2) ~~Reserved. Require that applicants proposing alteration of a watercourse notify adjacent communities and the state division of emergency management, state floodplain management office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);~~
- (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the flood insurance rate maps if the analyses propose to change base flood elevations, or flood hazard area boundaries, or floodway designations; such submissions shall be made within six months of such data becoming available;
- (4) Review required design certifications and documentation of elevations specified by this chapter and the Florida Building Code to determine that such certifications and documentations are complete;
- (5) Notify the Federal Emergency Management Agency when the corporate boundaries of the city are modified; and
- (6) Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the coastal barrier resources system established by 16 USC 3501 et seq. that federal flood insurance is not available on such construction; areas subject to this limitation are identified on flood insurance rate maps as "coastal barrier resource system areas" and "otherwise protected areas."

(LDC, art. XVI, § 2(103.8))

Sec. 107-75. - Floodplain management records.

Regardless of any limitation on the period required for retention of public records, the floodplain administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this chapter and the flood-resistant construction requirements of the Florida Building Code, including flood insurance rate maps; letters of map change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this chapter; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this chapter and the flood-resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at the Franklin County Planning and Building Department, 34 Forbes Street, Suite 1, Apalachicola, Florida.

(LDC, art. XVI, § 2(103.9))

Secs. 107-76—107-93. - Reserved.

DIVISION 4. - PERMITS

Sec. 107-94. - Permits required.

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(LDC, art. XVI, § 2(104.1))

Sec. 107-95. - Floodplain development permits or approvals.

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(LDC, art. XVI, § 2(104.2))

Sec. 107-96. - Buildings, structures and facilities exempt from the Florida Building Code.

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(LDC, art. XVI, § 2(104.2.1))

Sec. 107-97. - Application for a permit or approval.

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(LDC, art. XVI, § 2(104.3))

Sec. 107-98. - Validity of permit or approval.

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(LDC, art. XVI, § 2(104.4))

Sec. 107-99. - Expiration.

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(LDC, art. XVI, § 2(104.5))

Sec. 107-100. - Suspension or revocation.

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(LDC, art. XVI, § 2(104.6))

Sec. 107-101. - Other permits required.

Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including, but not limited to, the following:

- (1) The Northwest Florida Water Management District; F.S. § 373.036.
- (2) State department of health for onsite sewage treatment and disposal systems; F.S. § 381.0065, and F.A.C. ch. 64E-6.
- (3) ~~Reserved. State department of environmental protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; F.S. § 161.141.~~
- (4) State department of environmental protection for activities subject to the joint coastal permit; F.S. § 161.055.
- (5) State department of environmental protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; section 404 of the Clean Water Act.
- (6) Federal permits and approvals.

(LDC, art. XVI, § 2(104.7))

Secs. 107-102—107-130. - Reserved.

DIVISION 5. - SITE PLANS AND CONSTRUCTION DOCUMENTS

Sec. 107-131. - Information for development in flood hazard areas.

- (a) The site plan or construction documents for any development subject to the requirements of this chapter shall be drawn to scale and shall include, as applicable to the proposed development:
 - (1) Delineation of flood hazard areas, ~~floodway boundaries and~~ flood zones, base flood elevation, and ground elevations if necessary for review of the proposed development.
 - (2) Where base flood elevations ~~or floodway data~~ are not included on the FIRM or in the flood insurance study, they shall be established in accordance with section 107-132(2) or (3).
 - (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than five acres and the base flood elevations are not included on the FIRM or in the flood insurance study, such elevations shall be established in accordance with section 107-132(1).
 - (4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.

- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- ~~(7) Delineation of the coastal construction control line or notation that the site is seaward of the coastal construction control line, if applicable.~~
- ~~(7)(8)~~ (8) Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the state department of environmental protection.
- ~~(9) Existing and proposed alignment of any proposed alteration of a watercourse.~~
- (b) The floodplain administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this chapter but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this chapter.

(LDC, art. XVI, § 2(105.1))

Sec. 107-132. - Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the floodplain administrator shall:

- (1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
- (2) Obtain, review, and provide to applicants base flood elevation ~~and floodway~~ data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation ~~and floodway~~ data available from a federal or state agency or other source.
- (3) Where base flood elevation ~~and floodway~~ data are not available from another source, where the available data are deemed by the floodplain administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is two feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two feet.
- (4) Where the base flood elevation data are to be used to support a letter of map change from FEMA, advise the applicant that the analyses shall be prepared by a state-licensed

engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

(LDC, art. XVI, § 2(105.2))

Sec. 107-133. - Additional analyses and certifications.

For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage shall be prepared and . As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a state-licensed engineer for submission with the site plan and construction documents. :

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in section 107-134 and shall submit the conditional letter of map revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the flood insurance study or on the FIRM and flood ways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood carrying capacity; the applicant shall submit the analysis to FEMA as specified in section 107-134.
- (4) For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

(LDC, art. XVI, § 2(105.3))

Sec. 107-134. - Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a letter of map change from FEMA to change the base flood elevations, change floodway boundaries, or change

boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a state-licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

(LDC, art. XVI, § 2(105.4))

Secs. 107-135—107-151. - Reserved.

DIVISION 6. - INSPECTIONS

Sec. 107-152. - General.

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(LDC, art. XVI, § 2(106.1))

Sec. 107-153. - Development other than buildings and structures.

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(LDC, art. XVI, § 2(106.1.1))

Sec. 107-154. - Buildings, structures and facilities exempt from the Florida Building Code.

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(LDC, art. XVI, § 2(106.1.2))

Sec. 107-155. - Buildings, structures and facilities exempt from the Florida Building Code; lowest floor inspection.

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(LDC, art. XVI, § 2(106.1.2.1))

Sec. 107-156. - Buildings, structures and facilities exempt from the Florida Building Code; final inspection.

As part of the final inspection, the owner or owner's authorized agent shall submit to the floodplain administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in section 107-~~155~~ 101.

(LDC, art. XVI, § 2(106.1.2.2))

Sec. 107-157. - Manufactured homes.

.....

(LDC, art. XVI, § 2(106.1.3))

Secs. 107-158—107-182. - Reserved.

DIVISION 7. - VARIANCES AND APPEALS

Sec. 107-183. - General.

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(LDC, art. XVI, § 2(107.1))

Sec. 107-184. - Appeals.

.....

(LDC, art. XVI, § 2(107.2))

Sec. 107-185. - Limitations on authority to grant variances.

.....

(LDC, art. XVI, § 2(107.3))

Sec. 107-186. - ~~Reserved. Restrictions in floodways.~~

~~A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in section 107-133.~~

(LDC, art. XVI, § 2(107.3.1))

Sec. 107-187. - Historic buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of an historic building that is determined eligible for the exception to the flood-resistant construction requirements of the Florida Building Code, Existing Building, chapter ~~12-44~~, Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as an historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as an historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

(LDC, art. XVI, § 2(107.4))

Sec. 107-188. - Functionally-dependent uses.

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(LDC, art. XVI, § 2(107.5))

Sec. 107-189. - Considerations for issuance of variances.

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(LDC, art. XVI, § 2(107.6))

Sec. 107-190. - Conditions for issuance of variances.

.....

(LDC, art. XVI, § 2(107.7))

Secs. 107-191—107-218. - Reserved.

DIVISION 8. - VIOLATIONS

Sec. 107-219. - Violations.

.....

(LDC, art. XVI, § 2(108.1))

Sec. 107-220. - Authority.

.....

(LDC, art. XVI, § 2(108.2))

Sec. 107-221. - Unlawful continuance.

.....

(LDC, art. XVI, § 2(108.3))

Secs. 107-222—107-250. - Reserved.

ARTICLE II. - **TERMS; SCOPE**, DEFINITIONS

DIVISION 1. — GENERALLY

Sec. 107-251. - Scope.

(1) Unless otherwise expressly stated, the following words and terms shall, for the purposes of this chapter, have the meanings defined in Chapter 101, Section 101.8 or the Florida Building Code shown in this section.

(2) Terms used in this chapter and defined in Chapter 101, Section 101.8, include:

ASCE 24
Base flood
Base flood elevation
Basement
Coastal high hazard area
Design flood
Design flood elevation
Development
Existing building and existing structure
Federal Emergency Management Agency
Flood
Flood damage-resistant materials
Flood hazard area
Flood Insurance Rate Map (FIRM)
Flood Insurance Study (FIS)
Floodplain administrator
Floodplain development permit or approval
Florida Building Code
Functionally dependent use
Highest adjacent grade
History structure
Letter of Map Change
Light-duty truck
Lowest floor
Manufactured home
Manufactured home park or subdivision
Market value
Park trailer
Recreational vehicle
Sand dunes
Special flood hazard area
Start of construction
Substantial damage
Substantial improvement

(LDC, art. XVI, § 2(201.1))

~~Sec. 107 252.— Terms defined in the Florida Building Code.~~

~~Where terms are not defined in this chapter and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.~~

(LDC, art. XVI, § 2(201.2))

~~Sec. 107 253.— Terms not defined.~~

~~Where terms are not defined in this chapter or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.~~

(LDC, art. XVI, § 2(201.3))

~~Secs. 107 254—107 283.— Reserved.~~

~~DIVISION 2.— TERMS DEFINED~~

~~Sec. 107 284.— Definitions.~~

~~The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Appeal* means a request for a review of the floodplain administrator's interpretation of any provision of this chapter or a request for a variance.~~

~~*Development* means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land-disturbing activities.~~

~~*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land from:~~

~~(1) The overflow of inland or tidal waters.~~

~~(2) The unusual and rapid accumulation or runoff of surface waters from any source.~~

~~*Floodway* means the channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.~~

~~*Historic structure* means any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, chapter 11, Historic Buildings.~~

~~*Lowest floor* means the lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage, provided that such~~

enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24.

Recreational vehicle means a vehicle, including a park trailer, which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

(LDC, art. XVI, § 2(201.3))

Secs. ~~107-282~~ ~~107-285~~—107-301. - Reserved.

ARTICLE III. - FLOOD-RESISTANT DEVELOPMENT

DIVISION 1. - BUILDINGS AND STRUCTURES

Sec. 107-302. - Design and construction of buildings, structures and facilities exempt from the Florida Building Code.

Pursuant to section 107-96, buildings, structures, and facilities that are exempt from the Florida Building Code, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood-resistant construction requirements of ASCE 24. Structures exempt from the Florida Building Code that are not walled and roofed buildings shall comply with the requirements of article ~~VIII~~ ~~VII~~ of this chapter.

(LDC, art. XVI, § 2(301.1))

~~Sec. 107-303. - Florida Building Code technical amendment; cumulative substantial improvement.~~

~~In the Florida Building Code, Building, and Florida Building Code, Existing Building, definitions for the term "Substantial Improvement" shall be as defined in Chapter 101, Section 101.8.~~

~~Sec. 107-303. — Buildings and structures seaward of the coastal construction control line.~~

~~If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:~~

- (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the Florida Building Code, Building, section 3109 and section 1612 or Florida Building Code, Residential, section R322.

~~(2) Minor structures and non habitable major structures, as defined in F.S. § 161.54, shall be designed and constructed to comply with the intent and applicable provisions of this chapter and ASCE 24.~~

(LDC, art. XVI, § 2(301.2))

Secs. 107-304 —107-324. - Reserved.

DIVISION 2. - SUBDIVISIONS

Sec. 107-325. - Minimum requirements.

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(LDC, art. XVI, § 2(302.1))

Sec. 107-326. - Subdivision plats.

Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, ~~floodway boundaries and~~ flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats ~~and final plats~~;
- (2) Where the subdivision has more than 50 lots or is larger than five acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with section ~~107-132(1)~~ 107-132; and
- (3) Compliance with the site improvement and utilities requirements of article IV of this chapter.

(LDC, art. XVI, § 2(302.2))

Secs. 107-327—107-355. - Reserved.

ARTICLE IV. - SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

Sec. 107-356. - Minimum requirements.

.....

(LDC, art. XVI, § 2(303.1))

Sec. 107-357. - Sanitary sewage facilities.

.....

(LDC, art. XVI, § 2(303.2))

Sec. 107-358. - Water supply facilities.

.....

(LDC, art. XVI, § 2(303.3))

Sec. 107-359. - Reserved. Limitations on sites in regulatory floodways.

No development, including, but not limited to, site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in section 107-133(1) demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

(LDC, art. XVI, § 2(303.4))

Sec. 107-360. - Limitations on placement of fill.

.....

(LDC, art. XVI, § 2(303.5))

Sec. 107-361. - Limitations on sites in coastal high hazard areas (Zone V).

In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the state department of environmental protection and only if the engineering analysis required by section 107-133(4) demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with section 107-476(3) ~~107-479(3)~~.

(LDC, art. XVI, § 2(303.6))

Secs. 107-362—107-380. - Reserved.

ARTICLE V. - MANUFACTURED HOMES

Sec. 107-381. - General.

