1. Pledge to the Flag and Moment of Silence

2. Additions, Deletions and Modifications to the Agenda

3. Announcements by the Chair

4. Recognitions, Proclamations and Presentations:
   4a) Recognitions:
       1) Emergency Management Planners Nealon Joseph and Lea Tardanico – Certified as Florida Associate Emergency Managers
       2) Airport Director Roy Sieger receives Colonel Gary E. Kay Veteran of the Year Award
       3) Tourism Marketing Media Manager Candi Breckenridge receives the eTSY Award for Best Website (Small Budget)
       4) Flagler County Fire Academy receives the Florida Association of Counties 2020 Best Practices Award
   4b) Proclamations: None

5. Community Outreach: This thirty-minute time period has been allocated for public comment on any consent agenda item or topic not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.

6. Consent: Constitutional Officers:
   6a) Clerk: Bills and Related Reports: Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of Section 136.06, Florida Statute as listed below:
       1) Revenue Collected for October 2020
       2) Disbursement Report for Week Ending November 13, 2020
       3) Disbursement Report for Week Ending November 20, 2020
   6b) Clerk: Approval of Board Meeting Minutes: Request the Board approve the minutes from the following Meetings:
       1) November 16, 2020 Workshop
       2) November 16, 2020 Special Meeting
       3) November 17, 2020 Special Meeting
7. Consent: BOCC Departments:

7-a) Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency – Hurricane Matthew: Request the Board ratify the Proclamations Extending the State of Local Emergency for Hurricane Matthew. (Requested by Jonathan Lord, Emergency Management Director)

7-b) Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency – COVID-19: Request the Board ratify the Proclamations Extending the State of Local Emergency for COVID-19. (Requested by Jonathan Lord, Emergency Management Director)

7-c) Planning and Development Board Appointment: Request the Board to consider the reappointment of Mr. Anthony Lombardo to the Planning and Development Board for a three-year term. (Requested by Administration)

7-d) Request the Board Declare Items as Surplus, Removal from the County Fixed Assets and Authorize Purchasing to Dispose of Surplus Property Pursuant to the Fixed Asset Policy: Request the Board declare items as surplus, removal from the County’s fixed asset inventory and authorize Purchasing to dispose of surplus property pursuant to the Fixed Asset policy. (Requested by Holly Durrance, Purchasing Manager)

7-e) Consideration of Fiscal Year 2020-21 Budget Transfer for Debt Service Funds 211, 219 and 212: Request the Board to approve budget transfers #21-110, #21-111 and #21-112 in the amount of $11,750.00 for the Arbitrage report invoice. (Requested by E John Brower, Financial Services Director)

7-f) Bid Award Pursuant to Invitation to Bid (ITB) 21-002B, Hardening of Fire Station 62 to Florida Retrofits, Inc. in the Amount of $56,673.60: Consideration of Invitation to Bid (ITB) award for 21-002B, Hardening of Fire Station 62 to Florida Retrofits, Inc. in the Amount of $56,673.60 and authorize the County Administrator to execute a contract and any other documents necessary to implement the project as approved to form by the County Attorney. (Requested by Holly Durrance, Purchasing Manager and Heidi Petito, General Services Director)

7-g) Consideration of a Resolution and FY21/22 Flagler County Public Transportation Applications to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Capital Assistance Program in the Amount of $291,508.00: Request the Board approve the resolution and grant application for the FDOT 5310 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement and all documents related to the application, acceptance, implementation, and closeout of the grant. (Requested by Heidi Petito, General Services Director)

7-h) Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Operating Assistance Program in the Amount of $207,180: Request the Board approve the resolution and grant application for the FDOT 5310 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant. (Requested by Heidi Petito, General Services Director)

7-i) Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application Submission to the Florida Department of Transportation (FDOT) 5311 –
Non-Urbanized Area Formula Operating Assistance Program in the amount of $70,000.00: Request the Board approve the resolution and grant application submission for the FDOT 5311 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant. *(Requested by Heidi Petito, General Services Director)*

7-j) **Adopt the Capital Improvement Program for Fiscal Year 2021-2025:** Recommend the Board approve the amended Capital Improvement Program for Fiscal Year 2021-2025 and Budget Transfer 20-108. *(Requested by E John Brower, Financial Services Director)*

7-k) **Consideration to Transfer Funding from the Public Safety Communications Network Reserves in the Amount of $2,800,000:** Request the Board approve Budget Transfer 21-114 in the amount of $2,800,000. *(Requested by Jarrod Shupe, Chief Information Officer and E John Brower, Financial Services Director)*

7-l) **Consideration of a Contract between Flagler County and the Northeast Florida Regional Council for the Council’s Services as Subcontractor to the County for the Florida Department of Environmental Protection’s Florida’s Resilient Coastline Program (FRCP) in the Amount of $50,000.** Request the Board approve the contract with the Northeast Florida Regional Council, as approved to form by the County Attorney, for services related to the Florida Department of Environmental Protection’s Florida’s Resilient Coastline Program (FRCP) grant award (R2139) in the amount of $50,000 and approve the attached Unanticipated Revenue Resolution. *(Requested by Adam Mengel, Planning Director)*

8. **General Business:** Presentations limited to 15 minutes with public comments limited to 3 minutes per speaker.

   8-a) **New Sheriff Operations Center Discussion:** Request the Board approval and direction to advance the Design and Construction of the New Sheriff Operations Center, based on information presented from Architects Design Group (ADG) and Ajax Building Corporation. *(Requested by Holly Durrance, Purchasing Manager)*

9. **Public Hearings:** Public Hearings will be heard after 9:30 a.m.

   **Quasi-Judicial Process:** The audience should refrain from clapping, booing or shouts of approval or disagreement. To avoid potential legal ramification and possible overturning of a decision by the Courts, a public hearing must be fair in three respects: form, substance and appearance.

   Time limits will be observed:
   - Staff – 10 minute presentation.
   - Applicant – 15 minute presentation (unless time extended by consensus of Board).
   - Public Comment – 3 minutes per speaker, 5 minutes if speaking on behalf of a group.
   - Applicant Rebuttal and Closing Staff Comments – 10 minutes each.

9-a) **QUASI-JUDICIAL – Application #3230 – Request for Public Use in the AC (Agriculture) District for the Flagler Executive Airport; Owner: Flagler County Board of County Commissioners; Agent: Roy Seeger, Airport Director:** Options for the Board 1) Approval; 2) Approval with Conditions; 3) Denial; or 4) Table. *(Requested by Adam Mengel, Planning Director)*
10. Additional Reports and Comments:

10-a) County Administrator Report/Comments

10-b) County Attorney Report/Comments

10-c) Community Outreach: This thirty-minute time period has been allocated for public comment for items not of the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.

10-d) Commission Reports/Comments/Action

11. Adjournment

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting should contact the (386) 313-4001 at least 48 hours prior to the meeting.
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"?" G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated
**Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06**

**Invoices Processed for week ending 11/13/2020**

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### Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

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*?* G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated
Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

Invoices Processed for week ending 11/13/2020

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### Invoices Processed for week ending 11/13/2020

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**G** = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated
**Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06**

**Invoices Processed for week ending 11/13/2020**

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# Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

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Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

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Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

Invoices Processed for week ending 11/20/2020

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Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06
Invoices Processed for week ending 11/20/2020

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# Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

Invoices Processed for week ending 11/20/2020

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## Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

**Invoices Processed for week ending 11/20/2020**

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Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

Invoices Processed for week ending 11/20/2020

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### Disbursement Report

**Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06**

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"?" G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated.
Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

Invoices Processed for week ending 11/20/2020

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Page 22
# Invoices Processed for week ending 11/20/2020

Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

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## Invoices Processed for week ending 11/20/2020

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"?" G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated
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*"?" G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated*
Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06
Invoices Processed for week ending 11/20/2020

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### Invoices Processed for week ending 11/20/2020

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## Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06

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*?* G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated
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11/23/2020 185529  STANLEY KULAGA                  | 110777          | 100.00       | PARKS DEPOSIT RFND-110777 PPP PAVILION
|            |         |                                              |                |             |                                             | 100.00                                      |

11/23/2020 185530  STEVE DOUGHERTY                 | 110901          | 37.38        | PARKS FEE REFUND-110901 PPP CAMPSITE MOODY CUT |
|            |         |                                              | 110901         | 2.62         | PARKS SLSTX REFUND-110901 PPP CAMPSITE MOODY CUT |
|            |         |                                              | 110974         | 18.69        | PARKS FEE REFUND-110974 PPP CAMPSITE MOODY CUT |
|            |         |                                              | 110974         | 1.31         | PARKS SLSTX REFUND-110974 PPP CAMPSITE MOODY CUT |
|            |         |                                              |                |             |                                             | 60.00                                      |

11/23/2020 185531  TECO PEOPLES GAS                 | 012619618 1020  | 496.57       | 1002 JUSTICE LN-INMATE FACILITY,9/30/20-10/29/20 |
|            |         |                                              |                |             |                                             | 496.57                                     |

11/23/2020 185532  TEN-8 FIRE EQUIPMENT, INC        | IN883513        | 4,594.09     | SMALL TOOLS FOR FIRE/ RESCUE                      |
|            |         |                                              | IN884605       | 322.50      | SMALL TOOLS FOR FIRE/ RESCUE                |
|            |         |                                              |                |             |                                             | 4,916.59                                   |

|            |         |                                              | I02369331      | 129.81      | AD:PUBLIC NOTCE-TOWN CNTR PARCL#0512310650000A00013 |
|            |         |                                              | I02369371      | 9.69        | AD:PUBLIC NOTCE-TOWN CNTR PARCL#0512310650000A00013 |
|            |         |                                              | I02369398      | 107.58      | AD:PUBLIC NOTCE-HARDENING FIRE STA.#62      |

* G = Grant supported expenditure; Note: "in-kind" or "match" to grants are not annotated
Flagler County Board of Commissioners - Disbursement Report Required per F.S. 136.06
Invoices Processed for week ending 11/20/2020

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FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 16, 2020

WORKSHOP

Present: Chair David Sullivan, Vice Chair Joe Mullins, Commissioners Charles Ericksen, Gregory Hansen and Donald O’Brien, County Administrator Jerry Cameron, Assistant County Attorney Sean Moylan and Deputy Clerk Deb Jenkins

ITEM 1 – CALL TO ORDER

Chair Sullivan called the meeting to order at approximately 3:30 p.m. in the Board Chambers of the Government Services Building in Bunnell, Florida.

ITEM 2 – PLEDGE TO THE FLAG AND MOMENT OF SILENCE

Commissioner Sullivan led the Pledge to the Flag and requested a moment of silence.

ITEM 3 – FLAGLER COUNTY 2021 LOCAL LEGISLATIVE PRIORITIES DISCUSSION

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

WORKSHOP ITEM # 4

SUBJECT: Flagler County 2021 Local Legislative Priorities.

DATE OF MEETING: November 16, 2020

OVERVIEW/SUMMARY: The Flagler County Board of County Commissioners (BOCC) annually establishes a list of legislative priorities to present at the Legislative Delegation meeting that is held locally each year. The legislative priority listing is an important tool used throughout the year during the regular legislative session by legislators and their staff. The list is also provided to the County’s lobbyist for bill tracking and for advancing the County’s priorities.

Each year hundreds of bills are filed. Staff cannot anticipate all of the bills that will move past the committee process but will try keep the Board abreast of legislative developments through briefings, email, newspaper articles. Similarly, you will receive frequent updates through the Florida Association of Counties, the Small County Coalition, and your legislative delegation. Our lobby firm the Fiorentino Group and our Legislative Liaison, Holly Albanese will be our point person trying to monitor issues on a daily basis.

Flagler County’s legislative day will be held in early December at the Flagler County Government Services Building. These priorities will be packaged for presentation to our delegation, their staff, our lobbyists and our website.

FUNDING INFORMATION: N/A

DEPARTMENT CONTACT: Holly Albanese, Library Director/Legislative Liaison

ATTACHMENTS:
1. Flagler County’s 2021 Local Legislative Priorities
(Item 3 – continued)

Holly Albanese, Library Director/Legislative Liaison, stated would present the policy priorities first then go through funding policies. Noted the policies were numbered, but not in any particular order. Reviewed the following policy priorities:

1. Support the Legislature Appropriation Funding for the Public Library Construction Grant Program.
2. Protect and Increase Funding for the State of Florida Transportation Disadvantaged Program.
3. Continue Support of the SCRAP and SCOP Grant Programs to Assist Small Counties in Paving Farm to Market Roads.
4. Restore and Protect Florida’s Housing Trust Funds.
5. Increase the Small County Consolidated Solid Waste Grant Population Cap.
7. Maintain Short Term Vacation Rental Legislation Status Quo.

Chair Sullivan asked status of land purchase for the Library.

Ms. Albanese replied Tim Telfer, Land Management, was working on the purchase and hoped the closing would be sometime in January.

Commissioner Hansen asked if any these were supported and a priority by other counties.

Ms. Albanese replied the Transportation Disadvantage Program was being supported across all 67 counties, but was not aware if it was a priority.

Chair Sullivan asked if County received what was expected from the 2019 budget.

Ms. Albanese replied the County received what was expected, but it was not enough because of the growth in the County which had a 30% population of seniors.

Chair Sullivan and Commissioner Hansen favored priorities #4 and #5.

Chair Sullivan suggested making one title, a combined topic, for #6.

Ms. Albanese replied the resolution was titled by the Small County Coalition, the BCC could not change that, but it could change the legislative priority list to match the resolution.
November 16, 2020
Workshop

(Item 3 – continued)

Commissioner O’Brien suggested staying in close coordination with the Small County Coalition because it was leading this. Noted a State task force was studying the issue and would be making a formal recommendation to the Governor and Legislature.

Ms. Albanese replied there were three actions the Small County Coalition requested of the County and she would review those during discussing of the resolution.

Chair Sullivan requested to rank the policy priorities before proceeding with the funding priorities. Favored #7 and #8 remaining where they were.

There was BCC discussion on ranking the policy priorities.

There was BCC consensus to rank the list as follows:

1. Support the Legislature Appropriation Funding for the Public Library Construction Grant Program
2. Eliminate the Digital Divide Through Expanded Digital Infrastructure and Enhanced Internet Access
3. Increase the Small County Consolidated Solid Waste Grant Population Cap
4. Continue Support of the SCRAP and SCOP Grant Programs to Assist Small Counties in Paving Farm to Market Roads
5. Protect and Increase Funding for the State of Florida Transportation Disadvantaged Program
6. Restore and Protect Florida’s Housing Trust Funds.
7. Maintain Short Term Vacation Rental Legislation Status Quo.

Ms. Albanese noted she would change the title for priority #2 to match the title in the resolution.

Chair Sullivan announced the BCC would vote on the list at the special meeting following this workshop.

Ms. Albanese presented the funding priorities as follows:

1. Plantation Bay Water and Wastewater Utility Subsidy Relief
2. Requested Funding - $550,000
3. Willow Woods Potable Water and Coastline Resiliency Project
   Requested Funding - $1,600,000
4. West Flagler County Stormwater Management Planning Project
   Requested Funding - $500,000
5. Collaborative Project to Create a Mental Health Drop-In Center in Flagler County
   Requested Funding - $245,000
(Item 3 – continued)

Chair Sullivan asked was there any impacts to the current issues the County was dealing with regarding FGUA.

County Administrator Cameron replied the subsidy for a guarantee came about because there was a trade off on Eagle Lakes for connection fees in order to acquire the utility; consequently, those connection fees had to be paid by someone. Stated the County split the cost with FGUA with each picking up about half million to cover a million dollar shortfall. Added whether the County was reimbursed or not, it would have to put out funds in order to guarantee it would not be covered by a rate increase.

Commissioner O’Brien asked how many houses were in Willow Woods.

Tim Telfer, Resiliency Resource and Stewardship Manager, reported about two-thirds of the Willow Woods parcels were built out. Noted the estimate was high and every point on the design was buffed up to make sure there was enough funds.

Commissioner O’Brien asked was there any interest from the residents to share the cost.

Commission Hansen replied some had, but there was a group that had spent about $12,000 each to put in a reverse osmosis system so they get good water; those people were not in favor of this.

Commissioner Mullins favored #3, stating there was a lot of flooding and a serious problem.

Faith Alkhatib, County Engineer, explained the approach was the same as for the Marineland Acres project where a master plan was developed then grant funding became available and the project was done in phases.

Commissioner O’Brien favored a high priority for #4.

Commissioners Mullins and Ericksen agreed.

Commissioner Hansen stated would like to add the sewer connections for the Barrier Island, which was number one on the priority last year.

Ms. Albanese stated she spoke with Faith Alkhatib and the discussion was this would be more of a planning item. Clarified they were asking for $2 million, not $8 million, which would cover the design and planning.

Commissioner Mullins favored adding it to list.
November 16, 2020
Workshop

(Item 3 – continued)

There was BCC consensus for the Funding Priority list is as follows:

1. Collaborative Project to Create a Mental Health Drop-In Center in Flagler County
   Requested Funding: $245,000
2. West Flagler County Stormwater Management Planning Project
   Requested Funding: $ 500,000
3. Flagler County Sanitary Sewer Collections System for the Barrier Island North
   Request Funding - $2,000,000
4. Willow Woods Potable Water and Coastline Resiliency Project
   Requested Funding - $1,600,000
5. Plantation Bay Water and Wastewater Utility Subsidy Relief
   Requested Funding - $550,000

Chair Sullivan noted the BCC would vote on the priorities lists at the special meeting following workshop.

ITEM 4 - PUBLIC COMMENTS

Broadband for the Westside

Jocelyn Carroll, Flagler County, spoke in favor of the broadband and on the impacts of not having high-speed internet during the pandemic. Thanked BCC for making it number two on the priority list.

Brian Whaley, Bunnell, introduced his daughters Macy and Lily. Spoke on impacts of not having high-speed internet and how it had impacted his business and the homeschooling of his oldest daughter. Explained the issues they experienced with the satellite service were limited access and high cost.

Lily Whaley, Bunnell, spoke of the impacts it had on her schoolwork and how difficult it was to download anything.

Mark Langello, Flagler County, spoke in favor of high-speed broadband, stating not having it limited how business was conducted.

Pat Ferraro, Flagler County, spoke in favor of broadband. Suggested looking for grants and forming a committee to research it.

Katherine Biancamiello, Flagler County, spoke in favor of broadband.

Nicole Graves, Flagler County, spoke on water mitigation on the Westside of County, stating she was still living with Hurricane Irma damage and the construction company could not make improvements to her property because it was still flooded. Favored having broadband available.
(Item 4 – continued)

MedNex

Greg Blose, Palm Coast Flagler Regional Chamber of Commerce President, asked the BCC to add MedNex to the legislative priority list. Commented there would be future “asks” from this community and in Tallahassee to continue to push this project forward. Favoring having broadband available to all Floridians, because in addition to impacts on schooling, having access to telehealth was important as well. Favoring keeping affordable housing on the priority list.

Chair Sullivan asked Ms. Albanese to address why MedNex was not on the list.

Ms. Albanese explained she contacted the municipalities back in August for the Northeast Florida Regional Council legislative priorities at that time and City of Palm Coast did not come through with anything. Advised, according to Denise Bevan, City Administration Coordinator, the Mayor was working on it, but she never heard anything from the City regarding any legislative priorities. Stated she could add it to the list if that was the wish of the BCC.

County Administrator Cameron commented there was no downside to adding it to the bottom of the list to keep the issue in front of the Legislature.

There was BCC consensus to add MedNex to the priority list.

ADJOURNMENT

The meeting was adjourned by consensus at 4:47 p.m.

APPROVED AND ADOPTED

ATTEST: FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

________________________________  _________________________________
Tom Bexley                      Donald T. O’Brien, Jr.
Clerk of the Circuit Court & Comptroller  Chair
FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 16, 2020

SPECIAL MEETING

Present: Chair David Sullivan, Vice Chair Joe Mullins, Commissioners Charles Ericksen, Gregory Hansen and Donald O’Brien, County Administrator Jerry Cameron, Assistant County Attorney Sean Moylan and Deputy Clerk Deb Jenkins

ITEM 1 – CALL TO ORDER

Chair Sullivan called the Special Meeting to order at approximately 4:48 p.m. in the Board Chambers of the Government Services Building in Bunnell, Florida.

ITEM 2 – PUBLIC COMMENTS

None

ITEM 3 – REQUEST THE BOARD TAKE ACTIONS AS DEEMED NECESSARY REGARDING ISSUES DISCUSSED AT THE WORKSHOP THIS DATE

Holly Albanese, Library Director/Legislative Liaison reviewed the policy priorities list in the ranking order from BCC discussions:

1. Support the Legislature Appropriation funding for the Public Library Construction Grant Program.
2. Supporting Affordable and Reliable Internet throughout Florida
3. Increase the Small County Consolidated Solid Waste Grant Population Cap.
4. Continue Support of the SCRAP and SCOP Grant Programs to Assist Small Counties in Paving Farm to Market Roads.
5. Protect and Increase Funding for the State of Florida Transportation Disadvantaged Program.
6. Restore and Protect Florida’s Housing Trust Funds.
7. Maintain Short Term Vacation Rental Legislation Status Quo.
9. Continue Support of a State University System presence in the City of Palm Coast by the University of North Florida and Mednex

A motion was made by Commissioner Hansen to adopt the ranking of items 1-9 for the policy priorities. Seconded by Commissioner Ericksen.

Chairman Sullivan called the question. Motion carried unanimously.

Ms. Albanese reviewed the funding priorities list in the ranking order from BCC discussions:

1. Collaborative Project to Create a Mental Health Drop-In Center in Flagler County.
2. West Flagler County Stormwater Management Planning Project
3. Flagler County Sanitary Sewer Collections System for the Barrier Island North
4. Willow Woods Potable Water and Coastline Resiliency Project
5. Plantation Bay Water and Wastewater Utility Subsidy Relief
A motion was made by Commissioner Hansen to adopt the ranking of funding priorities as stated. Seconded by Commissioner O’Brien.

Chairman Sullivan called the question. Motion carried unanimously.

ITEM 4 – FLAGLER COUNTY RESOLUTION SUPPORTING AFFORDABLE AND RELIABLE HIGH-SPEED INTERNET THROUGHOUT FLORIDA

SUBJECT: Flagler County Resolution Supporting Affordable and Reliable High-Speed Internet throughout Florida.

DATE OF MEETING: November 16, 2020

OVERVIEW/SUMMARY: The 2020 Florida Legislature moved forward to begin addressing the lack of broadband service in the state by passing legislation calling for a comprehensive, collaborative effort to expand broadband capacity in every community across the State of Florida. The Legislature passed HB 969 creating the Florida Office of Broadband within the Department of Economic Opportunity’s Division of Community Development. HB 969 called for a comprehensive initiative to develop, market, and promote broadband Internet services to Florida. DEO was designated as the lead state agency and given the responsibility to facilitate the expansion of broadband Internet service in the state.

The success of the Office of Broadband will require the highest level of support from Florida’s government officials and the private sector. Strong support from the Office of the Governor, Agency Leadership, Local Governments, Private Providers and other organizations that rely on the use of broadband services. Coordination and Collaboration is needed to underscore the importance of this initiative and to encourage the involvement necessary to address the challenges and accomplish the goal.

Counties are being requested to adopt the broadband resolution supporting the goal of universal access to affordable, reliable, and fast Internet services. Once compiled, the resolutions will be provided to State Officials underscoring support for the Office of Broadband’s efforts to address the requirement of the HB 969 that passed this past Legislative Session.

FUNDING INFORMATION: N/A

DEPARTMENT CONTACT: Holly Albanese, Library Director/Legislative Liaison

RECOMMENDATIONS: Request the Board of County Commissioner’s Adopt the Resolution Supporting Affordable and Reliable High-Speed Internet throughout Florida at the Special Meeting that follows this workshop.

ATTACHMENTS:
1. Resolution Supporting Affordable and Reliable High-Speed Internet
2. Ref – The Florida Broadband Initiative: A Call to Action
(Item 4 – continued)

Ms. Albanese stated this resolution was requested by the Small County Coalition.

A motion was made by Commissioner Hansen to approve the resolution to support Affordable and Reliable High-Speed Internet throughout the State of Florida. Seconded by Commissioner Mullins.

Chairman Sullivan called the question. Motion carried unanimously.

ADJOURNMENT

The meeting was adjourned by consensus at 4:55 p.m.

APPROVED AND ADOPTED

________________________________  _________________________________
ATTEST:  FLAGLER COUNTY BOARD OF
          COUNTY COMMISSIONERS

Tom Bexley  Donald T. O’Brien, Jr.
Clerk of the Circuit Court & Comptroller  Chair
FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

NOVEMBER 17, 2020

SPECIAL MEETING

Present: Chair Donald O’Brien, Vice Chair Joe Mullins, Commissioners Andy Dance Gregory Hansen and David Sullivan, County Administrator Jerry Cameron, County Attorney Al Hadeed and Deputy Clerk Deb Jenkins

Commissioner Sullivan called the meeting to order at approximately 4:00 p.m. in the Board Chambers of the Government Services Building in Bunnell, Florida.

ITEM 1 - PLEDGE TO THE FLAG AND MOMENT OF SILENCE

Chair Sullivan led the Pledge to the Flag and requested a moment of silence.

ITEM 2 – ADMINISTRATION OF THE OATH OF OFFICE

The Honorable Judge Totten administered the Oath of Office to Re-Elected Commissioners David Sullivan, Re-Elected Commissioner Donald T. O’Brien, Jr. and Newly Elected Commissioner Andrew S. Dance.

ITEM 3 – ELECTION OF CHAIR AND VICE CHAIR, CONDUCTED BY COUNTY ATTORNEY

County Attorney Hadeed requested nominations for Chair.

Vice Chair Mullins commented it was normally the process for the Vice Chair to take the position of Chair but would decline at this time due to personal and professional commitments.

Nominated Commissioner O’Brien as Chair.

No other nominations were made.

Chair Sullivan passed the gavel to Chair O’Brien.

Chair O’Brien thanked the BCC and requested nominations for Vice Chair.

Commissioner Sullivan nominated Commissioner Mullins to continue as Vice Chair.

No other nominations were made.

Chair O’Brien asked Pamela Wu to the podium to present recognition to Commissioner Dance as a Leadership Academy participant.
(Item 3 - continued)

Pamela Wu, Dean of Students for the Flagler County Leadership Academy, presented Commissioner Dance with the official Leadership Academy lapel pin and challenge coin.

Commissioner Dance accepted and commended the County Administrator and staff for the program.

Closing Comments

Chair O’Brien asked for comments from the BCC. Thanked Commissioner Sullivan for his leadership as Chair.

Commissioner Sullivan recognized Commissioner Ericksen for his eight years on the BCC. Recognized Evan Peters and others who helped him through the elections. Noted his sister Kathleen McKenna and her husband Chris McKenna were in attendance. Commented he enjoyed being Chair for the last year and look forward to having another good year.

Commissioner Dance stated had the honor to be a School Board member for 12 years and looked forward serving on the BCC. Thanked the Flagler County residents. Recognized his family members and commented he would not be here without their support.

Commissioner Hansen stated had a great year under Commissioner Sullivan’s leadership and the public can count on the BCC to continue to make Flagler County the best it could be. Recognized Mayor Holland was in attendance. And that she had been a great help with several projects.

Commissioner Mullins thanked Commissioner Sullivan for his leadership and friendship and the other BCC members for supporting him through the loss of his brother. Stated 2020 had been a rough year but the BCC had a done a great job to fix a lot of problems. Commented he was excited to see what this BCC could accomplish in the next year.

Chair O’Brien stated was honored and humbled to continue to serve as a county commissioner and thanked Commissioner Sullivan for his service as Chair. Stated he looked forward to serving with Commissioner Dance. Thanked those who helped with his campaign and his family for their support.

Stated the County had a long road ahead to recover from COVID with all of us needing to adjust to the new normal of mask wearing and social distancing. Spoke on his concerns with economic, social and mental health issues the County would face. Stated the County needed to be more proactive than reactive. Favored focusing on growth and building a future leadership team.

Clarified there was a misprint on the agenda; there would not be a reception held afterward this meeting.
ADJOURNMENT

The meeting was adjourned by consensus at 4:30 p.m.

APPROVED AND ADOPTED 

ATTEST: FLAGLER COUNTY BOARD OF
Clerk of the Circuit Court & Comptroller COUNTY COMMISSIONERS

Tom Bexley
Chair

Donald T. O’Brien, Jr.
SUBJECT: Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency – Hurricane Matthew.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: Flagler County has been under a declared state of local emergency due to Hurricane Matthew since October 4, 2016. By law, the Proclamation declaring a state of local emergency may only last for seven days, but may be renewed every seven days as necessary. In the immediate aftermath of Hurricane Matthew, the County utilized its authority under the emergency to address debris removal and the restoration of electrical power. Over time, the County’s response shifted to repairs of the coastline infrastructure and dune system. The County installed a seawall in Painters Hill to prevent the collapse of homes onto the beach. The County also installed an emergency protective berm in much of the unincorporated areas of the County.

In Flagler Beach, the coastline remains in disrepair with severely damaged dunes and much of A1A in need of a long term solution. The County has entered into an agreement with the Army Corps of Engineers to restore dunes in southern Flagler Beach and is coordinating with FDOT to restore dunes in the northern half of Flagler Beach and with FDOT and FDEP to restore dunes from South 28th Street to the Volusia County line. Continuing the state of local emergency will help the County with these efforts and allow the County to take any necessary emergency measures to restore the dunes and protect life and property.

FUNDING INFORMATION: N/A

DEPARTMENT CONTACT: Jonathan Lord, Emergency Management Director (386) 313-4240

RECOMMENDATION: Request the Board ratify the Proclamations Extending the State of Local Emergency for Hurricane Matthew.

ATTACHMENTS:
2. Proclamation Extending State of Local Emergency – Hurricane Matthew, 11/24/2020
3. ProclamationExtending State of Local Emergency – Hurricane Matthew, 12/01/2020
FLAGLER COUNTY, FLORIDA
PROCLAMATION EXTENDING
STATE OF LOCAL EMERGENCY
(Hurricane Matthew)

November 17, 2020

WHEREAS, on October 4, 2016, in preparation for the imminent impact of Hurricane Matthew on Flagler County, the Chair of the Board of County Commissioners of Flagler County, Florida, with the concurrence of the County’s Emergency Management Director, the Sheriff, and the County Administrator, issued a Proclamation declaring a state of local emergency, dated October 4, 2016; and

WHEREAS, Hurricane Matthew passed along the County’s coastline on October 7, 2016, severely damaging the entire dune system of the County, flooding hundreds of homes through dune breaches and destroying public infrastructure and other public and private property along the coastline; and

WHEREAS, Hurricane Matthew exposed the entire beachfront of Flagler County to a critical risk of further damage and had a particularly devastating impact on the right of way of State Road A1A in Flagler Beach, exacerbating the vulnerability of adjoining homes and businesses; and

WHEREAS, on October 11, 2016, and every seventh day thereafter, based on the further recommendation of the County Administrator and the Emergency Management Director, the Chair of the Board of County Commissioners extended the state of local emergency for additional seven day periods in accordance with law; and

WHEREAS, the Board of County Commissioners ratified each of the Proclamations declaring and extending the local state of emergency by unanimous votes at public meetings; and

WHEREAS, while recovery efforts in response to Hurricane Matthew were still underway, Hurricane Irma struck Flagler County on September 11, 2017, further scarring the already badly damaged dune system of the county, flooding hundreds of homes, and nearly collapsing beachfront homes in the Painters Hill area of unincorporated Flagler County; and

WHEREAS, in September 2019, Hurricane Dorian slowly passed Flagler County offshore, churning rough surf and crashing enormous breakers into the beaches and dunes, causing a dune breach, several over washes, and scarring approximately $3.7 million in damage to the dune system of Flagler County; and

WHEREAS, as a result of Hurricane Matthew compounded with subsequent weather events, the County is engaged in a coastal dunes rehabilitation effort at multiple locations along the Flagler County coast, including:
i.) the installation of a seawall in Painters Hill to prevent the collapse of homes onto the beach;

ii.) the construction and vegetating of an emergency protective berm along 12 miles of the dunes in unincorporated Flagler County and in the incorporated communities of Marineland and Beverly Beach;

iii.) the repair of dune crossovers and the installation of specialized mats over the emergency protective berm at certain beach access points for pedestrian and authorized vehicular traffic;

iv.) the issuance of Emergency Orders 2018-02 and 2018-03, prohibiting driving or parking of vehicles on the beaches and dunes and prohibiting the traversing of the dunes and emergency protective berm by pedestrians and equestrian riders except at designated access points; and

WHEREAS, in culmination of these extraordinary efforts, the County is now endeavoring to build the largest and most significant public works project in its history, a multi-agency storm damage reduction project to renourish the dunes immediately adjacent to State Road A1A within the City of Flagler Beach; and

WHEREAS, in order to validate the use of public resources to make emergency dune repairs and to construct beach access points, as well as to guarantee the public’s right to access and utilize the beaches of the County, the Board of County Commissioners passed an ordinance in July 2018 recognizing the customary use of the beaches of the entire county by the public; and

WHEREAS, the need to facilitate procurement for these and other recovery efforts is urgent due to the risk of future hurricanes, and accordingly, the County has adopted an expedited procurement process under its emergency powers; and

WHEREAS, extending the local emergency declaration facilitates the County’s ability to continue to respond to emergency conditions along the beaches and within lands containing public and private property and infrastructure, including the securing of funding sources and entering into agreements with adjacent property owners and municipalities—all with the goal of mitigating future losses.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, Flagler County hereby proclaims that:

1. The state of local emergency declared on October 4, 2016, extended by emergency proclamations every seventh day thereafter and duly ratified by the Board of County Commissioners, is hereby extended for an additional 7 days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.
2. All emergency powers authorized by the Proclamation of October 4, 2016, declaring a state of local emergency, and extended every seventh day thereafter are hereby retained and continued for the duration of this Proclamation.

