BOARD OF COUNTY COMMISSIONERS MEETING

May 18, 2020
Regular Meeting Agenda

Additional Items
Additional Items for Consideration:

- Construction of New Sheriff’s Operation Center Discussion
- Open Letter from Leaders of Flagler County and its Municipalities Discussion
- Short Term Vacation Rental Plan Consideration
Additional Item for Consideration:

Open Letter from Leaders of Flagler County and its Municipalities for Discussion

(Backup Document)
Open Letter from Leaders of Flagler County and its Municipalities

In emergency situations or times of uncertainty, it is imperative that communities bring together their subject matter experts to advise and contribute to a centralized emergency manager who is responsible for making decisions, facilitating all the responding agencies and coordinating resolutions for the challenge at hand. We trust these professionals to make decisions for the safety and welfare of us all. They are, unquestionably, working in the best interest of the community they serve and maintain a high-altitude view of the operation free from emotion.

Like many counties in the United States, we have a local emergency program and manager with a qualified team of support staff. An emergency manager is a person who is appointed and is a subject matter expert who is charged with making recommendations and providing the needed direction for the safety of the community. One of the most essential functions of an emergency manager is the ability to clearly and effectively disseminate information and conduct messaging unique and appropriate for each event.

We are in the midst of a global pandemic. In unprecedented times, it is imperative that we respond in a manner that is responsible to the people we represent. Subject matter experts have planned mission assignments, work with state and federal partners for logistical supplies and disseminate factual, timely information for proper response from the Governor’s Office and Centers for Disease Control and Prevention (CDC). Subject matter experts work diligently with the Florida and Flagler branches of the Department of Health to ensure medical processes are in place to protect the community’s most vulnerable. They have built relationships with many stakeholders who are drawn into this process not because they have to, but because it’s the right thing to do. They must have the autonomy to determine, in concert with stakeholders, what a credible plan will be for the community and how it should look over time. This concept is relatively simple — when disseminating information for a disaster, whether pandemic, hurricane, wildfire or mass shooting, we need to be as responsible with the information as we can be.

It is critical that leaders at all levels support subject matter experts to allow them to make the difficult decisions necessary to lead us through the recovery process. As such, we are calling for the unity, calm and courage we know exists in Flagler County. Moreover, we are asking for an adopted unified policy that would clearly articulate the included steps, measures and practices that preclude placing our first responders or the community at large at greater levels of risk. We feel these policies will create the credible path forward, free from unnecessary distractions.

In today’s lightning fast social media environment, where information travels in mere seconds, it is more important now than ever to have a clear adopted policy that will provide opportunity for our subject matter experts to take decisive and credible actions within the adopted context of any particular incident.
As leaders of these first responders, we have a higher responsibility than just making policy. We appoint leaders who in turn hire the professionals to perform the most difficult task of public service: protecting lives. We cannot stand at a podium, say one thing and then reverse the intent of our subject matter experts by pushing contrary agendas.

In closing, the signers of this letter are united and will work together to bring forward one recommended policy beneficial to all governments and in the best interest of the communities we serve. As another hurricane season is upon us, it is more important now than ever that we institute every policy at our disposal to ensure the safety of our first responders. Once adopted, this policy will provide a clear understanding for everyone and will be respected by everyone from policymakers to front line workers. Moving forward, we will all be held to the same standard in times of emergency in our community.

It is our sincere and austere hope you will join us in this unprecedented moment.
Your Mayors

Milissa Holland
Mayor of Palm Coast

Linda Provencher
Mayor of Flagler Beach

Catherine Robinson
Mayor of Bunnell

Stephen Emmett
Mayor of Beverly Beach

Leslie Babonis
Mayor of Marineland

Your City Managers

Matthew Morton
City Manager of Palm Coast

Larry Newsom
City Manager of Flagler Beach

Alvin Jackson
City Manager of Bunnell

Jerry Cameron
County Administrator of Flagler

Your First Responders / Emergency Managers

Jerry Forte
Fire Chief of Palm Coast

Jonathan Lord
Emergency Manager of Flagler County

Your Health Professionals

Bob Snyder
Administrator of FDOH-Flagler
Additional Item for Consideration:

Short Term Vacation Rental Plan Consideration
(Backup Documents)
May 18, 2020

Secretary Halsey Beshears
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399-1027

RE: Flagler County Plan for Re-Opening Short-Term Rentals

Dear Secretary Beshears:

Vacation rentals are a valuable part of Florida’s tourism accommodations. In Flagler County, vacation rentals account for a significantly large portion of our tax revenue as identified in the chart below for FY19:

<table>
<thead>
<tr>
<th>Type</th>
<th>Potential</th>
<th>Actual</th>
<th>Occ %</th>
<th>Sales</th>
<th>Pct</th>
<th>Bed Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Fam / B&amp;B</td>
<td>97,286</td>
<td>33,482</td>
<td>34.42%</td>
<td>$8,094,335.49</td>
<td>9.13%</td>
<td>$401,477.40</td>
</tr>
<tr>
<td>Town/Condo</td>
<td>169,393</td>
<td>49,935</td>
<td>29.48%</td>
<td>$9,002,374.33</td>
<td>15.89%</td>
<td>$443,532.89</td>
</tr>
<tr>
<td>Man / Coop / RV / Campground</td>
<td>283,293</td>
<td>90,433</td>
<td>31.92%</td>
<td>$4,713,488.30</td>
<td>26.58%</td>
<td>$223,694.01</td>
</tr>
<tr>
<td>Duplex / Multi units</td>
<td>8,981</td>
<td>3,049</td>
<td>33.95%</td>
<td>$341,387.13</td>
<td>0.84%</td>
<td>$17,158.99</td>
</tr>
<tr>
<td>Hotel Chain / Hotel Condos</td>
<td>377,464</td>
<td>201,801</td>
<td>53.46%</td>
<td>$31,157,347.84</td>
<td>35.41%</td>
<td>$1,483,172.32</td>
</tr>
<tr>
<td>Hotel / Motel</td>
<td>68,149</td>
<td>23,158</td>
<td>33.98%</td>
<td>$2,152,420.27</td>
<td>6.39%</td>
<td>$105,083.42</td>
</tr>
<tr>
<td>Misc</td>
<td>61,426</td>
<td>13,283</td>
<td>21.62%</td>
<td>$1,449,384.93</td>
<td>5.76%</td>
<td>$70,602.29</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,065,992</strong></td>
<td><strong>415,141</strong></td>
<td><strong>38.94%</strong></td>
<td><strong>$56,910,738.29</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>$2,744,721.32</strong></td>
</tr>
</tbody>
</table>