All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to F.S. § 320.8249, and shall comply with the requirements of F.A.C. ch. 15C-1 and the requirements of this chapter. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

(LDC, art. XVI, § 2(304.1))

Sec. 107-382. - Foundations.

.....

(LDC, art. XVI, § 2(304.2))

Sec. 107-383. - Anchoring.

.....

(LDC, art. XVI, § 2(304.3))

Sec. 107-384. - Elevation.

~~Manufactured homes that are placed, replaced, or substantially improved shall comply with section 107-385 or 107-386, as applicable. All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A) or Section R322.3 (Zone V and Coastal A Zone), as applicable.~~

(LDC, art. XVI, § 2(304.4))

~~Sec. 107-385. — General elevation requirement.~~

~~Unless subject to the requirements of section 107-386, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred substantial damage as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential*, section R322.2 (Zone A) or section R322.3 (Zone V).~~

(LDC, art. XVI, § 2(304.4.1))

~~Sec. 107-386. — Elevation requirement for certain existing manufactured home parks and subdivisions.~~

~~Manufactured homes that are not subject to section 107-385, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~

- ~~(1) — Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential*, section R322.2 (Zone A) or section R322.3 (Zone V); or~~
- ~~(2) — Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.~~

(LDC, art. XVI, § 2(304.4.2))

Sec. ~~107-385~~ 107-387. — Enclosures.

Enclosed areas below elevated manufactured homes shall comply with the requirements of the Florida Building Code, Residential, section R322 for such enclosed areas, as applicable to the flood hazard area.

(LDC, art. XVI, § 2(304.5))

Sec. ~~107-386~~ ~~107-388~~. – Utility equipment.

Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the Florida Building Code, Residential, section R322, as applicable to the flood hazard area.

(LDC, art. XVI, § 2(304.6))

Secs. ~~107-387~~ ~~107-389~~—107-419. - Reserved.

ARTICLE VI. - RECREATIONAL VEHICLES AND PARK TRAILERS

Sec. 107-420. - Temporary placement.

.....

(LDC, art. XVI, § 2(305.1))

Sec. 107-421. - Permanent placement.

.....

(LDC, art. XVI, § 2(305.2))

Secs. 107-422—107-440. - Reserved.

ARTICLE VII. - TANKS

Sec. 107-441. - Underground tanks.

.....

(LDC, art. XVI, § 2(306.1))

Sec. 107-442. - Above-ground tanks, not elevated.

.....

(LDC, art. XVI, § 2(306.2))

Sec. 107-443. - Above-ground tanks, elevated.

.....

(LDC, art. XVI, § 2(306.3))

Sec. 107-444. - Tank inlets and vents.

.....

(LDC, art. XVI, § 2(306.4))

Secs. 107-445—107-471. - Reserved.

ARTICLE VIII. - OTHER DEVELOPMENT

Sec. 107-472. - General requirements for other development.

All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this chapter or the Florida Building Code, shall:

- (1) Be located and constructed to minimize flood damage;
- ~~(2) Meet the limitations of section 107-359 if located in a regulated floodway;~~
- ~~(2)~~ ~~(3)~~ Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- ~~(3)~~ ~~(4)~~ Be constructed of flood damage-resistant materials; and
- ~~(4)~~ ~~(5)~~ Have mechanical, plumbing, and electrical systems above the design flood elevation, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

(LDC, art. XVI, § 2(307.1))

~~Sec. 107-473. - Fences in regulated floodways.~~

~~Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of section 107-359.~~

(LDC, art. XVI, § 2(307.2))

~~Sec. 107-474. - Retaining walls, sidewalks and driveways in regulated floodways.~~

~~Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of 107-359.~~

(LDC, art. XVI, § 2(307.3))

~~Sec. 107-475. Roads and watercourse crossings in regulated floodways.~~

~~Roads and watercourse crossings, including roads, bridges, culverts, low water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of section 107-359. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of section 107-133(3).~~

(LDC, art. XVI, § 2(307.4))

~~Sec. 107-473. Sec. 107-476.~~ - Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V).

In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

- (1) Structurally independent of the foundation system of the building or structure;
- (2) Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
- (3) Have a maximum slab thickness of not more than four inches.

(LDC, art. XVI, § 2(307.5))

~~Sec. 107-474. Sec. 107-477.~~ - Decks and patios in coastal high hazard areas (Zone V).

In addition to the requirements of the Florida Building Code, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

- (1) A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
- (2) A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
- (3) A deck or patio that has a vertical thickness of more than 12 inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection

that would increase damage to the building or structure or to adjacent buildings and structures.

- (4) A deck or patio that has a vertical thickness of 12 inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave run-up and wave reflection.

(LDC, art. XVI, § 2(307.6))

Sec. 107-475. ~~Sec. 107-478.~~ - Other development in coastal high hazard areas (Zone V).

In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include, but are not limited to:

- (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- (2) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
- (3) On-site sewage treatment and disposal systems defined in F.A.C. 64E-6.002, as filled systems or mound systems.

(LDC, art. XVI, § 2(307.7))

Sec. 107-476. ~~Sec. 107-479.~~ - Nonstructural fill in coastal high hazard areas (Zone V).

In coastal high hazard areas:

- (1) Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Where authorized by the state department of environmental protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave run-up and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

(LDC, art. XVI, § 2(307.8); Ord. No. 2013-02, § 2, 8-6-2013)

~~Sec. 107.480. Amendments—Administrative.~~

~~The Florida Building Code, Building, is hereby amended by the following administrative amendments:~~

~~(1) Sec. 104.10.1, Florida Building Code, Building: add a new Sec. 104.10.1 as follows:~~

~~Modifications of the strict application of the requirements of the Florida Building Code. The building official shall coordinate with the floodplain administrator to review requests submitted to the building official that seek approval to modify the strict application of the flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Section 117.~~

~~(2) Sec. 107.6.1, Florida Building Code, Building: add a new Sec. 107.6.1 as follows:~~

~~Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 CFR Sections 59 and 60), the authority granted to the building official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to Section 105.14 and Section 107.6, shall not extend to the flood load and flood resistance construction requirements of the Florida Building Code.~~

~~(3) Sec. 117, Florida Building Code, Building: add a new Sec. 117 as follows:~~

~~117 VARIANCES IN FLOOD HAZARD AREAS~~

~~Flood hazard areas. Pursuant to section 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the building official for variances to the provisions of Section 1612.4 of the Florida Building Code, Building or, as applicable, the provisions of R322 of the Florida Building Code, Residential. This section shall not apply to Section 3109 of the Florida Building Code, Building.~~

(LDC, art. XVI, § 3; Ord. No. 2013-02, § 3, 8-6-2013)

~~Sec. 107.481. Amendments (Building)—Technical.~~

~~The Florida Building Code, Building, is hereby amended by the following technical amendment:~~

~~(1) Modify a definition in Section 1612.2. as follows:~~

~~**SUBSTANTIAL IMPROVEMENT.** Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first improvement or repair of that building or structure subsequent to 1993. If the structure has sustained substantial~~

~~damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:~~

- ~~1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to ensure safe living conditions.~~
- ~~2. Any alteration of an historic structure provided that the alteration will not preclude the structure's continued designation as an historic structure.~~

(LDC, art. XVI, § 4; Ord. No. 2013-02, § 4, 8-6-2013)

~~Sec. 107-482. Amendments (Existing Building) Technical.~~

~~The Florida Building Code, Existing Building, is hereby amended by the following technical amendment:~~

~~(1) Modify a definition in Section 202 as follows:~~

~~SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first improvement or repair of that building or structure subsequent to 1993. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:~~

- ~~1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to ensure safe living conditions.~~
- ~~2. Any alteration of an historic structure provided that the alteration will not preclude the structure's continued designation as an historic structure.~~

(LDC, art. XVI, § 5; Ord. No. 2013-02, § 5, 8-6-2013)

~~Sec. 107-483. Amendments (Residential) Technical.~~

~~The Florida Building Code, Residential, is hereby amended by the following technical amendment:~~

~~Enclosed areas below design flood elevation. Enclosed areas below the design flood elevation:~~

- ~~a. Shall, except for areas enclosed by insect screening or open lattice, be limited to a total enclosed area of 299 square feet or less; and~~
- ~~b. Shall be used solely for parking of vehicles, building access or storage.~~

(LDC, art. XVI, § 6; Ord. No. 2013-02, § 6, 8-6-2013)

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Florida DEP Trail-Go Grant for maintenance of Florida Greenway and Trail Sites
<https://floridadep.gov/parks/ogt/content/trail-go-local-trail-management-grant>

AGENDA INFORMATION:

Agenda Location:	New Business
Item Number:	9
Department:	Grants
Presenter:	Commission Grove, Travis Wade

BRIEF SUMMARY Board authorization to apply for the Florida Department of Environmental Protection Trail-Go grant to make repairs to the boardwalk/dock and improvements at Riverfront Park.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

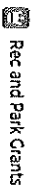
Approve applying for FDEP Trail-Go grant in the amount of \$50,000?

FUNDING SOURCE: Apalachicola is a REDI and a Rural Area of Opportunity. There is no match for communities in these categories.

ATTACHMENTS: Copy of grant application and application information from website

STAFF'S COMMENTS AND RECOMMENDATIONS: Approval

Application Monday, June 17, 2024



▼ Create a New Grant Application

Local Trail Management Grant Program

1. Applicant Information

Name of Applicant *

Applicant: *

Search Account:

Contact Person:

If employee contact is not found, please click on the Contact Management tab at the top of the web page to add a new employee contact to the system. Please Note: your application will be lost unless you select the Save button prior to visiting the Contact Management link.

Contact: *

Search Contact:

2. Project Information

Name of Trail: *

Project Type: *

Name:

3. Project Location

Street Address: *

City: *

County: *

The Local Trail Management Grant Program is created to assist local governments with costs associated with the operation and maintenance of trails within the Florida Greenways and Trails System.

4. IS THE TRAIL LOCATED WITHIN THE FLORIDA GREENWAYS AND TRAILS SYSTEM? *

If Yes, submit a map of the project area providing a description and sketch of the project area boundaries.

The department shall give priority to each of the following - A local government that provides cost share for the costs associated with the operation and maintenance of the trails (except for trails within fiscally constrained counties or rural areas of opportunity) - Trails within fiscally constrained counties or rural areas of opportunity - Trails within the Florida Wildlife Corridor as defined in s. 259.1055.

5. WILL THE LOCAL GOVERNMENT PROVIDE A COST SHARE FOR THIS PROJECT? *

--None--

If Yes, provide the cost share amount in the financial information section below.

6. IS THE PROJECT WITHIN THE RURAL AREA OF OPPORTUNITY (RAO)? *

--None--

7. IS THE TRAIL LOCATED WITHIN THE FLORIDA WILDLIFE CORRIDOR? *

--None--

If Yes, submit a boundary map of the trail project with the Florida Wildlife Corridor identified on the map.

8. OPERATIONS AND MAINTENANCE:

A local government may not use grant funds for planning, design, or construction of trails.

A local government may only use grant funds for the operation and maintenance of trails. Operation and maintenance of trails, includes, but is not limited to:
Purchase of equipment and capital assets;
Funding of necessary repairs to ensure the safety of trail users; and
Necessary maintenance, such as pressure washing, bush pruning, and clearing debris.

Provide a brief description of how funding for the trail project will be utilized. You may select more than one. Include funding request amount for each item selected

The applicant will purchase equipment and or capital assets. *

0.00

The applicant will fund necessary repairs to ensure the safety of trail users. *

0.00

The applicant will fund necessary maintenance, such as pressure washing, bush pruning, and clearing debris. *

0.00

Other *

0.00

9. FINANCIAL INFORMATION:

A. Local Trail Management Grant Funds Requested (State Share) *

0.00

B. Local Funds Available: (Grantee Share - not required)

1. Cash: *	0.00
2. In-Kind: *	0.00

The TRAIL-CO program receives \$4 million annually contingent upon legislative appropriation. Individual applications are limited to the request amount of \$200,000. Applicants may submit more than one application during the submission period.

Cancel Save



TRAIL-GO Local Trail Management Grant

[Home](#) » [Divisions](#) » [Division of Recreation and Parks](#) » [Office of Greenways and Trails](#) » TRAIL-GO Local Trail Management Grant



TRAIL-GO Program Overview

TRAIL-GO, the Local Trail Management Grant Program created in Chapter 2024-58, Laws of Florida, is a grant funding program administered by the Department of Environmental Protection's (DEP) Office of Greenways and Trails (OGT). TRAIL-GO provides grants to local governmental entities for the operation and maintenance of trails located within the Florida Greenways and Trails System (FGTS). Links to the FGTS Land Trails and Paddling Trails are provided below. Local governments may request up to \$200,000 in funding per grant application and may submit more than one application during the submission period.

To view a **PDF** of the Florida Greenways and Trails System Priority and Opportunity corridors with the 5-mile buffer applied, [click here](#). Locally managed trails that are located within either of these corridors identified on the map (green or brown) are eligible to apply for TRAIL-GO funding. If you prefer to download a **shapefile** of the corridors, you may do so [here](#). A shapefile is also available for the Florida Wildlife Corridor, downloadable [here](#).