DONE AND ORDERED in Flagler County, Florida, this 17th day of November 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

David C. Sullivan, Chair

CONCURRENCE:

Jerry Cameron
County Administrator

Jonathan Lord
Emergency Management Director

APPROVED AS TO FORM:

Sean S. Moylan
Assistant County Attorney
FLAGLER COUNTY, FLORIDA
PROCLAMATION EXTENDING
STATE OF LOCAL EMERGENCY
(Hurricane Matthew)

November 24, 2020

WHEREAS, on October 4, 2016, in preparation for the imminent impact of
Hurricane Matthew on Flagler County, the Chair of the Board of County Commissioners
of Flagler County, Florida, with the concurrence of the County’s Emergency
Management Director, the Sheriff, and the County Administrator, issued a Proclamation
declaring a state of local emergency, dated October 4, 2016; and

WHEREAS, Hurricane Matthew passed along the County’s coastline on October
7, 2016, severely damaging the entire dune system of the County, flooding hundreds of
homes through dune breaches and destroying public infrastructure and other public and
private property along the coastline; and

WHEREAS, Hurricane Matthew exposed the entire beachfront of Flagler County
to a critical risk of further damage and had a particularly devastating impact on the right
of way of State Road A1A in Flagler Beach, exacerbating the vulnerability of adjoining
homes and businesses; and

WHEREAS, on October 11, 2016, and every seventh day thereafter, based on
the further recommendation of the County Administrator and the Emergency
Management Director, the Chair of the Board of County Commissioners extended the
state of local emergency for additional seven day periods in accordance with law; and

WHEREAS, the Board of County Commissioners ratified each of the
Proclamations declaring and extending the local state of emergency by unanimous
votes at public meetings; and

WHEREAS, while recovery efforts in response to Hurricane Matthew were still
underway, Hurricane Irma struck Flagler County on September 11, 2017, further
scarring the already badly damaged dune system of the county, flooding hundreds of
homes, and nearly collapsing beachfront homes in the Painters Hill area of
unincorporated Flagler County; and

WHEREAS, in September 2019, Hurricane Dorian slowly passed Flagler County
offshore, churning rough surf and crashing enormous breakers into the beaches and
dunes, causing a dune breach, several over washes, and scarring approximately $3.7
million in damage to the dune system of Flagler County; and

WHEREAS, as a result of Hurricane Matthew compounded with subsequent
weather events, the County is engaged in a coastal dunes rehabilitation effort at
multiple locations along the Flagler County coast, including:
i.) the installation of a seawall in Painters Hill to prevent the collapse of homes onto the beach;

ii.) the construction and vegetating of an emergency protective berm along 12 miles of the dunes in unincorporated Flagler County and in the incorporated communities of Marineland and Beverly Beach;

iii.) the repair of dune crossovers and the installation of specialized mats over the emergency protective berm at certain beach access points for pedestrian and authorized vehicular traffic;

iv.) the issuance of Emergency Orders 2018-02 and 2018-03, prohibiting driving or parking of vehicles on the beaches and dunes and prohibiting the traversing of the dunes and emergency protective berm by pedestrians and equestrian riders except at designated access points; and

WHEREAS, in culmination of these extraordinary efforts, the County is now endeavoring to build the largest and most significant public works project in its history, a multi-agency storm damage reduction project to renourish the dunes immediately adjacent to State Road A1A within the City of Flagler Beach; and

WHEREAS, in order to validate the use of public resources to make emergency dune repairs and to construct beach access points, as well as to guarantee the public's right to access and utilize the beaches of the County, the Board of County Commissioners passed an ordinance in July 2018 recognizing the customary use of the beaches of the entire county by the public; and

WHEREAS, the need to facilitate procurement for these and other recovery efforts is urgent due to the risk of future hurricanes, and accordingly, the County has adopted an expedited procurement process under its emergency powers; and

WHEREAS, extending the local emergency declaration facilitates the County's ability to continue to respond to emergency conditions along the beaches and within lands containing public and private property and infrastructure, including the securing of funding sources and entering into agreements with adjacent property owners and municipalities—all with the goal of mitigating future losses.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, Flagler County hereby proclaims that:

1. The state of local emergency declared on October 4, 2016, extended by emergency proclamations every seventh day thereafter and duly ratified by the Board of County Commissioners, is hereby extended for an additional 7 days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.
2. All emergency powers authorized by the Proclamation of October 4, 2016, declaring a state of local emergency, and extended every seventh day thereafter are hereby retained and continued for the duration of this Proclamation.

DONE AND ORDERED in Flagler County, Florida, this 24th day of November 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

[Signature]
Donald T. O'Brien, Jr., Chair

CONCURRENCE:

[Signature]
Jerry Cameron
County Administrator

[Signature]
Jonathan Lord
Emergency Management Director

APPROVED AS TO FORM:

[Signature]
Sean S. Moylan
Assistant County Attorney
FLAGLER COUNTY, FLORIDA
PROCLAMATION EXTENDING
STATE OF LOCAL EMERGENCY
(Hurricane Matthew)

December 1, 2020

WHEREAS, on October 4, 2016, in preparation for the imminent impact of Hurricane Matthew on Flagler County, the Chair of the Board of County Commissioners of Flagler County, Florida, with the concurrence of the County’s Emergency Management Director, the Sheriff, and the County Administrator, issued a Proclamation declaring a state of local emergency, dated October 4, 2016; and

WHEREAS, Hurricane Matthew passed along the County’s coastline on October 7, 2016, severely damaging the entire dune system of the County, flooding hundreds of homes through dune breaches and destroying public infrastructure and other public and private property along the coastline; and

WHEREAS, Hurricane Matthew exposed the entire beachfront of Flagler County to a critical risk of further damage and had a particularly devastating impact on the right of way of State Road A1A in Flagler Beach, exacerbating the vulnerability of adjoining homes and businesses; and

WHEREAS, on October 11, 2016, and every seventh day thereafter, based on the further recommendation of the County Administrator and the Emergency Management Director, the Chair of the Board of County Commissioners extended the state of local emergency for additional seven day periods in accordance with law; and

WHEREAS, the Board of County Commissioners ratified each of the Proclamations declaring and extending the local state of emergency by unanimous votes at public meetings; and

WHEREAS, while recovery efforts in response to Hurricane Matthew were still underway, Hurricane Irma struck Flagler County on September 11, 2017, further scarring the already badly damaged dune system of the county, flooding hundreds of homes, and nearly collapsing beachfront homes in the Painters Hill area of unincorporated Flagler County; and

WHEREAS, in September 2019, Hurricane Dorian slowly passed Flagler County offshore, churning rough surf and crashing enormous breakers into the beaches and dunes, causing a dune breach, several over washes, and scarring approximately $3.7 million in damage to the dune system of Flagler County; and

WHEREAS, as a result of Hurricane Matthew compounded with subsequent weather events, the County is engaged in a coastal dunes rehabilitation effort at multiple locations along the Flagler County coast, including:
i.) the installation of a seawall in Painters Hill to prevent the collapse of homes onto the beach;

ii.) the construction and vegetating of an emergency protective berm along 12 miles of the dunes in unincorporated Flagler County and in the incorporated communities of Marineland and Beverly Beach;

iii.) the repair of dune crossovers and the installation of specialized mats over the emergency protective berm at certain beach access points for pedestrian and authorized vehicular traffic;

iv.) the issuance of Emergency Orders 2018-02 and 2018-03, prohibiting driving or parking of vehicles on the beaches and dunes and prohibiting the traversing of the dunes and emergency protective berm by pedestrians and equestrian riders except at designated access points; and

WHEREAS, in culmination of these extraordinary efforts, the County is now endeavoring to build the largest and most significant public works project in its history, a multi-agency storm damage reduction project to renourish the dunes immediately adjacent to State Road A1A within the City of Flagler Beach; and

WHEREAS, in order to validate the use of public resources to make emergency dune repairs and to construct beach access points, as well as to guarantee the public’s right to access and utilize the beaches of the County, the Board of County Commissioners passed an ordinance in July 2018 recognizing the customary use of the beaches of the entire county by the public; and

WHEREAS, the need to facilitate procurement for these and other recovery efforts is urgent due to the risk of future hurricanes, and accordingly, the County has adopted an expedited procurement process under its emergency powers; and

WHEREAS, extending the local emergency declaration facilitates the County’s ability to continue to respond to emergency conditions along the beaches and within lands containing public and private property and infrastructure, including the securing of funding sources and entering into agreements with adjacent property owners and municipalities—all with the goal of mitigating future losses.

NOW THEREFORE, in accordance with the emergency power vested in the County pursuant to Chapter 252, Florida Statutes, and Section 12-34 of the Flagler County Code of Ordinances, Flagler County hereby proclaims that:

1. The state of local emergency declared on October 4, 2016, extended by emergency proclamations every seventh day thereafter and duly ratified by the Board of County Commissioners, is hereby extended for an additional 7 days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.
2. All emergency powers authorized by the Proclamation of October 4, 2016, declaring a state of local emergency, and extended every seventh day thereafter are hereby retained and continued for the duration of this Proclamation.

DONE AND ORDERED in Flagler County, Florida, this 1st day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

[Signature]

Donald T. O'Brien, Jr., Chair

CONCURRENCE:

[Signature]

Jerry Cameron
County Administrator

[Signature]

Jonathan Lord
Emergency Management Director

APPROVED AS TO FORM:

[Signature]

Sean S. Moylan
Assistant County Attorney

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: On March 16, 2020, the Chair issued a Proclamation declaring a state of local emergency in anticipation of the impact of COVID-19. By law, the Proclamation may only last for seven days but may be renewed in seven-day increments as needed. Accordingly, as the emergency conditions persist, the Chair successively extends the State of Local Emergency by Proclamation every seven days and the Board ratifies the extensions at the next regularly schedule Commission Meeting.

During a declared state of local emergency, the County Administrator and the Emergency Management Director have the authority to issue emergency orders to address the emergency in real time. Under County Code Section 12-34, such actions must be reported to the Commission as soon as practical under the circumstances. To date, the Board has ratified seven orders pertaining to the Covid-19 emergency, ranging from the closing of beaches and parks to quarantining of visitors from hot spots and also providing for electronic signatures and virtual meetings. Today’s agenda item ratifies the most recent seven-day extensions of the state of local emergency, as required by law, to allow the County to respond to the emergency as it evolves.

FUNDING INFORMATION: N/A

DEPARTMENT CONTACT: Jonathan Lord, Emergency Management Director (386) 313-4240

RECOMMENDATION: Request the Board ratify the Proclamations Extending the State of Local Emergency for COVID-19.

ATTACHMENTS:
FLAGLER COUNTY, FLORIDA
PROCLAMATION EXTENDING
STATE OF LOCAL EMERGENCY
(COVID-19)

Effective November 23, 2020

WHEREAS, on March 16, 2020, the Chair of the Flagler County Board of
County Commissioners declared a state of local emergency pursuant to Chapter 12,
Flagler County Code, and Section 252.38(3), Florida Statutes, in response to the
public health emergency posed by the COVID-19 pandemic; and

WHEREAS, since that time the Chair has successively extended the state of
local emergency by proclamation, all of which have been ratified by the Flagler County
Board of County Commissioners; and

WHEREAS, during this time frame of successive emergency declarations, the
Governor has issued a series of executive orders which limit the interaction of Flagler
County residents and visitors and restrict the ability to engage in commerce in order
to curtail the spread of the coronavirus through aggressive social distancing, self-
isolation and stay at home guidance; and

WHEREAS, the municipalities and state agencies within Flagler County have
also taken protective measures to mitigate the spread of the virus by limiting the in-
person interaction and congregating of persons in what would otherwise be daily
routines; and

WHEREAS, there continues to be signs of community spread of COVID-19
within the County, which is expected to continue at least until a vaccine is readily
available; and

WHEREAS, extending the state of local emergency enables the County to
mobilize resources and take the action necessary to address issues related to the
pandemic as they arise in real time.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The state of local emergency declared on March 16, 2020, and renewed
   successively since, is hereby renewed and extended for an additional seven
days from the effective date of this Proclamation, unless terminated or
modified earlier or extended in accordance with law.

2. All emergency powers authorized by the Proclamation of March 16, 2020,
declaring a state of local emergency, are hereby retained and continued for
the duration of this Proclamation and are hereby incorporated by reference.
DONE AND ORDERED in Flagler County, Florida, this 23rd day of November 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

[Signature]
Donald T. O'Brien, Jr., Chair

CONCURRENCE:

[Signature]
J. Cameron
County Administrator

APPROVED AS TO FORM:

[Signature]
Jonathan Lord,
Emergency Management Director

[Signature]
Sean S. Moylan,
Assistant County Attorney
FLAGLER COUNTY, FLORIDA
PROCLAMATION EXTENDING
STATE OF LOCAL EMERGENCY
(COVID-19)

Effective November 30, 2020

WHEREAS, on March 16, 2020, the Chair of the Flagler County Board of County Commissioners declared a state of local emergency pursuant to Chapter 12, Flagler County Code, and Section 252.38(3), Florida Statutes, in response to the public health emergency posed by the COVID-19 pandemic; and

WHEREAS, since that time the Chair has successively extended the state of local emergency by proclamation, all of which have been ratified by the Flagler County Board of County Commissioners; and

WHEREAS, during this time frame of successive emergency declarations, the Governor has issued a series of executive orders which limit the interaction of Flagler County residents and visitors and restrict the ability to engage in commerce in order to curtail the spread of the coronavirus through aggressive social distancing, self-isolation and stay at home guidance; and

WHEREAS, the municipalities and state agencies within Flagler County have also taken protective measures to mitigate the spread of the virus by limiting the in-person interaction and congregating of persons in what would otherwise be daily routines; and

WHEREAS, there continues to be signs of community spread of COVID-19 within the County, which is expected to continue at least until a vaccine is readily available; and

WHEREAS, extending the state of local emergency enables the County to mobilize resources and take the action necessary to address issues related to the pandemic as they arise in real time.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The state of local emergency declared on March 16, 2020, and renewed successively since, is hereby renewed and extended for an additional seven days from the effective date of this Proclamation, unless terminated or modified earlier or extended in accordance with law.

2. All emergency powers authorized by the Proclamation of March 16, 2020, declaring a state of local emergency, are hereby retained and continued for the duration of this Proclamation and are hereby incorporated by reference.
DONE AND ORDERED in Flagler County, Florida, this 30th day of November 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

[Signature]
Donald T. O'Brien, Jr., Chair

CONCURRENCE:

[Signature]
Jerry Cameron
County Administrator

APPROVED AS TO FORM:

[Signature]
Jonathan Lord,
Emergency Management Director

[Signature]
Sean S. Moylan,
Assistant County Attorney
SUBJECT: Planning and Development Board Appointment.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Commission has received a reappointment request from Mr. Anthony Lombardo. Mr. Lombardo is a Flagler County resident, and staff has verified he is a registered voter. Mr. Lombardo has served on the Planning and Development Board since December 2017.

Function:

- Review and act upon applications for development pursuant to the county Land Development Code and other applicable ordinances;
- Monitor and oversee the operation, effectiveness and status of the county Land Development Code and recommend amendments to the County Commission that are consistent with the Comprehensive Plan;
- Obtain and maintain information on population, property values, the land economy, land use and other information necessary to assess the amount, direction and type of development to be expected in the county;
- Advise on the land use policies of the county through their regular meetings and ad hoc scheduled workshops;
- Conduct public hearings to gather information necessary for the drafting, establishment, amendment, and maintenance of various elements of the county Comprehensive Plan and Land Development Code; and
- Review redevelopment plans prepared under Chapter 163, Part III, Florida Statutes.

Membership: Consists of 7 members residing in specific geographic areas of the County.

Terms: 3- year terms

Meeting Info: 2nd Tuesday of the month @ 6:00 p.m., GSB, Board Chambers

Staff Liaison: Adam Mengel, Planning Director (386) 313-4065

Vacancies are advertised on the County’s website, www.FlaglerCounty.org.

If any further applications are received, they will be presented to the Board prior to the meeting.

FUNDING INFORMATION: N/A

DEPARTMENT CONTACT: Luci Dance, Executive Administrative Assistant (386) 313-4093

RECOMMENDATION: Request the Board to consider the reappointment of Mr. Anthony Lombardo to the Planning and Development Board for a three-year term.

ATTACHMENTS:
1. Reappointment Request – Anthony Lombardo
Electronically Sent  
October 21, 2020

Mr. Anthony Lombardo  
5 Winslow Place  
Palm Coast, FL 32164

Dear Mr. Lombardo:

Thank you for serving as a member of the Flagler County Planning & Development Board. Your time and effort is greatly appreciated. You may be aware that your appointment as a member of this Board expires December 4, 2020.

Please indicate your desire for the Board of County Commissioners to consider your reappointment. Your response as well as any other applications received from the public will be presented to the Board of County Commissioners at an upcoming meeting.

☐ Please consider my reappointment  
☐ I do not wish to be reappointed

Signature: 

If you will be seeking reappointment please sign and return this letter no later than November 16, 2020 for processing. You are welcome to include a letter to the Commission, a resume, or any other relative information.

Thank you for your attention to this matter and for your continued membership on the Flagler County Planning & Development.

If you have any questions please do not hesitate to contact us (386) 313-4001 or AdvisoryBoard@FlaglerCounty.org.

Kind Regards,

Luci Dance

Luci Dance  
Executive Administrative Assistant

C: Adam Mengel, Planning Director
SUBJECT: Request the Board Declare Items as Surplus, Removal from the County Fixed Assets and Authorize Purchasing to Dispose of Surplus Property Pursuant to the Fixed Asset Policy.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: Pursuant to the provisions of Chapter 274, Florida Statutes, the Board of County Commissioners must declare items as surplus and authorize the disposal of all tangible personal property, owned by the governmental unit, of a non-consumable nature. The last request to declare items as surplus and authorize disposal of items was approved by the Board on March 16, 2020. The attached document lists all items that staff requests to be declared surplus and/or removed from the County’s fixed asset inventory.

Included in this list are the assets from Plantation Bay Utilities that will be disposed of via transfer to Florida Government Utility Authority (FGUA), along with the River to Sea Pavilion, which was destroyed during Hurricane Irma.

FUNDING: Proceeds generated by the sale of surplus property will be deposited into the fund from which the original purchase was funded.

DEPARTMENT CONTACT: Purchasing, Holly Durrance, (386) 313-4063

RECOMMENDATIONS: Request the Board declare items as surplus, removal from the County’s fixed asset inventory and authorize Purchasing to dispose of surplus property pursuant to the Fixed Asset policy.

ATTACHMENTS:
1. Surplus List
2. FGUA Disposal-Transfer List
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<th>CLERK #</th>
<th>FCID #</th>
<th>ACQ DATE</th>
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<th>DESCRIPTION / DETAIL</th>
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- **21-021**: Met Life Expectancy
- **21-022**: Obsolete
- **21-023**: Destroyed by Hurricane Irma
- **21-024**: Destroyed by Hurricane Irma
- **21-025**: Destroyed by Hurricane Irma
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SUBJECT: Consideration of Fiscal Year 2020-21 Budget Transfer for Debt Service Funds 211, 219 and 212.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: Transfer of funds from Reserves to appropriate funding for the PFM Arbitrage reports for Flagler County debt issues listed below. The Balance of Reserves after Budget Transfer #21-110 for Fund 211 will be $943,324. The Balance of Reserves after Budget Transfer #21-111 for Fund 219 will be $1,127,122. The Balance of Reserves after Budget Transfer #21-112 for Fund 212 will be $2,566,329.

<table>
<thead>
<tr>
<th>BTR # 21-</th>
<th>Fund &amp; Dept:</th>
<th>Amount</th>
<th>Description</th>
<th>Contact</th>
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<td>Transfer from Reserves for the Arbitrage reports for debt service 212</td>
<td>Lacy Martin</td>
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</table>

DEPARTMENT CONTACT: Lacy Martin, Budget Analyst 386-313-4096

RECOMMENDATION: Request the Board to approve budget transfers #21-110, #21-111 and #21-112 in the amount of $11,750.00 for the Arbitrage report invoice.

ATTACHMENTS:
1. Budget Transfer #21-110
2. Budget Transfer #21-111
3. Budget Transfer #21-112
4. PFM Invoice RE Arbitrage
**EXPLANATION:** Transfer funds from reserves to operating to cover PFM Arbitrage Report invoice.

<table>
<thead>
<tr>
<th>LINE NO.</th>
<th>FUND NO.</th>
<th>DEPT. NO.</th>
<th>SUB. NO.</th>
<th>ACCT NO.</th>
<th>PROJ NO.</th>
<th>AMOUNT FROM (DR.)</th>
<th>AMOUNT TO (CR.)</th>
<th>BUDGET WAS</th>
<th>BUDGET WILL BE</th>
<th>ACCOUNT/CENTER DESCRIPTION PROJECT # DESCRIPTION</th>
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Financial Service Director's APPROVAL _______________ DISAPPROVAL _______________ DATE: __________

Administrator's APPROVAL _______________ DISAPPROVAL _______________ DATE: __________

Board Action at Meeting: APPROVAL _______________ DISAPPROVAL _______________ DATE: __________

POSTED BY: _______________ DATE POSTED: _______________ cc: _______________
### Transfer Request Form

**Fund:** ESL Debt Service Fund  
**Department / Division:** Reserves - Reserves  
**Explanation:** Transfer funds from reserves to operating to cover PFM Arbitrage Report invoice.

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<thead>
<tr>
<th>LINE NO.</th>
<th>FUND NO.</th>
<th>DEPT. NO.</th>
<th>SUB. NO.</th>
<th>ACCT NO.</th>
<th>PROJ NO.</th>
<th>AMOUNT FROM (DR.)</th>
<th>AMOUNT TO (CR.)</th>
<th>BUDGET WAS</th>
<th>BUDGET WILL BE</th>
<th>PROJECT # DESCRIPTION</th>
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<td><strong>$1,132,872.00</strong></td>
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Financial Service Director's APPROVAL: ____________________________  
Administrator's APPROVAL: ____________________________  
Board Action at Meeting: APPROVAL: ____________________________  
POSTED BY: ____________________________  
DATE POSTED: ____________________________  
cc: ____________________________
Transfer funds from reserves to operating to cover PFM Arbitrage Report invoice.

<table>
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<tr>
<th>LINE NO.</th>
<th>FUND NO.</th>
<th>DEPT. NO.</th>
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<th>ACCT NO.</th>
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<th>AMOUNT TO (CR.)</th>
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TOTAL: $3,500.00 $3,500.00 $2,572,329.00 $2,572,329.00

Financial Service Director's APPROVAL: E. John Brower

Administrator's APPROVAL: DISAPPROVAL: DATE: ________

Board Action at Meeting: APPROVAL: DISAPPROVAL: DATE: ________

POSTED BY: _______________ DATE POSTED: _______________ cc: _______________
November 5, 2020

Mr. E. John Brower, MBA, CGFO, CPM
Financial Services Director
Flagler County Board of County Commissioners
1769 East Moody Boulevard, Building 2
Bunnell, FL 32110

Dear Mr. Brower:

I have enclosed the arbitrage rebate analyses for the bonds listed below. The results of our computations are as follows:

<table>
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<th>Bond Issue</th>
<th>Cumulative Rebate Liability</th>
<th>Yield Restriction Liability</th>
<th>Next Computation Date</th>
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<td>2009 Limited Tax General Obligation Bonds</td>
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<td>2010 Limited Tax General Obligation Bonds</td>
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<td>$0.00</td>
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<tr>
<td>2015 Capital Improvement and Refunding Revenue Bonds</td>
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<td>$0.00</td>
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If you have any questions or comments about these analyses, please contact me at (717) 232-2723. On behalf of PFM Asset Management LLC, we look forward to continuing to work with you.

Sincerely,

[Signature]

Michael Steinbrook
Director

Enclosure:  Arbitrage Rebate Analyses Invoice
INVOICE

Bill To:
Mr. E. John Brower, MBA, CGFO, CPM
Financial Services Director
Flagler County Board of County Commissioners
1769 East Moody Boulevard, Building 2
Bunnell, FL 32110

For services rendered in connection with the preparation of the Arbitrage Reports for the issues listed below.

<table>
<thead>
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<th>Description</th>
<th>Amount</th>
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<tr>
<td>2009 Limited Tax General Obligation Bonds</td>
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<td>2010 Limited Tax General Obligation Bonds</td>
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<tr>
<td>2015 Capital Improvement and Refunding Revenue Bonds</td>
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Project # 05.00455.002

Total Due: **$11,750.00**

THANK YOU FOR YOUR BUSINESS
TERM NET 30 DAYS

<table>
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<tr>
<th>PFM Wire Instructions (Preferred Payment Method):</th>
<th>PFM Remittance Address:</th>
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<td>M&amp;T Bank</td>
<td>PFM Asset Management</td>
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<tr>
<td>ABA#: 022000046 (for Wires)</td>
<td>PO Box 62923</td>
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<tr>
<td>ABA#: 031302955 (for ACH)</td>
<td>Baltimore, MD 21264-2923</td>
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<tr>
<td>ACC NAME: PFM Asset Management LLC</td>
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<td>ACC#: 9863040128</td>
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<td>REF: 112330</td>
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SUBJECT: Bid Award Pursuant to Invitation to Bid (ITB) 21-002B, Hardening of Fire Station 62 to Florida Retrofits, Inc. in the Amount of $56,673.60

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: An Invitation to Bid (ITB) was advertised in the Daytona News Journal as well as publicly broadcast on www.myvendorlink.com for the hardening and retrofit of Fire Station #62. ITB 21-002B requested bids from qualified contractors to perform and furnish all labor, materials, equipment and supervision, to include gable reinforcement, installation of hurricane straps, hurricane shutters and an impact rated bay door to ensure protection against 140 mph wind speed and impacts.

Flagler County’s application to the Hazardous Mitigation Grant Program (HMGP) identified the hardening of this particular fire station as a viable project. This project was subsequently funded through this grant program as project #4337-46R, which was approved by approved by the County Administrator or March 13, 2019.

On November 18, 2020 the County received three (3) responses as detailed on the attached tabulation sheet. Staff reviewed the bid for conformity to specifications as well as to the terms and conditions outlined in the bid documents. Staff recommends the award to Florida Retrofits, Inc. who submitted the only responsive bid.

FUNDING INFORMATION: HMGP grants require a 25% local match. Funding in the amount of $93,475 was appropriated during the 1st Public Hearing to Amend the FY 2020-21 Budget in account number 001-8644-522.64-10.

DEPARTMENT CONTACT: Purchasing, Holly Durrance (386) 313-4063
General Services, Mike Dickson (386) 313-4191

RECOMMENDATIONS: Consideration of Invitation to Bid (ITB) award for 21-002B, Hardening of Fire Station 62 to Florida Retrofits, Inc. in the Amount of $56,673.60 and authorize the County Administrator to execute a contract and any other documents necessary to implement the project as approved to form by the County Attorney.

ATTACHMENTS:
1. Bid Tabulation
2. Grant Agreement
## BID TABULATION
### Hardening of Fire Station 62

<table>
<thead>
<tr>
<th>Item Description</th>
<th>AMCOM Development Group, LLC</th>
<th>Boulevard Contractors Corp.</th>
<th>Florida Retrofits, Inc.</th>
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<tr>
<td>A  Gable Bracing “C” Bracing</td>
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<td>$2,355.00</td>
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<td>B  Hurricane Straps</td>
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<td>C  Storm Panel Shutters</td>
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<td>D  Impact Rated Roll Down Bay Door</td>
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<td><strong>Total</strong></td>
<td>$88,000.00</td>
<td>$248,137.00</td>
<td>$56,673.60</td>
</tr>
</tbody>
</table>

Opened and Tabulated By: Shannon Nolan, Procurement Analyst
FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT

2 C.F.R. §200.92 states that a "subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract."

As defined by 2 C.F.R. §200.74, “pass-through entity” means “a non-Federal entity that provides a subaward to a Sub-Recipient to carry out part of a Federal program.”

As defined by 2 C.F.R. §200.93, "Sub-Recipient" means "a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program."

As defined by 2 C.F.R. §200.38, "Federal award" means "Federal financial assistance that a non-Federal entity receives directly from a Federal awarding agency or indirectly from a pass-through entity."

As defined by 2 C.F.R. §200.92, "subaward" means "an award provided by a pass-through entity to a Sub-Recipient for the Sub-Recipient to carry out part of a Federal award received by the pass-through entity."

The following information is provided pursuant to 2 C.F.R. §200.331(a)(1):

Sub-Recipient's name: Flagler County
Sub-Recipient's unique entity identifier: 59-6000605
Federal Award Identification Number (FAIN): FEMA-DR-4337-FL
Federal Award Date: January 29, 2019
Subaward Period of Performance Start and End Date: Upon Execution thru January 31, 2021
Amount of Federal Funds Obligated by this Agreement: $70,106.25
Total Amount of Federal Funds Obligated to the Sub-Recipient by the pass-through entity to include this Agreement: $70,106.25
Total Amount of the Federal Award committed to the Sub-Recipient by the pass-through entity: $70,106.25
Federal award project description (see FFATA): Flagler County – Hardening & Generator Project
Name of Federal awarding agency: Federal Emergency Management Agency
Name of pass-through entity: FL Division of Emergency Management
Contact information for the pass-through entity: Renee.singh@em.myflorida.com
Catalog of Federal Domestic Assistance (CFDA) Number and Name: 97.039 Hazard Mitigation Grant Program
Whether the award is R&D: N/A
Indirect cost rate for the Federal award: N/A
THIS AGREEMENT is entered into by the State of Florida, Division of Emergency Management, with headquarters in Tallahassee, Florida (hereinafter referred to as the "Division"), and Flagler County, (hereinafter referred to as the "Sub-Recipient").

For the purposes of this Agreement, the Division serves as the pass-through entity for a Federal award, and the Sub-Recipient serves as the recipient of a subaward.

THIS AGREEMENT IS ENTERED INTO BASED ON THE FOLLOWING REPRESENTATIONS:

A. The Sub-Recipient represents that it is fully qualified and eligible to receive these grant funds to provide the services identified herein;
B. The State of Florida received these grant funds from the Federal government, and the Division has the authority to subgrant these funds to the Sub-Recipient upon the terms and conditions outlined below; and,
C. The Division has statutory authority to disburse the funds under this Agreement.

THEREFORE, the Division and the Sub-Recipient agree to the following:

(1) APPLICATION OF STATE LAW TO THIS AGREEMENT
2 C.F.R. §200.302 provides: "Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds." Therefore, section 215.971, Florida Statutes, entitled "Agreements funded with federal or state assistance", applies to this Agreement.