The basis of the Flagler County Plan for Re-Opening Short-Term Rentals was developed by the Vacation Rental Management Association and the Vacation Rental Hospitality Professionals, with input from Vacation Rental Management companies operating in Flagler County. These guidelines (when implemented in addition to standards set by the CDC) seek to establish an industry-wide best practice to ensure guest safety. The County recognizes the importance of keeping residents and visitors safe, and as such we would expect the following conditions to be required to reopen short term rentals.

Please contact Amy Lukasik, Flagler County Tourism Development Director, at (386) 313-4226 or alukasik@visitflagler.com or Jonathan Lord, Flagler County Emergency Management Director, at (386) 313-4240 or jlord@flaglercounty.org with any questions.

Sincerely,

Jerry Cameron
County Administrator
Vacation Rental Reservations from Areas Identified by Executive Order
Vacation rental reservations, for visitors originating from areas identified by Governor DeSantis as high risk, through currently active Executive Orders, must be for periods longer than the quarantine period established in that Order. Guests occupying those vacation rentals must adhere to the quarantine restrictions or be subject to established criminal and civil penalties.

Vacation Rental Standards & Guidelines

- Social Distancing
  - 10-person occupancy cap for vacation rental units
  - Encourage visitors and staff to adhere to social distancing to maintain a safe distance of 6' from other individuals
  - Stagger arrival times to prevent congregating

- Wellness Checks
  - Pre-arrival health screening questionnaires must be completed by all vacation rental guests within 24 hours of arrival to include:
    - Home origin (City, State, Zip)
    - Where they have been in the past 14 days
    - Whether anyone in their vacation rental property is experiencing any symptoms including fever or respiratory issues

- Guest Communications & Interactions
  - Vacation rental companies or owners must:
    - Provide guests with pre-arrival communications to include copies of pertinent executive orders (State and County) and safety plans
    - Provide guests upon check-in additional copies of pertinent executive orders (State and County) and safety plans
- Display materials on-site within the vacation rental unit outlining those in-effect orders and safety measures including:

**COVID-19 Warning**

We have taken enhanced health and safety measures for you, our other guests, and staff. You must follow all posted instructions while visiting this vacation rental.

An inherent risk of exposure to COVID-19 exists in any place where people – other than your direct family members – are present. COVID-19 is an extremely contagious disease that can lead to severe illness and death. According to the Centers for Disease Control and Prevention, senior citizens and guests with underlying medical conditions are especially vulnerable.

By visiting this vacation rental you voluntarily assume all risks related to exposure to COVID-19.

*Let’s keep each other healthy and safe.*

- Sample materials will be provided by the Palm Coast and the Flagler Beaches tourism office.

- For those vacation rentals being managed agreements with local or national firms, the firm processing bookings for Flagler County properties must provide the following for each booking:
  - Property owners:
    - Name
    - Mailing address
    - Phone number
    - Email address
    - Complete unit(s) information

A violation of this section includes any violation of DBPR requirements and any state or county executive orders. Owners and managers are jointly and severally liable for violations. Owners, guests and managers are also jointly and severally liable for guest violations "Jointly and severally liable" is defined as liability of more than one person for which each person is liable to pay the entire fine for violation of an ordinance.

- If possible, provide contactless check-in and check-out processes.
- Limit staff interactions with guests during stay unless necessary such as maintenance emergency calls. All staff must follow proper preventative measures if interacting with guests during stay.

- **Reporting**
  - All Vacation Rental owners or management companies will be required as under Executive Orders 2020-03 and 2020-04 to report:
Flagler County Health Department - the names of the individuals from the New York TriState area (NY, NJ, CT) and the State of Louisiana that are occupying a vacation rental unit or any structure that is subject to supervision by the DBPR. The names shall be provided to the Flagler County Health Department upon accepting a reservation or check-in.

- **Cleaning & Sanitation**
  - Property owners and managers will adhere to all Department of Business and Professional Regulation (DBPR) sanitation guidelines already in place as addressed under 61C-3.001 Sanitation and Safety Requirements of the transient lodging statutes.
  - Property owners and managers will follow the CDC related guidelines that are for public spaces, businesses, schools and homes which expand upon the State of Florida & DBPR requirements already in place for safety and sanitation for all lodging.
  - Vacation Rentals should be allowed flexible time between stays based upon the use of CDC cleaning and sanitation procedures. Lodging units being cleaned are all different and some will take more time or less time, depending upon the size of the unit being sanitized.

- **Staff Requirements**
  - All staff members:
    - Should follow appropriate CDC guidelines for sanitation and protection.
    - Are required to train on and adhere to the minimum standards established by this plan.
    - Should not report to work if experiencing symptoms.
    - Shall receive a wellness check upon arrival to work. The wellness check, at a minimum, will consist of a temperature check. Staff members who have a temperature of 100 degree Fahrenheit or higher will not be permitted to work.