Eligible TRAIL-GO Projects

Trail projects **MUST** be located within the FGTS to be eligible for grant funding under TRAIL-GO.

A local government may only use TRAIL-GO grant funds for the operation and maintenance of trails, including, but not limited to:

- Purchase of equipment and capital assets.
- Funding of necessary repairs to ensure the safety of trail users.
- Other necessary maintenance, such as pressure washing, bush pruning and clearing debris.
- Local governments may **NOT** use TRAIL-GO grant funds for the planning, design, or construction of trails.

[Examples of eligible TRAIL-GO projects can be found here.](#)

Grant Application Process

The TRAIL-GO Grant Application Cycle will be held from **August 1-31, 2024**.

Applicants must submit a complete TRAIL-GO Grant Application through [DEP's Grantee Portal](#). The Portal will open at 8:00 a.m. EDT on August 1, 2024, and will close at 5:00 p.m. EDT on August 31, 2024. Incomplete applications or applications submitted after 5:00 p.m. will not be considered.

For assistance using DEP's Grantee Portal, contact Zachariah Robinson, OGT Grant Coordinator, by email at Zachariah.Robinson@FloridaDEP.gov or by phone at 850-245-2052.

DEP will announce future TRAIL-GO grant application cycles in the Florida Administrative Register prior to each cycle. The application period will last thirty (30) days or for the time period specified in the announcement.

TRAIL-GO grant funding will be awarded on a first come, first served basis, with priority being given to applications in the below referenced categories:

- A local government that provides cost share for the costs associated with the operation and maintenance of the trails (except for trails within fiscally constrained counties or rural areas of opportunity).
- Trails within fiscally constrained counties or rural areas of opportunity.
- Trails within the Florida Wildlife Corridor.

OGT will evaluate each eligible application and determine if it meets the requirements for priority level. Those given priority will be sorted by date and time of receipt and recommended for funding in that order. Those not meeting the priority requirements will be sorted by date and time of receipt and recommended for funding in that order, after the priority projects have been funded.

Based on this evaluation, OGT will prepare and submit a recommendation to the Director of the Division of Recreation and Parks for funding consideration. Grant awards are contingent upon appropriation by the Florida Legislature.

Webinars

OGT will be hosting four informational webinars to share more about TRAIL-GO and answer questions. All webinars will cover the same information. [Click here to register.](#)

- July 10, 2024 at 9:00 a.m. EDT
- July 18, 2024 at 9:00 a.m. EDT
- July 23, 2024 at 10:00 a.m. EDT
- July 26, 2024 at 10:00 a.m. EDT

[Trail-Go Overview presentation](#)

Resources

- [TRAIL-GO Frequently Asked Questions](#)
- [Examples of Eligible Projects](#)
- [TRAIL-GO Timeline](#)
- [Rural Areas of Opportunity Map](#)
- [Florida Greenways and Trails System Land Trails](#)
- [Florida Greenways and Trails System Paddling Trails](#)
- [Shapefile Download for FGTS Priority and Opportunity Five-Mile Corridors](#)
- [Shapefile Download for Florida Wildlife Corridor](#)

Last Modified: July 25, 2024 - 9:52am

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: CEI Award for Leslie Street Project

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 10
Department: Grants
Contact: Bree Robinson/Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: FDOT requires the City to procure Construction Engineering and Inspection (CEI) services from an engineering firm that did not produce the engineering report for the Leslie Street Project (Dewberry). The project budget for CEI is \$46,936. This procurement will be for construction inspection services during the project. Kimley Horn is an engineering firm with a continuing services contract with the City and provides the inspection services locally. Staff recommends awarding a contract to Kimley Horn to provide those services.

RECOMMENDED MOTION AND REQUESTED ACTIONS: - Motion to award the CEI services to Kimley Horn.

FUNDING SOURCE: FDOT/MSCOP

ATTACHMENTS:

STAFF'S COMMENTS AND RECOMMENDATIONS: Staff recommends approval

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Selection of Contractor for Stormwater Mitigation & Repair Project #24SRP65

AGENDA INFORMATION:

Agenda Location: Unfinished Business
Item Number: 1
Department: Grants
Contact: Bree Robinson, Planner
Presenter: Cindy Clark, Grants Consultant

BRIEF SUMMARY:

The City received a \$2,403,500.00 Florida Department of Environmental Protection Grant recently to design and complete repairs to the City's stormwater infrastructure. In accordance with procurement requirements, the City advertised for a qualified engineering firm to complete the design-work and oversee the actual repair work in both the *Apalachicola Times and Tallahassee Democrat*, the City's website and letters to qualified firms.

Three engineering firms responded to the request for proposals: Baskerville Donovan Engineers, Inovia Engineers and Urban Catalyst. The bid packages were reviewed and scored by City staff in accordance with the request criteria. The scoring results ranked Baskerville Donovan highest.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Authorize staff to begin negotiations with Baskerville Donovan Engineers to prepare a proposal to complete the work in accordance with the scope.

ATTACHMENTS:

N/A

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: August 6, 2024**

SUBJECT: Grant Application Approval Policy (Draft)

AGENDA INFORMATION:

Agenda Location: Unfinished Business
Item Number: 2
Department: Grants
Contact: Bree Robinson/Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: During the May 2024 Regular Meeting the proposed Grant Application Approval Policy was discussed. Using the comments from that meeting the attached draft policy was created.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

FUNDING SOURCE: N/A

ATTACHMENTS: Draft Policy

STAFF'S COMMENTS AND RECOMMENDATIONS:



GRANT APPLICATION APPROVAL POLICY

Generally, City staff follow one of the three paths for grant approval based on a particular grant application:

1. **Authorization required to apply for grant.** Some grant applications require documentation of approval as a part of the application process which necessitates City Commission approval before an application is submitted.
2. **Match required to apply for grant.** Some grants require applicants to provide matching funds. In these cases, the match would need to be approved by the City Commission before a grant application is submitted.
3. **No authorization/no match grants.** Some grant applications do not require any prior authorization and there are no matching funds requirements. In these instances, grant applications do not need to have prior approval from the City Commission before a grant application is submitted.

City Manager Updates

- 1.** July 9, 10, and 11th staff met with consultants hired by Florida Commerce (formerly the Department of Economic Opportunity) to discuss details of each CDBG-DR and Hazard Mitigation grant to determine timelines for probable completion and conducted site visits. After the meetings the consultants were pleased with the progress. We were informed that the consultants were hired to review all unfinished projects in the North Florida area and had approximately 130 projects to review. The consultants joined staff in subsequent calls with Florida Commerce and assisted with those discussions. The projects included the Hill Community CDBG, Riverfront CDBG, Avenues Stormwater CDBG, and Generators HMGP.
- 2.** I met with Dewberry staff to discuss the Lead Service Line Inventory project, which is underway. During the discussions it was determined that because all water meters were replaced within a certain period of time, all lead lines that would have connected to them were recorded (none were present), which meant staff will not be required to visually inspect each connection. This also speeds up the project and moves the completion date forward.
- 3.** Will Cox and I reviewed the 60% plans for the Wastewater Treatment Plant with Dewberry. We were informed that 100% plans would be completed very soon. The next steps will be review and approval of the 100% plans by FDEP, and then procurement for construction services.
- 4.** I met with PJ and Code Enforcement Officer Scott Boyd and we are working to begin grease trap inspections soon. Grease in the sewer system is a big problem in the City. It affects all aspects of the collections system and creates problems at the wastewater treatment plant. We are working to begin inspections, enforcement, and public outreach to inform restaurants about the pending inspections.
- 5.** Bree and I met with staff from the State Fire Marshall's Office to discuss the legislative appropriation award for fire hydrant replacement. The City requested \$550,000 and was awarded \$275,000. We can begin ordering new fire hydrants immediately and begin the procurement process for installation when we order the new hydrants. We should be able to replace approximately 55 fire hydrants (depending on any price increase) with the funds from the appropriation.
- 6.** Leslie Street: FDOT prohibits the engineer from providing CEI (inspection services) during construction on their own project. Staff has been in contact with several of our continuing services engineering firms to obtain quotes for CEI and are still awaiting those quotes. We will select the low bidder unless applicable extenuating circumstances exist, and another candidate will be selected.
- 7.** Potable Water Quality Project: Due to issues with well #6, sampling has been delayed. Sampling is scheduled to begin the week of August 5. The Alternatives Analysis Report and Facilities Plan Report will be completed by the end of this year.

PROPOSAL TO TRANSFER PROJECT IMPACT TO THE NEST

- *The City of Apalachicola did not receive grant funding for 24/25.*
- *Appeal process can be started but students need afterschool care when school starts on August 12th.*

The Objective

- **Need #1:** Provide seamless afterschool care for students and families in Apalachicola.
- **Need #2:** Retain quality staff for high level programming and equipment/supplies (computers, etc.) remain at the Apalachicola site for student use.
- **Need #3:** Create a stronger program with better outcomes including renewal of grant for the county.

The Solution

- **Recommendation #1:** The City of Apalachicola provides the current Project Impact Site rent free for 1 year as an in-kind contribution. Starting August 1st, 2025, The Nest will provide building rent to the City of Apalachicola. The Nest would use their current funding to hire Project Impact staff.
- **Recommendation #2:** UMC/The Nest retains site during grant application process next year, so the grant has a strong chance of approval.
- **Recommendation #3:** Focus on creating a county wide program that serves Apalachicola, Eastpoint, and Carrabelle that maximizes the local resources including highly qualified staff and resources.

CITY OF APALACHICOLA
FINANCE DEPARTMENT REPORT

July 2024

1. Processed payroll for July pay periods.
2. Processed retirement and insurance payments for July.
3. The Finance Clerk does an amazing job at issuing purchase orders, posting deposits, running accounts payable, and providing any information requested by various departments.
4. Assisting City Clerk with duties as needed.
5. Coordinating with Grants Coordinator to get copies of all grant contracts and list of all funded grants so grant financial notebooks can be made for each grant. Grant notebooks will have all contracts, change orders, and detailed financial information so it is easily accessible to determine what is expected back in reimbursements. **All grant contracts have been obtained. I am now in the process of getting all the payments and reimbursements onto a spreadsheet. Auditors will need this information also so they can get an accurate account of all grant activity. July – still working on this project. Grant activity is being coded correctly so it will be simple to put all the activity onto a spreadsheet. If there is prior year activity, then I will have to go back and enter that information also on the spreadsheet.**
6. Auditors will be at City Hall July 25, 26, and the week following to finish working on FY 22/23 audit.
7. Banyon Update – October 23 to May 24 transactions have all been coded to the new chart of accounts. Information is now being entered into Banyon. FY 23/24 budget expense report will be completed no later than Monday July 29th. Meeting will be scheduled with City Manager and Finance Commissioner to discuss 23/24 budget expense report and upcoming FY 24/25 budget. Meetings with department heads will also be held to discuss budget needs. FY 24/25 budget calendar is in agenda packet for approval.
8. Time clocks were ordered and installed in all 6 locations (City Hall, Library, Public Works, Police, Water Department, WWTP). The first payroll run was completed with the new time management system. I have trained supervisors and employees on how to access timesheets, PTO requests, and approve time sheets.
9. Completed various Human Resources duties.
10. Working with The Management Experts (FEMA) to obtain financial information from Hurricane Michael so reimbursements can be sent to the City. This is a huge project but is a top priority as the reimbursement is around \$900,000. Traci Buzbee has sent me all the Hurricane Michael FEMA projects, so now I am having to go through checks and documents to provide all the information required. **July – This project will be the next top priority to get accomplished. All invoices and cancelled checks since October 2018 related to Hurricane Michael must be pulled and matched with correct project number. Ga**

11. Completed employee census for insurance renewal.
12. Completed DEP submerged land lease annual report.
13. Completed FCT projects annual report.
14. Certified Certificate of Taxable Value in OASYS.
15. Corrected PTO accrual balances for all employees in time management system so all employees will always know what their PTO balances are.
16. Updated FY 23/24 monthly utility billing summary report for auditors.
17. Opened Reforestation Fund and African American Museum Project bank accounts.
18. As always, I welcome any suggestions or knowledge. If anyone would like to have a sit-down with me or has any questions, please don't hesitate to contact me.

Lee Mathes
Finance Director

A Workshop of the Apalachicola City Commission was held on Tuesday, July 2, 2024, at 2:00 PM at the Former Apalachicola Municipal Library, 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Adriane Elliott, Commissioner Despina George, Commissioner Donna Duncan, City Manager Travis Wade, City Clerk Sheneidra Cummings, Finance Director Lee Mathes, City Planner Bree Robinson, Police Chief Bobby Varnes

The Workshop Meeting called to order by Mayor Ash followed by prayer and Pledge of Allegiance.

PRESENTATION

Brett Hamlin with Hamlin Architects presented the Commission with an update on the African American History Museum. Mr. Hamlin discussed various design changes, informed the Commission that they are still working out the details for stormwater drainage, and opened the discussion for questions.

Discussion held.

The Commission was in support of the design changes.