(2) LAWS, RULES, REGULATIONS AND POLICIES
a. The Sub-Recipient's performance under this Agreement is subject to 2 C.F.R. Part 200, entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards."

b. As required by Section 215.971(1), Florida Statutes, this Agreement includes:
   i. A provision specifying a scope of work that clearly establishes the tasks that the Sub-Recipient is required to perform.
   ii. A provision dividing the agreement into quantifiable units of deliverables that must be received and accepted in writing by the Division before payment. Each deliverable must be directly related to the scope of work and specify the required minimum level of service to be performed and the criteria for evaluating the successful completion of each deliverable.
   iii. A provision specifying the financial consequences that apply if the Sub-Recipient fails to perform the minimum level of service required by the agreement.
   iv. A provision specifying that the Sub-Recipient may expend funds only for allowable costs resulting from obligations incurred during the specified agreement period.
   v. A provision specifying that any balance of unobligated funds which has been advanced or paid must be refunded to the Division.
vi. A provision specifying that any funds paid in excess of the amount to which the Sub-Recipient is entitled under the terms and conditions of the agreement must be refunded to the Division.

c. In addition to the foregoing, the Sub-Recipient and the Division shall be governed by all applicable State and Federal laws, rules and regulations, including those identified in Attachment B. Any express reference in this Agreement to a particular statute, rule, or regulation in no way implies that no other statute, rule, or regulation applies.

(3) CONTACT

a. In accordance with section 215.971(2), Florida Statutes, the Division’s Grant Manager shall be responsible for enforcing performance of this Agreement’s terms and conditions and shall serve as the Division’s liaison with the Sub-Recipient. As part of his/her duties, the Grant Manager for the Division shall:

i. Monitor and document Sub-Recipient performance; and,

ii. Review and document all deliverables for which the Sub-Recipient requests payment.

b. The Division’s Grant Manager for this Agreement is:

Renee Singh, Project Manager
Division of Emergency Management
Bureau of Mitigation
2702 Directors Row
Orlando, Florida 32809-5631
Telephone: (850) 815-4578
Email: Renee.singh@em.myflorida.com

c. The name and address of the Representative of the Sub-Recipient responsible for the administration of this Agreement is:

Heidi Petito, Director of General Services
Flagler County
1769 E. Moody Blvd., Building #5
Bunnell, Florida 32110
Telephone: (386) 313-4185
Email: hpetito@flaglercounty.org

d. In the event that different representatives or addresses are designated by either party after execution of this Agreement, notice of the name, title and address of the new representative will be provided to the other party.
(4) TERMS AND CONDITIONS
This Agreement contains all the terms and conditions agreed upon by the parties.

(5) EXECUTION
This Agreement may be executed in any number of counterparts, any one of which may be taken as an original.

(6) MODIFICATION
Either party may request modification of the provisions of this Agreement. Changes which are agreed upon shall be valid only when in writing, signed by each of the parties, and attached to the original of this Agreement.

(7) SCOPE OF WORK
The Sub-Recipient shall perform the work in accordance with the Budget and Scope of Work, Attachment A of this Agreement.

(8) PERIOD OF AGREEMENT
This Agreement shall begin upon execution by both parties and shall end on **January 31, 2021**, unless terminated earlier in accordance with the provisions of Paragraph (17) of this Agreement. Consistent with the definition of “period of performance” contained in 2 C.F.R. §200.77, the term “period of agreement” refers to the time during which the Sub-Recipient “may incur new obligations to carry out the work authorized under” this Agreement. In accordance with 2 C.F.R. §200.309, the Sub-Recipient may receive reimbursement under this Agreement only for “allowable costs incurred during the period of performance.” In accordance with section 215.971(1)(d), Florida Statutes, the Sub-Recipient may expend funds authorized by this Agreement “only for allowable costs resulting from obligations incurred during” the period of agreement.

(9) FUNDING
a. This is a cost-reimbursement Agreement, subject to the availability of funds.

b. The State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature, and subject to any modification in accordance with either Chapter 216, Florida Statutes, or the Florida Constitution.

c. The Division will reimburse the Sub-Recipient only for allowable costs incurred by the Sub-Recipient in the successful completion of each deliverable. The maximum reimbursement amount for each deliverable is outlined in Attachment A of this Agreement (“Budget and Scope of Work”). The maximum reimbursement amount for the entirety of this Agreement is **$70,106.25**.

d. As required by 2 C.F.R. §200.415(a), any request for payment under this Agreement must include a certification, signed by an official who is authorized to legally bind the Sub-Recipient, which reads as follows: “By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any
false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812)."

e. The Division will review any request for reimbursement by comparing the documentation provided by the Sub-Recipient against a performance measure, outlined in Attachment A, that clearly delineates:

   i. The required minimum acceptable level of service to be performed; and,

   ii. The criteria for evaluating the successful completion of each deliverable.

f. The performance measure required by section 215.971(1)(b), Florida Statutes, remains consistent with the requirement for a "performance goal", which is defined in 2 C.F.R. §200.76 as "a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared." It also remains consistent with the requirement, contained in 2 C.F.R. §200.301, that the Division and the Sub-Recipient "relate financial data to performance accomplishments of the Federal award."

g. If authorized by the Federal Awarding Agency, then the Division will reimburse the Sub-Recipient for overtime expenses in accordance with 2 C.F.R. §200.430 ("Compensation—personal services") and 2 C.F.R. §200.431 ("Compensation—fringe benefits"). If the Sub-Recipient seeks reimbursement for overtime expenses for periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause (see 29 U.S.C. §207(e)(2)), then the Division will treat the expense as a fringe benefit. 2 C.F.R. §200.431(a) defines fringe benefits as "allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages." Fringe benefits are allowable under this Agreement as long as the benefits are reasonable and are required by law, Sub-Recipient-employee agreement, or an established policy of the Sub-Recipient. 2 C.F.R. §200.431(b) provides that the cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, family-related leave, sick leave, holidays, court leave, military leave, administrative leave, and other similar benefits, are allowable if all of the following criteria are met:

   i. They are provided under established written leave policies;

   ii. The costs are equitably allocated to all related activities, including Federal awards; and,

   iii. The accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

h. If authorized by the Federal Awarding Agency, then the Division will reimburse the Sub-Recipient for travel expenses in accordance with 2 C.F.R. §200.474. As required by the Reference Guide for State Expenditures, reimbursement for travel must be in accordance with section 112.061, Florida Statutes, which includes submission of the claim on the approved state travel voucher. If the Sub-Recipient seeks reimbursement for travel costs that exceed the amounts stated in section 112.061(6)(b),
Florida Statutes ($6 for breakfast, $11 for lunch, and $19 for dinner), then the Sub-Recipient must provide documentation that:

i. The costs are reasonable and do not exceed charges normally allowed by the Sub-Recipient in its regular operations as a result of the Sub-Recipient's written travel policy; and,

ii. Participation of the individual in the travel is necessary to the Federal award.

i. The Division's grant manager, as required by section 215.971(2)(c), Florida Statutes, shall reconcile and verify all funds received against all funds expended during the grant agreement period and produce a final reconciliation report. The final report must identify any funds paid in excess of the expenditures incurred by the Sub-Recipient.

j. As defined by 2 C.F.R. §200.53, the term "improper payment" means or includes:

i. Any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements; and,

ii. Any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

(10) RECORDS

a. As required by 2 C.F.R. §200.338, the Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the Division, or any of their authorized representatives, shall enjoy the right of access to any documents, papers, or other records of the Sub-Recipient which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right of access also includes timely and reasonable access to the Sub-Recipient's personnel for the purpose of interview and discussion related to such documents. Finally, the right of access is not limited to the required retention period but lasts as long as the records are retained.

b. As required by 2 C.F.R. §200.331(a)(5), the Division, the Chief Inspector General of the State of Florida, the Florida Auditor General, or any of their authorized representatives, shall enjoy the right of access to any documents, financial statements, papers, or other records of the Sub-Recipient which are pertinent to this Agreement, in order to make audits, examinations, excerpts, and transcripts. The right of access also includes timely and reasonable access to the Sub-Recipient’s personnel for the purpose of interview and discussion related to such documents.

c. As required by Florida Department of State's record retention requirements (Chapter 119, Florida Statutes) and by 2 C.F.R. §200.333, the Sub-Recipient shall retain sufficient records to show its compliance with the terms of this Agreement, as well as the compliance of all subcontractors or consultants paid from funds under this Agreement, for a period of five (5) fiscal years from the date of
completion of grant cycle or project. The following are the only exceptions to the five (5) year requirement:

i. If any litigation, claim, or audit is started before the expiration of the 5-year period, then the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.

ii. When the Division or the Sub-Recipient is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.

iii. Records for real property and equipment acquired with Federal funds must be retained for 5 years after final disposition.

iv. When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 5-year retention requirement is not applicable to the Sub-Recipient.

v. Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

vi. Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

d. In accordance with 2 C.F.R. §200.334, the Federal awarding agency must request transfer of certain records to its custody from the Division or the Sub-Recipient when it determines that the records possess long-term retention value.

e. In accordance with 2 C.F.R. §200.335, the Division must always provide or accept paper versions of Agreement information to and from the Sub-Recipient upon request. If paper copies are submitted, then the Division must not require more than an original and two copies. When original records are electronic and cannot be altered, there is no need to create and retain paper copies. When original records are paper, electronic versions may be substituted through the use of duplication or other forms of electronic media provided that they are subject to periodic quality control reviews, provide reasonable safeguards against alteration, and remain readable.

f. As required by 2 C.F.R. §200.303, the Sub-Recipient shall take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or the Division designates as sensitive or the Sub-Recipient considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

g. Florida's Government in the Sunshine Law (Section 286.011, Florida Statutes) provides the citizens of Florida with a right of access to governmental proceedings and mandates three,
basic requirements: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and, (3) minutes of the meetings must be taken and promptly recorded. The mere receipt of public funds by a private entity, standing alone, is insufficient to bring that entity within the ambit of the open government requirements. However, the Government in the Sunshine Law applies to private entities that provide services to governmental agencies and that act on behalf of those agencies in the agencies' performance of their public duties. If a public agency delegates the performance of its public purpose to a private entity, then, to the extent that private entity is performing that public purpose, the Government in the Sunshine Law applies. For example, if a volunteer fire department provides firefighting services to a governmental entity and uses facilities and equipment purchased with public funds, then the Government in the Sunshine Law applies to board of directors for that volunteer fire department. Thus, to the extent that the Government in the Sunshine Law applies to the Sub-Recipient based upon the funds provided under this Agreement, the meetings of the Sub-Recipient's governing board or the meetings of any subcommittee making recommendations to the governing board may be subject to open government requirements. These meetings shall be publicly noticed, open to the public, and the minutes of all the meetings shall be public records, available to the public in accordance with Chapter 119, Florida Statutes.

h. Florida's Public Records Law provides a right of access to the records of the state and local governments as well as to private entities acting on their behalf. Unless specifically exempted from disclosure by the Legislature, all materials made or received by a governmental agency (or a private entity acting on behalf of such an agency) in conjunction with official business which are used to perpetuate, communicate, or formalize knowledge qualify as public records subject to public inspection. The mere receipt of public funds by a private entity, standing alone, is insufficient to bring that entity within the ambit of the public record requirements. However, when a public entity delegates a public function to a private entity, the records generated by the private entity's performance of that duty become public records. Thus, the nature and scope of the services provided by a private entity determine whether that entity is acting on behalf of a public agency and is therefore subject to the requirements of Florida's Public Records Law.

i. The Sub-Recipient shall maintain all records for the Sub-Recipient and for all subcontractors or consultants to be paid from funds provided under this Agreement, including documentation of all program costs, in a form sufficient to determine compliance with the requirements and objectives of the Budget and Scope of Work - Attachment A - and all other applicable laws and regulations.

(11)AUDITS

a. The Sub-Recipient shall comply with the audit requirements contained in 2 C.F.R. Part 200, Subpart F.

b. In accounting for the receipt and expenditure of funds under this Agreement, the Sub-Recipient shall follow Generally Accepted Accounting Principles ("GAAP"). As defined by 2 C.F.R.
§200.49, GAAP "has the meaning specified in accounting standards issued by the Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB)."

c. When conducting an audit of the Sub-Recipient's performance under this Agreement, the Division shall use Generally Accepted Government Auditing Standards ("GAGAS"). As defined by 2 C.F.R. §200.50, GAGAS, "also known as the Yellow Book, means generally accepted government auditing standards issued by the Comptroller General of the United States, which are applicable to financial audits."

d. If an audit shows that all or any portion of the funds disbursed were not spent in accordance with the conditions of this Agreement, the Sub-Recipient shall be held liable for reimbursement to the Division of all funds not spent in accordance with these applicable regulations and Agreement provisions within thirty days after the Division has notified the Sub-Recipient of such non-compliance.

e. The Sub-Recipient shall have all audits completed by an independent auditor, which is defined in section 215.97(2)(i), Florida Statutes, as "an independent certified public accountant licensed under chapter 473." The independent auditor shall state that the audit complied with the applicable provisions noted above. The audit must be received by the Division no later than nine months from the end of the Sub-Recipient's fiscal year.

f. The Sub-Recipient shall send copies of reporting packages for audits conducted in accordance with 2 C.F.R. Part 200, by or on behalf of the Sub-Recipient, to the Division at the following address:

DEM5ingle_Audit@em.myflorida.com  
OR  
Office of the Inspector General  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

g. The Sub-Recipient shall send the Single Audit reporting package and Form SF-SAC to the Federal Audit Clearinghouse by submission online at:

http://harvester.census.gov/fac/collect/ddeindex.html

h. The Sub-Recipient shall send any management letter issued by the auditor to the Division at the following address:

DEM5ingle_Audit@em.myflorida.com  
OR  
Office of the Inspector General  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100
(12) REPORTS

a. Consistent with 2 C.F.R. §200.328, the Sub-Recipient shall provide the Division with quarterly reports and a close-out report. These reports shall include the current status and progress by the Sub-Recipient and all subcontractors in completing the work described in the Scope of Work and the expenditure of funds under this Agreement, in addition to any other information requested by the Division.

b. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

c. The close-out report is due 60 days after termination of this Agreement or 60 days after completion of the activities contained in this Agreement, whichever first occurs.

d. If all required reports and copies are not sent to the Division or are not completed in a manner acceptable to the Division, then the Division may withhold further payments until they are completed or may take other action as stated in Paragraph (16) REMEDIES. "Acceptable to the Division" means that the work product was completed in accordance with the Budget and Scope of Work.

e. The Sub-Recipient shall provide additional program updates or information that may be required by the Division.

f. The Sub-Recipient shall provide additional reports and information identified in Attachment F.

(13) MONITORING

a. The Sub-Recipient shall monitor its performance under this Agreement, as well as that of its subcontractors and/or consultants who are paid from funds provided under this Agreement, to ensure that time schedules are being met, the Schedule of Deliverables and Scope of Work are being accomplished within the specified time periods, and other performance goals are being achieved. A review shall be done for each function or activity in Attachment A to this Agreement, and reported in the quarterly report.

b. In addition to reviews of audits, monitoring procedures may include, but not be limited to, on-site visits by Division staff, limited scope audits, and/or other procedures. The Sub-Recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Division. In the event that the Division determines that a limited scope audit of the Sub-Recipient is appropriate, the Sub-Recipient agrees to comply with any additional instructions provided by the Division to the Sub-Recipient regarding such audit. The Sub-Recipient further agrees to comply and cooperate with any inspections, reviews, investigations or audits deemed necessary by the Florida Chief Financial Officer or Auditor General. In addition, the Division will monitor the performance and financial management by the Sub-Recipient throughout the contract term to ensure timely completion of all tasks.
LIABILITY

a. Unless Sub-Recipient is a State agency or subdivision, as defined in section 768.28(2), Florida Statutes, the Sub-Recipient is solely responsible to parties it deals with in carrying out the terms of this Agreement; as authorized by section 768.28(19), Florida Statutes, Sub-Recipient shall hold the Division harmless against all claims of whatever nature by third parties arising from the work performance under this Agreement. For purposes of this Agreement, Sub-Recipient agrees that it is not an employee or agent of the Division, but is an independent contractor.

b. As required by section 768.28(19), Florida Statutes, any Sub-Recipient which is a state agency or subdivision, as defined in section 768.28(2), Florida Statutes, agrees to be fully responsible for its negligent or tortious acts or omissions which result in claims or suits against the Division, and agrees to be liable for any damages proximately caused by the acts or omissions to the extent set forth in Section 768.28, Florida Statutes. Nothing herein is intended to serve as a waiver of sovereign immunity by any Sub-Recipient to which sovereign immunity applies. Nothing herein shall be construed as consent by a state agency or subdivision of the State of Florida to be sued by third parties in any matter arising out of any contract.

DEFAULT.

If any of the following events occur ("Events of Default"), all obligations on the part of the Division to make further payment of funds shall terminate and the Division has the option to exercise any of its remedies set forth in Paragraph (16); however, the Division may make payments or partial payments after any Events of Default without waiving the right to exercise such remedies, and without becoming liable to make any further payment if:

a. Any warranty or representation made by the Sub-Recipient in this Agreement or any previous agreement with the Division is or becomes false or misleading in any respect, or if the Sub-Recipient fails to keep or perform any of the obligations, terms or covenants in this Agreement or any previous agreement with the Division and has not cured them in timely fashion, or is unable or unwilling to meet its obligations under this Agreement;

b. Material adverse changes occur in the financial condition of the Sub-Recipient at any time during the term of this Agreement, and the Sub-Recipient fails to cure this adverse change within thirty days from the date written notice is sent by the Division;

c. Any reports required by this Agreement have not been submitted to the Division or have been submitted with incorrect, incomplete or insufficient information; or,

d. The Sub-Recipient has failed to perform and complete on time any of its obligations under this Agreement.

REMEDIES.

If an Event of Default occurs, then the Division shall, after thirty calendar days written notice to the Sub-Recipient and upon the Sub-Recipient's failure to cure within those thirty days, exercise any one or more of the following remedies, either concurrently or consecutively:
a. Terminate this Agreement, provided that the Sub-Recipient is given at least thirty
days prior written notice of the termination. The notice shall be effective when placed in the United
States, first class mail, postage prepaid, by registered or certified mail-return receipt requested, to the
address in paragraph (3) herein;
b. Begin an appropriate legal or equitable action to enforce performance of this
Agreement;
c. Withhold or suspend payment of all or any part of a request for payment;
d. Require that the Sub-Recipient refund to the Division any monies used for ineligible
purposes under the laws, rules and regulations governing the use of these funds.
e. Exercise any corrective or remedial actions, to include but not be limited to:
   i. Request additional information from the Sub-Recipient to determine the
      reasons for or the extent of non-compliance or lack of performance,
   ii. Issue a written warning to advise that more serious measures may be taken
      if the situation is not corrected,
   iii. Advise the Sub-Recipient to suspend, discontinue or refrain from incurring
      costs for any activities in question or
   iv. Require the Sub-Recipient to reimburse the Division for the amount of costs
      incurred for any items determined to be ineligible;
f. Exercise any other rights or remedies which may be available under law.

Pursuing any of the above remedies will not stop the Division from pursuing any other
remedies in this Agreement or provided at law or in equity. If the Division waives any right or remedy in
this Agreement or fails to insist on strict performance by the Sub-Recipient, it will not affect, extend or
waive any other right or remedy of the Division, or affect the later exercise of the same right or remedy by
the Division for any other default by the Sub-Recipient.

(17) TERMINATION.

a. The Division may terminate this Agreement for cause after thirty days written notice.
Cause can include misuse of funds, fraud, lack of compliance with applicable rules, laws and regulations,
failure to perform on time, and refusal by the Sub-Recipient to permit public access to any document,
paper, letter, or other material subject to disclosure under Chapter 119, Florida Statutes, as amended.
b. The Division may terminate this Agreement for convenience or when it determines, in
its sole discretion that continuing the Agreement would not produce beneficial results in line with the
further expenditure of funds, by providing the Sub-Recipient with thirty calendar day's prior written notice.
c. The parties may agree to terminate this Agreement for their mutual convenience
through a written amendment of this Agreement. The amendment will state the effective date of the
termination and the procedures for proper closeout of the Agreement.
d. In the event that this Agreement is terminated, the Sub-Recipient will not incur new
obligations for the terminated portion of the Agreement after the Sub-Recipient has received the
notification of termination. The Sub-Recipient will cancel as many outstanding obligations as possible. Costs incurred after receipt of the termination notice will be disallowed. The Sub-Recipient shall not be relieved of liability to the Division because of any breach of Agreement by the Sub-Recipient. The Division may, to the extent authorized by law, withhold payments to the Sub-Recipient for the purpose of set-off until the exact amount of damages due the Division from the Sub-Recipient is determined.

(18) PROCUREMENT

a. The Sub-Recipient shall ensure that any procurement involving funds authorized by the Agreement complies with all applicable federal and state laws and regulations, to include 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200 (entitled "Contract Provisions for Non-Federal Entity Contracts Under Federal Awards").

b. As required by 2 C.F.R. §200.318(i), the Sub-Recipient shall “maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.”

c. As required by 2 C.F.R. §200.318(b), the Sub-Recipient shall “maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.” In order to demonstrate compliance with this requirement, the Sub-Recipient shall document, in its quarterly report to the Division, the progress of any and all subcontractors performing work under this Agreement.

d. Except for procurements by micro-purchases pursuant to 2 C.F.R. §200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. §200.320(b), if the Sub-Recipient chooses to subcontract any of the work required under this Agreement, then the Sub-Recipient shall forward to the Division a copy of any solicitation (whether competitive or non-competitive) at least fifteen (15) days prior to the publication or communication of the solicitation. The Division shall review the solicitation and provide comments, if any, to the Sub-Recipient within three (3) business days. Consistent with 2 C.F.R. §200.324, the Division will review the solicitation for compliance with the procurement standards outlined in 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. §200.318(k), the Division will not substitute its judgment for that of the Sub-Recipient. While the Sub-Recipient does not need the approval of the Division in order to publish a competitive solicitation, this review may allow the Division to identify deficiencies in the vendor requirements or in the commodity or service specifications. The Division’s review and comments shall not constitute an approval of the solicitation. Regardless of the Division’s review, the Sub-Recipient remains bound by all applicable laws, regulations, and agreement terms. If during its review the Division identifies any deficiencies, then the Division shall communicate those deficiencies to the Sub-Recipient as quickly as possible within the three (3) business day window outlined above. If the Sub-Recipient publishes a competitive solicitation after receiving comments from the Division that the solicitation is deficient, then the Division may:
i. Terminate this Agreement in accordance with the provisions outlined in paragraph (17) above; and,

ii. Refuse to reimburse the Sub-Recipient for any costs associated with that solicitation.

e. Except for procurements by micro-purchases pursuant to 2 C.F.R. §200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. §200.320(b), if the Sub-Recipient chooses to subcontract any of the work required under this Agreement, then the Sub-Recipient shall forward to the Division a copy of any contemplated contract prior to contract execution. The Division shall review the unexecuted contract and provide comments, if any, to the Sub-Recipient within three (3) business days. Consistent with 2 C.F.R. §200.324, the Division will review the unexecuted contract for compliance with the procurement standards outlined in 2 C.F.R. §§200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. §200.318(k), the Division will not substitute its judgment for that of the Sub-Recipient. While the Sub-Recipient does not need the approval of the Division in order to execute a subcontract, this review may allow the Division to identify deficiencies in the terms and conditions of the subcontract as well as deficiencies in the procurement process that led to the subcontract. The Division’s review and comments shall not constitute an approval of the subcontract.

Regardless of the Division’s review, the Sub-Recipient remains bound by all applicable laws, regulations, and agreement terms. If during its review the Division identifies any deficiencies, then the Division shall communicate those deficiencies to the Sub-Recipient as quickly as possible within the three (3) business day window outlined above. If the Sub-Recipient executes a subcontract after receiving a communication from the Division that the subcontract is non-compliant, then the Division may:

i. Terminate this Agreement in accordance with the provisions outlined in paragraph (17) above; and,

ii. Refuse to reimburse the Sub-Recipient for any costs associated with that subcontract.

f. The Sub-Recipient agrees to include in the subcontract that (i) the subcontractor is bound by the terms of this Agreement, (ii) the subcontractor is bound by all applicable state and federal laws and regulations, and (iii) the subcontractor shall hold the Division and Sub-Recipient harmless against all claims of whatever nature arising out of the subcontractor’s performance of work under this Agreement, to the extent allowed and required by law.

g. As required by 2 C.F.R. §200.318(c)(1), the Sub-Recipient shall “maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.”

h. As required by 2 C.F.R. §200.319(a), the Sub-Recipient shall conduct any procurement under this agreement “in a manner providing full and open competition.” Accordingly, the Sub-Recipient shall not:
i. Place unreasonable requirements on firms in order for them to qualify to do business;

ii. Require unnecessary experience or excessive bonding;

iii. Use noncompetitive pricing practices between firms or between affiliated companies;

iv. Execute noncompetitive contracts to consultants that are on retainer contracts;

v. Authorize, condone, or ignore organizational conflicts of interest;

vi. Specify only a brand name product without allowing vendors to offer an equivalent;

vii. Specify a brand name product instead of describing the performance, specifications, or other relevant requirements that pertain to the commodity or service solicited by the procurement;

viii. Engage in any arbitrary action during the procurement process; or,

ix. Allow a vendor to bid on a contract if that bidder was involved with developing or drafting the specifications, requirements, statement of work, invitation to bid, or request for proposals.

i. "[E]xcept in those cases where applicable Federal statutes expressly mandate or encourage" otherwise, the Sub-Recipient, as required by 2 C.F.R. §200.319(b), shall not use a geographic preference when procuring commodities or services under this Agreement.

j. The Sub-Recipient shall conduct any procurement involving invitations to bid (i.e. sealed bids) in accordance with 2 C.F.R. §200.320(c) as well as section 287.057(1)(a), Florida Statutes.

k. The Sub-Recipient shall conduct any procurement involving requests for proposals (i.e. competitive proposals) in accordance with 2 C.F.R. §200.320(d) as well as section 287.057(1)(b), Florida Statutes.

I. For each subcontract, the Sub-Recipient shall provide a written statement to the Division as to whether that subcontractor is a minority business enterprise, as defined in Section 288.703, Florida Statutes. Additionally, the Sub-Recipient shall comply with the requirements of 2 C.F.R. §200.321 ("Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms").

(19) ATTACHMENTS

a. All attachments to this Agreement are incorporated as if set out fully.

b. In the event of any inconsistencies or conflict between the language of this Agreement and the attachments, the language of the attachments shall control, but only to the extent of the conflict or inconsistency.
c. This Agreement has the following attachments:
   i. Exhibit 1 - Funding Sources
   ii. Attachment A - Budget and Scope of Work
   iii. Attachment B - Program Statutes and Regulations
   iv. Attachment C - Statement of Assurances
   v. Attachment D - Request for Advance or Reimbursement
   vi. Attachment E - Justification of Advance Payment
   vii. Attachment F - Quarterly Report Form
   viii. Attachment G - Warranties and Representations
   ix. Attachment H - Certification Regarding Debarment
   x. Attachment I - Federal Funding Accountability and Transparency Act

(20) PAYMENTS
a. Any advance payment under this Agreement is subject to 2 C.F.R. §200.305 and, as applicable, section 216.181(16), Florida Statutes. All advances are required to be held in an interest-bearing account. If an advance payment is requested, the budget data on which the request is based and a justification statement shall be included in this Agreement as Attachment E. Attachment E will specify the amount of advance payment needed and provide an explanation of the necessity for and proposed use of these funds. No advance shall be accepted for processing if a reimbursement has been paid prior to the submittal of a request for advanced payment. After the initial advance, if any, payment shall be made on a reimbursement basis as needed.

b. Invoices shall be submitted at least quarterly and shall include the supporting documentation for all costs of the project or services. The final invoice shall be submitted within sixty (60) days after the expiration date of the agreement. An explanation of any circumstances prohibiting the submittal of quarterly invoices shall be submitted to the Division grant manager as part of the Sub-Recipient’s quarterly reporting as referenced in Paragraph (12) of this Agreement.

c. If the necessary funds are not available to fund this Agreement as a result of action by the United States Congress, the federal Office of Management and Budgeting, the State Chief Financial Officer or under subparagraph (9)b. of this Agreement, all obligations on the part of the Division to make any further payment of funds shall terminate, and the Sub-Recipient shall submit its closeout report within thirty days of receiving notice from the Division.
(21) REPAYMENTS
a. All refunds or repayments due to the Division under this Agreement are to be made payable to the order of "Division of Emergency Management", and mailed directly to the following address:

Division of Emergency Management
Cashier
2555 Shumard Oak Boulevard
Tallahassee FL 32399-2100

b. In accordance with Section 215.34(2), Florida Statutes, if a check or other draft is returned to the Division for collection, Sub-Recipient shall pay the Division a service fee of $15.00 or 5% of the face amount of the returned check or draft, whichever is greater.

(22) MANDATED CONDITIONS
a. The validity of this Agreement is subject to the truth and accuracy of all the information, representations, and materials submitted or provided by the Sub-Recipient in this Agreement, in any later submission or response to a Division request, or in any submission or response to fulfill the requirements of this Agreement. All of said information, representations, and materials are incorporated by reference. The inaccuracy of the submissions or any material changes shall, at the option of the Division and with thirty days written notice to the Sub-Recipient, cause the termination of this Agreement and the release of the Division from all its obligations to the Sub-Recipient.

b. This Agreement shall be construed under the laws of the State of Florida, and venue for any actions arising out of this Agreement shall be in the Circuit Court of Leon County. If any provision of this Agreement is in conflict with any applicable statute or rule, or is unenforceable, then the provision shall be null and void to the extent of the conflict, and shall be severable, but shall not invalidate any other provision of this Agreement.

c. Any power of approval or disapproval granted to the Division under the terms of this Agreement shall survive the term of this Agreement.

d. The Sub-Recipient agrees to comply with the Americans With Disabilities Act (Public Law 101-336, 42 U.S.C. Section 12101 et seq.), which prohibits discrimination by public and private entities on the basis of disability in employment, public accommodations, transportation, State and local government services, and telecommunications.

e. Those who have been placed on the convicted vendor list following a conviction for a public entity crime or on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with a public entity, and may not transact business with any public entity in
excess of $25,000.00 for a period of 36 months from the date of being placed on the convicted vendor list or on the discriminatory vendor list.

f. Any Sub-Recipient which is not a local government or state agency, and which receives funds under this Agreement from the federal government, certifies, to the best of its knowledge and belief, that it and its principals:

i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a federal department or agency;

ii. Have not, within a five-year period preceding this proposal been convicted of or had a civil judgment rendered against them for fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

iii. Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any offenses enumerated in paragraph (22) f. ii. of this certification; and,

iv. Have not within a five-year period preceding this Agreement had one or more public transactions (federal, state or local) terminated for cause or default.

g. If the Sub-Recipient is unable to certify to any of the statements in this certification, then the Sub-Recipient shall attach an explanation to this Agreement.

h. In addition, the Sub-Recipient shall send to the Division (by email or by facsimile transmission) the completed “Certification Regarding Debarment, Suspension, Ineligibility And Voluntary Exclusion” (Attachment H) for each intended subcontractor which Sub-Recipient plans to fund under this Agreement. The form must be received by the Division before the Sub-Recipient enters into a contract with any subcontractor.

i. The Division reserves the right to unilaterally cancel this Agreement if the Sub-Recipient refuses to allow public access to all documents, papers, letters or other material subject to the provisions of Chapter 119, Florida Statutes, which the Sub-Recipient created or received under this Agreement.

j. If the Sub-Recipient is allowed to temporarily invest any advances of funds under this Agreement, any interest income shall either be returned to the Division or be applied against the Division’s obligation to pay the contract amount.

k. The State of Florida will not intentionally award publicly-funded contracts to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e) [Section 274A(e) of the Immigration and Nationality Act ("INA")] of the INA. The Division shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the Sub-Recipient of the employment provisions
contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this Agreement by the Division.

I. All unmanufactured and manufactured articles, materials and supplies which are acquired for public use under this Agreement must have been produced in the United States as required under 41 U.S.C. 10a, unless it would not be in the public interest or unreasonable in cost.