Mayor Ash inquired about the safety and security of the structure, specifically the doors.

In response to Mayor Ash's concerns, Mr. Hamlin stated that all doors and windows would be compliant with the Florida Building Code and the Fire Safety Code. Mr. Hamlin also stated that the renderings were at 50% completion and at 75%-90% completion, the design would include more of the electrical and landscape components, however after the 50% completion, it's more of the technical details of the structure so that they can move to the next phase of being able to price out the work. Mr. Hamlin recommended having another workshop at the 75% completion step where the Commission and public would have the opportunity to review the full construction document, and the placement of outlets, light fixtures etc.

PUBLIC COMMENT

Val Webb concurred with Mayor Ash further suggesting the importance of ensuring the structure from theft namely, because various art lenders such as the Smithsonian would require specific security measures.

Mr. Hamlin encouraged Mrs. Webb to send any additional information from institutions such as the Smithsonian regarding specific security requirements so it could be factored into the structure and budget and presented to the Commission for their review.

No further questions or comments.

A motion to end AAHM Workshop was made by Commissioner Grove , 2nd by Commissioner Elliott.
None opposed. Motion carried.

Workshop Adjourned.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

A Special Workshop Meeting of the Apalachicola City Commission was held on Tuesday, July 2, 2024, at 2:30 PM at the Former Apalachicola Municipal Library, 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Adriane Elliott, Commissioner Despina George, Commissioner Donna Duncan, City Manager Travis Wade, City Clerk Sheneidra Cummings, Finance Director Lee Mathes, City Planner Bree Robinson, Police Chief Bobby Varnes

The Workshop Meeting called to order by Mayor Ash followed by prayer and Pledge of Allegiance.

PRESENTATION

Dave Synder, with Halff & Associates and Project Manager for the Riverfront Revitalization Project, provided the Commission with an update on the Riverfront projects namely, the Popham building. Mr. Synder briefly discussed the structural report provided with the meeting agenda and informed the Commission on the structural quality of the building. Mr. Synder also discussed the projected scope of work for the Riverfront projects, increasing costs, and presented alternative option(s) for the Popham building.

Commissioner Grove inquired if the Commissioner would have the opportunity to review the plans for the Riverfront projects.

Mr. Synder assured the Commission they will have an opportunity to review all plans and provide feedback to the engineers. Mr. Synder suggested having a workshop that would include presenting the Commission with more detailed plans of the Riverfront projects which would also include streetscape(s), layouts, amenities etc. No workshop meeting date was determined at his meeting.

Brett Hamlin, in partnership with Halff, concurred with Synder's assessment of Popham's building structural report and provided more detailed information regarding the structural report. Hamlin went on to discuss the structural needs of the existing structure and opened the discussion for questions/concerns. Based on his extensive knowledge, Mr. Hamlin does not recommend this building remain. Mr. Hamlin asserted that this building is in extreme disrepair and is beyond salvageable. Mr. Hamlin suggested using a portion of the allocated funds for the Popham building to develop plans for a new structure, if desired, secure the premises until the Commission decide to demolish the structure, and use any remaining funds towards the other Riverfront projects. Mr. Hamlin requested direction from the Commission due to time restraints with the grant. Although Mr. Hamlin stated that the building is beyond salvageable, he does not recommend the Commission demolish the structure immediately. He suggested waiting a few years to see if any grant funding will be

made available in the future to pursue the project, or until the Commission decides on the future of that waterfront space due to potential future permitting issues.

Mayor Ash recommends having a workshop for the Commission to further discuss the plan for the building and/or waterfront space to effort to provide Hamlin and Synder with more direction on whether to exclude the Popham building, reallocate funding, etc. No date for the workshop was set at this meeting.

Discussion held.

The Commission agreed that the premises should be immediately secured. Commissioner George was not in support of removing the Popham building from the Riverfront Revitalization Grant, or reallocating funds from the Popham to the other Riverfront projects.

PUBLIC COMMENT

Bobby Miller commented.

No further comments.

Motion to adjourn workshop meeting was made by Commissioner Elliott, seconded by Commissioner Duncan. None opposed. Motion carried 5-0.

Workshop Meeting adjourned.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

A Special Workshop Meeting of the Apalachicola City Commission was held on Tuesday, July 2, 2024, at 3:00 PM at the Former Apalachicola Municipal Library, 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Adriane Elliott, Commissioner Despina George, Commissioner Donna Duncan, City Manager Travis Wade, City Clerk Sheneidra Cummings, Finance Director Lee Mathes, City Planner Bree Robinson, Police Chief Bobby Varnes

The Workshop Meeting called to order by Mayor Ash followed by prayer and Pledge of Allegiance.

PRESENTATION: FEMA RATING SYSTEM

Keisha Messer, Certified Floodplain Manager, informed the Commission of the FEMA rating system and presented information on transitioning from a 10-year cumulative ratio rating to a 1-year rating standard. Mrs. Messer informed the Commission that a Flood Ordinance is required by the City to allow residents to participate in the National Flood Insurance Program. Mrs. Messer explained the 10-year cumulative rating system and expressed some negative consequences of retaining the 10-yr rating ratio. In contrast, Mrs. Messer expressed some of the benefits of participating in the Community Rating System (CRS), converting to the 1-yr rating system, and provided some examples of benefits the homeowner(s) and residents when needing to make necessary repairs to their homes etc.

Discussion held.

PUBLIC COMMENTS

Val Webb commented.

No further comments.

Mayor Ash inquired about any time restraints to decide on whether to keep the existing rating system or to convert.

Mrs. Messer did express that the Office of Floodplain Management implemented new rules that are required to be adopted into the City's Floodplain Ordinance ultimately, requiring the City to revise its existing ordinance. Therefore, if the Commission would like to change to a 1-yr rating system, this would be the time to include that in the revised ordinance. In closing, Mrs. Messer does not recommend remaining with the 10-year system.

Motion to adjourn Workshop meeting was made by Commissioner Grove and seconded by Commissioner Elliott. Motion carried, 5-0.

Workshop meeting adjourned.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

A Regular Meeting of the Apalachicola City Commission was held on Tuesday, July 2, 2024, at 4:00 PM at the Former Apalachicola Municipal Library, 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Adriane Elliott, Commissioner Despina George, City Manager Travis Wade, City Clerk Sheneidra Cummings, Finance Director Lee Mathes

Regular Meeting called to order by Mayor Ash followed by prayer and Pledge of Allegiance.

AGENDA ADOPTION

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

PUBLIC COMMENTS

Linda Buchanan commented on the use of historic cemeteries and presented the Commission with a handout.

Elizabeth Milliken commented and provided the Commission with a handout.

No further comments.

NEW BUSINESS:

FEMA FLOODPLAIN/CRS

A Motion was made by Commissioner Grove to approve a 1-yr Cumulative Substantial Period (CSI) and to include in the revised Floodplain Ordinance a 20% increase of the Property Appraiser's assessment value, seconded by Commissioner George. None opposed. Motion carried, 5-0.

POPHAM BUILDING

Based on the recommendations presented to the Commission during the workshop meeting held prior to, the Commission decided to hold another workshop to determine the future of the site, possible funding opportunities, and to further discuss any plans on rebuilding and/or demolish the existing structure. Overall, the majority of the Commission agreed to high fence the area in efforts to secure the premises and decide on whether to use remaining funds towards a set of shelved plans.

Commissioner Grove suggested that the site be memorialized and repurpose material from the site.

Commissioner Elliott clarified the three options presented by engineers at the workshop, which were to renovate, demo & re-build, or demolish the structure.

City Planner Bree Robinson informed the Commission that the grant must be completed within the next fifteen months and that Staff needed direction on what to communicate to the Dept of Commerce about the scope of work as it pertains to the Popham project, as well as to the architect(s) and engineer(s) in efforts to remain in compliance with their respective timelines etc. Ms. Robinson also clarified that the existing funding would cover the cost of a set of plans for the Popham Building and/or waterfront space, which would include demolition.

Commissioner George was not in support of the re-directing any funds from the Popham building projects to be used on the other Riverfront projects and furthermore, would like to see the Popham project remain in the scope of work while guaranteed funds are available.

In reference to the grant timeline and urgency to decide on the Popham project, City Planner Bree Robinson provided more clarity stating that the signed agreement from Dept of Commerce was not issued until April of 2022, initiating the procurement process for grant administration, engineers, the conducting of site visits etc., and that the dept is wanting to get the projects solidified.

Discussion held.

A Motion made by Commissioner Duncan to amend the deliverables for the Riverfront Revitalization Grant in regards to the Popham Building, and report to Depart of Commerce that the Commission has decided not to renovate the Popham Building, however, the City will secure & stabilize the structure and look for ways to minimize the building and preserve its infrastructure; further requesting that the deliverables include producing a set of future plans for the Popham Building. Motion was seconded by Commissioner Grove. Motion carried 4-1. Commissioner George opposed.

DRAINAGE BASIN PHASE II ADMINISTRATION

A Motion was made by Commissioner Grove to approve Staff's recommendation to authorize the procurement with Bay Media, at \$65/per hour, seconded by Commissioner Elliott. Motion carried, 5-0. None opposed.

DRAINAGE BASIN ENGINEERING

A Motion was made by Commissioner Elliott to approve Staff's recommendation to authorize the procurement of Dewberry to prepare a task order for work, not to exceed \$250,000.00, with \$50,000.00 to be left for change order work and administrative work. Motion seconded by Commissioner Grove. Motion carried 5-0, none opposed.

NEW BUSINESS:

UNFINISHED BUSINESS:

LAYFAYETE PARK LANDSCAPE PLAN

A Motion was by Commissioner Elliott to approve Staff’s recommendation to approve the amended landscape plan, seconded by Commissioner Grove. Motion carried 5-0, none opposed.

RULES OF PROCEDURE

Manager Wade provided the Rules of Procedure Draft that included recent edits from the Commission at the 5/21 Rules of Procedure Workshop, and recommended approval.

Discussion held.

Commissioner George noted a correction that needed to be made on Rule 28, that sentence 7 should be removed from draft.

A Motion was made by Commissioner George to approve the amendment(s) to the Rules of Procedure Draft with the correction that was noted for Rule 28, to remove the last sentence in paragraph 2; and to delete the proposed edit in the draft Rule 2, to change the meeting time from 6:00pm to 4:00pm; and in Rule 21, change the public speaking time from 3-minutes to 5 minutes. Motion seconded by Commissioner Grove. Motion carried, 3-2, Commissioner Elliott and Mayor Ash opposed.

MAYOR AND COMMISSIONER COMMENTS

Mayor Ash commended Mr. Donald “Chip” Sanders for his bravery and quick response regarding an incident that happened at Riverfront Park. Mayor Ash also commended Commissioner Grove as well as Mr. Kruntz- Owner of Island Dogs, who promptly donated multiple buoyancy rings to the City. Mayor Ash also recommended presenting plaques made for said individuals at the August meeting.

Discussion held regarding having another Workshop Meeting to discuss the Popham Building. Mayor Ash recommended setting a date and time for the workshop.

A Workshop Meeting was tentatively scheduled for July 16 or July 30th for the Popham Building discussion, and contingent upon the availability of the engineers.

Mayor Ash recognized Rhett Butler, Field Crew Supervisor for the Water & Sewer Dept. for working diligently to get the FLOVAC monitors installed throughout the City and Mr. Butler expressed the

importance of having the monitoring devices and the great benefit it provides to the residents, businesses, and Staff.

Commissioner Grove provided an update on Restoration of the Apalachicola Bay project, a potential partnership between the Army Corp of Engineers. Commissioner Grove recommended following up the Army Corp of Engineers to improve current plans for stormwater mitigation and flooding. Commissioner Grove mentioned that the letter/request is due in July and stated that there may not be any associated costs. Commissioner informed the Commission and public that County Commissioner Jones asked to be on the Technical Assistance Committee for DOT. Commissioner Grove expressed the purpose of this committee was to research and present transportation priorities for Apalachicola and asked the Commission for their input. Commissioner Grove also provided insight on the recent surveying of the Hill Community and requested that the Division of Historical Resources Staff hold an informal public meeting on July 11th, 5pm-7pm, to inform the community of their intent and the State's plan for maximizing the leftover Hurricane Michael funds that could be used in this area.

Commissioner Duncan expressed gratitude towards the Chief of Police Bobby Varnes and Sergeant Ashley Webb for their prompt response, conflict resolution and professionalism.

The Commission and Chief also acknowledged Sergeant Chase Richards for his hard work, dedication, and successful grant application and being awarded funding on behalf of the City to acquire an asset for the Police Dept.

Commissioner George recommended scheduling a special meeting to set the tentative millage rate for the upcoming fiscal year. Commissioner George recommended directing Attorney Hartman to review cemetery regulations from comparable cities and present recommendations to the Commission at an upcoming meeting.

A recommendation made by Commissioner George to direct Attorney Hartman to review regulatory policies was agreed upon by the Board. None opposed.