(23) LOBBYING PROHIBITION

a. 2 C.F.R. §200.450 prohibits reimbursement for costs associated with certain lobbying activities.

b. Section 216.347, Florida Statutes, prohibits "any disbursement of grants and aids appropriations pursuant to a contract or grant to any person or organization unless the terms of the grant or contract prohibit the expenditure of funds for the purpose of lobbying the Legislature, the judicial branch, or a state agency."

c. No funds or other resources received from the Division under this Agreement may be used directly or indirectly to influence legislation or any other official action by the Florida Legislature or any state agency.

d. The Sub-Recipient certifies, by its signature to this Agreement, that to the best of his or her knowledge and belief:

i. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Sub-Recipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

ii. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the Sub-Recipient shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities."

iii. The Sub-Recipient shall require that this certification be included in the award documents for all subawards (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all Sub-Recipients shall certify and disclose.

iv. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.
(24) COPYRIGHT, PATENT AND TRADEMARK

EXCEPT AS PROVIDED BELOW, ANY AND ALL PATENT RIGHTS ACCRUING UNDER OR IN CONNECTION WITH THE PERFORMANCE OF THIS AGREEMENT ARE HEREBY RESERVED TO THE STATE OF FLORIDA; AND, ANY AND ALL COPYRIGHTS ACCRUING UNDER OR IN CONNECTION WITH THE PERFORMANCE OF THIS AGREEMENT ARE HEREBY TRANSFERRED BY THE SUB-RECIPIENT TO THE STATE OF FLORIDA.

a. If the Sub-Recipient has a pre-existing patent or copyright, the Sub-Recipient shall retain all rights and entitlements to that pre-existing patent or copyright unless the Agreement provides otherwise.

b. If any discovery or invention is developed in the course of or as a result of work or services performed under this Agreement, or in any way connected with it, the Sub-Recipient shall refer the discovery or invention to the Division for a determination whether the State of Florida will seek patent protection in its name. Any patent rights accruing under or in connection with the performance of this Agreement are reserved to the State of Florida. If any books, manuals, films, or other copyrightable material are produced, the Sub-Recipient shall notify the Division. Any copyrights accruing under or in connection with the performance under this Agreement are transferred by the Sub-Recipient to the State of Florida.

c. Within thirty days of execution of this Agreement, the Sub-Recipient shall disclose all intellectual properties relating to the performance of this Agreement which he or she knows or should know could give rise to a patent or copyright. The Sub-Recipient shall retain all rights and entitlements to any pre-existing intellectual property which is disclosed. Failure to disclose will indicate that no such property exists. The Division shall then, under Paragraph (24) b., have the right to all patents and copyrights which accrue during performance of the Agreement.

d. If the Sub-Recipient qualifies as a state university under Florida law, then, pursuant to section 1004.23, Florida Statutes, any invention conceived exclusively by the employees of the Sub-Recipient shall become the sole property of the Sub-Recipient. In the case of joint inventions, that is inventions made jointly by one or more employees of both parties hereto, each party shall have an equal, undivided interest in and to such joint inventions. The Division shall retain a perpetual, irrevocable, fully-paid, nonexclusive license, for its use and the use of its contractors of any resulting patented, copyrighted or trademarked work products, developed solely by the Sub-Recipient, under this Agreement, for Florida government purposes.

(25) LEGAL AUTHORIZATION

The Sub-Recipient certifies that it has the legal authority to receive the funds under this Agreement and that its governing body has authorized the execution and acceptance of this Agreement. The Sub-Recipient also certifies that the undersigned person has the authority to legally execute and bind Sub-Recipient to the terms of this Agreement.
(26) EQUAL OPPORTUNITY EMPLOYMENT

a. In accordance with 41 C.F.R. §60-1.4(b), the Sub-Recipient hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause:

During the performance of this contract, the contractor agrees as follows:

   i. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

   ii. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, or national origin.

   iii. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

   iv. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

   v. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

   vi. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared
ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

vii. The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States.

b. The Sub-Recipient further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: provided, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

c. The Sub-Recipient agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency’s primary responsibility for securing compliance.

d. The Sub-Recipient further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the Sub-Recipient agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the Sub-Recipient under the program with respect to which the failure or refund occurred until satisfactory
assurance of future compliance has been received from such Sub-Recipient; and refer the case to the Department of Justice for appropriate legal proceedings.

(27) COPELAND ANTI-KICKBACK ACT

The Sub-Recipient hereby agrees that, unless exempt under Federal law, it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, the following clause:

i. Contractor. The contractor shall comply with 18 U.S.C. § 874, 40 U.S.C. § 3145, and the requirements of 29 C.F.R. pt. 3 as may be applicable, which are incorporated by reference into this contract.

ii. Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clause above and such other clauses as the FEMA may by appropriate instructions require, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all of these contract clauses.

iii. Breach. A breach of the contract clauses above may be grounds for termination of the contract, and for debarment as a contractor and subcontractor as provided in 29 C.F.R. § 5.12.

(28) CONTRACT WORK HOURS AND SAFETY STANDARDS

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract that exceeds $100,000 and involves the employment of mechanics or laborers, then any such contract must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation.

(29) CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract that exceeds $150,000, then any such contract must include the following provision:

Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387), and will report violations to FEMA and the Regional Office of the Environmental Protection Agency (EPA).
(30) SUSPENSION AND DEBARMENT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract, then any such contract must include the following provisions:

i. This contract is a covered transaction for purposes of 2 C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the contractor is required to verify that none of the contractor, its principals (defined at 2 C.F.R. § 180.995), or its affiliates (defined at 2 C.F.R. § 180.905) are excluded (defined at 2 C.F.R. § 180.940) or disqualified (defined at 2 C.F.R. § 180.935).

ii. The contractor must comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C and must include a requirement to comply with these regulations in any lower tier covered transaction it enters into.

iii. This certification is a material representation of fact relied upon by the Division. If it is later determined that the contractor did not comply with 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C, in addition to remedies available to the Division, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

iv. The bidder or proposer agrees to comply with the requirements of 2 C.F.R. pt. 180, subpart C and 2 C.F.R. pt. 3000, subpart C while this offer is valid and throughout the period of any contract that may arise from this offer. The bidder or proposer further agrees to include a provision requiring such compliance in its lower tier covered transactions.

(31) BYRD ANTI-LOBBYING AMENDMENT

If the Sub-Recipient, with the funds authorized by this Agreement, enters into a contract, then any such contract must include the following clause:

CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS

a. If the Sub-Recipient, with the funds authorized by this Agreement, seeks to procure goods or services, then, in accordance with 2 C.F.R. §200.321, the Sub-Recipient shall take the following affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used whenever possible:
   i. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
   ii. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
   iii. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
   iv. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
   v. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
   vi. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs i. through v. of this subparagraph.

b. The requirement outlined in subparagraph a. above, sometimes referred to as "socioeconomic contracting," does not impose an obligation to set aside either the solicitation or award of a contract to these types of firms. Rather, the requirement only imposes an obligation to carry out and document the six affirmative steps identified above.

c. The "socioeconomic contracting" requirement outlines the affirmative steps that the Sub-Recipient must take; the requirements do not preclude the Sub-Recipient from undertaking additional steps to involve small and minority businesses and women's business enterprises.

d. The requirement to divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises, does not authorize the Sub-Recipient to break a single project down into smaller components in order to circumvent the micro-purchase or small purchase thresholds so as to utilize streamlined acquisition procedures (e.g. "project splitting").

ASSURANCES.

The Sub-Recipient shall comply with any Statement of Assurances incorporated as Attachment C.
IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

SUB-RECIPIENT: Flagler County

By: [Signature]
Name and Title: Jerry Cameron, County Administrator
Date: 5/16/19
FID#: 59-6000605

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

By: [Signature]
Name and Title: Jared Moskowitz, Director
Date: 6-1-19
EXHIBIT - 1

THE FOLLOWING FEDERAL RESOURCES ARE AWARDED TO THE SUB-RECIPIENT UNDER THIS AGREEMENT:

Federal Program
Federal agency: Federal Emergency Management Agency; Hazard Mitigation Grant
Catalog of Federal Domestic Assistance title and number: 97.039
Award amount: $70,106.25

THE FOLLOWING COMPLIANCE REQUIREMENTS APPLY TO THE FEDERAL RESOURCES AWARDED UNDER THIS AGREEMENT:

- 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 31 CFR Part 205 Rules and Procedures for Funds Transfers

Federal Program:
1. Sub-Recipient is to use funding to perform the following eligible activities:
   - Retrofitting of existing buildings and facilities
   - Other projects that reduce future disaster losses

2. Sub-Recipient is subject to all administrative and financial requirements as set forth in this Agreement, or will be in violation of the terms of the Agreement.
Attachment A

Budget and Scope of Work

STATEMENT OF PURPOSE:

The purpose of this Scope of Work is to provide protection to Fire Station 62, in Bunnell, Flagler County, Florida, funded through the Hazard Mitigation Grant Program (HMGP) DR-4337-46-R, as approved by the Florida Division of Emergency Management (Division) and the Federal Emergency Management Agency (FEMA). The project is for retrofitting the Sub-Recipient's building and the purchase and installation of an emergency generator system to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards.

The Sub-Recipient, Flagler County Board of County Commissioners agrees to administer and complete the project per scope of work as submitted by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall complete the work in accordance with all applicable Federal, State and Local Laws, Regulations, and Codes.

PROJECT OVERVIEW:

As a Hazard Mitigation Grant Program (HMGP) project, the Sub-Recipient, the Flagler County Board of County Commissioners, proposes to retrofit Fire Station # 62 located at 1601 Old Moody Blvd, Bunnell, Florida 32110.

The HMGP project shall provide protection to the facility and shall be accomplished by protecting all windows and doors of the building, strengthening the roof to wall connection and installing 100 KW generator.

The project will provide protection to flood against a 500-year event and will be protected against the wind with a rated enclosure based on its location. Activities will be completed in strict compliance with Federal, State, and Local Rules and regulations. Project Locations:

1) Coordinates: 29.474805, -81.248520

TASKS & DELIVERABLES:

A) Tasks:

1) The Sub-Recipient shall procure the services of a qualified and licensed Florida contractor and execute a contract with the selected bidder to complete the scope of work as approved by the Division and FEMA. The Sub-Recipient shall select the qualified, licensed Florida contractor in accordance with the Sub-Recipient's procurement policy as well as all Federal and State Laws and Regulations. All procurement activities shall contain sufficient source documentation and be in accordance with all applicable regulations.

The Sub-Recipient shall be responsible for furnishing or contracting all labor, materials, equipment, tools, transportation and supervision and for performing all work per sealed engineering designs and construction plans presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA.

The Sub-Recipient and contractor shall be responsible for maintaining a safe and secure worksite for the duration of the work. The contractor shall maintain all work staging areas in a neat and presentable condition.

The Sub-Recipient shall ensure that no contractors or subcontractors are debarred or suspended from participating in federally funded projects.
The selected contractor shall have a current and valid occupational license/business tax receipt issued for the type of services being performed.

The Sub-Recipient shall provide documentation demonstrating the results of the procurement process. This shall include a rationale for the method of procurement and selection of contract type, contractor selection and/or rejection and bid tabulation and listing, and the basis of contract price.

The Sub-Recipient shall provide an executed "Debarment, Suspension, Ineligibility, Voluntary Exclusion Form" for each contractor and/or subcontractor performing services under this agreement.

Executed contracts with contractors and/or subcontractors shall be provided to the Division by the Sub-Recipient.

The Sub-Recipient shall provide copies of professional licenses for contractors selected to perform services. The Sub-Recipient shall provide a copy of a current and valid occupational license or business tax receipt issued for the type of services to be performed by selected contractor.

2) The Sub-Recipient shall monitor and manage the procurement and installation of all opening protection products in accordance with the HMGF application and associated documentation as presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall ensure that all applicable State, Local and Federal Laws and Regulations are followed and documented, as appropriate.

The project shall protect the building from wind-blown debris resulting from high wind storms which shall allow the function of the structure(s) to continue following a severe wind event. The structure shall be upgraded to meet Florida Building Code and/or Miami Dade Requirements, including all exterior openings.

The Sub-Recipient shall fully perform the approved project, as described in the application, in accordance with the approved scope of work indicated herein, the estimate of costs indicated herein, the allocation of funds indicated herein, and all applicable terms and conditions. The Sub-Recipient shall not deviate from the approved project terms and conditions.

Upon completion of the work, the Sub-Recipient shall schedule and participate in a final inspection of the completed project by the local municipal or county building department (official), or other approving official, as applicable. The official shall inspect and certify that all installation was in accordance with the manufacturer's specifications. Any deficiencies found during this final inspection shall be corrected by the Sub-Recipient prior to Sub-Recipient's submittal of the final inspection request to the Division.

Upon completion of Task 2, the Sub-Recipient shall submit the following documents with sufficient supporting documentation, and provide a summary of all contract scope of work and scope of work changes, if any. Additional documentation shall include:

a) Copy of permit(s), notice of commencement.

b) Local Building Official Inspection Report and Final Approval.

c) Signed and sealed copy of the As-built plans.

d) A copy of electrical designs, specifications and/or drawings elaborated to complete the scope.

e) Certified Letter of Completion:

   1. Affirming that the project has been completed in conformance with the approved project drawings, specifications, and scope.

   2. Certifying Compliance with all applicable codes.

f) All Product Specifications / Data Sheet(s) (technical standards) satisfying protection requirements on all products utilized.

g) Verification letter or documentation showing the generator is protected to the 500 year (0.2% annual chance) flood elevation.
h) Proof of compliance with Project Conditions and Requirements contained herein.

3) During the course of this agreement the Sub-Recipient shall submit requests for reimbursement. Adequate and complete source documentation shall be submitted to support all costs (federal share and local share) related to the project. In some cases, all project activities may not be fully complete prior to requesting reimbursement of costs incurred in completion of this scope of work; however, a partial reimbursement may be requested.

The Sub-Recipient shall submit an Affidavit signed by the Sub-Recipient’s project personnel with each reimbursement request attesting to the completion of the work, that disbursements or payments were made in accordance with all agreement and regulatory conditions, and that reimbursement is due and has not been previously requested.

The Sub-Recipient shall maintain accurate time records. The Sub-Recipient shall ensure invoices are accurate and any contracted services were rendered within the terms and timelines of this agreement. All supporting documentation shall agree with the requested billing period. All costs submitted for reimbursement shall contain adequate source documentation which may include but not be limited to: cancelled checks, bank statements, Electronic Funds Transfer, paid bills and invoices, payrolls, time and attendance records, contract and subcontract award documents.

Construction Expense: The Sub-Recipient shall pre-audit bills, invoices, and/or charges submitted by the contractors and subcontractors and pay the contractors and subcontractors for approved bills, invoices, and/or charges. Sub-Recipient shall ensure that all contractor/subcontractor bills, invoices, and/or charges are legitimate and clearly identify the activities being performed and associated costs.

Project Management Expenses: The Sub-Recipient shall pre-audit source documentation such as payroll records, project time sheets, attendance logs, etc. Documentation shall be detailed information describing tasks performed, hours devoted to each task, and the hourly rate charged for each hour including enough information to calculate the hourly rates based on payroll records. Employee benefits shall be clearly shown.

The Division shall review all submitted requests for reimbursement for basic accuracy of information. Further, the Division shall ensure that no unauthorized work was completed prior to the approved project start date by verifying vendor and contractor invoices. The Division shall verify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measures are in compliance with the approved scope of work prior to processing any requests for reimbursement.

Review and approval of any third party in-kind services, if applicable, shall be conducted by the Division in coordination with the Sub-Recipient. Quarterly Reports shall be submitted by the Sub-Recipient and received by the Division at the times provided in this agreement prior to the processing of any reimbursement.

The Sub-Recipient shall submit to the Division requests for reimbursement of actual construction and managerial costs related to the project as identified in the project application, and plans. The requests for reimbursement shall include:

   a) Contractor, subcontractor, and/or vendor invoices which clearly display dates of services performed, description of services performed, location of services performed, cost of services performed, name of service provider and any other pertinent information;

   b) Proof of payment from the Sub-Recipient to the contractor, subcontractor, and/or vendor for invoiced services;

   c) Clear identification of amount of costs being requested for reimbursement as well as costs being applied against the local match amount.

The Sub-Recipient’s final request for reimbursement shall include the final construction project cost. Supporting documentation shall show that all contractors and subcontractors have been paid.
B) Deliverables:
Mitigation Activities consist of providing protection to Fire Station # 62 located at 1601 Old Moody Blvd, Bunnell, Florida 32110, by protecting all windows and doors of the building, strengthening the roof to wall connection and installing 100 KW generator. Wind protections shall be provided on any other opening such as vents, louvers and exhaust fans. All installations will be in strict compliance with the Florida Building Code or Miami Dade Specifications, and all materials will be certified to meet wind and impact standards.

The project will provide protection to flood against a 500-year event and will be protected against the wind with a rated enclosure based on its location. Activities will be completed in strict compliance with Federal, State, and Local Rules and regulations. Pursuant to subsection 553.896(2), Florida Statutes, projects including the construction of new or retrofitted window or door coverings must conform to design drawings that are signed, sealed, and inspected by a structural engineer who is registered in this state. The Sub-Recipient shall provide an inspection report and attestation or a copy of the signed and sealed plans to the Division before payment will be made.

Provided the Sub-Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division shall reimburse the Sub-Recipient based on the percentage of overall project completion.

PROJECT CONDITIONS AND REQUIREMENTS:

C) Engineering:
1) The Sub-Recipient shall submit to the Division an official letter stating that the project is 100% complete and ready for the Division’s Final Inspection of the project.

2) The Sub-Recipient shall provide a copy of the Notice of Commencement, and any local official Inspection Report and/or Final Approval, as applicable.

3) The Sub-Recipient shall submit a final copy of the completed project’s As-built drawings and all necessary supporting documentation, and provide a summary of all contract scope of work changes, as applicable.

4) The Sub-Recipient shall submit a final copy of any electrical designs, specifications and/or drawings elaborated to complete the job.

5) The Sub-Recipient shall submit a certified letter of completion from Engineer of Record. The Sub-Recipient’s Engineer of Record shall provide a formal certificate or letter affirming that the project has been completed in conformance with the approved project drawings, specifications, scope, and applicable codes.

6) The Sub-Recipient shall submit all Product Specifications / Data Sheet(s) (technical standards) satisfying protection requirements on all products utilized.

7) All installations shall be done in strict compliance with the Florida Building Code or Miami Dade Specifications. All materials shall be certified to exceed the wind and impact standards of the current local codes.

8) Product Specifications documentation satisfying protection requirements for all products utilized shall be provided to the Division for closeout.

9) The Sub-Recipient shall follow all applicable State, Local and Federal Laws, Regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate Federal, State, and Local permits and clearances may jeopardize federal funding.

10) Glazing in buildings shall be impact resistant or protected with an impact resistant covering meeting the requirements of SSTD 12, ASTM E 1886 and ASTM E 1996, ANSI/DASMA 115 (for garage doors and rolling doors) or Miami-Dade TAS 201, 202 and 203 or AAMA 506 referenced therein as follows:
a) Glazed openings located within 30 feet (9.1 m) of grade shall meet the requirements of the Large Missile Test.

b) Glazed openings located more than 30 feet (9.1 m) above grade shall meet the provisions of the Small Missile Test.

c) Louvers protecting intake and exhaust ventilation ducts not assumed to be open that are located within 30 feet (9144 mm) of grade shall meet requirements of the Large Missile Test.

Impact-resistant coverings shall be tested at 1.5 times the design pressure (Positive or Negative) expressed in pounds per square feet as determined by the Florida Building Code, Building Section 1609, for which the specimen is to be tested.

11) Pursuant to subsection 553.896(2), Florida Statutes, projects including the construction of new or retrofit window or door coverings must conform to design drawings that are signed, sealed, and inspected by a structural engineer who is registered in this state. The Sub-Recipient shall provide an inspection report and attestation or a copy of the signed and sealed plans to the Division before payment will be made.

12) The local municipal or county building department shall inspect the installation according to the manufacturer's specification and ensure that the above referenced standards have been met; documentation shall be provided to the Division for closeout.

13) The materials and work funded pursuant to this Subgrant Agreement are intended to decrease the vulnerability of the building to property losses and are specifically not intended to provide for the safety of inhabitants before, during or after a natural or manmade disaster.

14) The funding provided by the Division under this subgrant shall compensate for the materials, labor and fees for the hardening activities as a retrofit measure for the Sub-Recipient's buildings to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards. The funding of this project by the Division does not confer or imply any warranty of use or suitability for the work performed pursuant to this agreement. The State of Florida disclaims all warranties with regard to this mitigation project, express or implied, including but not limited to, any implied warranties and/or conditions of satisfactory quality and fitness for a particular purpose, merchantability, or merchantable quality.

15) This project has not been evaluated by the criteria contained in the standards of the Department of Homeland Security, Federal Emergency Management Agency guidance manual FEMA 361-Design and Construction for Community Shelter, and thus does not provide "near absolute protection". It is understood and agreed by the Division and the Sub-Recipient that the building may have vulnerabilities due to age, design and location that may result in damage to the building from wind events even after the installation of the mitigation measures funded under this Subgrant Agreement. It is further understood and agreed by the Division and the Sub-Recipient that the level of wind protection provided by the mitigation action, although meeting State standards and codes and enhancing the structural integrity of the building, does not ensure the safety or survival of building occupants.

D) **Environmental:**

1) The Sub-Recipient shall follow all applicable state, local and federal laws, regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. If project is delayed for a year or more after the date of the categorical exclusion (CATEX), then coordination with and project review by regulatory agencies must be done.

2) Any change, addition or supplement to the approved mitigation measure or scope of work that alters the project (including other work not funded by FEMA, but done substantially at the same time) shall require resubmission to the Division and FEMA for reevaluation of compliance with the National Environmental Protection Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) prior to initiation of any work. Non-compliance with these requirements may jeopardize...
FEMA’s ability to fund this project. A change in the scope of work shall be approved by the Division and FEMA in advance regardless of the budget implications.

3) If any ground disturbance activities occur during construction, the Sub-Recipient shall monitor ground disturbance during construction, and if any potential archeological resources are discovered, shall immediately cease construction in that area and notify the Division and FEMA.

4) The generator is supporting a critical action and must be protected to the 500 year (0.2% annual chance) flood elevation. The Sub-Recipient must submit documentation to the State documenting which protective option they selected.

5) Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.

E) Programmatic:

1) The Sub-Recipient must notify the Division as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower costs or earlier completion.

2) The Division and FEMA shall approve a change in the scope of work in advance, regardless of the budget implementations.

3) The Sub-Recipient must “obtain prior written approval for any budget revision which would result in a need for additional funds” [44 CFR 13(c)], from the Division and FEMA.

4) Any extension of the Period of Performance shall be submitted to FEMA 60 days prior to the expiration date. Therefore, any request for a Period of Performance Extension shall be in writing and submitted along with substantiation of new expiration date and a new schedule of work to the Division, a minimum of seventy (70) days prior to the expiration date, for Division processing to FEMA.

5) The Sub-Recipient must avoid duplication of benefits between the HMGP and any other form of assistance, as required by Section 312 of the Stafford Act, and further clarification in 44 CFR 206.191.

6) A copy of the executed subcontract agreement must be forwarded to the Division within 10 days of execution.

7) Project approval is with the condition that the tasks, deliverables, and conditions be accomplished and submitted 30 days prior to the Period of Performance date, for review and approval by the Division, for submittal to FEMA for Closeout.

8) The generator is supporting a critical action and must be protected to the 500 year (0.2% annual chance) flood elevation. Applicant must submit documentation to State and FEMA documenting which protective option they have selected. Source of condition: Executive Order 11988 – Floodplains.

This is FEMA project number 4337-46-R. It is funded under HMGP, FEMA-4337-DR-FL and must adhere to all program guidelines established for the HMGP in accordance with the PAS Operational Agreement for Disaster 4337.

FEMA awarded this project on January 29, 2019; this Agreement shall begin upon execution by both parties, and the Period of Performance for this project shall end on January 31, 2021.

F) Financial Consequences:

If the Sub-Recipient fails to comply with any term of the award, the Division shall take one or more of the following actions, as appropriate in the circumstances:

1) Temporarily withhold cash payments pending correction of the deficiency by the Sub-Recipient;
2) Disallow all or part of the cost of the activity or action not in compliance;
3) Wholly or partly suspend or terminate the current award for the Sub-Recipient’s program;
4) Withhold further awards for the program; or
5) Take other remedies that may be legally available.

**Schedule of Work**

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<tr>
<td>Design / Permitting</td>
<td>3 Months</td>
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<tr>
<td>Bidding and Contracting</td>
<td>3 Months</td>
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<tr>
<td>Construction / Installation</td>
<td>12 Months</td>
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<td>State and Local Inspections</td>
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<tr>
<td>Closeout</td>
<td>1 Month</td>
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**Total Period of Performance:** 24 Months

**Budget**

**Line Item Budget**

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<th>Project Cost</th>
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<th>Non-Federal Share</th>
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<td>Labor:</td>
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<td>Fees:</td>
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**Initial Agreement Amount:** $93,475.00

**Contingency Funds:**

- $0.00
- $0.00
- $0.00

**Project Total:** $93,475.00

*Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

**Funding Summary**

<p>| | | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>Federal Share:</td>
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<tr>
<td>Non-Federal Share:</td>
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<td><strong>Total Project Cost:</strong></td>
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Attachment B
Program Statutes and Regulations

The parties to this Agreement and the Hazard Mitigation Grant Program (HMGP) are generally governed by the following statutes and regulations:

(1) The Robert T. Stafford Disaster Relief and Emergency Assistance Act;

(2) 44 CFR Parts 7, 9, 10, 13, 14, 17, 18, 25, 206, 220, and 221, and any other applicable FEMA policy memoranda and guidance documents;

(3) State of Florida Administrative Plan for the Hazard Mitigation Grant Program;

(4) Hazard Mitigation Assistance Guidance- February 27, 2015 Update; and

(5) All applicable laws and regulations delineated in Attachment C of this Agreement.

In addition to the above statutes and regulations, the Sub-recipient must comply with the following:

The Sub-recipient shall fully perform the approved hazard mitigation project, as described in the Application and Attachment A (Budget and Scope of Work) attached to this Agreement, in accordance with approved scope of work indicated therein, the estimate of costs indicated therein, the allocation of funds indicated therein, and the terms and conditions of this Agreement. The Sub-recipient shall not deviate from the approved project and the terms and conditions of this Agreement. The Sub-recipient shall comply with any and all applicable codes and standards in performing work funded under this Agreement, and shall provide any appropriate maintenance and security for the project.

Any development permit issued by, or development activity undertaken by, the Sub-recipient and any land use permitted by or engaged in by the Sub-recipient, shall be consistent with the local comprehensive plan and land development regulations prepared and adopted pursuant to Chapter 163, Part II, Florida Statutes. Funds shall be expended for, and development activities and land use authorized for, only those uses which are permitted under the comprehensive plan and land development regulations. The Sub-recipient shall be responsible for ensuring that any development permit issued and any development activity or land use undertaken is, where applicable, also authorized by the Water Management District, the Florida Department of Environmental Protection, the Florida Department of Health, the Florida Game and Fish Commission, and any Federal, State, or local environmental or land use permitting authority, where required. The Sub-recipient agrees that any repair or construction shall be in accordance with applicable standards of safety, decency, and sanitation, and in conformity with applicable codes, specifications and standards.

The Sub-recipient will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms with the approved plans and specifications and will furnish progress reports and such other information to HMGP as may be required.

If the hazard mitigation project described in Attachment A includes an acquisition or relocation project, then the Sub-recipient shall ensure that, as a condition of funding under this Agreement, the owner of the affected real property shall record in the public records of the county where it is located the following covenants and restrictions, which shall run with and apply to any property acquired, accepted, or from which a structure will be removed pursuant to the project.

(1) The property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices;
(2) No new structure will be erected on property other than:
   a. a public facility that is open on all sides and functionally related to a designed open space;
   b. a restroom; or

(3) A structure that the Director of the Federal Emergency Management Agency approves in writing before the commencement of the construction of the structure;

(4) After the date of the acquisition or relocation no application for disaster assistance for any purpose will be made to any Federal entity and no disaster assistance will be provided for the property by any Federal source; and

(5) If any of these covenants and restrictions is violated by the owner or by some third party with the knowledge of the owner, fee simple title to the Property described herein shall be conveyed to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida without further notice to the owner, its successors and assigns, and the owner, its successors and assigns shall forfeit all right, title and interest in and to the property.

HMGP Contract Manager will evaluate requests for cost overruns and submit to the regional Director written determination of cost overrun eligibility. Cost overruns shall meet Federal regulations set forth in 44 CFR 206.438(b).

The National Environmental Policy Act (NEPA) stipulates that additions or amendments to a HMGP Sub-Recipient Scope of Work (SOW) shall be reviewed by all State and Federal agencies participating in the NEPA process.

As a reminder, the Sub-recipient must obtain prior approval from the State, before implementing changes to the approved project Scope of Work (SOW). Per the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments:

(1) For Construction projects, the grantee must "obtain prior written approval for any budget revision which result in a need for additional funds" (44 CFR 13(c));

(2) A change in the Scope of Work must be approved by FEMA in advance regardless of the budget implications; and

(3) The Sub-recipient must notify the State as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower cost or earlier completion. Any extensions of the period of performance must be submitted to FEMA sixty days prior to the project expiration date.

The Sub-recipient assures that it will comply with the following statutes and regulations to the extent applicable:

(1) 53 Federal Register 8034
(2) Federal Acquisition Regulations 31.2
(3) Section 1352, Title 31, US Code
(4) Chapter 473, Florida Statutes
(5) Chapter 215, Florida Statutes
(6) Section 768.28, Florida Statutes
(7) Chapter 118, Florida Statutes
(8) Section 216.181(8), Florida Statutes
(9) Cash Management Improvement Act of 1990
(10) American with Disabilities Act
(11) Section 112.061, Florida Statutes
(12) Immigration and Nationality Act
(13) Section 286.011, Florida Statutes
(14) 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
(15) Uniform Relocation Assistance and Real Property Acquisitions Act of 1970
(16) Title I of the Omnibus Crime Control and Safe Streets Act of 1968
(17) Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act
(18) Omnibus Crime Control and Safe Streets Act of 1968, as amended
(19) Victims of Crime Act (as appropriate)
(20) Section 504 of the Rehabilitation Act of 1973, as amended
(21) Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990)
(22) Department of Justice regulations on disability discrimination, 28 CFR, Part 35 and Part 39
(23) 42 U.S.C. 5154a
Attachment C

Statement of Assurances

To the extent the following provisions apply to this Agreement, the Sub-recipient certifies that:

(a) It possesses legal authority to enter into this Agreement and to carry out the proposed program;

(b) Its governing body has duly adopted or passed as an official act of resolution, motion or similar action authorizing the execution of the hazard mitigation agreement with the Division of Emergency Management (DEM), including all understandings and assurances contained in it, and directing and authorizing the Sub-recipient’s chief administrative officer or designee to act in connection with the application and to provide such additional information as may be required;

(c) No member of or delegate to the Congress of the United States, and no Resident Commissioner, shall receive any share or part of this Agreement or any benefit. No member, officer, or employee of the Sub-recipient or its designees or agents, no member of the governing body of the locality in which this program is situated, and no other public official of the locality or localities who exercises any functions or responsibilities with respect to the program during his tenure or for one year after, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds, for work be performed in connection with the program assisted under this Agreement. The Sub-recipient shall incorporate, in all contracts or subcontracts a provision prohibiting any interest pursuant to the purpose stated above;

(d) All Sub-recipient contracts for which the State Legislature is in any part a funding source, shall contain language to provide for termination with reasonable costs to be paid by the Sub-recipient for eligible contract work completed prior to the date the notice of suspension of funding was received by the Sub-recipient. Any cost incurred after a notice of suspension or termination is received by the Sub-recipient may not be funded with funds provided under this Agreement unless previously approved in writing by the Division. All Sub-recipient contracts shall contain provisions for termination for cause or convenience and shall provide for the method of payment in such event;

(e) It will comply with:

(1) Contract Work Hours and Safety Standards Act of 1962, 40 U.S.C. 327 et seq., requiring that mechanics and laborers (including watchmen and guards) employed on federally assisted contracts be paid wages of not less than one and one-half times their basic wage rates for all hours worked in excess of forty hours in a work week; and

(2) Federal Fair Labor Standards Act, 29 U.S.C. Section 201 et seq., requiring that covered employees be paid at least minimum prescribed wage, and also that they be paid one and one-half times their basic wage rates for all hours worked in excess of the prescribed work-week.