Commissioner Elliott acknowledged the hiring of the new Code Enforcement Officer, Scott Boyd, and mentioned a few concerns regarding multiple occurrences of, additions, fences, and sheds being placed on properties around the City that have not been through P&Z approval process. Commissioner Elliott suggested Staff conduct an audit soon to reduce the influx of code violations pertaining to unapproved additions/improvements. Commissioner Elliott provided an update on the Franklin County P3 Partnership Committee.

City Manager Wade presented his updates and requested a special meeting to discuss and approve the FDOT-MSCOP grant award for construction services for Leslie Street. The Commission agreed on a Special Meeting to be held on July 9th, at 6pm. Commissioner Duncan expressed that she will not be available. Manager Wade suggested that the Commission include the tentative millage rate adoption at the July 9th meeting as well. Lastly, Manager Wade requested that the Commission approve paid time off for Friday, July 5, due to the lack of staff that would be available.

Discussion held.

A Motion was made by Commissioner Duncan to approve a special day off on Friday July 5, as a one-time extended paid holiday for City staff, seconded by Commissioner Elliott. Discussion, none. Motion carried, 4-1. Commissioner George opposed.

No further comments.

CONSENT AGENDA

Motion to approve the consent agenda(s) made by Commissioner George, seconded by Commissioner Grove. Motion carried 5-0.

ADJOURNMENT

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

Regular Meeting adjourned.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

A Special Meeting of the Apalachicola City Commission was held on Tuesday, July 9, 2024, at 6:00 PM at the Former Apalachicola Municipal Library, 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Despina George, City Manager Travis Wade, City Clerk Sheneidra Cummings, Finance Director Lee Mathes

Special meeting called to order by Mayor Ash followed by prayer and Pledge of Allegiance.

AGENDA ADOPTION

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

PUBLIC COMMENT

None.

FDOT-MSCOP (Leslie Street) Construction Award

Manager Wade provided an update on the Leslie Street Construction Services contract and provided bid information for the Commission to approve.

Mayor Ash read the bids aloud for the record. The Bids that were submitted were as follows:

Pyatt Asphalt & Site Work LLC: \$ 346,062.00

CW Roberts Inc.: \$ 611, 897.00

Roberts & Roberts Inc: \$ 422,293.35

North Florida Construction Inc.: \$ 320, 610.000

It was the recommendation of Staff to accept the bid from North Florida Construction Inc. for \$ 320, 610.00.

A motion was made to accept the Staff's recommendation to award the FDOT-MSCOP construction bid to North Florida Construction Inc. for \$320, 610.00, seconded by Commissioner George. Discussion, Commissioner George. No further discussion. Motion carried 4-0.

A motion was made to authorize Staff to enter contract negotiations with north Florida Construction Inc., seconded by Commissioner George. None opposed. Motion carried 4-0.

TENTATIVE MILLAGE RATE ADOPTION

Commissioner George informed the Board that the City has received the Certification of Taxable Value report from the County, stating that the City's gross taxable value has increased 13.08% from the prior fiscal year to the sum of \$276, 461.21. Commissioner George stated that with the current millage rate of 8.3457 mills and the 13.08% increase in taxable value, the ad valorem tax revenue that the City would receive this upcoming fiscal year would be approximately \$266,000.00. Commissioner George went on to state that she recommends the City lower its millage rate and adopt the current millage rate of 8.3457 as the tentative millage rate for the upcoming fiscal year.

Finance Director Lee Mathes concurred with Commissioner George.

A motion was made by Commissioner George to set the tentative millage rate for the fiscal year ending September 30, 2024, at 8.3457 mills, seconded by Commissioner Elliott with Discussion. Motion failed 2-1, Commissioner Elliott opposed.

Discussion held.

Motion made by Commissioner Elliott to adopt a tentative millage rate of 10 mills that was recommended in the Board action request, no second. Motion failed for lack of second.

Finance Director Lee Mathes informed the Board that a tentative millage rate must be adopted by August 1st, and if a tentative rate is not adopted at this meeting, the Commission would need to hold another special meeting to set the tentative rate before the August 1st deadline.

A motion was made by Mayor Ash to reconsider the motion to adopt the tentative millage rate proposed by Commissioner George and Commissioner Elliott, which included a subsequent motion to adopt a tentative millage rate of 9 mills made by Commissioner Elliott, seconded by Commissioner George. None opposed. No further discussion. Motion carried 3-0.

Motion to adjourn made by Commissioner Elliott and seconded by Commissioner George. None opposed. Motion carried.

Special Meeting adjourned.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

A Special Meeting of the Apalachicola City Commission was held on Tuesday, July 16, 2024, at 6:00 PM at the Former Apalachicola Municipal Library, 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Adriane Elliott, Commissioner Despina George, Commissioner Donna Duncan, City Manager Travis Wade, City Clerk Sheneidra Cummings

Special meeting called to order by Mayor Ash followed by prayer and Pledge of Allegiance.

AGENDA ADOPTION

Motion to adopt Special Meeting Agenda made by Commissioner Grove, seconded by Commissioner Duncan. Motion carried, 5-0.

PUBLIC COMMENTS

None.

FDACS GRANT APPLICATION SUBMISSION

Dennis Winterringer, Member of the Tree Committee, presented the Commission with a draft application to be submitted to Fl. Dept. of Agriculture Consumer Services Grant (FDACS) Program to fund the planting of trees at Lafayette Park.

Discussion held about the reforestation fund, grant submission timeline with respect to the match portion being allocated in the upcoming FY budget, and the opportune time for planting the various tree species listed in the grant application, and maintenance of the newly planted trees.

A motion was made by Commissioner Grove to authorize Staff to submit the grant application for the FDACS Grant and to allocate \$10,000 in match funds in the 2024-2025 FY Budget. Seconded by Commissioner George. No discussion. None opposed. Motion carried 5-0.

Mayor Ash read Resolution 2024-06 In its entirety.

Motion to adopt Resolution 2024-06 was made by Commissioner George, with correction in section 2, to change the grant amount from \$20,000.00 to 10,000.00. Seconded by Commissioner Grove. No further discussion. None opposed. Motion carried 5-0.

Special Meeting adjourned.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
REGULAR MEETING
Monday, June 10th, 2024
City Meeting Room – 74 6th Street
Minutes

Attendance: Chair – Joe Taylor, Bobby Miller, Myrtis Wynn, Greg Golgowski

Regular Meeting: 6:00 PM

1. Approval of May 16th, 2024 meeting minutes.
 - a. **Motion to approve by Myrtis Wynn; 2nd by Greg Golgowski – all in favor, motion carried.**

2. Review, Discussion and Decision for Certificate of Appropriateness and Renovation. **(R-1) (Historic District) @ 160 5th Street**, Block 63 Lots 4-5. For Kathy Archibald - Owner; Contractor: Erin Rodriguez
 - a. **Motion to approve by Bobby Miller; 2nd by Myrtis Wynn – all in favor, motion carried.**

3. Review, Discussion and Decision for Certificate of Appropriateness and Accessory Structure. **(R-1) (Historic District) @ 194 10th Street**, Block 157 Lots 3-4. For Ann & Doug Rauscher - Owner; Contractor: Construct Group SE Inc.
 - a. **Motion to approve by Greg Golgowski; 2nd by Bobby Miller – all in favor, motion carried.**

Other/New Business:

Outstanding/Unresolved Issues:

- **Special Exception Request for 92 Avenue E was withdrawn by applicant – the Public Hearing was cancelled and will not be rescheduled.**

Motion to adjourn the meeting by Bobby Miller; 2nd by Myrtis Wynn – meeting adjourned.

CITY OF APALACHICOLA
CITY CLERK MONTHLY REPORT
JULY 2024

- Processed and mailed out utility bills before the end of the month.
- Prepared July Commission Minutes. Prepared April agenda packets and emailed to Commission and City Attorney.
- Notified 2K Web Group to upload meeting agenda packets to website and post meeting dates and times to website.
- Assisted customers with cemetery items, utility bill questions and payments, garbage/yard trash complaints, public records request, golf cart decals, Battery Park ramp stickers, business licenses, and other miscellaneous duties.
- Completed tasks as assigned by the City Manager and Mayor.
- Completed and mailed general monthly billing.
- Assisted Staff with various issues and projects.
- Assisted employees with HR related issues
- Completed 2 public records requests and currently working on 4 Records Requests
- On-going training of Receptionist and Billing Clerk.
- Completed billing adjustments
- Working on inputting ACH information into Banyon
- Updating Battery Park and Scipio Creek Accounts for billing
- Additional clerical tasks related to Billing
- Converting Ordinances/Resolutions into digital format

WATER & SEWER FIELD CREW

July 2024 Monthly Department Report

- We had a major sewer backup on Bobby Cato Street. We had to jet the main line out to get it flowing again. It was full of Grease. We need to invest in a bigger jetting system to maintain the gravity system.
- Currently replacing all the broken sprinkler heads in the parks.
- Repairing/replacing busted meter boxes throughout the City
- Conducted daily rounds
- In the process of replacing the rest of the manual read meters.
- Promptly responded and repaired all low vacuum issues on the vacuum system.
- Completed meter reads
- Conducted monthly sampling for DEP
- Completed locates
- Completed all work orders
- Cleaned out odor scrubbers at the water plant.
- Assisted Flo-Vac personnel to install another 180 pit monitors for the Air-vac system 285 of the 515 done.
- Completed TTHM Quarterly samples. We are still below the limit of .80. The maximum we've had this month was 77.14 at Bay City and a 60.82 at Roberts Fish Dock
- The contractors are still in the process of replacing the Fire Hydrants around the city.
- Repaired a two-inch Water Main break at Denton Cove on Ave. L.

Grant Updates

City Commission Meeting - Tuesday, August 6th 2024

Submitted Applications - Pending Results:

1. **FDACS – UCF-C Grant Program – Lafayette Park Tree Canopy Improvements Project (Requested \$10,000, City Cash Match \$10,000)**
 - a) An application requesting funding for the planting of 34 trees in Lafayette Park was submitted 7/18/24. The City Commission agreed to budget \$10,000 towards this project in the next fiscal year and the City submitted a request to FDACS for the remaining \$10,000.
2. **Firehouse Subs Public Safety Foundation - Hurst Rescue Tools "Jaws of Life" \$38,465**
 - a) An application requesting Jaws of Life rescue tools for the Apalachicola Volunteer Fire Department was submitted 7/11/24. These tools were a request from the VPD and will aid them in their efforts. In the event this application is not funded, city staff will continue to apply quarterly.
3. **FDOT SCOP – Commerce Street Phase 1 \$3,278,524**
 - a) An application requesting funding for resurfacing, drainage improvements, and safety improvements for Commerce Street from Avenue C to Avenue I was submitted 5/5/23. FDOT marked is as “complete” and we are waiting for updates.
4. **FWC FBIP – Battery Park Seawall \$413,748.34 (Requested \$299,748.34, City Cash Match \$114,000)**
 - a) An application requesting construction funds for the Battery Park Seawall was submitted and marked as “complete” by FWC on 4/19/24. The FBIP Evaluation Committee will score and rank the applications on June 27th, 2024. City staff will virtually attend and provide an update.
 - b) **NOT FUNDED** - City received an eligible score, but based on the ranking there was insufficient funding available to award our project.
5. **FDACS – Beautifying the City Through Tree Planting & Maintenance \$50,000**
 - b) An application requesting funding for tree maintenance, lethal bronzing disease treatment kits, tree removal, and tree planting within the City limits was submitted 4/18/24.
 - c) **NOT FUNDED.**
6. **DHR – 2025-26 Special Category – Phase II HCA (Harrison-Raney Building) mitigation/repair. \$350,000 (City Cash Match \$21,875)**
 - a) 2025-26 DHR Special Category grant request for Phase II to complete additional repairs to HCA currently being drafted and expected to be submitted by June 3, 2024. Phase II to complete repairs not funded in Phase I and will include windows, doors and additional masonry work.
 - b) Application submitted for consideration - \$21,875 cash match is obligated under the application as approved at the 6/4/24 CC meeting.
7. **CPTA – Workforce Housing Study \$75,000**
 - a) A re-application for \$75,000 towards a workforce housing study that could address viable solutions to the lack of workforce housing in the area was submitted 5/6/24. This was a previously awarded project for a prior fiscal year and an extension was not an option, so Commerce encouraged the City to de-obligate the original award and re-apply for the next round of funding.

Funded Applications:

FDOT:

1. **SCOP - Leslie Street \$610,169.30 (G2N05)**
 - a) This project will remedy the underground issues, resurface the entire street length, and obtain new

road signs based off engineer's estimate and recommendations. Engineering firm, Dewberry, has completed the plans and they were sent to FDOT for a final review prior to procurement - 5/23/24 the plans were approved and advertisements for procurement were scheduled in The Times and The Tallahassee Democrat. Bids are due by June 28th at 4PM.

- b) The current project completion date per FDOT is 10/31/24.
- c) City procured North Florida Construction for the construction work – CEI is currently being procured under the City's Continuing Services Engineers procurement. City Manager will request action to award the CEI to an engineering firm and then construction can begin.