(f) It will comply with:

(1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352), and the regulations issued pursuant thereto, which provides that no person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Sub-recipient received Federal financial assistance and will immediately take any measures necessary to effectuate this assurance. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Sub-recipient, this assurance shall obligate the Sub-recipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is
used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits;

(2) Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107) which prohibits discrimination on the basis of age or with respect to otherwise qualifies handicapped individuals as provided in Section 504 of the Rehabilitation Act of 1973;

(3) Executive Order 11246, as amended by Executive Orders 11375 and 12086, and the regulations issued pursuant thereto, which provide that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of federal or federally assisted construction contracts; affirmative action to insure fair treatment in employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff/termination, rates of pay or other forms of compensation; and election for training and apprenticeship;

(g) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or letters pursuant to Section 112.313 and Section 112.3135, Florida Statutes;

(h) It will comply with the Anti-Kickback Act of 1986, 41 U.S.C. Section 51 which outlaws and prescribes penalties for "kickbacks" of wages in federally financed or assisted construction activities;

(i) It will comply with the provisions of 18 U.S.C. 594, 598, 600-605 (further known as the Hatch Act) which limits the political activities of employees;

(j) It will comply with the flood insurance purchase and other requirements of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4002-4107, including requirements regarding the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance;

For sites located within Special Flood Hazard Areas (SFHA), the Sub-recipient must include a FEMA Model Acknowledgement of Conditions of Mitigation of Property in a Special Flood Hazard Area with FEMA Grant Funds executed by the title holder with the closeout request verifying that certain SFHA requirements were satisfied on each of the properties. The Model Acknowledgement can be found at www.fema.gov/government/grant/sfha_conditions.shtml

(k) It will require every building or facility (other than a privately owned residential structure) designed, constructed, or altered with funds provided under this Agreement to comply with the "Uniform Federal Accessibility Standards," (AS) which is Appendix A to 41 CFR Section 101-19.6 for general type buildings and Appendix A to 24 CFR, Part 40 for residential structures. The Sub-recipient will be responsible for conducting inspections to ensure compliance with these specifications by the contractor;


(1) Consulting with the State Historic Preservation Office to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR, Section 800.8) by the proposed activity, and
Complying with all requirements established by the State to avoid or mitigate adverse effects upon such properties.

Abiding by the terms and conditions of the "Programmatic Agreement Among the Federal Emergency Management Agency, the Florida State Historic Preservation Office, the Florida Division of Emergency Management and the Advisory Council on Historic Preservation, (PA)" which addresses roles and responsibilities of Federal and State entities in implementing Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. 470(f), and implementing regulations in 36 CFR, Part 800.

When any of the Sub-recipient’s projects funded under this Agreement may affect a historic property, as defined in 36 CFR, Part 800 (2)(e), the Federal Emergency Management Agency (FEMA) may require the Sub-recipient to review the eligible scope of work in consultation with the State Historic Preservation Office (SHPO) and suggest methods of repair or construction that will conform with the recommended approaches set out in the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings 1992 (Standards), the Secretary of the Interior's Guidelines for Archeological Documentation (Guidelines) (43 Federal Register 44734-37), or any other applicable Secretary of Interior standards. If FEMA determines that the eligible scope of work will not conform with the Standards, the Sub-recipient agrees to participate in consultations to develop, and after execution by all parties, to abide by, a written agreement that establishes mitigation and recondition measures, including but not limited to, impacts to archeological sites, and the salvage, storage, and reuse of any significant architectural features that may otherwise be demolished.

The Sub-recipient agrees to notify FEMA and the Division if any project funded under this Agreement will involve ground disturbing activities, including, but not limited to: subsurface disturbance; removal of trees; excavation of footings and foundations, and installation of utilities (such as water, sewer, storm drains, electrical, gas, leach lines and septic tanks) except where these activities are restricted solely to areas previously disturbed by the installation, replacement or maintenance of such utilities. FEMA will request the SHPO's opinion on the potential that archeological properties may be present and be affected by such activities. The SHPO will advise the Sub-recipient on any feasible steps to be accomplished to avoid any National Register eligible archeological property or will make recommendations for the development of a treatment plan for the recovery or archeological data from the property.

If the Sub-recipient is unable to avoid the archeological property, develop, in consultation with SHPO, a treatment plan consistent with the Guidelines and take into account the Advisory Council on Historic Preservation (Council) publication "Treatment of Archeological Properties". The Sub-recipient shall forward information regarding the treatment plan to FEMA, the SHPO and the Council for review. If the SHPO and the Council do not object within 15 calendar days of receipt of the treatment plan, FEMA may direct the Sub-recipient to implement the treatment plan. If either the Council or the SHPO object, Sub-recipient shall not proceed with the project until the objection is resolved.

The Sub-recipient shall notify the Division and FEMA as soon as practicable: (a) of any changes in the approved scope of work for a National Register eligible or listed property; (b) of all changes to a project that may result in a supplemental DSR or modify a HMGP project for a National Register eligible or listed property; (c) if it appears that a project funded under this Agreement will affect a previously unidentified property that may be eligible for inclusion in the National Register or affect a known historic property in an unanticipated manner. The Sub-recipient acknowledges that FEMA may require the Sub-recipient to stop construction in the vicinity of the discovery of a previously unidentified property that may eligible for inclusion in the National Register or upon learning that construction may affect a known historic property in an unanticipated manner. The Sub-recipient further acknowledges that FEMA may require the Sub-recipient to take all
reasonable measures to avoid or minimize harm to such property until FEMA concludes consultation with the SHPO. The Sub-recipient also acknowledges that FEMA will require, and the Sub-recipient shall comply with, modifications to the project scope of work necessary to implement recommendations to address the project and the property.

(7) The Sub-recipient acknowledges that, unless FEMA specifically stipulates otherwise, it shall not receive funding for projects when, with intent to avoid the requirements of the PA or the NHPA, the Sub-recipient intentionally and significantly adversely affects a historic property, or having the legal power to prevent it, allowed such significant adverse effect to occur.

(m) It will comply with Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex;

(n) It will comply with the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, (42 U.S.C. 4521-45-94) relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(o) It will comply with 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;

(p) It will comply with Lead-Based Paint Poison Prevention Act (42 U.S.C. 4821 et seq.) which prohibits the use of lead based paint in construction of rehabilitation or residential structures;

(q) It will comply with the Energy Policy and Conservation Act (P.L. 94-163; 42 U.S.C. 6201-6422), and the provisions of the State Energy Conservation Plan adopted pursuant thereto;

(r) It will comply with the Laboratory Animal Welfare Act of 1966, (7 U.S.C. 2131-2159), pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by an award of assistance under this Agreement;

(s) It will comply with Title VIII of the Civil Rights Act of 1968, (42 U.S.C 2000c and 42 U.S.C. 3601-3619), as amended, relating to non-discrimination in the sale, rental, or financing of housing, and Title VI of the Civil Rights Act of 1964 (P.L. 88-352), which prohibits discrimination on the basis of race, color or national origin;

(t) It will comply with the Clean Air Act of 1955, as amended, 42 U.S.C. 7401-7642;

(u) It will comply with the Clean Water Act of 1977, as amended, 42 U.S.C. 7419-7626

(v) It will comply with the endangered Species Act of 1973, 16 U.S.C. 1531-1544;

(w) It will comply with the Intergovernmental Personnel Act of 1970, 42 U.S.C. 4728-4763;

(x) It will assist the awarding agency in assuring compliance with the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 270;

(y) It will comply with environmental standards which may be prescribed pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4321-4347;

(z) It will assist the awarding agency in assuring compliance with the Preservation of Archeological and Historical Preservation Act of 1966, 16 U.S.C. 469a, et seq.;

(aa) It will comply with the Rehabilitation Act of 1973, Section 504, 29 U.S.C. 794, regarding non-discrimination;
(bb) It will comply with the environmental standards which may be prescribed pursuant to the Safe Drinking Water Act of 1974, 42 U.S.C. 300f-300j, regarding the protection of underground water sources;

(cc) It will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Property Acquisition Policies Act of 1970, 42 U.S.C. 4621-4638, which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs;

(dd) It will comply with the Wild and Scenic Rivers Act of 1968, 16 U.S.C. 1271-1287, related to protecting components or potential components of the national wild and scenic rivers system;

(ee) It will comply with the following Executive Orders: EO 11514 (NEPA); EO 11738 (violating facilities); EO 11988 (Floodplain Management); EO 11990 (Wetlands); and EO 12888 (Environmental Justice);

(ff) It will comply with the Coastal Barrier Resources Act of 1977, 16 U.S.C. 3510;

(gg) It will assure project consistency with the approved State program developed under the Coastal Zone Management Act of 1972, 16 U.S.C. 1451-1464; and

(hh) It will comply with the Fish and Wildlife Coordination Act of 1958, 16 U.S.C. 661-666.

(ii) With respect to demolition activities, it will:

1. Create and make available documentation sufficient to demonstrate that the Sub-recipient and its demolition contractor have sufficient manpower and equipment to comply with the obligations as outlined in this Agreement.

2. Return the property to its natural state as though no improvements had ever been contained thereon.

3. Furnish documentation of all qualified personnel, licenses and all equipment necessary to inspect buildings located in the Sub-recipient’s jurisdiction to detect the presence of asbestos and lead in accordance with requirements of the U.S. Environmental Protection Agency, the Florida Department of Environmental Protection and the County Health Department.

4. Provide documentation of the inspection results for each structure to indicate:
   a. Safety Hazard Present
   b. Health Hazards Present
   c. Hazardous Materials Present

5. Provide supervision over contractors or employees employed by the Sub-recipient to remove asbestos and lead from demolished or otherwise applicable structures.

6. Leave the demolished site clean, level and free of debris.

7. Notify the Division promptly of any unusual existing condition which hampers the contractor’s work.

8. Obtain all required permits.

9. Provide addresses and marked maps for each site where water wells and septic tanks are to be closed along with the number of wells and septic tanks located on each site. Provide documentation of closures.

10. Comply with mandatory standards and policies relating to energy efficiency which are contained in the State Energy Conservation Plan issued in compliance with the Energy Policy and Conservation Act (Public Law 94-163).
(11) Comply with all applicable standards, orders, or requirements issued under Section 112 and 306 of the Clean Air Act (42 U.S.C. 1857h), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and the U.S. Environmental Protection Agency regulations (40 CFR, Part 15 and 61). This clause shall be added to any subcontracts.

(12) Provide documentation of public notices for demolition activities.
Attachment D

DIVISION OF EMERGENCY MANAGEMENT

REQUEST FOR ADVANCE OR REIMBURSEMENT OF HAZARD MITIGATION ASSISTANCE PROGRAM FUNDS

SUB-RECIPIENT: Flagler County

REMIT ADDRESS: ____________________________

CITY: ___________________ STATE: _______ ZIP CODE: __________

PROJECT TYPE: Hardening and Generator Project PROJECT #: 4337-46-R

PROGRAM: Hazard Mitigation Grant Program CONTRACT #: H0150

APPROVED BUDGET: ____________ FEDERAL SHARE: ____________ MATCH: ____________

ADVANCED RECEIVED: ______ N/A ______ AMOUNT: ____________ SETTLED: ________

Invoice Period: ________ To ________ Payment #: ____________

<table>
<thead>
<tr>
<th>Eligible Amount 100% (Current Request)</th>
<th>Obligated Federal Amount</th>
<th>Obligated Non-Federal</th>
<th>Division Use Only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>%</td>
<td>Approved</td>
</tr>
</tbody>
</table>

TOTAL CURRENT REQUEST: $ ____________

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812.

SUB-RECIPIENT SIGNATURE: ________________________

NAME / TITLE: ___________________________ DATE: ____________

TO BE COMPLETED BY THE DIVISION

<table>
<thead>
<tr>
<th>APPROVED PROJECT TOTAL</th>
<th>$ ____________</th>
<th>GOVERNOR'S AUTHORIZED REPRESENTATIVE</th>
</tr>
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<tbody>
<tr>
<td>ADMINISTRATIVE COST</td>
<td>$ ____________</td>
<td></td>
</tr>
<tr>
<td>APPROVED FOR PAYMENT</td>
<td>$ ____________</td>
<td>DATE: ____________</td>
</tr>
</tbody>
</table>
SUMMARY OF DOCUMENTATION IN SUPPORT OF AMOUNT
CLAIMED FOR ELIGIBLE DISASTER WORK UNDER THE
HAZARD MITIGATION ASSISTANCE PROGRAM

SUB-RECIPIENT: Flagler County  PAYMENT #:  
PROJECT TYPE: Hardening and Generator Project  PROJECT #:  4337-46-R  
PROGRAM: Hazard Mitigation Grant Program  CONTRACT #:  H0150  

<table>
<thead>
<tr>
<th>REF NO</th>
<th>DATE</th>
<th>DOCUMENTATION</th>
<th>(Check)</th>
<th>ELIGIBLE</th>
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<tbody>
<tr>
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<td></td>
<td></td>
<td>AMOUNT</td>
<td>COSTS (100%)</td>
</tr>
<tr>
<td>1</td>
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<td>9</td>
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</tbody>
</table>

This payment represents  \% completion of the project.  TOTAL

---

3 Recipient's internal reference number (e.g., Invoice, Receipt, Warrant, Voucher, Claim Check, or Schedule #)
4 Date of delivery of articles, completion of work or performance services (per document)
4 List Documentation (Recipient's payroll, material out of recipient's stock, recipient owned equipment and name of vendor or contractor) by category (Materials, Labor, Fees) and line item in the approved project line item budget. Provide a brief description of the articles or services. List service dates per each invoice.
Attachment E
JUSTIFICATION OF ADVANCE PAYMENT

SUB-RECIPIENT: Flagler County

If you are requesting an advance, indicate same by checking the box below.

[ ] ADVANCE REQUESTED

Advance payment of $___________ is requested. Balance of payments will be made on a reimbursement basis. These funds are needed to pay staff, award benefits to clients, duplicate forms and purchase start-up supplies and equipment. We would not be able to operate the program without this advance.

If you are requesting an advance, complete the following chart and line item justification below.

PLEASE NOTE: Calculate your estimated expenses at 100% of your expected needs for 90 days.
Submit Attachment D with the cost share breakdown along with Attachment E and all supporting documentation.

<table>
<thead>
<tr>
<th>BUDGET CATEGORY/LINE ITEMS (list applicable line items)</th>
<th>20__-20__ Anticipated Expenditures for First Three Months of Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>For example</td>
<td></td>
</tr>
<tr>
<td>ADMINISTRATIVE COSTS (Include Secondary Administration.)</td>
<td></td>
</tr>
<tr>
<td>For example</td>
<td></td>
</tr>
<tr>
<td>PROGRAM EXPENSES</td>
<td></td>
</tr>
<tr>
<td>TOTAL EXPENSES</td>
<td></td>
</tr>
</tbody>
</table>

LINE ITEM JUSTIFICATION  (For each line item, provide a detailed justification explaining the need for the cash advance. The justification must include supporting documentation that clearly shows the advance will be expended within the first ninety (90) days of the contract term. Support documentation should include quotes for purchases, delivery timelines, salary and expense projections, etc. to provide the Division reasonable and necessary support that the advance will be expended within the first ninety (90) days of the contract term. Any advance funds not expended within the first ninety (90) days of the contract term as evidenced by copies of invoices and cancelled checks as required by the Budget and Scope of work showing 100% of expenditures for the 90 day period shall be returned to the Division Cashier, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days of receipt, along with any interest earned on the advance.
Attachment F

DIVISION OF EMERGENCY MANAGEMENT
HAZARD MITIGATION GRANT PROGRAM
QUARTERLY REPORT FORM

Instructions: Complete and submit this form to the appropriate Project Manager within 15 days of each quarter’s end date.

<table>
<thead>
<tr>
<th>SUB-RECIPIENT:</th>
<th>Flagler County</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT TYPE:</td>
<td>Hardening and Generator Project</td>
</tr>
<tr>
<td>PROJECT #:</td>
<td>4337-46-R</td>
</tr>
<tr>
<td>CONTRACT #:</td>
<td>HO150</td>
</tr>
<tr>
<td>PROGRAM:</td>
<td>Hazard Mitigation Grant Program</td>
</tr>
<tr>
<td>QUARTER ENDING:</td>
<td></td>
</tr>
</tbody>
</table>

Advance Payment Information:

- Advance Received □ N/A □ Amount: $ [ ]
- Advance Settled? Yes □ No □

Provide reimbursement Projections for this project (projections may change):

<table>
<thead>
<tr>
<th>Jul-Sep 20</th>
<th>Oct-Dec 20</th>
<th>Jan-Mar 20</th>
<th>Apr-Jun 20</th>
</tr>
</thead>
<tbody>
<tr>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

Target Dates:

- Contract Initiation Date: ________________
- Contract Expiration Date: ________________
- Estimated Project Completion Date: ________________

- Project Proceeding on Schedule? □ Yes □ No (If No, please describe under Issues below)

Percentage of Work Completed (may be confirmed by state inspectors): ___ %

Describe Milestones achieved during this quarter:

Provide a Schedule for the remainder of work to project completion: (Milestones from Contract with estimated dates)

<table>
<thead>
<tr>
<th>Milestone</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

Describe Issues or circumstances affecting completion date, milestones, scope of work, and/or cost:

- Cost Status: □ Cost Unchanged □ Under Budget □ Over Budget

Additional Comments/Elaboration:

~ To be completed by Division staff ~

Date Reviewed: ___________ Reviewer: ___________

Actions: ___________________________
Attachment G

Warranties and Representations

Financial Management
The Sub-Recipient's financial management system must comply with 2 C.F.R. §200.302.

Procurements
Any procurement undertaken with funds authorized by this Agreement must comply with the requirements of 2 C.F.R. §200, Part D—Post Federal Award Requirements—Procurement Standards (2 C.F.R. §§200.317 through 200.326).

Business Hours
The Sub-Recipient shall have its offices open for business, with the entrance door open to the public, and at least one employee on site, from: 8:00 AM - 5:00 PM, Monday Thru Friday, as applicable.

Licensing and Permitting
All subcontractors or employees hired by the Sub-Recipient shall have all current licenses and permits required for all of the particular work for which they are hired by the Sub-Recipient.
Subcontractor Covered Transactions

(1) The prospective subcontractor of the Sub-Recipient certifies, by submission of this document, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the Sub-Recipient's subcontractor is unable to certify to the above statement, the prospective subcontractor shall attach an explanation to this form.

SUBCONTRACTOR

________________________________________
By: _____________________________________
Signature

______________________________
Name and Title

______________________________
Street Address

______________________________
City, State, Zip

______________________________
Date

Flagler County
Sub-Recipient’s Name
H0150
DEM Contract Number
4337-46-R
FEMA Project Number
Attachment 1
Federal Funding Accountability and Transparency Act
Instructions and Worksheet

PURPOSE: The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006. The intent of this legislation is to empower every American with the ability to hold the government accountable for each spending decision. The FFATA legislation requires information on federal awards (federal assistance and expenditures) be made available to the public via a single, searchable website, which is http://www.usaspending.gov/.

The FFATA Sub-award Reporting System (FSRS) is the reporting tool the Florida Division of Emergency Management ("FDEM" or "Division") must use to capture and report sub-award and executive compensation data regarding first-tier sub-awards that obligate $25,000 or more in Federal funds (excluding Recovery funds as defined in section 1512(a) (2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5).

Note: This “Instructions and Worksheet” is meant to explain the requirements of the FFATA and give clarity to the FFATA Form distributed to sub-awardees for completion. All pertinent information below should be filled out, signed, and returned to the project manager.

ORGANIZATION AND PROJECT INFORMATION

The following information must be provided to the FDEM prior to the FDEM’s issuance of a sub-award (Agreement) that obligates $25,000 or more in federal funds as described above. Please provide the following information and return the signed form to the Division as requested.

PROJECT #: 4337-46-R
FUNDING AGENCY: Federal Emergency Management Agency
AWARD AMOUNT: $70,106.25
OBLIGATION/ACTION DATE: January 29, 2019
SUBAWARD DATE (if applicable):

DUNS#: 808206494
DUNS# +4:

50
"If your company or organization does not have a DUNS number, you will need to obtain one from Dun & Bradstreet at 866-705-5711 or use the web form (http://fedgov.dnb.com/webform). The process to request a DUNS number takes about ten minutes and is free of charge.

BUSINESS NAME: ________________________________

DBA NAME (IF APPLICABLE): _____________________________

PRINCIPAL PLACE OF BUSINESS ADDRESS:

ADDRESS LINE 1: _________________________________

ADDRESS LINE 2: _________________________________

ADDRESS LINE 3: _________________________________

CITY ___________________________ STATE _______ ZIP CODE+4** _______

PARENT COMPANY DUNS# (if applicable): _______________________________

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA#): _______________________________

DESCRIPTION OF PROJECT (Up to 4000 Characters)

As a Hazard Mitigation Grant Program (HMGP) project, the Sub-Recipient, the Flagler County Board of County Commissioners, proposes to retrofit Fire Station # 62 located at 1601 Old Moody Blvd, Bunnell, Florida 32110.

The HMGP project shall provide protection to the facility and shall be accomplished by protecting all windows and doors of the building, strengthening the roof to wall connection and installing 100 KW generator.

The project will provide protection to flood against a 500-year event and will be protected against the wind with a rated enclosure based on its location. Activities will be completed in strict compliance with Federal, State, and Local Rules and regulations. Project Locations:

Coordinates: 29.474805, -81.248520.

Verify the approved project description above, if there is any discrepancy, please contact the project manager.

PRINCIPAL PLACE OF PROJECT PERFORMANCE (IF DIFFERENT THAN PRINCIPAL PLACE OF BUSINESS):

ADDRESS LINE 1: _________________________________

ADDRESS LINE 2: _________________________________

ADDRESS LINE 3: _________________________________

CITY ___________________________ STATE _______ ZIP CODE+4** _______

CONGRESSIONAL DISTRICT FOR PRINCIPAL PLACE OF PROJECT PERFORMANCE:

**Providing the Zip+4 ensures that the correct Congressional District is reported.

EXECUTIVE COMPENSATION INFORMATION:

51
1. In your business or organization's previous fiscal year, did your business or organization (including parent organization, all branches, and all affiliates worldwide) receive (a) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance (e.g. loans, grants, subgrants, and/or cooperative agreements, etc.) subject to the Transparency Act, as defined at 2 CFR 170.320; (b) $25,000,000 or more in annual gross revenues from U.S. Federal procurement contracts (and subcontracts) and Federal financial assistance (e.g. loans, grants, subgrants, and/or cooperative agreements, etc.) subject to the Transparency Act?

[ ] Yes [x] No

**If the answer to Question 1 is “Yes,” continue to Question 2. If the answer to Question 1 is “No”, move to the signature block below to complete the certification and submittal process.**

2. Does the public have access to information about the compensation of the executives in your business or organization (including parent organization, all branches, and all affiliates worldwide) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) Section 6104 of the Internal Revenue Code of 1986?

[ ] Yes [ ] No

**If the answer to Question 2 is “Yes,” move to the signature block below to complete the certification and submittal process. [Note: Securities Exchange Commission information should be accessible at http://www.sec.gov/answers/execomp.htm. Requests for Internal Revenue Service (IRS) information should be directed to the local IRS for further assistance.]**

**If the answer to Question 2 is “No” FFATA reporting is required. Provide the information required in the “TOTAL COMPENSATION CHART FOR MOST RECENTLY COMPLETED FISCAL YEAR” appearing below to report the “Total Compensation” for the five (5) most highly compensated “Executives”, in rank order, in your organization. For purposes of this request, the following terms apply as defined in 2 CFR Ch. 1 Part 170 Appendix A:**

- Executive is defined as "officers, managing partners, or other employees in management positions".
- Total Compensation is defined as the cash and noncash dollar value earned by the executive during the most recently completed fiscal year and includes the following:
  
  i. Salary and bonus.
  
  ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  
  iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  
  iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  
  v. Above-market earnings on deferred compensation which is not tax-qualified.
  
  vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.
TOTAL COMPENSATION CHART FOR MOST RECENTLY COMPLETED FISCAL YEAR

(Date of Fiscal Year Completion: N/A)

<table>
<thead>
<tr>
<th>Rank (Highest to Lowest)</th>
<th>Name (Last, First, MI)</th>
<th>Title</th>
<th>Total Compensation for Most Recently Completed Fiscal Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td></td>
<td></td>
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<tr>
<td>2</td>
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</table>

THE UNDERSIGNED CERTIFIES THAT ON THE DATE WRITTEN BELOW, THE INFORMATION PROVIDED HEREIN IS ACCURATE.

SIGNATURE: [Signature]

NAME AND TITLE: Jerry Cameron, County Administrator

DATE: ______________________________
Attachment J
Mandatory Contract Provisions

Provisions:
Any contract or subcontract funded by this Agreement must contain the applicable provisions outlined in Appendix II to 2 C.F.R. Part 200. It is the responsibility of the sub-recipient to include the required provisions. The Division provides the following list of sample provisions that may be required:
OMB Guidance

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 4, Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination by the non-Federal entity. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Capital “Anti-Kickback” Act (46 U.S.C. 3165), as supplemented by Department of Labor regulations (29 CFR Part 9, Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (49 U.S.C. 3071-3079). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 49 U.S.C. 3071 and 3072, as supplemented by Department of Labor regulations (29 CFR Part 3). Under 49 U.S.C. 3072 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 49 U.S.C. 3072 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unhealthy, insanitary or dangerous. These requirements do not apply to the purchase of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award makes the definition of “inventing agreement” under 37 CFR 403.2 (a) and the recipient or subcontractor wishes to enter into a contract or agreement with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “inventing agreement,” the recipient or subcontractor must comply with the requirements of 37 CFR Part 403. “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7701) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1367), as amended—Contracts and subcontracts of amounts in excess of $100,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7701) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1367). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Mandated standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6801).

(I) Debarment and Suspension (Executive Orders 12549 and 12569)—A contract award (see 2 CFR 180.2) must not be made to parties listed on the governmentwide Excluded Parties List System in the System for Award Management (SAM) in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (2 CFR Part 180 Comp., p. 199) and 12569 (2 CFR Part 180 Comp., p. 259). “Debarment and Suspension.” The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(J) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply for or bid for an award of $10,000 or more must file the required certification. Such a contractor must certify in the bid or proposal that he or she is not lobbying for the ten years before that he or she will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or any employee of a member of Congress in connection with obtaining any Federal contract, grant or any other Federal assistance or services award, or the furnishing of any other Federal property or the performance of any Federal services.


APPENDIX III TO PART 200--INDIRECT (F&A) COSTS IDENTIFICATION AND ASSIGNMENT, AND RATE DETERMINATION FOR INSTITUTIONS OF HIGHER EDUCATION (IHEs)

A. GENERAL

This appendix provides criteria for identifying and computing indirect (or indirect (F&A)) rates as IHEs (institutions). Indirect (F&A) costs are those that are incurred for common or joint objectives and therefore cannot be identified readily and specifically with a particular sponsored project, an instructional activity, or any other institutional activity. See subsection 311, Definition of Facilities and Administration, for a discussion of the components of indirect (F&A) costs.

1. Major Functions of an Institution

Refers to instruction, research, other sponsored activities and other institutional activities as defined in this section:

a. Instruction means the teaching and training activities of an institution. Except for research training as provided in subsection b, this term includes all teaching and training activities, whether they are offered for credit toward a degree or certificate or on a non-credit basis, and whether they are offered through regular academic department or separate divisions, such as a nursery school division or an extension division. Also considered part of this major function are departmental research, and where agreed to, university research.

(1) Sponsored instruction and training means specific instructional or training activities established by grants, contract, or cooperative agreements. For purposes of the cost principles, this activity may be considered a major function even though an institution's accounting treatment may include it in the instruction function.

(2) Departmental research means research, development, and scholarly activities that are not sponsored research and, consequently, are not separately budgeted and accounted for. Departmental research, for purposes of this document, is not considered as a major function, but as a part of the instruction function of the institution.

b. Organized research means all research and development activities of an institution that are separately budgeted and accounted for. It includes:

(1) Sponsored research means all research and development activities that are sponsored by Federal and non-Federal agencies and organizations. This term includes activities involving the training of individuals in research techniques (commonly called research training) where such training utilizes the same facilities as other research and development activities and where such activities are not included in the instruction function.

(2) University research means all research and development activities that are separately budgeted and accounted for by the institution under an institutional agreement of institutional funds. University research, for purposes of this document, must be combined with sponsored research under the function of organized research.

c. Other sponsored activities means programs and projects financed by Federal and non-Federal agencies and organizations which involve the performance of work other than instruction and organized research. Examples of such programs and projects are health service projects and community service programs. However, when any of these activities are undertaken by the institution without outside support, they may be classified as other institutional activities.

d. Other institutional activities means all activities of an institution except for instruction, departmental research, organized research, and other sponsored activities, as defined in this section; indirect (F&A) costs associated with identified in Item Appendix paragraph 5, Identification and assignment of indirect (F&A) costs; and specialized services facilities described in §200.444 Specialized services facilities of this Part.

Examples of other institutional activities include operation of residence halls, dining halls, hospitals and clinics, student unions, intercollegiate athletics, bookstores, faculty housing, student apartments, guest houses, chapels, theaters, public museums, and other similar auxiliary enterprises. This definition also includes any other categories of activities, costs of which are "unallowable" to Federal awards, unless otherwise indicated in an award.

2. Criteria for Distribution

a. Base period. A base period for distribution of indirect (F&A) costs is the period during which the costs are incurred. The base period normally should coincide with the fiscal year established by the institution, but in any event the base period should be selected to avoid inequities in the distribution of costs.

b. Need for cost justifications. The overall objective of the indirect (F&A) cost allocation process is to distribute the indirect (F&A) costs described in Section B, Identification and assignment of indirect (F&A) costs, to
FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM # 7g

SUBJECT: Consideration of a Resolution and FY21/22 Flagler County Public Transportation Applications to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Capital Assistance Program in the Amount of $291,508.00

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5310 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas. This is an annual grant that we receive to provide these services. The current year grant award is $294,852.00. The amount of the 5310 grant application for the next fiscal year 21/22 is $291,508.00 for capital expense reimbursement.

This grant will be used to replace aging fleet and will reimburse the capital purchase of five replacement buses. We are replacing buses 94, 96, 99, 100, and 105, which have become mechanically unreliable and/or have high mileage.

While the total project costs $364,385.00 the County’s required grant match is ten percent (10%) with an additional ten percent (10%) coming from the State and the remaining eighty percent (80%) coming from the Federal Government.

<table>
<thead>
<tr>
<th>Proposed Project – Capital Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
<tr>
<td>Estimated Funding</td>
</tr>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

The application was completed and will be sent to the granting agency prior to the deadline of January 8, 2021

FUNDING INFORMATION: If this grant is approved the local match for the 5310 grant will be $36,438.50. This match would be included in the FY21/22 budget.

DEPARTMENT CONTACT: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application for the FDOT 5310 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement and all documents related to the application, acceptance, implementation, and closeout of the grant.

ATTACHMENTS:
1. 5310 Grant Application
2. Resolution
## Florida Department of Transportation

**Capital & Operating Assistance Application**  
Federal Fiscal Year 2021 / State Fiscal Year 2022

![FDOT Logo](Attachment 1)

**49 U.S.C. Section 5310, CFDA 20.513**  
Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities

### Agency Name: [ ]

### Applicant Type:  
- [ ] New Applicant  
- [x] Previous Applicant

### Project Type(s):  
- [x] Capital  
- [x] Operating  
- [ ] Mobility Management

### Service Area(s):  
- [ ] Small Urban  
- [x] Rural
## Applicant Information

**FDOT**

49 U.S.C. Section 5310, Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities: **GRANT APPLICATION**

<table>
<thead>
<tr>
<th>Agency (Applicant) Legal Name: Flagler County Board of County Commissioners</th>
<th>Physical Address (No P.O. Box): 1769 E. Moody Blvd.</th>
</tr>
</thead>
</table>

### Applicant Status:
- □ First-time applicant
- √ Returning applicant

*A first-time applicant has not received any funding for the past two grant cycles*

### Applicant's County: Flagler

If Applicant has offices in more than one county, list county where main office is located

<table>
<thead>
<tr>
<th>City: Bunnell</th>
<th>State: FL</th>
<th>Zip + 4 Code: 32110-5991</th>
<th>Congressional District: 7</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Federal Taxpayer ID Number: 59-6000605</th>
<th>Applicant's DUNS Number: Unique 9-Digit number issued by Dun &amp; Bradstreet. May be obtained free of charge at: <a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a> 21121488</th>
</tr>
</thead>
</table>

### Applicant Fiscal period start and end dates:

- **October 1, 2021** to **September 30, 2022**

*State Fiscal period from: July 1, 2020 to June 30, 2021*

### Counties Served: Flagler County

*List the county or counties that will be served by the proposed project.*

### Executive Director: Heidi Petito

| Grant Contact Person (if different than Executive Director): Tishia Peterson |
|---|---|

### Telephone: 386-313-4185

| Telephone: 386-313-4190 |
|---|---|

### Fax: 386-313-4120

| Fax: 386-313-4120 |
|---|---|

### E-mail address: hpetito@flaglercounty.org

| Email Address: tpeterson@flaglercounty.org |
|---|---|

| Current Vehicle Inventory Enter Number for **ENTIRE** Fleet in each category: |
|---|---|---|---|---|
| Sedans: | Vans: 1 | MiniVans with Ramp: 1 | Buses(Cutaways): 32 | Buses (Medium Duty): N/A |
| Other: | --- | --- | --- | --- |

### Authorizing Representative certifying to the information contained in this application is true and accurate.

<table>
<thead>
<tr>
<th>Signature (Authorizing Representative):</th>
<th>Printed Name: Jerry Cameron</th>
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</thead>
</table>

<table>
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<tr>
<th>Title: County Administrator</th>
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</table>

| Email Address: jcameron@flaglercounty.org |
Checklist

Each of the below items must be included with your Section 5310 Grant Application submittal in the same order as the checklist.