DEP:

- 1. Resilient Florida - Critical Asset Flood Management \$2,039,500 (24SRP65)**
 - a) This grant will complete identified drainage projects in the city that have been documented, but not funded by other sources. Funds will repair known nuisance flooding drainage issues in 29+ locations throughout the city. The City of Apalachicola Critical Asset Flood Mitigation Projects include the replacement and retrofit of pipe systems at multiple roadway intersections, addition of inlets, pipes, water quality vaults, crown reconstruction, and construction of roadway conveyance system. DEP has tentatively scheduled a site visit in October.
 - b) Bay Media Services was awarded a contract for administering this grant at the June City Commission meeting – engineering services are currently out for bid! RFP is posted online and bids are accepted until July 18th. Bids have been received and are currently being scored by staff – an award recommendation will be presented at the August CC meeting.
- 2. Resilient Florida Planning Grant – COA Adaptation Plan \$67,000 (24PLN12)**
 - a) This award is funding for preparing a infrastructure plan for flood protection. The City of Apalachicola will complete the City of Apalachicola Adaptation Plan Project to include an Adaptation Plan consistent with the Florida Adaptation Planning Guidebook. The project will include public outreach and stakeholder engagement. Agreement signed 3/20/24 and project procurement is underway.
 - b) Bay Media Services was awarded the contract for this scope of work at the June City Commission meeting. 1st Workshop is planned for this fall, following completion of Vulnerability Assessment.
- 3. Resilient Florida – Comprehensive Vulnerability Assessment \$272,500 (22PLN10)**
 - a) The City of Apalachicola will conduct the City of Apalachicola Comprehensive Vulnerability Assessment project to include an update to the 2017 Vulnerability Assessment. This includes the impact of sea-level rise, storm surge, and rainfall flooding. The impacts of flooding will be projected and mapped over a planning horizon that extends to 2070. Critical assets, vulnerable infrastructure, and historic properties at risk will be identified. Comprehensive plan amendments to comply with the Peril of Flood statute and adaptation strategy recommendations will also be included in the Project. \$200,000 in supplemental funding was awarded as part of the VA help resolve identified data gaps and will result in the City digitizing its infrastructure facilities including water distribution lines, sewer and stormwater.
 - b) Initial public outreach has been completed. Technical data gathering is complete; 100% of Exposure Analysis is complete, and 60% of Sensitivity Analysis is complete. Collection of existing infrastructure files for digitizing currently underway.
- 4. Resilient Florida – Wastewater Plant Repairs \$13,381,516 (22SRP17) + SLFRP - WWTP Headworks & SBR Relocation, Replacement and Upgrades for Advanced Wastewater Treatment \$5,551,875 (WG038) = Total \$18,933,391 for WWTP Relocation/Replacement**
 - a) These grants combined are to replace and repair critical wastewater facility components and to relocate the facility to ensure it is out of the flood zone. The project will ensure that the City is storm ready for years to come!
 - b) Construction is not yet underway. The project engineer, Dewberry, received sampling results and worked on biological process modeling, initial design layout, and process equipment selection in the Preliminary Design Report. 55% of the design is completed. Bidding and contractor selection will begin after completion of Design & Permitting.
 - c) As of April 2024, project is at 15% completion. Project completion date is estimated for September 2026. Final design has begun.

- d) At the end of March 2024, the project received its' second reimbursement for work from April 2023 through January 2024. We are currently continuing to gather invoices from the engineering firm to submit to DEP for reimbursement request 3.
- e) The project is at 66% design and the permit applications have been submitted and is currently sitting at 50% complete. Currently, final design is underway which includes biological process modelling, and process equipment selection.
- f) DEP is creating an amendment to WG038 to combine the budget into one line item to ensure that there are no issues with the ARPA funding pools in the future.
- g) SCHEDULE:
 - i. Projected construction start date: Sept 2024
 - ii. Projected initiations of operations date: Mid 2026
 - iii. Projected construction end date: Mid 2026

Florida Commerce [Formerly DEO]:

1. Rural Infrastructure Fund - Water Treatment Plant Improvements, Potable Water Studies \$147,000 (D0225)

- a) This grant will evaluate existing conditions, create an enhanced sampling plan, hydraulic modeling, treatability studies and alternatives analysis. Engineering firm, Dewberry, is in progress and these studies are 35% complete!
- b) A one-year extension request has been requested to complete this project. In routing.

2. Rural Infrastructure Fund – Drainage Basin Analysis Phase II + Camera Work of Stormwater Lines \$300,000 (D0260)

- a) This grant will fund an analysis of the drainage basins that border Apalachicola River and Bay. The proposal also includes funding to begin camera-work of the stormwater lines in Phase 1. The project aims to document all stormwater conveyance characteristic, both structural and natural, along with deficiencies of each that have contributed to localized flooding within 18 drainage basin areas totaling 310 acres in the city. The City will then prioritize repairs in areas where localized flooding is present and plan for water quality treatment at the stormwater outfalls which discharge into the Apalachicola River and Apalachicola Bay. Basins 11 and 3 were covered by the 2018 grant. This grant application would address the following basins: 1, 2, 4, 5, 6, 7, 8, 9, 10, 12-19
- b) Agreement signed 2/1/24. Grant administration with grant continuing services procurement approved at July City Commission meeting. Task order to engage Dewberry Engineering drafted; currently in review by Florida Commerce.

3. CDBG-DR – Avenues Stormwater Repair Project \$3,891,869 (\$29,000 City Cash Match) (M0016)

- a) This grant is to fund repairs and upgrades for the avenues stormwater drainage system. Dewberry is the engineering firm for this project.
- b) Quotes received for drainage pipe inspections and route survey. Existing conditions CCTV survey was completed. The engineer received videos and reports which have been analyzed. The engineer worked with contractor to revise scope and cost for drainage pipe survey. Project information was distributed to interested stakeholders for environmental review. Tribal letters completed. Designs ready in next few months. Environmental review report continues. Survey results may create a few changes of the environmental review.
- c) An amendment request was submitted on 5/10/2024 to add CE&I as a reimbursable task and to extend the period of performance through September 2025.
- d) Survey is complete for the primary portion of the system and CCTV is complete; plans are under development at this time and will be finalized in coming months.
- e) Environmental outreach letters to interested stakeholders were revised for consistency with current planned improvements and were redistributed on 7/25/2024 and 7/26/2024.
- f) Meetings were held with Commerce's consultant (KPMG) to discuss project progress and reiterate that the project must be finalized by 09.30.2025.
- g) SCHEDULE:
 - i. Projected construction start date: January 2025
 - ii. Projected construction end date: June 2025

4. **CDBG-DR – Hometown Revitalization (Riverfront) \$4,400,000 (\$70,000 Private Owner Match + \$313,365 City Cash Match) (M0034)**
- a) This grant is to revitalize the businesses and public areas in the riverfront district. This work includes private business's docks along with public docks, sidewalks, lighting, and parking areas.
 - b) A field survey continues with progress along Water and Commerce Streets with field survey work along Scipio Creek complete. Survey office work and plans ongoing. Engineer, HALFF Engineering, met with City of Apalachicola management on 2/21/2024 to review coast guard site, old fire station property, the Popham Building, and Andres Pier issues. As of March 31, 2024, Phase I Environmental Site Assessments (ESA's) were nearly complete, permitting was 15% complete, preliminary design and plans for Plan Set 1 were 20% complete (sites along Scipio Creek), and the engineer (Halff) was scheduling field review meetings for Plan Set #2 (street upgrades and amenities). Popham Building preliminary memo re: structural review was submitted to the City on 04.09.2024; this memo indicated that the building lacks the stability and integrity to make structural repairs and recommended demolition of the existing structure. A grant modification is forthcoming because several components of the project need to be removed from the scope of work.
 - c) 404 Permitting will be required. 404 Permitting is currently at a complete halt due to legal action involving 404 permitting elsewhere in the state (unrelated to the City – this case involves a situation in south Florida). When it resumes, there will be a back-up and delays are expected. City and grant admin are concerned about 404 permitting timeline. Stakeholder outreach has started. Phase 1 ESA's are underway and nearing completion. Cultural resource surveys may be required; these are not included in the engineer's current scope of work. Additional information regarding this requirement has been requested from the engineer. Wetland delineations underway and should be completed soon. Construction to start late this year.
 - d) Project information has been distributed to all stakeholders. The City submitted a scope modification request to Florida Commerce in April 2024. Certifications and liability agreements have been distributed to all owners – matching funds have been requested from owners 30-days prior to bidding the project.
 - e) The engineer has submitted an amendment request for completion of a Cultural Resources Survey, which is required for permitting; this is pending City staff/legal review, after which it will be submitted for FloridaCommerce review. The engineer is working on survey drawings, environmental evaluations, permit applications, and preliminary and schematic designs. As of 07.25.2024, this authorization is still pending..
 - f) The engineer has continued work on survey drawings, environmental evaluations, permit applications, and preliminary and schematic designs. The project engineer reported the following activities for the month of June 2024:
 - i. Field survey near completion along Water, Commerce and 4th Streets. Field survey work along Scipio Creek is complete with some minor pick-up needed as plans progress. Office work and survey drawings are on-going.
 - ii. Garlick Environmental Associates (GEA) has completed their Phase 1 Environmental Site Assessments (ESA's) and continues with the Environmental permitting process. Plans information and project corridor data gathered in preparation for a pre-application meeting with the NFWFMD for the project's ERP.
 - iii. Garlick Environmental Associates (GEA) is also developing permit documentation required for the USACE, Section 10 issues regarding regulated wildlife and State 404 permitting needs. Permitting is at 40% complete.
 - iv. Preliminary design and plans for Plan Set 1 along Scipio Creek sites are being generated based on field survey and field reconnaissance by the Team. Design and plans are at 70% complete. Existing wetlands have been verified and shared with GEA for their permit process.
 - v. Proposals for a Cultural Resource Assessment Survey (CRAS) for the Riverfront Revitalization project have been received from 2 firms. We have selected the best proposal and submitted

- a supplemental services agreement for the City of Apalachicola's review and approval.
 - vi. Hammond Design Group (HDG) has completed a schematic design of the re-created Popham Building and have generated pricing options for the preservation/rehabilitation of the existing structure, as well as pricing for the recreation/building new a new structure. We will meet, via Teams calls, with the City of Apalachicola (COA) and City Commissioners to discuss our findings and recommendations.
 - vii. Preliminary design and drawings of the Water, Commerce and 4th Street upgrades, Plan Set 2, continue this month.
 - viii. A field review by Halff Team members with preliminary Plan Set 2 documents in-hand (street upgrades and amenities) to be set.
 - g) The City Commission made a decision to amend the scope for the Popham Building to just design and partial demolition as the deliverables. Commerce is still evaluating the possible scope change – any workshops regarding the Popham Building cannot be scheduled until Commerce has communicated their direction on this.
 - h) Meetings were held with Commerce's consultant (KPMG) to discuss project progress and reiterate that the project must be finalized by 09.30.2025.
 - i) SCHEDULE:
 - i. Projected construction start date: January 2025
 - ii. Projected construction end date: September 2025
- 5. **CDBG-DR – Hill Community Project \$935,753 (\$910,000 Funded + \$25,000 City Cash Match) (M0033)**
 - a) This project is to revitalize four (originally 5, one location dropped out by choice) businesses within the Hill through exterior work and renovations - each location's scope differs. This project is also to create sidewalks and lighting in the Hill area to spur economic development through walkable connectivity. Gouras and Associates is the grant administrator and CDG is the engineering firm working on the plans. Certifications for the private business owners have been prepared and sent to each owner to ensure that the program guidelines are being met by all parties. There are structural issues with a couple of the locations which may result in some scope changes in the near future.
 - b) The City Commission finalized the scope of the Sidewalk & Lighting project at a special meeting on 2/20/24 after workshopping the previously approved scope. The below image shows the final scope of these improvements - these are subject to Commerce approval. The cost of materials has increased during the progression of this grant, so the priority for the funding will be sidewalks first with primary focus on MLK and the 8th Street section.



- c)
- d) Stand-alone project call with Commerce was scheduled. Currently paused on environment because scope changes will likely be necessary. Meeting with Florida Commerce occurred on 4/29/2024 to discuss re-allocating funds and potential scope changes.
- e) Florida Commerce and the City held a TA call on 4/29/2024 to discuss scope changes requested by the City. Changes to the sidewalk layout based on public feedback was discussed, as well as structural issues that have been identified for several commercial buildings. As a result of this call, the City submitted an amendment request to FloridaCommerce; as of 07.25.2024, this request was pending review and approval.
- f) Work on the environmental review record has resumed, under the assumption that Commerce will approve the requested scope modifications. Commerce confirmed on 07.24.2024 that an 8-Step Process will be required because approximately 750 s.f. of sidewalk will be located in the 500-year floodplain; public notices for this will be issued next week and corresponding stakeholder outreach will be distributed.
- g) Liability Agreements were created by the City Attorney and distributed to the business owners. Project guidelines were also provided. Meetings to discuss these documents are scheduled with business owners. 2/3 project beneficiaries have submitted their signed documents. A meeting was held with the remaining property owners and FloridaCommerce to review grant requirements; as a result of this meeting, Commerce subsequently confirmed participant eligibility, pending submission of additional documentation from the participant. The City has continued to work with property owners to finalize agreements between the City and the Property Owner for utilization of CDBG funds for project activities. An amendment has been received from the engineer to modify the sidewalk layout; this has been submitted to Commerce for authorization to execute, which was still pending as of 07.25.2024..
- h) Meetings were held with Commerce's consultant (KPMG) to discuss project progress and reiterate that the project must be finalized by 09.30.2025.
- i) SCHEDULE:
 - i. Projected construction start date: January 2025
 - ii. Projected construction end date: June 2025

6. CPTA – Workforce Housing Study \$75,000 (P0482) – De-obligated

- a) The City was awarded \$75,000 towards a workforce housing study that could address viable solutions to the lack of workforce housing in the area. The funding came from leftover CPTA money from the last

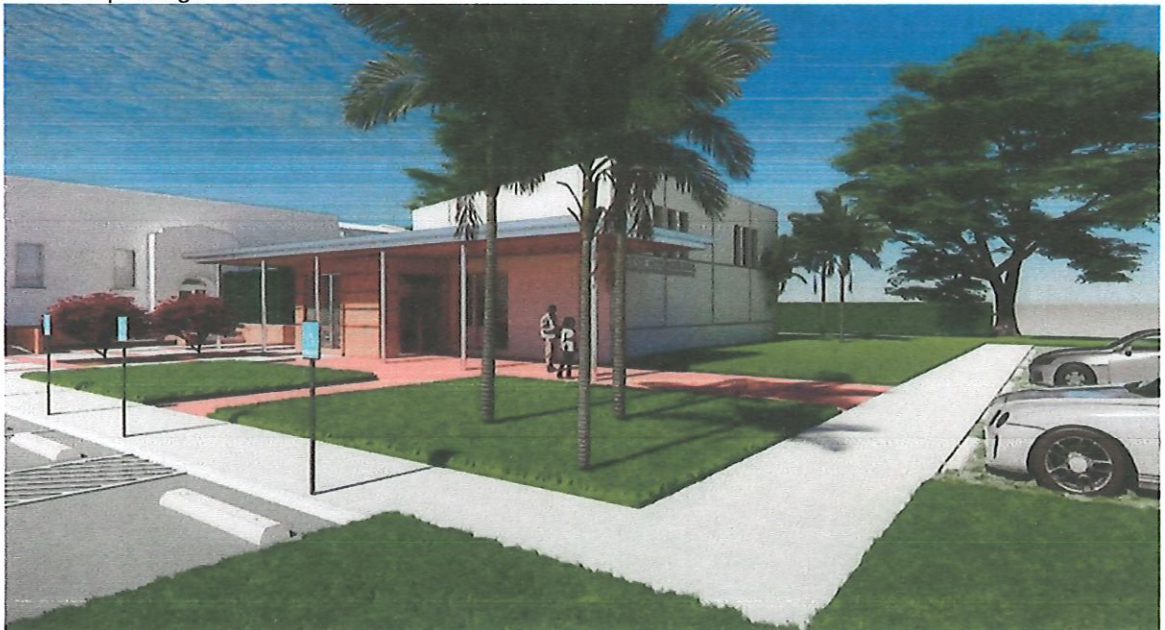
fiscal year, so we did not know the expected timeline when applying in the fall of 2023. Unfortunately, the award was not granted until late February of 2024 with a deadline of June 2024. Procurement was attempted and even the firms that had helped put this application together were not able to meet the deadline and chose not to bid on the project. No bids were received – city staff were hopeful to award this in April.

- b) Due to no bids being received and city staff not being able to find a firm willing to meet the deadline, Commerce recommended de-obligating the funding and instead re-submitting the same application for the current open CPTA opportunity, deadline in early May. City staff is currently preparing to re-submit the Workforce Housing project for the new round of CPTA funding and are waiting for direction from the City Manager on de-obligation.
- c) The City de-obligated from this agreement on 4/29/2024. The City applied for the next round of CPTA funding on 5/6/2024.

DOS:

1. DHR African American Cultural and Historical Grants - Apalachicola History & Culture African American Museum \$1,250,000 (\$1,000,000 Award, \$250,000 City Cash Matching Funds) (23.s.aa.900.039)

- a) This project is funding the design and construction of a one-story, 2,000SF building with elevated ceilings. Priorities include: security, storage, office space, greeting station/gift shop, breezeway to Holy Family, bathrooms, controlled lighting for displays.
- b) There was a meeting on 1/16/2024 to show the concept direction of elevations and floor plans for the proposed museum. The third set of concepts was introduced to the City Staff, Commission, and community stakeholders. There was a presentation introducing potential site planning concepts, indoor and outdoor arrangements of display area, and potential exterior plaza configuration. Commission voted on exterior and interior layouts and designs for the museum provided by the architects. The modern style building, second floor plan, and exposed roof style were all chosen. The next phase is moving these concepts to construction documents – the architect/engineering team is in progress. See the concept design below:



- c)
- d) A public workshop was held July 2nd for the Architect team to present the 50% plans for the site, building, and space to the City Commission and interested citizens.
- e) An updated timeline has been communicated to DOS and an extension to June of 2025 has been granted. The project completion date is estimated to be in December of 2025, so City staff and DOS are anticipating another 6-month extension to be filed February of 2025.

2. DHR Special Categories – Old City Hall Phase II Structural Damage \$395,000 + \$98,750 In-Kind Match

(\$50,000 Cash Match) (24.h.sc.100.069)

- a) City was funded for Phase II of the repair/structural work to the old city hall building! Agreement was signed 8/8/23. Bay Media will continue with grant administration as well as 4M Design, Mark Tarmey, on the designs as allowed by DOS. This grant is to secure funding to complete the Old City Hall Renovation and support the ongoing repairs funded through the NPS grant. The purpose is to stabilize the building, by proposing to install an interior rigid steel frame to provide the structural integrity of the building, exterior masonry, and support the historic second floor wood frame.
 - b) Phase II will install structural interior steel framing, additional 2nd floor shutters and interior/exterior masonry work, electrical, plumbing. Admin to schedule staff, architect (4M Design) and contractor (OSP) onsite meeting to finalize Phase II scope and develop construction contract.
 - c) Architect contract drafted; pending DHR review. Scope modifications drafted based on onsite meeting with architect/contractor. Pending DHR review and OSP contract.
- 5. DHR Special Categories – Old City Hall Phase III \$340,000 + \$30,000 City Cash Match (FUNDED – Waiting for Agreement)**
- a) DOS reached out 6/18/24 to announce that this project was awarded through the FY25 Special Category Grants program. The phase III funding for City Hall will complete the second-floor structural work, interior/exterior masonry repair of second floor and will complete the mechanical and plumbing not completed in phase II for the first floor and all for the second floor. Additionally, it will provide a second-required stair access to the second level.

FEMA:

- 1. Hurricane Michael - Bodiford Park Dock Repairs (76103)**
 - a) Dewberry engineers completed the engineered plans for this project. Project construction was bid out and awarded to Coastline Clearing in the amount of \$53,824 on 4/2/24! Contracts are in progress and work should begin soon. Waiting on an extension from FEMA.
- 2. Hurricane Michael - Scpio Creek Marina Finger Dock Repairs (76103)**
 - a) Dewberry engineers completed the engineered plans for this project. Project construction was bid out and awarded to Coastline Clearing in the amount of \$74,090 on 4/2/24! Contracts are in progress and work should begin soon. Waiting on extension from FEMA.

FDEM:

- 1. HMGP Market Street Vacuum Station \$120,000 (4399-150-R) with DEO Match of \$37,500 (M0142)**
 - a) The scope of this project is for the design of a new vacuum sewage station located near intersection of Market Street and Avenue G. The purpose of this project is to provide protective measures to wastewater infrastructure of the historic downtown commercial district in Apalachicola. CPWG Madrid is 90% complete with the engineered plans for the Market Street Vacuum Station – they submitted 100% designs and permits, but there were some remaining issues/priorities in the plans pointed out by staff that are currently being remedied. Monthly meetings with Commerce continue.
 - b) The Engineer submitted all deliverables and staff is reviewing them prior to submitting to FDEM. Once approved by staff, all documents will be uploaded and FDEM will conduct a CBA to determine Phase II.
- 2. HMGP Critical Facilities Generators \$241,862 (4399-092-R) with DEO Match of \$26,064.75 (M0141)**
 - a) This grant will provide protection and storm mitigation by providing City Hall, the police, and fire department with portable generators. One will be at City Hall, the other will be shared by Police and Fire. The purpose of this project is to provide protection to a critical facility in Apalachicola. The project is for the purchase and installation of an emergency generating system to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards.
 - b) The contract with BGN was executed and monthly progress meetings with Commerce continue – permitting is in process and general installation will begin very soon! Generators have been ordered.
 - c) The City is waiting on generators to arrive. The next step is to pour concrete and install electrical.

- d) Work has begun on this project. The only delay is the generator delivery. Some sizes are back ordered. The end goal is to have both generators installed by October 2024 pending no further shipping delays.
- 3. HMGP Wastewater Vacuum Station Portable Generator \$170,000 (4486-007-R)**
- a) For purchase and setup of an emergency generator system to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards at the 108 Avenue F location. (The current generator is too small for the need and this will provide an appropriately sized and portable generator.)
 - b) The bid for this project came in over budget. A budget increase was requested in February, 2024. We are waiting on determination from FDEM. The contractor has guaranteed his price without an increase until June 24, 2024. FDEM approved the cost increase.

State Appropriations:

- 1. Spray Field & Solar Project \$130,000 (LPA0452)**
- a) The original request for this award was for 150 replacement spray heads and installation of 11 solar controllers and supplementary batteries. The spray heads are \$553.00 apiece, and the solar installation costs (in total) amounts to \$87,880.00 for 22 locations.
 - b) DEP issued an amendment in April 2024 allowing for the funds to be used solely for acquisition of needed parts instead of having to hire out a contractor for the parts and install. This will allow The City to stretch the budget further and be able to buy more spray heads and install them in house – procurement is in the works as acquisition quotes will need to be obtained and approved by DEP prior to ordering. Work will be completed by 12/31/25.
- 2. Inflow & Infiltration Study \$300,000 (LPA0451)**
- a) The City of Apalachicola has an aging infrastructure made of terra cotta pipes and faulty water lines. The City is funded to do an infiltration and inflow study - the study will assess local sources of surface water and/or groundwater prior to entering a sewage system. This will be done with typical methods such as smoke testing, dye testing, and visual inspections to locate structural defects or water stains to summarize existing data pertinent to the hydrologic conditions and hydrogeology in the study and surrounding area. This will produce a pre-design report that will detail the scope of the problem in the analysis area, outline design options, and identify the tasks required to complete a resolution to the problem by 6/30/25.
 - b) Procurement is in progress.
- 3. Stormwater Pipe Relining & Backflow Devices - \$100,000 (LPA0140)**
- a) Urban Catalyst is the procured engineer for this project. The following locations in Apalachicola will be addressed: 1) Fred Meyer Street near 18th Street just east of the intersection, where the road is sinking at a damaged pipe joint; 2) 5th Street between Avenue C and Avenue E., where the road has several areas where the pipe joints are caving in; and 3) Avenue B between 11th and 12th Street. Funding agency does not anticipate that the funding under this Agreement will result in a fully completed project, so this award will cover a portion of the work.
 - b) An extension to 6/30/25 was granted – engineering is complete and the City tried to bid out the work with no responses twice – DEP agreed for us to be able to obtain quotes to move forward instead of going through the bidding process. Quotes for the final work are being acquired.
 - c) Quotes are being updated – hoping to be approved by DEP soon.
- 4. Avenue H Parking Lot \$135,013 (Waiting for Agreement)**
- a) The 2024 legislative session funded half of the requested funding for the Avenue H Parking Lot project. This project will provide 39 parking spaces in an area with very few options for public parking and encourage additional economic activity in the downtown area. Permeable parking will also help with storm water management. Parking for local businesses will be provided - additionally, parking spaces will be provided that will be available for parking mitigation by local businesses.
 - b) An agreement has not yet been received – report will be updated once the agreement has been executed.
- 5. Fire Hydrant Replacement Phase III \$275,000 (Waiting for Agreement)**
- a) The 2024 Legislative session funded the Fire Hydrant Replacement Phase II project. The request was

originally for \$550,000 to finish out the project, but only \$275,000 was funded. The City has worked over the last three years to replace 215 old and inoperable fire hydrants throughout the city. There are currently 110 fire hydrants remaining that are still in need of replacement. These new hydrants will benefit residents in close proximity in obtaining homeowners insurance, they will benefit the City with FDEP required flushing of drinking water and will benefit the all City residents with fire suppression and control. The funding should cover 55 of the remaining needed 110 hydrants.