- Application Checklist (*this form*)
- Applicant Information

**PART I - APPLICANT ELIGIBILITY**
- Eligibility Questionnaire (*only applicable for returning applicants*)
- Exhibit A: Cover Letter
- Exhibit B: Governing Board's Resolution
- Exhibit C: Coordinated Public Transit-Human Service Transportation Plan
- Exhibit D: CTC Agreement or Certification
- Exhibit E: Certification of Incorporation (*Required for all first-time private non-profit applicants*)

(N/A)
- Exhibit F: Proof of Non-Profit Status (N/A)
- Exhibit G: Local Clearinghouse Agency/RPC Cover Letter (*Required if proposed project is for facilities*)
  
  Date received: N/A

- Exhibit H: Public Hearing Notice

**PART II - FUNDING REQUEST**
- Form A-1: Current System Description
  - Organization Chart
- Form A-2: Fact Sheet
- Form A-3: Proposed Project Summary
- Form B-1: Financial Capacity – Proposed Budget for Transportation Program
  - Proof of Local Match
  - Supporting Documentation
- Form B-2: Operations Phase- Estimate of Project Costs by Budget Category
- Form B-3: Capital Request
  - Completed Sample Order Form(s)
- Form C: Current Vehicle and Transportation Equipment Inventory

**PART III – REQUIRED DOCUMENTS**
- Exhibit I: FDOT Certification and Assurances
- Exhibit J: Standard Lobbying Certification
- Exhibit K: Leasing Certification (*we do not lease vehicles*)
- Exhibit L: Certification of Equivalent Service
- Form 424: Application for Federal Assistance
- Exhibit M: Federal Certifications and Assurances (*to be submitted when published*)
- Exhibit N: Transportation Operating Procedure (*Applies to Section 5310-only Applicants*) (N/A)
- Exhibit O: Title VI Plan (*Required if not previously submitted to District*) (previously submitted)
- Exhibit P: Protection of the Environment (*Required if the proposed project is for facilities*) (N/A)
- Exhibit Q: Triennial Review – CAP Closeout Documentation
PART I - APPLICANT ELIGIBILITY

Eligibility Questionnaire

This questionnaire applies to returning applicants. If you are a current grant sub-recipient and are not compliant with all FDOT and FTA Section 5310 requirements, you will not be eligible to receive grant funds until compliance has been determined. You must be in compliance at time of grant award execution.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Review Scheduled</th>
<th>Notified by FDOT District Office</th>
<th>N/A</th>
</tr>
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<tbody>
<tr>
<td>Are you a returning applicant?</td>
<td>☒</td>
<td>☐</td>
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<tr>
<td>*If yes, please answer all questions. If no, disregard remaining questions in this questionnaire.</td>
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<tr>
<td>Has your agency completed a FDOT Triennial Oversight Review?</td>
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<tr>
<td>If yes, what date(s) did the review occur?</td>
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<tr>
<td>If yes, is your agency currently in compliance?</td>
<td>☒</td>
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<td>☐</td>
<td></td>
<td>N/A</td>
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<td>If your agency is not in compliance, do you have a Corrective Action Plan (CAP) to come into compliance?</td>
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<td>N/A</td>
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<tr>
<td>If yes, what is the anticipated date of corrective action closeout?</td>
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<td>Did your agency complete the &quot;Section 5310 Program Performance Measures Annual Report&quot;?</td>
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<td>If no, what date will your agency submit the report?</td>
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<td>Is your agency registered on SAM.gov?</td>
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<td>Note: Agency must register each year/application cycle.</td>
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<td>If yes, registration expiration date:</td>
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Signature

Jerry Cameron, County Administrator

Typed Name and Title

December 7, 2020

Date
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
GRANT APPLICATION

Flagler County Board of County Commissioners submits this Application for the Section 5310 Program Grant and agrees to comply with all assurances and exhibits attached hereto and by this reference made a part thereof, as itemized in the Checklist for Application Completeness.

Flagler County Board of County Commissioners further agrees, to the extent provided by law (in case of a government agency in accordance with Sections 129.07 and 768.28, Florida Statutes) to indemnify, defend and hold harmless the Department and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the non-compliance by the Agency, its officers, agents or employees, with any of the assurances stated in this Application.

This Application is submitted on this 7th day of December 2020 with two (2) original resolutions or certified copies of the original resolution authorizing the County Administrator or the Boards Designee to sign this Application and any other documents relating to this grant including but not limited to the acceptance of the grant award.

Flagler County Board of County Commissioners

By: Date: December 07, 2020

Signature: ____________________________
Donald O'Brien Jr.
Title: Chairman, Board of County Commissioners
RESOLUTION 2020 - ___

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

WHEREAS, Flagler County has the authority to apply for and accept grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. This resolution applies to Federal Programs under U.S.C. Section 5310.

2. The submission of grant applications, supporting documents, and assurances to the Florida Department of Transportation is approved.

3. The County Administrator or his designee is authorized to sign any grant documents to accept, implement, and administer the grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED in open session of the Flagler County Board of County Commissioners, Florida, on this 7th day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

Donald O'Brien Jr., Chair

Tom Bexley, Clerk of the Circuit Court and Comptroller

Al Hadeed
County Attorney
RESOLUTION 2020 - ___

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

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FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

Donald O'Brien Jr., Chair

________________________

Tom Bexley, Clerk of the Circuit Court and Comptroller

________________________

Al Hadeed
County Attorney
Exhibit C: Coordinated Public Transit-Human Service Transportation Plan

The projects selected for funding under the Section 5310 program must be included in a locally developed, coordinated public transit-human services transportation plan (Coordinated Plan) that was “developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public.”

Reference: FTA C 9070.1G Chapter V

Certification

(Flagler County Board of County Commissioners) certifies and assures to the Florida Department of Transportation regarding its application for assistance under 49 U.S.C. 5310 that this grant request is included in a coordinated plan compliant with Federal Transit Administration Circular FTA C 9070.1G.

(a) The name of this coordinated plan:

Transportation Disadvantaged Service Plan Flagler County

(b) The agency that adopted this coordinated plan:

Florida Commission for the Transportation Disadvantaged

(c) The date the coordinated plan was adopted:

2014

(d) Section and page in the coordinated plan that identifies the project or need your agency is fulfilling:

Service Analysis

Signature

Jerry Cameron, County Administrator
Typed Name and Title of Authorized Representative

December 7, 2020
Date
STATE OF FLORIDA
COMMISSION FOR THE TRANSPORTATION DISADVANTAGED
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is between the COMMISSION FOR THE TRANSPORTATION DISADVANTAGED, hereby referred to as the "Commission," and Flagler County Board of County Commissioners, 1769 East Moody Boulevard, Building 5, Bunnell, Florida 32110, the COMMUNITY TRANSPORTATION COORDINATOR, designated pursuant to Chapter 427, F.S., to serve the transportation disadvantaged for the community that includes the entire area of Flagler county(ies), and hereafter referred to as the "Coordinator."

This Agreement is made in consideration of the mutual benefits to both parties; said consideration acknowledged hereto by the parties as good and valuable consideration.

The Parties Agree:

I. The Coordinator Shall:

A. Become and remain totally apprised of all of the Transportation Disadvantaged resources available or planned in their designated service area. This knowledge will be used to plan, coordinate, and implement the most cost effective transportation disadvantaged transit system possible under the economic and other conditions that exist in the designated service area.

B. Plan and work with Community Transportation Coordinators in adjacent and other areas of the state to coordinate the provision of community trips that might be handled at a lower overall cost to the community by another Coordinator. This includes honoring any Commission-approved statewide certification program that allows for intercounty transportation opportunities.

C. Arrange for all services in accordance with Chapter 427, Florida Statutes, and Rule 41-2, FAC, and as further required by the Commission and the local Coordinating Board approved Transportation Disadvantaged Service Plan.

D. Return any acquired profits or surplus funds originating through the course of business as the Coordinator that are beyond the amounts(s) specifically identified and approved in the accompanying Transportation Disadvantaged Service Plan. Such profits or funds shall be returned to the Coordinator's transportation system or to any subsequent Coordinator, as a total transportation system subsidy, to be applied to the immediate following operational year. The Coordinator will include similar language in all coordination contracts to assure that transportation disadvantaged related revenues are put back into transportation disadvantaged services.
E. Accomplish this Project by:

1. Developing a Transportation Disadvantaged Service Plan for approval by the local Coordinating Board and the Commission. Coordinators who are newly designated to a particular service area shall submit a local Coordinating Board approved Transportation Disadvantaged Service Plan, within 120 calendar days following the execution of the Coordinator’s initial memorandum of agreement with the Commission, for approval by the Commission. All subsequent Transportation Disadvantaged Service Plans shall be submitted and approved with the corresponding memorandum of agreement. The approved Transportation Disadvantaged Service Plan will be implemented and monitored to provide for community-wide transportation services for purchase by non-sponsored transportation disadvantaged persons, contracting social service agencies, and other entities that use local, state, or federal government funds for the purchase of transportation for the transportation disadvantaged.

2. Maximizing the use of available public school transportation resources and public fixed route or fixed schedule transit services and assuring that private or public transit, paratransit operators, and school boards have been afforded a fair opportunity to participate to the maximum extent feasible in the planning process and in the development of the provisions of the Transportation Disadvantaged Service Plan for the transportation disadvantaged.

3. Providing or arranging 24-hour, 7-day per week transportation disadvantaged service as required in the designated service area by any Federal, State or Local Government agency sponsoring such services. The provision of said services shall be furnished in accordance with the prior notification requirements identified in the local Coordinating Board and Commission approved Transportation Disadvantaged Service Plan.

4. Complying with all local, state, and federal laws and regulations that apply to the provision of transportation disadvantaged services.

5. Submitting to the Commission an Annual Operating Report detailing demographic, operational, and financial data regarding coordination activities in the designated service area. The report shall be prepared on forms provided by the Commission and according to the instructions of said forms.

F. Comply with Audit and Record Keeping Requirements by:

1. Utilizing the Commission recognized Chart of Accounts defined in the Transportation Accounting Consortium Model Uniform Accounting System for Rural and Specialized Transportation Providers (uniform accounting system) for all transportation disadvantaged accounting and reporting purposes. Community Transportation Coordinators with existing and equivalent accounting systems are not required to adopt the Chart of Accounts in lieu of their existing Chart of Accounts but shall prepare all reports, invoices, and fiscal documents relating to the transportation disadvantaged functions and activities using the chart of accounts and accounting definitions as outlined in the above referenced manual.
2. Assuming the responsibility of invoicing for any transportation services arranged, unless otherwise stipulated by a purchase of service contract or coordination contract.

3. Maintaining and filing with the Commission, local Coordinating Board, and all purchasing agencies/entities such progress, fiscal, inventory, and other reports as those entities may require during the period of this Agreement.

4. Providing copies of finance and compliance audits to the Commission and local Coordinating Board as requested by the Commission or local Coordinating Board.

G. Retain all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for a period of five (5) years after termination of this Agreement. If an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings. The Coordinator shall assure that these records shall be subject to inspection, review, or audit at all reasonable times by persons duly authorized by the Commission or this Agreement. They shall have full access to and the right to examine any of the said records and documents during the retention period.

H. Comply with Safety Requirements by:

1. Complying with Section 341.061, F.S., and Rule 14-90, FAC, concerning System Safety; or complying with Chapter 234.051, F.S., regarding school bus safety requirements for those services provided through a school board; and

2. Assuring compliance with local, state, and federal laws, and Commission policies relating to drug testing. Conduct drug and alcohol testing for safety sensitive job positions within the coordinated system regarding pre-employment, randomization, post-accident, and reasonable suspicion as required by the Federal Highway Administration and the Federal Transit Administration.

I. Comply with Commission insurance requirements by maintaining at least minimum liability insurance coverage in the amount of $200,000 for any one person and $300,000 per occurrence at all times during the existence of this Agreement for all transportation services purchased or provided for the transportation disadvantaged through the Community Transportation Coordinator. Upon the execution of this Agreement, the Coordinator shall add the Commission as an additional named insured to all insurance policies covering vehicles transporting the transportation disadvantaged. In the event of any cancellation or changes in the limits of liability in the insurance policy, the insurance agent or broker shall notify the Commission. The Coordinator shall assure that contracting transportation operators and coordination contractors also maintain the same minimum liability insurance, or an equal governmental insurance program. Insurance coverage in excess of $1 million per occurrence must be approved by the Commission and the local Coordinating Board before inclusion in the Transportation Disadvantaged Service Plan or in the justification of rates and fare structures. Such coverage may be provided by a self-insurance program established and operating under the laws of the State of Florida and written verification of insurance protection in accordance with Section 768.28, Florida Statutes, shall be provided to the Commission upon request.
J. Safeguard information by not using or disclosing any information concerning a user of services under this Agreement for any purpose not in conformity with the local, state and federal regulations (45 CFR, Part 205.50), except upon order of a court, written consent of the recipient, or his/her responsible parent or guardian when authorized by law.

K. Protect Civil Rights by:

1. Complying with state and federal laws including but not limited to laws regarding discrimination on the basis of sex, race, religion, age, disability, sexual orientation, or national origin. The Coordinator gives this assurance in consideration of and for the purpose of obtaining federal grants, loans, contracts (except contracts of insurance or guaranty), property, discounts, or other federal financial assistance to programs or activities receiving or benefiting from federal financial assistance and agreeing to complete a Civil Rights Compliance Questionnaire if so requested by the Commission.

2. Agreeing that compliance with this assurance constitutes a condition of continued receipt of or benefit from federal financial assistance, and that it is binding upon the Coordinator, its successors, subcontractors, transferee, and assignees for the period during which such assistance is provided. Assure that all operators, subcontractors, subgrantee, or others with whom the Coordinator arranges to provide services or benefits to participants or employees in connection with any of its programs and activities are not discriminating against those participants or employees in violation of the above statutes, regulations, guidelines, and standards. In the event of failure to comply, the Coordinator agrees that the Commission may, at its discretion, seek a court order requiring compliance with the terms of this assurance or seek other appropriate judicial or administrative relief, to include assistance being terminated and further assistance being denied.

L. To the extent allowed by Section 768.28, Florida Statutes, and only to the monetary and other limitations contained therein, indemnify and hold harmless the Commission and all of the Commission’s members, officers, agents, and employees; purchasing agency/entity officers, agents, and employees; and the local, state, and federal governments from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the Coordinator during the performance of this Agreement, whether direct or indirect, and whether to any person or property to which the Commission or said parties may be subject, except that neither the Coordinator nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the Commission or any of its members, officers, agents or employees; purchasing agency/entity, officers, agents, and employees; and local, state, or federal governments. Nothing herein is intended to serve as a waiver of sovereign immunity by any agency/entity or Coordinator to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency/entity or political subdivision of the State of Florida or the federal government to be sued by third parties in any matter arising out of any Agreement or contract. Notwithstanding the foregoing, pursuant to Section 768.28, Florida Statutes, no agency or subdivision of the state shall be required to indemnify, insure, or assume any liability for the Commission’s negligence.
M. Comply with standards and performance requirements of the Commission, the local Coordinating Board approved Transportation Disadvantaged Service Plan, and any purchase of service contracting agencies/entities. Failure to meet the requirements or obligations set forth in this MOA, and performance requirements established and monitored by the local Coordinating Board in the approved Transportation Disadvantaged Service Plan, shall be due cause for non-payment of reimbursement invoices until such deficiencies have been addressed or corrected to the satisfaction of the Commission.

N. Comply with subcontracting requirements by executing or negotiating contracts for transportation services with Transportation Operators and Coordination Contractors, and assuring that the conditions of such contracts are maintained. The requirements of Part 1, Paragraph E.5. through M are to be included in all contracts, subcontracts, coordination contracts, and assignments made by the Coordinator for services under this Agreement. Said contracts, subcontracts, coordination contracts, and assignments will be reviewed and approved annually by the Coordinator and local Coordinating Board for conformance with the requirements of this Agreement.

O. Comply with the following requirements concerning drivers and vehicles:

1. Drivers for paratransit services, including coordination contractors, shall be required to announce and identify themselves by name and company in a manner that is conducive to communications with the specific passenger, upon pickup of each rider, group of riders, or representative, guardian, or associate of the rider, except in situations where the driver regularly transports the rider on a recurring basis. Each driver must have photo identification that is in view of the passenger. Name patches, inscriptions or badges that affix to driver clothing are acceptable. For transit services, the driver photo identification shall be in a conspicuous location in the vehicle.

2. The paratransit driver shall provide the passenger with boarding assistance, if necessary or requested, to the seating portion of the vehicle. The boarding assistance shall include opening the vehicle door, fastening the seat belt or utilization of wheelchair securement devices, storage of mobility assistive devices, and closing the vehicle door. In certain paratransit service categories, the driver may also be required to open and close doors to buildings, except in situations in which assistance in opening/closing building doors would not be safe for passengers remaining on the vehicle. Assisted access must be in a dignified manner. Drivers may not assist wheelchair up or down more than one step, unless it can be performed safely as determined by the passenger, guardian, and driver.

3. All vehicles shall be equipped with two-way communications in good working order and be audible to the driver at all times to the base.

4. All vehicles providing service within the coordinated system, shall have working air conditioners and heaters in each vehicle. Vehicles that do not have a working air conditioner or heater will be scheduled for repair or replacement as soon as possible.
P. Comply with other requirements as follows:

1. Transport an escort of a passenger and dependent children as locally negotiated and identified in the local Transportation Disadvantaged Service Plan.

2. Determine locally in the Transportation Disadvantaged Service Plan, the use, responsibility, and cost of child restraint devices.

3. Transport with the passenger at no additional charge, passenger property that can be carried by the passenger and/or driver in one trip and can be safely stowed on the vehicle. Additional requirements may be negotiated for carrying and loading rider property beyond this amount. Passenger property does not include wheelchairs, child seats, stretchers, secured oxygen, personal assistive devices, or intravenous devices.

4. Provide shelter, security, and safety of passengers at vehicle transfer points.

5. Post a local or other toll-free number for complaints or grievances inside each vehicle. The local complaint process shall be outlined as a section in the local Transportation Disadvantaged Service Plan including advising the dissatisfied person about the Commission's Ombudsman Program as a step within the process as approved by the local Coordinating Board.

6. Provide out-of-service-area trips, when determined locally and approved by the local Coordinating Board, except in instances where local ordinances prohibit such trips.

7. Keep interior of all vehicles free from dirt, grime, oil, trash, torn upholstery, damaged or broken seats, protruding metal or other objects or materials which could soil items placed in the vehicle or provide discomfort for the passenger.

8. Determine locally by the local Coordinating Board and provide in the local Transportation Disadvantaged Service Plan the billing requirements of the Community Transportation Coordinator. All bills shall be paid to subcontractors within 7 calendar days after receipt of said payment by the Coordinator, in accordance with Section 287.0585, Florida Statutes.

9. Maintain or have access to a passenger/trip database on each rider being transported within the system.

10. Provide each rider and escort, child, or personal care attendant adequate seating for paratransit services. No more passengers than the registered passenger seating capacity shall be scheduled or transported in a vehicle at any time. For transit services provided by transit vehicles, adequate seating or standing space will be provided to each rider and escort, child, or personal care attendant, and no more passengers than the registered passenger seating or standing capacity shall be scheduled or transported in a vehicle at any time.

11. First Aid shall be determined locally and provided in the local Transportation Disadvantaged Service Plan.
12. Cardiopulmonary Resuscitation shall be determined locally and provided in the local Transportation Disadvantaged Service Plan.

II. The Commission Shall:

A. Recognize the Coordinator as the entity described in Section 427.011(5), Florida Statutes, and Rule 41-2.002(4), F.A.C.

B. Attempt to insure that all entities with transportation disadvantaged funds will purchase transportation disadvantaged services through the Coordinator's system.

III. The Coordinator and the Commission Further Agree:

A. Nothing in this Agreement shall require the Commission to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable state law. If any of the provisions of this Agreement is found by a court of law to violate any applicable state law, the purchasing agency/entity will at once notify the Commission in writing in order that appropriate changes and modifications may be made by the Commission and the Coordinator to the end that the Coordinator may proceed as soon as possible with the provision of transportation services.

B. If any part or provision of this Agreement is held invalid, the remainder of this Agreement shall be binding on the parties hereto.

C. Termination Conditions:

1. Termination at Will - This Agreement may be terminated by either party upon no less than thirty (30) days notice, without cause. Said notice shall be delivered by certified mail, return receipt required, or in person with proof of delivery.

2. Termination for Breach - Unless the Coordinator's breach is waived by the Commission in writing, the Commission may, by written notice to the Coordinator, terminate this Agreement upon no less than twenty-four (24) hours notice. Said notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery. Waiver by the Commission of breach of any provision of this Agreement shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of this Agreement, and shall not act as a waiver or estoppel to enforcement of any provision of this Agreement. The provisions herein do not limit the Commission's right to remedies at law or to damages.

D. This agreement will expire unless an extension is granted to the Coordinator in writing by the Commission, in accordance with Chapter 287, Florida Statutes.

E. Renegotiations or Modifications of this Agreement shall only be valid when they have been reduced to writing, duly approved by the Commission, and signed by both parties hereto.
F. Notice and Contact:

The name and address of the contract manager for the Commission for this Agreement is: **Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450.** The representative/position of the Coordinator responsible for administration of the program under this Agreement is: **General Services Director,**

**1769 East Moody Boulevard, Building 5, Bunnell, Florida 32110**

In the event that either party designates different representatives after execution of this Agreement, notice of the name and address of the new representative will be rendered in writing to the other party and said notification attached to originals of this Agreement.

This document has been reviewed in its entirety and approved by the local Coordinating Board at its official meeting held on  

Coordinating Board Chairperson

WITNESS WHEREOF, the parties hereto have caused these presents to be executed.

COMMUNITY TRANSPORTATION COORDINATOR:  

**Flagler County**

Agency Name  

**David C. Sullivan**

Printed Name of Authorized Individual  

Signature:  

Title:  

STATE OF FLORIDA, COMMISSION FOR THE TRANSPORTATION DISADVANTAGED:

**Flagler County**

Printed Name of Authorized Individual  

Signature:  

Title:  

Chair

Rev. 04/02/2012
December 7, 2020

Ms. Margo Moehring  
Northeast Florida Regional Council  
6850 Belfort Oaks Place  
Jacksonville, FL 32216

Dear Ms. Moehring:

Please find enclosed one copy of Flagler County's application to the Florida Department of Transportation Public Transit Office for federal assistance under U.S.C. Section 5310 Assistance Program.

We are requesting the appropriate parties review our application and provide a letter of approval to the program manager at the FDOT District V Office listed below:

FDOT District V  
Orlando Urban Office  
Attention: Diane Poitras  
133 Semoran Boulevard  
Orlando, FL 32807

If you require additional information, please don’t hesitate to contact me at (386) 313-4185.

Respectfully Submitted,

Heidi Petito, County Transit Director  
Flagler County Public Transportation
Sent to News-Tribune via email

November 23, 2020

PUBLIC NOTICE

All interested parties within Flagler County are hereby advised that Flagler County Board of County Commissioners is applying to the Florida Department of Transportation for a capital grant under Section 5310, for the purpose of purchasing five buses at a cost of approximately $364,385.00 to be used for the provision of public transit services within Flagler County, Florida.

A Public Hearing has been scheduled Thursday, December 18, 2020 at 10:00 a.m., at 1769 East Moody Blvd., Building 5, Bunnell, Florida 32110 for the purpose of advising all interested parties of service being contemplated if a grant is awarded, and to ensure that contemplated services would not represent a duplication of current or proposed services provided by existing transit or paratransit operators in the area.

This hearing will be conducted, if and only if a written request for the hearing is received by Thursday, December 11, 2020.

Requests for a hearing must be addressed to Tishia Peterson, Flagler County Public Transportation, 1769 East Moody Blvd., Building 5, Bunnell, FL 32110, and a copy sent to Diane Poitras, Florida Department of Transportation, 420 W. Landstreet Road, Orlando, FL 32824.

Heidi Petito-General Services Director
PART II - FUNDING REQUEST

Form A-1: Current System Description

(a) Please provide a brief general overview of the organization type (i.e., government authority, private non-profit, etc.) including its mission, program goals, and objectives (Maximum 300 words).

The primary focus for Flagler County Public Transportation is to provide transportation in and between areas of the County where concentrations of people are located thereby providing an efficient system for transport where we can consolidate trips based on destination and purpose. With an average client age of 62, FCPT client focus is necessarily on the elderly. As our community and state continue to grow, the elderly and disabled population is also expected to continue to increase. And so, the leaders of this County believe that the ongoing relation we have enjoyed with the Florida Department of Transportation’s 5310/5311 programs is integral to the certainty that this community will be able to provide transportation services to our growing population. Through the generosity of FDOT and the Flagler County Board of County Commissioners (FCBOCC) we believe that we will be prepared for this expected and unprecedented growth, provided state property tax reform and Medicaid non-emergency transportation problems with AHCA do not trickle down to our local level in debilitating form. The FCBOCC in partnership with its FCPT division is committed to this transportation service and takes great pride in providing first rate public transportation for our community. The FCBOCC has served as CTC since 2004.

(a) Please provide information below:

Organizational structure (attach an organizational chart at the end of this section)
Total number of employees in organization 361
Total number of transportation-related employees in the organization 31

Who is responsible for insurance, training, management, and administration of the agency’s transportation programs? (Maximum 100 words)

The Director of General Services and the Transportation Manager manage the division. Training of personnel is under the direction of the Transportation Coordinator. Insurance for both equipment and personnel is provided by the County through the Human Resources Department.
(b) How are the operations of the transportation program currently funded? What are the sources of the funding (e.g., state, local, federal, private foundations, fares, other program fees?)? Please provide details regarding each of the individual funding programs currently available to fund the transportation program. Maximum 200 words

For operating we currently apply for 5310 and 5311 operating grants. Also TD trips and the State Block Grant. The balance of our funding comes from the County property taxes. 65% of our funding comes from the above grants and 35% from County taxes.

How does your agency ensure that passengers are eligible recipients of 5310-funded transportation service? Maximum 200 words

All clients complete a passenger intake form. This enables the data input employee to determine what program(s) the perspective client is eligible for.

Please answer the below questions in the space provided below:

To what extent does your agency serve minority populations?
Is your agency minority-owned? Maximum 200 words

We are owned by Flagler by Flagler County Board of County Commissioners. We provide trips to all populations of the County regardless of race.

How many drivers (including contracted drivers) are utilized for 5310-funded transportation services?

18

How many drivers do you have?

- Number of Full-Time Drivers 21
- Number of Part Time Drivers 5

How many vehicles do you have that require a Commercial Driver's License (CDL) certified driver? 20

How many drivers are needed during peak service? 27

How many vehicles are needed during peak service? 27
Fully explain your transportation program:

- Service hours, planned service, routes and trip types;
- Staffing—include plan for training on vehicle equipment such as wheelchair lifts, etc.;
- Records maintenance—who, what methods, use of databases, spreadsheets etc.;
- Vehicle maintenance—who, what, when and where. Which services are outsourced (e.g., oil changes)?
  Include a section on how vehicles are maintained without interruptions in service
- System safety plan (5310 only agencies exempt)
- Drug-free workplace; and
- Data collection methods, including how data was collected to complete Form A-2.

Note: If the applicant is a CTC, relevant pages of a TDSP and AOR containing the above information may be provided. Please do not attach the entire plan or report. If the applicant is a “5310 only agency,” relevant information from the TOP containing the above elements may be provided below

Service hours are Monday – Friday 4:30am – 6:30pm. Saturday 7am – 6:30pm.

The major areas of transportation need is medical, employment, special needs training, adult day care, and nutritional services. For the period of July 1, 2017 – June 30, 2018 the trips were 108,175 covering 652,884 vehicle miles. For the period of July 1, 2018 – June 30, 2019 there was a decrease in trips 101,089 covering 617,365 vehicle miles. For the period of July 1, 2019 – June 30, 2020 again another decrease, but this time due to the COVID-19 pandemic 80,407 covering 525,527 vehicle miles. We continue to maintain our commitment to the elderly and the disabled community.

Flagler County Fleet Maintenance provides the maintenance of the entire transportation fleet. A preventative maintenance schedule has been set following County and State guidelines in include safety inspections, oil changes, brake inspections, and pre and post trip inspections. The program is outlined on the inside of each FDOT vehicle book. The preventative maintenance program helps to ensure the safety of passengers and staff, as well as allowing the vehicles to serve the entire life span that the Department of Transportation assigns each vehicle type.

To maintain our client and trip data we currently use Route Match routing software and hardware.
Form A-2: Fact Sheet

<table>
<thead>
<tr>
<th></th>
<th>Calculations¹ (current system)</th>
<th>Current System</th>
<th>Calculations¹ (if grant is awarded)</th>
<th>If Grant is Awarded (Estimates are acceptable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Number of total one-way trips served by the agency <strong>PER YEAR</strong> (for entire system).* Please include calculations.</td>
<td>80,407</td>
<td>From AOR</td>
<td>101,089</td>
</tr>
<tr>
<td>2</td>
<td>Number of one-way passenger trips provided to seniors and individuals with disabilities <strong>PER YEAR</strong>.*</td>
<td>55,442</td>
<td>From AOR</td>
<td>60,000</td>
</tr>
<tr>
<td>3</td>
<td>Number of individual senior and disabled clients (unduplicated) <strong>PER YEAR</strong>.</td>
<td>5,905</td>
<td>From AOR</td>
<td>6,700</td>
</tr>
<tr>
<td>4</td>
<td>Total number of vehicles used to provide service to seniors and individuals with disabilities.</td>
<td>32</td>
<td>Vehicles Count</td>
<td>32</td>
</tr>
</tbody>
</table>

¹ If a software program is used to obtain the required data for the fact sheet, please identify the source.
<table>
<thead>
<tr>
<th></th>
<th>Calculations¹</th>
<th>Current System</th>
<th>Calculations¹</th>
<th>If Grant is Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(current system)</td>
<td></td>
<td>(if grant is awarded)</td>
<td>(Estimates are acceptable)</td>
</tr>
<tr>
<td>5</td>
<td>Number of 5310 vehicles used to provide service to seniors and individuals with disabilities eligible for replacement that have reached their useful life.</td>
<td>5</td>
<td>Vehicle Count</td>
<td>5</td>
</tr>
<tr>
<td>6</td>
<td>Total fleet vehicle miles traveled to provide service to seniors and individuals with disabilities PER YEAR.</td>
<td>466,560</td>
<td>From AOR</td>
<td>525,527+</td>
</tr>
<tr>
<td>7</td>
<td>Total number of square miles of service coverage.</td>
<td>571</td>
<td>Internet</td>
<td>571</td>
</tr>
<tr>
<td>8</td>
<td>Number of days that vehicles are in operation to provide service to seniors and individuals with disabilities AVERAGE PER YEAR.</td>
<td>7</td>
<td>Work Hours</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Calculations&lt;sup&gt;1&lt;/sup&gt; (current system)</td>
<td>Current System</td>
<td>Calculations&lt;sup&gt;1&lt;/sup&gt; (if grant is awarded)</td>
<td>If Grant is Awarded (Estimates are acceptable)</td>
</tr>
<tr>
<td>---</td>
<td>----------------------------------------</td>
<td>----------------</td>
<td>-----------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>9</td>
<td>Number of hours of service AVERAGE PER DAY (24-hour period).</td>
<td>12</td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>10</td>
<td>Number of hours of service PER YEAR.</td>
<td>3,624</td>
<td>302*12=3,624</td>
<td>3,624</td>
</tr>
<tr>
<td>11</td>
<td>Posted hours of normal operation agency provides service to seniors and individuals with disabilities PER WEEK (This does not include non-scheduled emergency availability).</td>
<td>M–F: 4:30am – 6:30pm  Saturday: 7am – 6:30pm Sunday: N/A Total (WEEK): 72</td>
<td>M–F: 4:30am – 6:30pm  Saturday: 7am – 6:30pm Sunday: N/A Total (WEEK): 72</td>
<td></td>
</tr>
</tbody>
</table>

*One-way passenger trip* is the unit of service provided each time a passenger enters the vehicle, is transported, and then exits the vehicle. Each different destination would constitute a passenger trip.
Management has the overall responsibility for the safe and secure operations of Flagler County Public Transportation system and for the contracted service operators. Each employee is required to carry out specific system safety responsibilities, depending on his/her position, in compliance with the SSPP. The organization information provided below describes each position and the reporting structure; the table in the following page shows system safety responsibilities of each position.