- b) An agreement has not yet been received – report will be updated once the agreement has been executed.
- c) Introductory meeting with state legislative grants staff held 7/25/24.

ARPA:

1. American Rescue Plan - \$1,179,010

- a) The City received an award of \$1,179,010 through the SLFRF program – the City has elected to use the funding as a “standard allowance” for government services.
- b) The City Commission has been workshopping priorities for the funding – currently the City Commission is anticipating use of the funding for possible overages on the Leslie Street project and matching funds for the Battery Park Seawall grant submission. A priority list was given to the City Manager at the 2/20/24 6:00PM Workshop and quotes are being obtained for the City Commission to finalize the list of priorities for the funding. The yearly report was submitted by April 30th.

All information in this report is accurate up to 7/25/24 at 12:00PM! If you have questions regarding any of the above projects, please direct your questions to Bree Robinson – City Planner brobinson@cityofapalachicola.com.

Building Dept Monthly Report: July 2024

Permit Type	Assessed To	Property Address	Fee Type	Amount Paid	Bldg Dept Fee	DBPR	DCA	Receipt Number	Payment Method	Applicant Name
Residential Minor	24AP-RM0001	190 Avenue East	Other - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1978	Check	Marry Anne Siprell
Window Replacement	24AP-WR0011	222 Avenue D	Other - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1977	Check	Earl Solomon
Air Conditioner	24AP-AC0021	329 Water Street Unit 307	HVAC - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1976	Credit Card	Air Con of Wakulla
Electric Permit	24AP-E0019	343 23rd Avenue	Electrical - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1975	Credit Card	Cates Electric
AC/Furnace	24AP-AF0005	245 US HWY 98 Suite 2	HVAC - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1973	Credit Card	Gunn Heating and AC
Plumbing Permit	24AP-P0011	32 Avenue D	Plumbing - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1974	Credit Card	King's Plumbing
Commercial Remodel C/C	24AP-CB0002	25 Avenue D	Remodel/Additions Commercial	\$105.00	\$105.00	\$2.00	\$2.00	1972	Check	OCBC
Residential Re-Roof	24AP-RR0012	260 Prado Street	Roof/Re-roof Residential	\$100.00	\$100.00	\$2.00	\$2.00	1971	Credit Card	Panhandle Roofing LLC.
Electric Permit	24AP-E0018	216 15th Street	Electrical - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1970	Credit Card	Cates Electric
Air Conditioner	24AP-AC0019	81 Avenue I	Roof/Reroof Commercial	\$119.00	\$119.00	\$2.00	\$2.00	1968	Credit Card	Gunn HVAC
Air Conditioner	24AP-AC0020	23 7th Street	HVAC - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1969	Credit Card	Air Con of Wakulla
Residential Re-Roof	24AP-RR0011	59 24th Avenue	Roof/Re-roof Residential	\$100.00	\$100.00	\$2.00	\$2.00	1967	Credit Card	Johnson Roofing Solutions
Electric Permit	24AP-E0016	254 9th St	Electrical - Residential	\$100.00	\$100.00	\$2.00	\$2.00	1966	Credit Card	Richard and Melissa Lewis
Air Conditioner	24AP-AC0018	192 Coach Wagoner Blvd	HVAC - Commercial	\$75.00	\$75.00	\$2.00	\$2.00	1965	Credit Card	Thompson Total Air Solutions

Net to Building \$1,399.00 \$28.00 C \$28.00 Due DCA



CITY OF APALACHICOLA CODE ENFORCEMENT

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

CODE ENFORCEMENT OFFICE

June 2024

8 (City) Tree Permits

4 Tree Permits

1 Fill permits

Daily Phone Inquiries & Emails Answered

Daily inspections

Code Violation Issues:

- **Short-term Rentals (2) – residential**
- **RV – 1 in process**
- **Nuisance (Trash, waste, burning, etc.) 1 in progress**
- **Encroachment issues (1) on-going**
- **Multiple complaints and questions about various code enforcement**

Work with Building Department Permit Clerk to transition Sign, Fill and Fence permitting to Building Department. Code Enforcement will maintain Landscaping (No Fee Fill) permitting and Repair/Replacement-less than 50% Fence (No Fee Fence) permitting.

Collaborate with City Clerk to send out renewal notices for Business Licenses (mandated by State Statute to be out by July 1st this year).

Permit Number	Permit Type	Property Address	Application Date	Permit Issuance Date	Description of Work
24AP-FD0024	Fill Dirt	150 MLK Street, Apalachicola, FL 32320	06/03/2024	06/03/2024	replace playground mulch with fresh mulch
24AP-T0056	Tree	137 Bay Colony Way, apalachicola, FL 32320	06/03/2024	06/03/2024	removal of pine and water oak
24AP-T0059	Tree	150 MLK Street, Apalachicola, FL 32320	06/03/2024	06/03/2024	light trimming of two oak trees
24AP-T0060	Tree	229 Cornelius Rizer Street, Apalachicola, FL 32320	06/03/2024	06/03/2024	removal of pine tree
24AP-T0040	Tree	83 12th Street, Apalachicola, FL 32320	04/30/2024	06/10/2024	Diseased/storm- damaged tree
24AP-T0052	Tree (City)	Corner 8th and Ave F, Apalachicola, FL 32320	05/22/2024	06/03/2024	remove diseased palm tree LBD
24AP-T0057	Tree (City)	129 10th Street, apalachicola, FL 32320	06/03/2024	06/03/2024	removal of sabal palm and magnolia tree where Duke is installing permanent power pole.
24AP-T0058	Tree (City)	194 10th Street, apalachicola, FL 32320	06/03/2024	06/03/2024	removal of dead water oak
24AP-T0061	Tree (City)	92 Avenue E, Apalachicola, FL 32320	06/11/2024	06/11/2024	Removal of 7 trees and trimming of 3 per map.
24AP-T0062	Tree (City)	143 13th street, apalachicola, FL 32320	06/12/2024	06/12/2024	Trimming of 1 slash pine with a diameter of approx. 34.5.
24AP-T0063	Tree (City)	77 Avenue B , Apalachicola, FL 32320	06/13/2024	06/13/2024	removal of Cedar tree for a fence to be constructed. Owner of property will be absorbing cost for removal.
24AP-T0064	Tree (City)	77 avenue B, Apalachicola, FL 32320	06/14/2024	06/14/2024	removal of cedar tree
24AP-T0065	Tree (City)	150 13th street, apalachicola, FL 32320	06/14/2024	06/14/2024	tree removal

City of Apalachicola
Public Works Department Report
July 2024

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

- Picked up garbage downtown and parks three times a week.
- patch hole at commerce and corner of c and 4th St.
- Removed tree that fell in alley on 14th St.
- Repaired pothole(s) in alley at 12th and 6th street.
- Removed debris on 98 and Chestnut Cemetery.
- Completed 8 work orders.
- Empty garbage cans downtown and city parks 3 times a week.
- Repaired urinals in city bathroom on Commerce Street.
- Changed a/c filters in all city a/c units.
- Remove and replaced wooden fence boards on 14th St. where a city tree limb fell and broke fence.
- Installed new life rings at city piers and docks.
- Fixed leaking sink in library.
- Repaired sidewalk on Commerce Street.
- Repaired trailer lights on city utility trailers.

Prepared by ROBERT OSBURN

Apalachicola Margaret Key Public Library Turns the Page on July 2024



Library hours are 10am to 6pm Monday – Friday, and Sundays from 12pm to 4pm.

We are YOUR City of Apalachicola Library.

Come sign up for your FREE Apalachicola library card. Any library offering is FREE to the public.

Follow us on Facebook or Instagram @Apalachicolapubliclibrary for the latest!

July 2024 Statistics:

- 1,988 patrons visited our library - 21 new accounts opened - 227 patrons used our computers
- 511 books/movies/audiobooks circulated - 485 items donated to the library - \$476.72 collected as library revenue - 112 hours donated by our wonderful volunteers – 23,021 people reached on social media

What a fun summer we've had in the library! We've been celebrating around the theme of 'adventure' this year, with loads of adventure activities and programs.

We've had Classic Movie Nights with the 'adventure' theme, showing 'Casablanca' and 'Raiders of the Lost Ark'; we raced on Lego ziplines, pet snakes and gawked over frogs in a reptile show, enjoyed dinner and free books at a literacy night, painted animal faces, and built our own terrariums. In our repeating summer programs, we learned to tie flies, use sign language, learned to play a slate of new adventure board games, shivered over spooky stories, and enjoyed making and eating fun fruit kabobs! The organizations who have hosted or helped on activities with us this month were: Our friends of the library group PALS (Patrons of the Apalachicola Library Society), Bring Me A Book Forgotten Coast, New Worlds Reading, the Franklin County UF/IFAS Extension office, and the Franklin County Sheriff's Office. We also thank our volunteers who've led repeating activities for us this summer, including Joy Floyd, Hailey Gay, Jerry Hurley, Connie Justice, and Richard Lenhart.

While our programs have been a clear illustration of adventuring in the library, the greatest adventures we can offer are on our shelves! Reading lets us transcend monotony and go somewhere new! Whether you're itching for a trip to the mountains or a ride around the solar system, reading offers a transportive, and transformational, experience. This summer our book displays have reflected 'adventure' with tales of jetsetters and geographers, alongside campers and road-trippers. As the Olympics began this month, visitors have also seen books celebrating the stories of great athletes, and sporting events. As it's also an election year, we've had displays on the history of our country and biographies of the founding fathers. Whether your reality has you in the mood to escape, or to celebrate, reading can comfort, sustain, and inspire. For your next adventure, try a book!

Your City of Apalachicola Library helps with reading, writing, and learning, and offers a suite of print/copy/scan/fax/and notary services. We loan FREE books, movies, puzzles, board games, and items from our Library of Things. We offer FREE audio books, e-books, and digital magazines through the Libby app, & FREE streaming TV shows and movies through the Kanopy app. We also have a Book sale space on-site with FREE magazines. All donations go to our Friends of the Library 501c3 nonprofit, the Patrons of the Apalachicola Library Society (PALS). We also offer Yoga weekly on Mondays @ 6:15pm, Homework Help (FREE tutoring!) by appointment, and Bring Me A Book Forgotten Coast hosts 'Books for Babies' weekly on Tuesday mornings @ 10:30am. Our once-a-month Book Club meets each 3rd Wednesday @ 6pm. Do you have a club you'd like to start in the library?

Want to know more about a program? Is there a book or item you need?

Call: 850-653-8436 or email: apalachicolalibrary@gmail.com

Happy August!

Isel Sánchez-Whiteley & Barbara 'Nissie' McNair, Library Assistants
Lucy Carter, Library Director

APALACHICOLA POLICE DEPARTMENT

July 2024

In July, The APD participated in the 3rd of July festivities. Chief Varnes rode in the parade and threw out patriotic gift. All our officers were on duty helping to control and keep the traffic flowing after the fireworks. And Sgt. Richards was aboard our new Police Boat! While tickets are still being written at the marina for launch permit violations, it appears signage is helping and most people are now acquiring a launch permit prior to launching their boats.

July 2024 Totals

Traffic Stops/ Warnings/ citations	35/8/10	
Arrests/ Warrant Requests	7	
Traffic Accidents	5	
Burglary/Theft calls	3	
Assist Citizens/ Complaints/investigations		700
Trespass Warnings/agreements	6	
Business alarm calls/building checks/welfare checks		500
assist county call/other agencies	23	
Assist Animal control	0	
Domestic cases involving violence/disturbance calls		0
Total calls from dispatch	1460	

APALACHICOLA VOLUNTEER FIRE/RESCUE

MONTHLY REPORT

May 2024
27 calls

1. Accidents	<u>1</u>	7. Gas Leaks	<u> </u>
2. Lift Assists EMS	<u>17</u>	8. Life Flight	<u>2</u>
3. Bi-Monthly Meetings	<u>2</u>	9. Search/Rescue	<u> </u>
4. Brush Fires	<u>2</u>	10. Training	<u>1</u>
5. House Fires	<u> </u>	11. Transformer Fires	<u> </u>
6. Vehicle Fires	<u>2</u>	12. Vessel Fires	<u> </u>

1st Responder calls 36

Firefighter Attendance

1. George Watkins	<u>9</u>	11.	<u> </u>
2. Fonda Davis	<u>6</u>	12. Avery Scott	<u>1</u>
3. Ginger Creamer	<u>24</u>	13.	<u> </u>
4. Albert Floyd	<u>7</u>	14.	<u> </u>
5. Rhett Butler	<u>2</u>	15. Anthony Croom	<u>5</u>
6. Bruce Hoffman	<u>5</u>	16. Amy Cabrera	<u>3</u>
7. Palmer Philyaw	<u>0</u>	17. Ricky Linton	<u>9</u>
8.	<u> </u>	18. Shannon Segree	<u>7</u>
9. Troy Segree	<u>26</u>	19. Adam Joseph	<u>6</u>
10. Rick Hernandez	<u>0</u>	20. Craig Gibson	<u>5</u>

Additional Notes:

Recorded by: _____

Date: _____