5.1 Flagler County Public Transportation Organization Chart

Note: The chart above only shows Flagler County departments/staff involved with transportation.
Form A-3: Proposed Project Summary
All Applicants

(a) How will the grant funding be used?

Check all that apply:

- [ ] Vehicle(s) →
- [ ] Expansion
- [ ] Replacement

- [ ] Equipment →
- [ ] Expansion
- [ ] Replacement

- [ ] Mobility Management

- [ ] Preventative Maintenance

- [ ] Operating →
- [ ] Expansion
- [ ] Continuing Service

In which geographic area(s) will the requested grant funds be used to provide service?

- [ ] Urban (UZA)
- [ ] Small Urban (SUZA)
- [ ] Rural

Complete the service area percentages for the geographic areas where the requested grant funds will be used to provide service

*Example:*

If your agency makes 500 trips per year and 100 of those trips are urban then:

100 UZA trips / 500 total trips = .2 * 100 = 20% UZA service area

<table>
<thead>
<tr>
<th>Geographic Area</th>
<th>Number of Trips</th>
<th>Total Trips</th>
<th>Number of Trips, revenue service hours, or revenue service miles within specified geographic area</th>
<th>Total number of trips, revenue service hours, or revenue service miles</th>
<th>Percentage of service within specified geographic area</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>72,366</td>
<td>80,407</td>
<td>=90%</td>
<td>% UZA service area</td>
<td></td>
</tr>
<tr>
<td>SUZA</td>
<td></td>
<td></td>
<td>=</td>
<td>% Small Urban service area</td>
<td></td>
</tr>
<tr>
<td>Rural</td>
<td>8,041</td>
<td>80,407</td>
<td>=10%</td>
<td>% Rural service area</td>
<td></td>
</tr>
</tbody>
</table>
Calculate the funding split for the geographic areas where the requested grant funds will be used to provide service.

<table>
<thead>
<tr>
<th></th>
<th>Total amount requested</th>
<th>Multiplied by</th>
<th>Percentage of service within specified geographic area</th>
<th>Equals</th>
<th>Funding split</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>364,385</td>
<td>x .90</td>
<td>.90</td>
<td>=</td>
<td>$327,947</td>
</tr>
<tr>
<td>SUZA</td>
<td>x</td>
<td></td>
<td></td>
<td>=</td>
<td>$</td>
</tr>
<tr>
<td>Rural</td>
<td>364,385</td>
<td>x .10</td>
<td>.10</td>
<td>=</td>
<td>$36,438</td>
</tr>
</tbody>
</table>

**NOTE:** When invoicing for operating projects, you must use the above funding split on your invoice summary forms.

Once you have determined the funding split between UZA, SUZA and Rural, you will need to calculate the match amount.

**NOTE: Operating Assistance (50% Federal and 50% Local):**

<table>
<thead>
<tr>
<th></th>
<th>Total amount requested</th>
<th>Multiplied by</th>
<th>Percentage of service within specified geographic area</th>
<th>Equals</th>
<th>Funding split</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>414,360</td>
<td>x .90</td>
<td>.5 Federal &amp; .5 Local</td>
<td>=</td>
<td>$186,462</td>
</tr>
<tr>
<td>SUZA</td>
<td>x</td>
<td></td>
<td></td>
<td>=</td>
<td>$</td>
</tr>
<tr>
<td>Rural</td>
<td>414,360</td>
<td>x .10</td>
<td>.5 Federal &amp; .5 Local</td>
<td>=</td>
<td>$20,718</td>
</tr>
</tbody>
</table>

**NOTE: Capital Assistance (80% Federal, 10% State and 10% Local):**

<table>
<thead>
<tr>
<th></th>
<th>Total amount requested</th>
<th>Multiplied by</th>
<th>Percentage of service within specified geographic area</th>
<th>Equals</th>
<th>Funding split</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>327,947</td>
<td>x</td>
<td>.8 Federal &amp; .1 State &amp; .1 Local</td>
<td>=</td>
<td>$262,357</td>
</tr>
<tr>
<td>SUZA</td>
<td>x</td>
<td></td>
<td></td>
<td>=</td>
<td>$</td>
</tr>
<tr>
<td>Rural</td>
<td>36,438</td>
<td>x</td>
<td>.8 Federal &amp; .1 State &amp; .1 Local</td>
<td>=</td>
<td>$29,150</td>
</tr>
<tr>
<td>by Federal &amp; .1 State &amp; .1 Local</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
How will the grant funding improve your agency's transportation service? Provide a general description of the project components to be funded via this agreement.

This grant is not for expansion of service. We will be able to maintain our current level of service with the funds from this grant. This enables us to provide trips originating in all areas of Flagler County.

Provide a description of the project location, please include at least one of the below. Use attachments if necessary:

- Transportation service geographical limits
- Maps
- Illustration/graphic of project area

Our service area includes all parts of Flagler County including Palm Coast, Flagler Beach, and Beverly Beach which are part of the Palm Coast, Daytona and Port Orange urban area. The funding we are asking for will fund trips originating in the non-urbanized and rural areas of Flagler County.
Describe project components in detail. Please explain the challenges or difficulties that your agency will overcome if awarded these funds.

Will it be used to:

- Provide more hours of service?
- Expand service to a larger geographic area?
- Provide shorter headways?
- Provide more trips?
- To continue service or expand service?

By replacing our fleet we are ensuring that we will still be able to maintain our current level of service, if not more, trips in the non-urbanized and rural areas of Flagler County.
If this grant is not fully funded, can you still proceed with your transportation program? Explain.

If we were not to receive this grant the trips in all areas of Flagler County would not be completed.

All Non-CTC Applicants: Have you met with the CTC and, if so, how are you providing a service they cannot? Provide detailed information supporting this determination. *Applications submitted without the appropriate CTC coordination agreement may be rejected by FDOT. Grant awards will not be made without an appropriate coordination agreement.*

N/A
Capital Requests Only

(a) If this capital request includes equipment, please describe the purpose of the request.

(b) If you are requesting a vehicle that requires a driver with a CDL:

- Do you currently have an adequate number of CDL licensed drivers on staff to operate the requested vehicle(s)? If not, how will you ensure staffing needs are met?

(c) If the requested vehicles or equipment will be used by a lessee or private operator under contract to the applicant agency, identify the proposed lessee/operator.

- Include an equitable plan for distribution of vehicles/equipment to lessees and/or private operators.

All drivers are required to have CDL’s. We are the CTC and sole provider of transportation in Flagler County. We do not lease vehicles nor do we have sub-contracted transportation services.
Preventive Maintenance Requests Only

Note: Applicants applying for preventative maintenance costs must have a District-approved Preventative Maintenance (PM) Plan and a cost allocation plan if maintenance activities are performed in-house.

(a) Please specify Period of Performance (should not exceed one (1) year)

(b) Please include a list of general PM activities to take place with the funding

(c) Please list useful life for purchase of any items over $5,000

(d) Funding Request Amount for Preventative Maintenance: __________________________

N/A
<table>
<thead>
<tr>
<th>Vehicle</th>
<th>Model</th>
<th>Make/Size/Type</th>
<th>FDOT</th>
<th>Vin</th>
<th>Ramp/Lift</th>
<th>Seats &amp; (W/C)</th>
<th>Active</th>
<th>Funding</th>
<th>Vehicle</th>
<th>Tag</th>
<th>Insured</th>
<th>Purchase</th>
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<tbody>
<tr>
<td>Number</td>
<td>Year</td>
<td></td>
<td>Number</td>
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<td>Number</td>
<td>Number</td>
<td>Number</td>
<td>Number</td>
<td>Number</td>
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<td>Number</td>
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</tr>
<tr>
<td>94</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95295</td>
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<td>Lift: 16+2</td>
<td>Active: 5317</td>
<td>Fair: TC7598</td>
<td>Y: 567,000</td>
<td>7/20/2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>96</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95305</td>
<td>1FDFAF5ZCDA93880</td>
<td>Lift: 16+2</td>
<td>Active: 5317</td>
<td>Fair: TC7598</td>
<td>Y: 567,000</td>
<td>7/20/2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>97</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95315</td>
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<td>Lift: 16+2</td>
<td>Active: 5317</td>
<td>Fair: TC7598</td>
<td>Y: 567,000</td>
<td>7/20/2012</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>100</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95335</td>
<td>1FDFAF5ZCDA93880</td>
<td>Lift: 16+2</td>
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<td>Fair: TC7598</td>
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<td>7/20/2012</td>
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<td></td>
<td></td>
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<tr>
<td>102</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95355</td>
<td>1FDFAF5ZCDA93880</td>
<td>Lift: 16+2</td>
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<td>Fair: TC7598</td>
<td>Y: 567,000</td>
<td>7/20/2012</td>
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<td>Ford E-450 Bus</td>
<td>95365</td>
<td>1FDFAF5ZCDA93880</td>
<td>Lift: 16+2</td>
<td>Active: 5317</td>
<td>Fair: TC7598</td>
<td>Y: 567,000</td>
<td>7/20/2012</td>
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<td>Ford E-450 Bus</td>
<td>95375</td>
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<td>Lift: 16+2</td>
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</tr>
<tr>
<td>105</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95385</td>
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<td>7/20/2012</td>
<td></td>
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</tr>
<tr>
<td>107</td>
<td>2012</td>
<td>Ford E-450 Bus</td>
<td>95405</td>
<td>1FDFAF5ZCDA93880</td>
<td>Lift: 16+2</td>
<td>Active: 5317</td>
<td>Fair: TC7598</td>
<td>Y: 567,000</td>
<td>7/20/2012</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

* Vehicles to be replaced by FY 21/22 5310 Capital Grant.
<table>
<thead>
<tr>
<th>Code</th>
<th>Object Class</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5010</td>
<td>Labor</td>
<td>$867,645</td>
</tr>
<tr>
<td>5015</td>
<td>Fringe Benefits</td>
<td>$395,447</td>
</tr>
<tr>
<td>5020</td>
<td>Services</td>
<td>$164,519</td>
</tr>
<tr>
<td>5030</td>
<td>Materials and Supplies</td>
<td>$151,405</td>
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<tr>
<td>5040</td>
<td>Utilities</td>
<td>$16,802</td>
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<tr>
<td>5050</td>
<td>Casualty and Liability Costs</td>
<td>$20,793</td>
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<tr>
<td>5060</td>
<td>Taxes</td>
<td>$</td>
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<tr>
<td>5100</td>
<td>Purchased Transportation</td>
<td>$47,822</td>
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<tr>
<td>5090</td>
<td>Miscellaneous</td>
<td>$</td>
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<tr>
<td>5230</td>
<td>Capital Leases</td>
<td>$</td>
</tr>
<tr>
<td>5260</td>
<td>Depreciation</td>
<td>$</td>
</tr>
<tr>
<td>-</td>
<td>Other</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total All Expenses</strong></td>
<td><strong>$1,664,433</strong></td>
</tr>
</tbody>
</table>
## Estimated Transportation Program Operating & Administrative Revenues

*Year of Anticipated Award*

<table>
<thead>
<tr>
<th>Code</th>
<th>Object Class</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>4111</td>
<td>Passenger-Paid Fares</td>
<td>$46,828</td>
</tr>
<tr>
<td>4112</td>
<td>Organization-Paid Fares</td>
<td>$</td>
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<tr>
<td>4310</td>
<td>General Revenues of the Local Government</td>
<td>$</td>
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<tr>
<td>4390</td>
<td>Other Local Funds</td>
<td>$86,000</td>
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<tr>
<td>4420</td>
<td>State Transportation Fund</td>
<td>$632,712</td>
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<tr>
<td>4500</td>
<td>Federal Funds</td>
<td>$444,333</td>
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<tr>
<td>4610</td>
<td>Contributed Services</td>
<td>$430,440</td>
</tr>
<tr>
<td>4630</td>
<td>Sales and Disposals of Assets</td>
<td>$</td>
</tr>
<tr>
<td>-</td>
<td>Other- Advertising</td>
<td>$24,120</td>
</tr>
</tbody>
</table>

**Grand Total All Revenues**  
$1,664,433
### Proof of Local Match - Operating Projects

<table>
<thead>
<tr>
<th>Match Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flagler County Property Tax Revenue</td>
<td>$207,180.00</td>
</tr>
</tbody>
</table>

**Operating Match Total:**
50% of Operating Project Total

$207,180.00

### Proof of Local Match – Capital Projects

<table>
<thead>
<tr>
<th>Match Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flagler County Property Tax Revenue</td>
<td>$34,438.00</td>
</tr>
</tbody>
</table>

**Capital Match Total:**
10% of Capital Project Total

$34,438.00
Attach documentation of match funds directly after this page. Proof may consist of, but not be limited to:

- Transportation Disadvantaged (TD) Allocation
- Letter on official letterhead from the applicant’s CEO attesting to match availability and commitment,
- Written statements from county commissions, state agencies, city managers, mayors, town councils, organizations, accounting firms and financial institutions.

Signature

Jerry Cameron, County Administrator

Typed Name and Title of Authorized Representative

December 7, 2020

Date
SUBJECT: Consideration of a Resolution and FY21/22 Flagler County Public Transportation Applications to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Capital Assistance Program in the Amount of $291,508.00

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5310 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas. This is an annual grant that we receive to provide these services. The current year grant award is $294,852.00. The amount of the 5310 grant application for the next fiscal year 21/22 is $291,508.00 for capital expense reimbursement.

The amount of 5310 grant fiscal year 21/22 would be $291,508.00 to reimburse the capital purchase of five replacement buses. We are replacing uses 94, 96, 99, 100, and 105 which have become mechanically unreliable and/or have high mileage.

While the total project costs $364,385.00 the county’s required grant match is ten percent (10%) with an additional ten percent (10%) coming from the State and the remaining eighty percent (80%) coming from the Federal Government.

<table>
<thead>
<tr>
<th>Proposed Project – Capital Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
<tr>
<td>Estimated Funding</td>
</tr>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

The application was completed and will be sent to the granting agency prior to the deadline of January 8, 2021

FUNDING INFORMATION: If this grant is approved the local match for the 5310 grant will be $36,856.50 this match would be included in the FY21/22 budget.

DEPT./CONTACT/PHONE #: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application for the FDOT 5310 grant program and authorize the County Administrator to execute the grant agreement and all documents related to the application, acceptance, implementation, and closeout of the grant.

ATTACHMENTS:
1. 5310 Grant Application
2. Resolutions
FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM #

SUBJECT: Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Operating Assistance Program in the Amount of $207,180.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5310 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas.

The amount of the 5310 grant would be $207,180 for operating expense reimbursement to fund our New Freedom Program which requires a dollar-for-dollar match. This program has expanded our service by adding an additional hour each weekday and a full day of service on Saturday for the last five years.

Previous years of funding for service expansion was included in FTA 5317 grant funds. This funding has gone away and the New Freedom Program is now being rolled into FTA 5310 grant funds. Our annual grant request and the required grant match remains the same.

<table>
<thead>
<tr>
<th>Proposed Project – Operating Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
<tr>
<td>Estimated Funding</td>
</tr>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

The applications will be completed and sent to the granting agency prior to the deadline of January 8, 2021.

FUNDING INFORMATION: If this grant is approved the local match for the 5310 grant will be $207,180. This match would be included in the FY21/22 budget.

DEPT./CONTACT/PHONE #: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application for the FDOT 5310 grant program and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant.

ATTACHMENTS:
1. 5310 Grant Application
2. Resolution
Form B-2: Operations Phase- Estimate of Project Costs by Budget Category

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Local</th>
<th>Federal</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>103,590.00</td>
<td>103,590.00</td>
<td>207,180.00</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>103,590.00</td>
<td>103,590.00</td>
<td>207,180.00</td>
</tr>
<tr>
<td>Contractual Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Direct Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>$207,180.00</strong></td>
<td><strong>$207,180.00</strong></td>
<td><strong>$414,360.00</strong></td>
</tr>
</tbody>
</table>

Budget category amounts are estimates. While the contract is active, amounts can be shifted between items without amendment (because they are all within the Operations Phase), but the revised budget must be submitted to the District to be approved and updated in the Florida Accountability Contract Tracking System (FACTS).

**Cost Reimbursement**

The Agency will submit invoices for cost reimbursement on a:

- ☐ Monthly
- ☒ Quarterly
- ☐ Other:

basis upon the approval of the deliverables including the expenditure detail provided by the Agency.
Form B-3: Capital Request Form

To identify vehicle type and estimate cost visit http://tripsflorida.org/.

All vehicle requests must be supported with a completed sample order form in order to generate a more accurate estimating of the vehicle cost. The order form can be obtained from http://www.tripsflorida.org/contracts.html

1. Select Desired Vehicle (Cutaway, Minibus etc.)
2. Choose Vendor (use drop down arrow next to vendor name to see information)
3. Select Order Packet
4. Complete Exhibit A (Order Form)

*The Florida Department of Management Services Contract can be found at Florida Department of Management DMS*

Vehicle Request

<table>
<thead>
<tr>
<th>Replacement (R) or Expansion (E)</th>
<th>Fuel Type</th>
<th>Useful Life</th>
<th>Description/ Vehicle Type</th>
<th>Quantity</th>
<th>Estimated Cost (from Order Form)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R</td>
<td>Gas</td>
<td>5-7 years</td>
<td>Ford U4X 22' 3.5L 2 Wheelchair positions with wheelchair lift. 4 Ambulatory Seats.</td>
<td>5</td>
<td>$69,813.00</td>
</tr>
</tbody>
</table>

Subtotal $348,280.00

*Under Description/Vehicle Type, include the length and type vehicle, lift or ramp, number of seats and wheelchair positions. For example, 22' gasoline bus with lift, twelve (12) ambulatory seats, and two (2) wheelchair positions. Please note, in this example, if both wheelchair positions are occupied the ambulatory seats will be reduced to eight (8). Any bus options that are part of purchasing the bus itself should be part of the vehicle request and NOT separated out under equipment.

Replacement Vehicles (R)

If the capital request includes replacement vehicles, please list the vehicles in your current fleet that you are intending to replace with the vehicle from your vehicle request. Please list by order of priority.

<table>
<thead>
<tr>
<th>FDOT Control #</th>
<th>VIN</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>92505</td>
<td>1FDFE4FS2CDA92880</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>164,171</td>
</tr>
<tr>
<td>N/A</td>
<td>1FDGR4GY5CEB81938</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>158,399</td>
</tr>
<tr>
<td>N/A</td>
<td>1FDFF4855CDA94414</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>175,108</td>
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<tr>
<td>-----</td>
<td>-------------------</td>
<td>------</td>
<td>------</td>
<td>-----------</td>
<td>---------</td>
</tr>
<tr>
<td>94550</td>
<td>1FDFF4859CDA94397</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>172,767</td>
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<tr>
<td>N/A</td>
<td>1FDFF4F8E8DA74701</td>
<td>2014</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>169,526</td>
</tr>
</tbody>
</table>

**Equipment Request**

If item requested is after-market, it is recommended to gather and retain at least two estimates for the equipment requested. Purchases must be approved at the local level and follow the **Procurement Guidelines**. Note: this section is for equipment NOT requested as part of a vehicle purchase.

<table>
<thead>
<tr>
<th>Description</th>
<th>Useful Life</th>
<th>Quantity</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEON Security Camera System</td>
<td>5-7 years</td>
<td>5</td>
<td>11,870.00</td>
</tr>
<tr>
<td>SEON Additional Cameras</td>
<td>5-7 years</td>
<td>10</td>
<td>3,450.00</td>
</tr>
<tr>
<td>2 Way Radio prep package</td>
<td>5-7 years</td>
<td>5</td>
<td>785.00</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td></td>
<td><strong>$16,105.00</strong></td>
</tr>
</tbody>
</table>

* List the number of items and provide a brief description (i.e. two-way or stereo radio, computer hardware/software, etc.)

**Preventative Maintenance Request**

<table>
<thead>
<tr>
<th>FDOT Control #</th>
<th>Description of Maintenance Expense</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subtotal</strong></td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

$348,280.00  +  $16,105.00  +  $0.00  =  $364,385.00

**Vehicle Subtotal**  **Preventative Maintenance Subtotal**  

**Equipment Subtotal**  **Equals**  **Capital Project Cost Total**

$364,385.00  *  0.8  =  $291,508.00

**Capital Project Cost Total**  **Multiplied by**  **80%**  

**Equals**  **Federal Request Form 424, Block 18 (a)**
ORDER FORM

CONTRACT # TRIPS-15-MB-NB

MiniBus with ADA Option

Nations Bus Sales

AGENCY NAME: Flagler County

DATE: 11/20/2020

PURCHASE ORDER NUMBER: 

CONTACT PERSON: T. Peterson

(Name, Telephone Number and Email Address)

Ford Transit U4X

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit Cost</th>
<th>Quantity</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Vehicle Type</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ford Model U4X 10,360 GVWR 22' 3.5L V-6 DOHC Gas Engine</td>
<td>$56,637</td>
<td>5</td>
<td>283,185.00</td>
</tr>
<tr>
<td>3.5L V-6 Eco Boost Gas Engine Diesel</td>
<td>$58,395</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CNG Option</td>
<td>$62,573</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEATS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Seats</td>
<td>$599</td>
<td>20</td>
<td>11,980.00</td>
</tr>
<tr>
<td>Child Seats</td>
<td>$261</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upgraded AC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gasoline Engine Standard with base</td>
<td></td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td>Diesel Engine Standard with base</td>
<td></td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td>Paint Choices</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paint Scheme A</td>
<td>$190</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paint Scheme B</td>
<td>$940</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paint Scheme C</td>
<td>$2900</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Options</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dual Swing Entry Door &quot;DELETE&quot; option</td>
<td>($3925)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wheelchair lift/ramp Manufacturer: Braun Model: Vista 2 800 lbs</td>
<td>$4480</td>
<td>5</td>
<td>22,400.00</td>
</tr>
<tr>
<td>Wheelchair lift/ramp Manufacturer: Ricon Model: Klearview Series 800 lbs</td>
<td>$4580</td>
<td></td>
<td>Currently Not Available</td>
</tr>
<tr>
<td>All alternative wheel options</td>
<td></td>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>2-way radio prep package,</td>
<td></td>
<td>$157</td>
<td>5</td>
</tr>
<tr>
<td>A 110V power inverter with accessory outlet (per position)</td>
<td></td>
<td>$295</td>
<td></td>
</tr>
</tbody>
</table>

October 7, 2019
<table>
<thead>
<tr>
<th>Other Options Continued</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual reading lamps, cup holder and electrical accessory outlet</td>
</tr>
<tr>
<td>Optional floor covering material</td>
</tr>
<tr>
<td>Driver safety partition</td>
</tr>
<tr>
<td>Securement Devices Manufacturer: Q-Straint</td>
</tr>
<tr>
<td>Model: QRT Deluxe</td>
</tr>
<tr>
<td>Q-Straint WC18 QRT Deluxe System</td>
</tr>
<tr>
<td>Sidewall Wheelchair Carrier</td>
</tr>
<tr>
<td>Security camera system,</td>
</tr>
<tr>
<td>Additional Camera</td>
</tr>
<tr>
<td>OEM limited slip axle</td>
</tr>
<tr>
<td>OEM deep tinted glass, to include rear defroster</td>
</tr>
<tr>
<td>OEM 2 additional keys with FOBS</td>
</tr>
<tr>
<td><strong>Upgraded Seating</strong></td>
</tr>
<tr>
<td>Freedman Child Restraint System</td>
</tr>
<tr>
<td>Freedman 2 Pass, FWD Facing Fold Away (street)</td>
</tr>
<tr>
<td><strong>Additional Options</strong></td>
</tr>
<tr>
<td>Angel Eye(s) HD Camera System with DVR and Seon Camera System</td>
</tr>
<tr>
<td>Additional camera for Angel Eye(s) HD Camera System</td>
</tr>
<tr>
<td>OEM Manual Regen Initiation for Diesel Engine</td>
</tr>
<tr>
<td>OEM Manual Regen Initiation with Active Regen Inhibitor for Diesel Engine</td>
</tr>
<tr>
<td>OEM Long Arm Non Telescoping, Power Heated Mirrors with Turn Signals</td>
</tr>
<tr>
<td>OEM Am/Fm Stereo CD with Audio Input Jack, HD Radio, Sirius and 4&quot; Display</td>
</tr>
<tr>
<td>OEM Am/Fm Stereo CD with Audio Input Jack, Message Center, Sync and 4&quot; Display</td>
</tr>
<tr>
<td>OEM My Ford Touch, Navigation with 6&quot; Display, HD and Sirius, Sync2</td>
</tr>
<tr>
<td>Byk Rak</td>
</tr>
<tr>
<td>Set of two (2) rear flashing LED light strips</td>
</tr>
</tbody>
</table>

| GRAND TOTAL | 350,370.00 |

Estimated model year/contract increase 4% | $14,015.00 |

Grand Total | $364,385.00 |
PART III – MANAGERIAL CAPABILITY

Exhibit I: FDOT Certification and Assurances

(Flagler County Board of County Commissioners) certifies and assures to the Florida Department of Transportation regarding its Application under U.S.C. Section 5310 dated 7th day of December, 2020

1 It shall adhere to all Certifications and Assurances made to the federal government in its Application.

2 It shall comply with Florida Statues:
   - Section 341.051–Administration and financing of public transit and intercity bus service programs and projects
   - Section 341.061 (2)–Transit Safety Standards; Inspections and System Safety Reviews
   - Section 252.42 – Government equipment, services and facilities: In the event of any emergency, the division may make available any equipment, services, or facilities owned or organized by the state or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area or upon the request of any recognized and accredited relief agency through such duly constituted authority.

3 It shall comply with Florida Administrative Code (Does not apply to Section 5310 only recipients):
   - Rule Chapter 14-73–Public Transportation
   - Rule Chapter 14-90–Equipment and Operational Safety Standards for Bus Transit Systems
   - Rule Chapter 14-90.0041–Medical Examination for Bus System Driver
   - Rule Chapter 41-2–Commission for the Transportation Disadvantaged

4 It shall comply with FDOT's:
   - Bus Transit System Safety Program Procedure No. 725-030-009 (Does not apply to Section 5310 only recipients)
   - Transit Vehicle Inventory Management Procedure No. 725-030-025
   - Public Transportation Vehicle Leasing Procedure No. 725-030-001
   - Guidelines for Acquiring Vehicles
   - Procurement Guidance for Transit Agencies Manual

5 It has the fiscal and managerial capability and legal authority to file the application. Local matching funds will be available to purchase vehicles/equipment at the time an order is placed.

6 It will carry adequate insurance to maintain, repair, or replace project
vehicles/equipment in the event of loss or damage due to an accident or casualty.

7 It will maintain project vehicles/equipment in good working order for the useful life of the vehicles/equipment.

8 It will return project vehicles/equipment to FDOT if, for any reason, they are no longer needed or used for the purpose intended.

9 It recognizes FDOT’s authority to remove vehicles/equipment from its premises, at no cost to FDOT, if FDOT determines the vehicles/equipment are not used for the purpose intended, improperly maintained, uninsured, or operated unsafely.

10 It will not enter into any lease of project vehicles/equipment or contract for transportation services with any third party without prior approval of FDOT.

11 It will notify FDOT within 24 hours of any accident or casualty involving project vehicles/equipment and submit related reports as required by FDOT.

12 It will notify FDOT and request assistance if a vehicle should become unserviceable.

13 It will submit an annual financial audit report to FDOT (FDOTSingleAudit@dot.state.fl.us), if required.

14 It will undergo a triennial review and inspection by FDOT to determine compliance with the baseline requirements. If found not in compliance, it must send a progress report to the local FDOT District office on a quarterly basis outlining the agency’s progress towards compliance.

December 7, 2020

__________________________________ Signature of Authorized Representative

Jerry Cameron, County Administrator  Typed Name and Title of Authorized Representative
Exhibit J: Standard Lobbying Certification

The undersigned Flagler County Board of County Commissioners certifies, to the best of his or her knowledge and belief, that:

1 No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," (a copy of the form can be obtained from FDOT's website) in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.).]

3 The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

NOTE: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such expenditure or failure.

The (Flagler County Board of County Commissioners), certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

December 7, 2020 Date

____________________________________ Signature of Contractor's Authorized Official

Jerry Cameron, County Administrator Typed Name and Title of Authorized Representative
CERTIFICATION OF EQUIVALENT SERVICE

(Flagler County Board of County Commissioners) certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

1. Response time;
2. Fares;
3. Geographic service area;
4. Hours and days of service;
5. Restrictions on trip purpose;
6. Availability of information and reservation capability; and
7. Constraints on capacity or service availability.

In accordance with 49 CFR Part 37, public entities operating demand responsive systems for the general public which receive financial assistance under 49 U.S.C. 5310 and 5311 of the Federal Transit Administration (FTA) funds must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving FTA funds shall also file the certification with the appropriate state office program. Such public entities receiving FTA funds under any other section of the FTA Programs must file the certification with the appropriate FTA regional office. This certification is valid for no longer than one year from its date of filing. Non-public transportation systems that serve their own clients, such as social service agencies, are required to complete this form.

Executed this 7th day of December, 2020

Jerry Cameron, County Administrator

Typed Name and Title of Authorized Representative

Signature of Authorized Representative
## Application for Federal Assistance SF-424

### 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

### 2. Type of Application:
- [ ] New
- [x] Continuation
- [ ] Revision

### 3. Date Received:
12/07/2020

### 4. Applicant Identifier:
Not Applicable

### 5a. Federal Entity Identifier:
Not Applicable

### 5b. Federal Award Identifier:

### State Use Only:

### 6. Date Received by State:

### 7. State Application Identifier:

### 8. APPLICANT INFORMATION:

#### a. Legal Name:
Flagler County Board of County Commissioners

#### b. Employer/Taxpayer Identification Number (EIN/TIN):
59-6000605

#### c. Organizational DUNS:
21121488

#### d. Address:

- **Street1:** 1769 East Moody Blvd
- **City:** Bunnell
- **State:** FL: Florida
- **Country:** USA: UNITED STATES
- **Zip / Postal Code:** 32110-5991

#### e. Organizational Unit:

- **Department Name:** General Services
- **Division Name:** Public Transportation

#### f. Name and contact information of person to be contacted on matters involving this application:

- **Prefix:** Ms.
- **First Name:** Tishia
- **Last Name:** Peterson
- **Suffix:**

- **Title:** Financial Management Coordinator

### Organizational Affiliation:

- **County Employee**

#### Telephone Number:
386-313-4190

#### Fax Number:
386-313-4120

#### Email:
tpeterson@flaglercounty.org
**Application for Federal Assistance SF-424**

9. Type of Applicant 1: Select Applicant Type:
   - County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

Other (specify):

10. Name of Federal Agency:
   - Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:
   - 20-513

   CFDA Title:
   - Enhanced Mobility of Seniors and Individuals with Disabilities

12. Funding Opportunity Number:
   - 20-513

   Title:
   - Enhanced Mobility of Seniors and Individuals with Disabilities

13. Competition Identification Number:
   - Not Applicable

   Title:
   - Not Applicable

14. Areas Affected by Project (Cities, Counties, States, etc.):

15. Descriptive Title of Applicant's Project:
   - To receive reimbursement of operating expenses for transportation services provided.

Attach supporting documents as specified in agency instructions.
Application for Federal Assistance SF-424

16. Congressional Districts Of:
   * a. Applicant ______
   * b. Program/Project ______

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:
   * a. Start Date: 10/01/2021
   * b. End Date: 09/30/2022

18. Estimated Funding ($):
   * a. Federal 207,180.00
   * b. Applicant 0.00
   * c. State 0.00
   * d. Local 207,180.00
   * e. Other 0.00
   * f. Program Income 0.00
   * g. TOTAL 414,360.00

19. Is Application Subject to Review By State Under Executive Order 12372 Process?
   - a. This application was made available to the State under the Executive Order 12372 Process for review on 12/07/2020.
   - b. Program is subject to E.O. 12372 but has not been selected by the State for review.
   - c. Program is not covered by E.O. 12372.

20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)
   - Yes
   - No

   If "Yes", provide explanation and attach

21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

   ** I AGREE

   ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.
* First Name: Jerry
Middle Name:
* Last Name: Cameron
Suffix:
* Title: County Administrator

* Telephone Number: 386-313-4100
Fax Number: 

* Email: jcameron@flaglercounty.org

* Signature of Authorized Representative: 
* Date Signed: 12/07/2020
## Application for Federal Assistance SF-424

### 1. Type of Submission:
- [ ] Preapplication
- [x] Application
- [ ] Changed/Corrected Application

### 2. Type of Application:
- [x] Continuation
- [ ] Revision
- [ ] Other (Specify):

### 3. Date Received:
12/07/2020

### 4. Applicant Identifier:
Not Applicable

### 5a. Federal Entity Identifier:
Not Applicable

### 5b. Federal Award Identifier:

### State Use Only:

### 6. Date Received by State:

### 7. State Application Identifier:

### 8. APPLICANT INFORMATION:

#### a. Legal Name:
Flagler County Board of County Commissioners

#### b. Employer/Taxpayer Identification Number (EIN/TIN):
59-6000605

#### c. Organizational DUNS:
51121488

#### d. Address:
- Street1: 1769 East Moody Blvd
- City: Bunnell
- County/Parish:
- State: FL: Florida
- Province:
- Country: USA: UNITED STATES
- Zip / Postal Code: 32110-5991

#### e. Organizational Unit:
- Department Name: General Services
- Division Name: Public Transportation

#### f. Name and contact information of person to be contacted on matters involving this application:
- Prefix: Ms.
- * First Name: Tichia
- Middle Name:
- * Last Name: Peterson
- Suffix:
- Title: Financial Management Coordinator
- Organizational Affiliation: County Employee
- * Telephone Number: 386-313-4190
- Fax Number: 386-313-4120
- * Email: tpeterson@flaglercounty.org
**Application for Federal Assistance SF-424**

**9. Type of Applicant 1: Select Applicant Type:**
- County Government

**Type of Applicant 2: Select Applicant Type:**

**Type of Applicant 3: Select Applicant Type:**

**Other (specify):**

**10. Name of Federal Agency:**
- Federal Transit Administration

**11. Catalog of Federal Domestic Assistance Number:**
- 20-513
  - CFDA Title:
    - Enhanced Mobility of Seniors and Individuals with Disabilities

**12. Funding Opportunity Number:**
- 20-513
  - Title:
    - Enhanced Mobility of Seniors and Individuals with Disabilities

**13. Competition Identification Number:**
- Not Applicable
  - Title:
    - Not Applicable

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

**15. Descriptive Title of Applicant’s Project:**
- To receive reimbursement of capital expenses for transportation services provided.

Attach supporting documents as specified in agency instructions.
**Application for Federal Assistance SF-424**

16. Congressional Districts Of:

- *a. Applicant:* 
- *b. Program/Project:* 

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

- *a. Start Date:* 10/01/2021 
- *b. End Date:* 09/30/2022 

18. Estimated Funding ($):

- *a. Federal:* 291,508.00 
- *b. Applicant:* 0.00 
- *c. State:* 36,438.50 
- *d. Local:* 36,438.50 
- *e. Other:* 0.00 
- *f. Program Income:* 0.00 
- *g. TOTAL:* 364,385.00

19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- ☒ a. This application was made available to the State under the Executive Order 12372 Process for review on 12/07/2020. 
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review. 
- ☐ c. Program is not covered by E.O. 12372.

20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)

- ☐ Yes 
- ☒ No 

If "Yes", provide explanation and attach

21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

- ☒ I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

- **Prefix:** Mr. 
- **First Name:** Jerry 
- **Last Name:** Cameron 
- **Suffix:** 
- **Title:** County Administrator 
- **Telephone Number:** 386-313-4100 
- **Fax Number:** 
- **Email:** jcameron@flaglercounty.org 
- **Signature of Authorized Representative:** 
- **Date Signed:** 12/07/2020
RESOLUTION 2020 - ___

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATION AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

WHEREAS, Flagler County has the authority to apply for and accept grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. This resolution applies to Federal Programs under U.S.C. Section 5310.

2. The submission of grant applications, supporting documents, and assurances to the Florida Department of Transportation is approved.

3. The County Administrator or his designee is authorized to sign any grant documents to accept, implement, and administer the grant awards.

DULY PASSED AND ADOPTED in open session of the Flagler County Board of County Commissioners, Florida, on this 7th day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

----------------------------------------------
Donald T. O’Brien Jr., Chair

Attest:

----------------------------------------------
Tom Bexley, Clerk of the Circuit Court and Comptroller

----------------------------------------------
Al Hadeed
County Attorney
SUBJECT: Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Operating Assistance Program in the Amount of $207,180.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5310 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas.

The amount of the 5310 grant would be $207,180 for operating expense reimbursement to fund our New Freedom Program which requires a dollar-for-dollar match. This program has expanded our service by adding an additional hour each weekday and a full day of service (11 hours) on Saturday for the last eight years.

Previous years of funding for service expansion was included in FTA 5317 grant funds. This funding has gone away and the New Freedom Program is now being rolled into FTA 5310 grant funds. Our annual grant request and the required grant match remains the same.

<table>
<thead>
<tr>
<th>Proposed Project – Operating Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Estimated Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

The applications is completed and will be sent to the granting agency prior to the deadline of January 8, 2021.

FUNDING: If this grant is approved the local match for the 5310 grant will be $207,180.00. This match would be included in the FY21/22 budget.

DEPARTMENT CONTACT: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application for the FDOT 5310 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant.

ATTACHMENTS:
1. 5310 Grant Application
2. Resolution
Florida Department of Transportation
Capital & Operating Assistance Application
Federal Fiscal Year 2021 / State Fiscal Year 2022

49 U.S.C. Section 5310, CFDA 20.513
Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities

<table>
<thead>
<tr>
<th>Agency Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant Type:</td>
<td>□ New Applicant  □ Previous Applicant</td>
</tr>
<tr>
<td>Project Type(s):</td>
<td>□ Capital  □ Operating  □ Mobility Management</td>
</tr>
<tr>
<td>Service Area(s):</td>
<td>□ Small Urban  □ Large Urban  □ Rural</td>
</tr>
</tbody>
</table>
# Applicant Information

49 U.S.C. Section 5310, Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities:  
**GRANT APPLICATION**

<table>
<thead>
<tr>
<th>Agency (Applicant) Legal Name:</th>
<th>Flagler County Board of County Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Address (No P.O. Box):</td>
<td>1769 E. Moody Blvd.</td>
</tr>
</tbody>
</table>

**Applicant Status:** ☑ First-time applicant  ✗ Returning applicant  
*A first-time applicant has not received any funding for the past two grant cycles*

**Applicant’s County: Flagler**  
If Applicant has offices in more than one county, list county where main office is located

<table>
<thead>
<tr>
<th>City:</th>
<th>Bunnell</th>
</tr>
</thead>
<tbody>
<tr>
<td>State:</td>
<td>FL</td>
</tr>
<tr>
<td>Zip + 4 Code:</td>
<td>32110-5991</td>
</tr>
</tbody>
</table>

**Congressional District:** 7

<table>
<thead>
<tr>
<th>Federal Taxpayer ID Number:</th>
<th>59-6000605</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant’s DUNS Number:</td>
<td>Unique 9-Digit number issued by Dun &amp; Bradstreet. May be obtained free of charge at: <a href="http://fedgov.dnb.com/webform">http://fedgov.dnb.com/webform</a> 21121488</td>
</tr>
</tbody>
</table>

**Applicant Fiscal period start and end dates:**  
October 1, 2021 to September 30, 2022  
State Fiscal period from: July 1, 2020 to June 30, 2021

**Counties Served:** Flagler County  
*List the county or counties that will be served by the proposed project.*

**Project’s Service Area:**  
☑ Large Urban  ☑ Small Urban  ☑ Non-Urban  
*Check all that apply.*

<table>
<thead>
<tr>
<th>Executive Director:</th>
<th>Heidi Petito</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant Contact Person (if different than Executive Director):</td>
<td>Tishia Peterson</td>
</tr>
</tbody>
</table>

**Telephone:** 386-313-4185  
**Telephone:** 386-313-4190

**Fax:** 386-313-4120  
**Fax:** 386-313-4120

**E-mail address:**  
hepetito@flaglercounty.org  
**E-mail Address:** tpeterson@flaglercounty.org

**Current Vehicle Inventory**  
Enter Number for **ENTIRE** Fleet in each category:

<table>
<thead>
<tr>
<th>Sedans:</th>
<th>Vans: 1</th>
<th>MiniVans with Ramp: 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other:</td>
<td></td>
<td>Buses (Cutaways) 32</td>
</tr>
<tr>
<td>Buses (Medium Duty):</td>
<td>N/A</td>
<td></td>
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</tbody>
</table>

**Authorizing Representative certifying to the information contained in this application is true and accurate.**

**Signature (Authorizing Representative):** ______________________

**Printed Name:** Jerry Cameron  
**Title:** County Administrator  
**Email Address:** jcameron@flaglercounty.org
Checklist

Each of the below items must be included with your Section 5310 Grant Application submittal in the same order as the checklist.

☑ Application Checklist (this form)
☑ Applicant Information

PART I - APPLICANT ELIGIBILITY
☑ Eligibility Questionnaire (only applicable for returning applicants)
☑ Exhibit A: Cover Letter
☑ Exhibit B: Governing Board's Resolution
☑ Exhibit C: Coordinated Public Transit-Human Service Transportation Plan
☑ Exhibit D: CTC Agreement or Certification
☐ Exhibit E: Certification of Incorporation (Required for all first-time private non-profit applicants) (N/A)
☐ Exhibit F: Proof of Non-Profit Status (N/A)
☑ Exhibit G: Local Clearinghouse Agency/RPC Cover Letter (Required if proposed project is for facilities)
  Date received: N/A
☑ Exhibit H: Public Hearing Notice

PART II - FUNDING REQUEST
☑ Form A-1: Current System Description
  ☑ Organization Chart
☑ Form A-2: Fact Sheet
☑ Form A-3: Proposed Project Summary
☑ Form B-1: Financial Capacity - Proposed Budget for Transportation Program
  ☑ Proof of Local Match
  ☑ Supporting Documentation
☑ Form B-2: Operations Phase- Estimate of Project Costs by Budget Category
☑ Form B-3: Capital Request
  ☑ Completed Sample Order Form(s)
☑ Form C: Current Vehicle and Transportation Equipment Inventory

PART III – REQUIRED DOCUMENTS
☑ Exhibit I: FDOT Certification and Assurances
☑ Exhibit J: Standard Lobbying Certification
☐ Exhibit K: Leasing Certification (we do not lease vehicles)
☑ Exhibit L: Certification of Equivalent Service
☑ Form 424: Application for Federal Assistance
☐ Exhibit M: Federal Certifications and Assurances (to be submitted when published)
☐ Exhibit N: Transportation Operating Procedure (Applies to Section 5310-only Applicants) (N/A)
☐ Exhibit O: Title VI Plan (Required if not previously submitted to District) (previously submitted)
☐ Exhibit P: Protection of the Environment (Required if the proposed project is for facilities) (N/A)
☐ Exhibit Q: Triennial Review – CAP Closeout Documentation
PART I – APPLICANT ELIGIBILITY

Eligibility Questionnaire

This questionnaire applies to returning applicants. If you are a current grant sub-recipient and are not compliant with all FDOT and FTA Section 5310 requirements, you will not be eligible to receive grant funds until compliance has been determined. You must be in compliance at time of grant award execution.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Review Scheduled</th>
<th>Notified by FDOT District Office</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
<td>Are you a returning applicant? *If yes, please answer all questions. If no, disregard remaining questions in this questionnaire.</td>
<td></td>
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<tr>
<td>Has your agency completed a FDOT Triennial Oversight Review?</td>
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<td>If yes, what date(s) did the review occur?</td>
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<td>If yes, is your agency currently in compliance?</td>
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<tr>
<td>If your agency is not in compliance, do you have a Corrective Action Plan (CAP) to come into compliance?</td>
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<tr>
<td>If yes, what is the anticipated date of corrective action closeout?</td>
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<tr>
<td>Did your agency complete the “Section 5310 Program Performance Measures Annual Report”?</td>
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<td>If no, what date will your agency submit the report?</td>
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<tr>
<td>Is your agency registered on SAM.gov?</td>
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<tr>
<td>Note: Agency must register each year/application cycle.</td>
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</tbody>
</table>

Signature

Jerry Cameron, County Administrator

Typed Name and Title

December 7, 2020

Date
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
GRANT APPLICATION

Flagler County Board of County Commissioners submits this Application for the Section 5310 Program Grant and agrees to comply with all assurances and exhibits attached hereto and by this reference made a part thereof, as itemized in the Checklist for Application Completeness.

Flagler County Board of County Commissioners further agrees, to the extent provided by law (in case of a government agency in accordance with Sections 129.07 and 768.28, Florida Statutes) to indemnify, defend and hold harmless the Department and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the non-compliance by the Agency, its officers, agents or employees, with any of the assurances stated in this Application.

This Application is submitted on this 7th day of December 2020 with two (2) original resolutions or certified copies of the original resolution authorizing the County Administrator or the Boards Designee to sign this Application and any other documents relating to this grant including but not limited to the acceptance of the grant award.

Flagler County Board of County Commissioners

By: Date: December 07, 2020

Signature: __________________________

Donald O'Brien Jr.
Title: Chairman, Board of County Commissioners

District 1 District 2 District 3 District 4 District 5
RESOLUTION 2020 -

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

WHEREAS, Flagler County has the authority to apply for and accept grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. This resolution applies to Federal Programs under U.S.C. Section 5310.

2. The submission of grant applications, supporting documents, and assurances to the Florida Department of Transportation is approved.

3. The County Administrator or his designee is authorized to sign any grant documents to accept, implement, and administer the grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED in open session of the Flagler County Board of County Commissioners, Florida, on this 7th day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

Donald O'Brien Jr., Chair

Tom Bexley, Clerk of the Circuit Court and Comptroller

Al Hadeed
County Attorney
RESOLUTION 2020 - ___

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FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

Donald O’Brien Jr., Chair

Tom Bexley, Clerk of the Circuit Court and Comptroller

Al Hadeed
County Attorney
Exhibit C: Coordinated Public Transit-Human Service Transportation Plan

The projects selected for funding under the Section 5310 program must be included in a locally developed, coordinated public transit-human services transportation plan (Coordinated Plan) that was “developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public.”

Reference: FTA C 9070.1G Chapter V

Certification

(Flagler County Board of County Commissioners) certifies and assures to the Florida Department of Transportation regarding its application for assistance under 49 U.S.C. 5310 that this grant request is included in a coordinated plan compliant with Federal Transit Administration Circular FTA C 9070.1G.

(a) The name of this coordinated plan:

Transportation Disadvantaged Service Plan Flagler County

(b) The agency that adopted this coordinated plan:

Florida Commission for the Transportation Disadvantaged

(c) The date the coordinated plan was adopted:

2014

(d) Section and page in the coordinated plan that identifies the project or need your agency is fulfilling:

Service Analysis

__________________________
Signature

Jerry Cameron, County Administrator
Typed Name and Title of Authorized Representative

December 7, 2020
Date
STATE OF FLORIDA
COMMISSION FOR THE TRANSPORTATION DISADVANTAGED
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is between the COMMISSION FOR THE TRANSPORTATION DISADVANTAGED, hereby referred to as the "Commission," and Flagler County Board of County Commissioners, 1769 East Moody Boulevard, Building 5, Bunnell, Florida 32110, the COMMUNITY TRANSPORTATION COORDINATOR, designated pursuant to Chapter 427, F.S., to serve the transportation disadvantaged for the community that includes the entire area of Flagler county(ies), and hereafter referred to as the "Coordinator."

This Agreement is made in consideration of the mutual benefits to both parties; said consideration acknowledged hereto by the parties as good and valuable consideration.

The Parties Agree:

I. The Coordinator Shall:

A. Become and remain totally apprised of all of the Transportation Disadvantaged resources available or planned in their designated service area. This knowledge will be used to plan, coordinate, and implement the most cost effective transportation disadvantaged transit system possible under the economic and other conditions that exist in the designated service area.

B. Plan and work with Community Transportation Coordinators in adjacent and other areas of the state to coordinate the provision of community trips that might be handled at a lower overall cost to the community by another Coordinator. This includes honoring any Commission-approved statewide certification program that allows for intercounty transportation opportunities.

C. Arrange for all services in accordance with Chapter 427, Florida Statutes, and Rule 41-2, FAC, and as further required by the Commission and the local Coordinating Board approved Transportation Disadvantaged Service Plan.

D. Return any acquired profits or surplus funds originating through the course of business as the Coordinator that are beyond the amounts(s) specifically identified and approved in the accompanying Transportation Disadvantaged Service Plan. Such profits or funds shall be returned to the Coordinator's transportation system or to any subsequent Coordinator, as a total transportation system subsidy, to be applied to the immediate following operational year. The Coordinator will include similar language in all coordination contracts to assure that transportation disadvantaged related revenues are put back into transportation disadvantaged services.
E. Accomplish this Project by:

1. Developing a Transportation Disadvantaged Service Plan for approval by the local Coordinating Board and the Commission. Coordinators who are newly designated to a particular service area shall submit a local Coordinating Board approved Transportation Disadvantaged Service Plan, within 120 calendar days following the execution of the Coordinator's initial memorandum of agreement with the Commission, for approval by the Commission. All subsequent Transportation Disadvantaged Service Plans shall be submitted and approved with the corresponding memorandum of agreement. The approved Transportation Disadvantaged Service Plan will be implemented and monitored to provide for community-wide transportation services for purchase by non-sponsored transportation disadvantaged persons, contracting social service agencies, and other entities that use local, state, or federal government funds for the purchase of transportation for the transportation disadvantaged.

2. Maximizing the use of available public school transportation resources and public fixed route or fixed schedule transit services and assuring that private or public transit, paratransit operators, and school boards have been afforded a fair opportunity to participate to the maximum extent feasible in the planning process and in the development of the provisions of the Transportation Disadvantaged Service Plan for the transportation disadvantaged.

3. Providing or arranging 24-hour, 7-day per week transportation disadvantaged service as required in the designated service area by any Federal, State or Local Government agency sponsoring such services. The provision of said services shall be furnished in accordance with the prior notification requirements identified in the local Coordinating Board and Commission approved Transportation Disadvantaged Service Plan.

4. Complying with all local, state, and federal laws and regulations that apply to the provision of transportation disadvantaged services.

5. Submitting to the Commission an Annual Operating Report detailing demographic, operational, and financial data regarding coordination activities in the designated service area. The report shall be prepared on forms provided by the Commission and according to the instructions of said forms.

F. Comply with Audit and Record Keeping Requirements by:

1. Utilizing the Commission recognized Chart of Accounts defined in the Transportation Accounting Consortium Model Uniform Accounting System for Rural and Specialized Transportation Providers (uniform accounting system) for all transportation disadvantaged accounting and reporting purposes. Community Transportation Coordinators with existing and equivalent accounting systems are not required to adopt the Chart of Accounts in lieu of their existing Chart of Accounts but shall prepare all reports, invoices, and fiscal documents relating to the transportation disadvantaged functions and activities using the chart of accounts and accounting definitions as outlined in the above referenced manual.
2. Assuming the responsibility of invoicing for any transportation services arranged, unless otherwise stipulated by a purchase of service contract or coordination contract.

3. Maintaining and filing with the Commission, local Coordinating Board, and all purchasing agencies/entities such progress, fiscal, inventory, and other reports as those entities may require during the period of this Agreement.

4. Providing copies of finance and compliance audits to the Commission and local Coordinating Board as requested by the Commission or local Coordinating Board.

G. Retain all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for a period of five (5) years after termination of this Agreement. If an audit has been initiated and audit findings have not been resolved at the end of five (5) years, the records shall be retained until resolution of the audit findings. The Coordinator shall assure that these records shall be subject to inspection, review, or audit at all reasonable times by persons duly authorized by the Commission or this Agreement. They shall have full access to and the right to examine any of the said records and documents during the retention period.

H. Comply with Safety Requirements by:

1. Complying with Section 341.061, F.S., and Rule 14-90, FAC, concerning System Safety; or complying with Chapter 234.051, F.S., regarding school bus safety requirements for those services provided through a school board; and

2. Assuring compliance with local, state, and federal laws, and Commission policies relating to drug testing. Conduct drug and alcohol testing for safety sensitive job positions within the coordinated system regarding pre-employment, randomization, post-accident, and reasonable suspicion as required by the Federal Highway Administration and the Federal Transit Administration.

I. Comply with Commission insurance requirements by maintaining at least minimum liability insurance coverage in the amount of $200,000 for any one person and $300,000 per occurrence at all times during the existence of this Agreement for all transportation services purchased or provided for the transportation disadvantaged through the Community Transportation Coordinator. Upon the execution of this Agreement, the Coordinator shall add the Commission as an additional named insured to all insurance policies covering vehicles transporting the transportation disadvantaged. In the event of any cancellation or changes in the limits of liability in the insurance policy, the insurance agent or broker shall notify the Commission. The Coordinator shall insure that contracting transportation operators and coordination contractors also maintain the same minimum liability insurance, or an equal governmental insurance program. Insurance coverage in excess of $1 million per occurrence must be approved by the Commission and the local Coordinating Board before inclusion in the Transportation Disadvantaged Service Plan or in the justification of rates and fare structures. Such coverage may be provided by a self-insurance program established and operating under the laws of the State of Florida and written verification of insurance protection in accordance with Section 768.28, Florida Statutes, shall be provided to the Commission upon request.
J. Safeguard information by not using or disclosing any information concerning a user of services under this Agreement for any purpose not in conformity with the local, state and federal regulations (45 CFR, Part 205.50), except upon order of a court, written consent of the recipient, or his/her responsible parent or guardian when authorized by law.

K. Protect Civil Rights by:

1. Complying with state and federal laws including but not limited to laws regarding discrimination on the basis of sex, race, religion, age, disability, sexual orientation, or national origin. The Coordinator gives this assurance in consideration of and for the purpose of obtaining federal grants, loans, contracts (except contracts of insurance or guaranty), property, discounts, or other federal financial assistance to programs or activities receiving or benefiting from federal financial assistance and agreeing to complete a Civil Rights Compliance Questionnaire if so requested by the Commission.

2. Agreeing that compliance with this assurance constitutes a condition of continued receipt of or benefit from federal financial assistance, and that it is binding upon the Coordinator, its successors, subcontractors, transferee, and assignees for the period during which such assistance is provided. Advise that all operators, subcontractors, subgrantee, or others with whom the Coordinator arranges to provide services or benefits to participants or employees in connection with any of its programs and activities are not discriminating against those participants or employees in violation of the above statutes, regulations, guidelines, and standards. In the event of failure to comply, the Coordinator agrees that the Commission may, at its discretion, seek a court order requiring compliance with the terms of this assurance or seek other appropriate judicial or administrative relief, to include assistance being terminated and further assistance being denied.

L. To the extent allowed by Section 768.28, Florida Statutes, and only to the monetary and other limitations contained therein, indemnify and hold harmless the Commission and all of the Commission's members, officers, agents, and employees; purchasing agency/entity officers, agents, and employees; and the local, state, and federal governments from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the Coordinator during the performance of this Agreement, whether direct or indirect, and whether to any person or property to which the Commission or said parties may be subject, except that neither the Coordinator nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the Commission or any of its members, officers, agents or employees; purchasing agency/entity, officers, agents, and employees; and local, state, or federal governments. Nothing herein is intended to serve as a waiver of sovereign immunity by any agency/entity or Coordinator to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency/entity or political subdivision of the State of Florida or the federal government to be sued by third parties in any matter arising out of any Agreement or contract. Notwithstanding the foregoing, pursuant to Section 768.28, Florida Statutes, no agency or subdivision of the state shall be required to indemnify, insure, or assume any liability for the Commission's negligence.
M. Comply with standards and performance requirements of the Commission, the local Coordinating Board approved Transportation Disadvantaged Service Plan, and any purchase of service contracting agencies/entities. Failure to meet the requirements or obligations set forth in this MOA, and performance requirements established and monitored by the local Coordinating Board in the approved Transportation Disadvantaged Service Plan, shall be due cause for non-payment of reimbursement invoices until such deficiencies have been addressed or corrected to the satisfaction of the Commission.

N. Comply with subcontracting requirements by executing or negotiating contracts for transportation services with Transportation Operators and Coordination Contractors, and assuring that the conditions of such contracts are maintained. The requirements of Part 1, Paragraph E.5. through M are to be included in all contracts, subcontracts, coordination contracts, and assignments made by the Coordinator for services under this Agreement. Said contracts, subcontracts, coordination contracts, and assignments will be reviewed and approved annually by the Coordinator and local Coordinating Board for conformance with the requirements of this Agreement.

O. Comply with the following requirements concerning drivers and vehicles:

1. Drivers for paratransit services, including coordination contractors, shall be required to announce and identify themselves by name and company in a manner that is conducive to communications with the specific passenger, upon pickup of each rider, group of riders, or representative, guardian, or associate of the rider, except in situations where the driver regularly transports the rider on a recurring basis. Each driver must have photo identification that is in view of the passenger. Name patches, inscriptions or badges that affix to driver clothing are acceptable. For transit services, the driver photo identification shall be in a conspicuous location in the vehicle.

2. The paratransit driver shall provide the passenger with boarding assistance, if necessary or requested, to the seating portion of the vehicle. The boarding assistance shall include opening the vehicle door, fastening the seat belt or utilization of wheelchair securement devices, storage of mobility assistive devices, and closing the vehicle door. In certain paratransit service categories, the driver may also be required to open and close doors to buildings, except in situations in which assistance in opening/closing building doors would not be safe for passengers remaining on the vehicle. Assisted access must be in a dignified manner. Drivers may not assist wheelchair up or down more than one step, unless it can be performed safely as determined by the passenger, guardian, and driver.

3. All vehicles shall be equipped with two-way communications in good working order and be audible to the driver at all times to the base.

4. All vehicles providing service within the coordinated system, shall have working air conditioners and heaters in each vehicle. Vehicles that do not have a working air conditioner or heater will be scheduled for repair or replacement as soon as possible.
P. Comply with other requirements as follows:

1. Transport an escort of a passenger and dependent children as locally negotiated and identified in the local Transportation Disadvantaged Service Plan.

2. Determine locally in the Transportation Disadvantaged Service Plan, the use, responsibility, and cost of child restraint devices.

3. Transport with the passenger at no additional charge, passenger property that can be carried by the passenger and/or driver in one trip and can be safely stowed on the vehicle. Additional requirements may be negotiated for carrying and loading rider property beyond this amount. Passenger property does not include wheelchairs, child seats, stretchers, secured oxygen, personal assistive devices, or intravenous devices.

4. Provide shelter, security, and safety of passengers at vehicle transfer points.

5. Post a local or other toll-free number for complaints or grievances inside each vehicle. The local complaint process shall be outlined as a section in the local Transportation Disadvantaged Service Plan including advising the dissatisfied person about the Commission’s Ombudsman Program as a step within the process as approved by the local Coordinating Board.

6. Provide out-of-service-area trips, when determined locally and approved by the local Coordinating Board, except in instances where local ordinances prohibit such trips.

7. Keep interior of all vehicles free from dirt, grime, oil, trash, torn upholstery, damaged or broken seats, protruding metal or other objects or materials which could soil items placed in the vehicle or provide discomfort for the passenger.

8. Determine locally by the local Coordinating Board and provide in the local Transportation Disadvantaged Service Plan the billing requirements of the Community Transportation Coordinator. All bills shall be paid to subcontractors within 7 calendar days after receipt of said payment by the Coordinator, in accordance with Section 287.0585, Florida Statutes.

9. Maintain or have access to a passenger/trip database on each rider being transported within the system.

10. Provide each rider and escort, child, or personal care attendant adequate seating for paratransit services. No more passengers than the registered passenger seating capacity shall be scheduled or transported in a vehicle at any time. For transit services provided by transit vehicles, adequate seating or standing space will be provided to each rider and escort, child, or personal care attendant, and no more passengers than the registered passenger seating or standing capacity shall be scheduled or transported in a vehicle at any time.

11. First Aid shall be determined locally and provided in the local Transportation Disadvantaged Service Plan.
12. Cardiopulmonary Resuscitation shall be determined locally and provided in the local Transportation Disadvantaged Service Plan.

II. The Commission Shall:

A. Recognize the Coordinator as the entity described in Section 427.011(5), Florida Statutes, and Rule 41-2.002(4), F.A.C.

B. Attempt to insure that all entities with transportation disadvantaged funds will purchase transportation disadvantaged services through the Coordinator's system.

III. The Coordinator and the Commission Further Agree:

A. Nothing in this Agreement shall require the Commission to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable state law. If any of the provisions of this Agreement is found by a court of law to violate any applicable state law, the purchasing agency/entity will at once notify the Commission in writing in order that appropriate changes and modifications may be made by the Commission and the Coordinator to the end that the Coordinator may proceed as soon as possible with the provision of transportation services.

B. If any part or provision of this Agreement is held invalid, the remainder of this Agreement shall be binding on the parties hereto.

C. Termination Conditions:

1. Termination at Will - This Agreement may be terminated by either party upon no less than thirty (30) days notice, without cause. Said notice shall be delivered by certified mail, return receipt required, or in person with proof of delivery.

2. Termination for Breach - Unless the Coordinator's breach is waived by the Commission in writing, the Commission may, by written notice to the Coordinator, terminate this Agreement upon no less than twenty-four (24) hours notice. Said notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery. Waiver by the Commission of breach of any provision of this Agreement shall not be deemed to be a waiver of any other breach and shall not be construed to be a modification of the terms of this Agreement, and shall not act as a waiver or estoppel to enforcement of any provision of this Agreement. The provisions herein do not limit the Commission's right to remedies at law or to damages.

D. This agreement will expire unless an extension is granted to the Coordinator in writing by the Commission, in accordance with Chapter 287, Florida Statutes.

E. Renegotiations or Modifications of this Agreement shall only be valid when they have been reduced to writing, duly approved by the Commission, and signed by both parties hereto.
F. Notice and Contact:

The name and address of the contract manager for the Commission for this Agreement is: Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450. The representative/position of the Coordinator responsible for administration of the program under this Agreement is:

General Services Director,
1789 East Moody Boulevard, Building 5, Bunnell, Florida 32110

In the event that either party designates different representatives after execution of this Agreement, notice of the name and address of the new representative will be rendered in writing to the other party and said notification attached to originals of this Agreement.

This document has been reviewed in its entirety and approved by the local Coordinating Board at its official meeting held on ________________________________

Coordinating Board Chairperson

WITNESS WHEREOF, the parties hereto have caused these presents to be executed.

COMMUNITY TRANSPORTATION COORDINATOR:

FLAGLER COUNTY ROAD
Agency Name
DAVID C. SULLIVAN
Printed Name of Authorized Individual

Signature: ____________________________

Title: CHAIR

STATE OF FLORIDA, COMMISSION FOR THE TRANSPORTATION DISADVANTAGED:

Printed Name of Authorized Individual

Signature: ____________________________

Title: Executive Director
December 7, 2020

Ms. Margo Moehring
Northeast Florida Regional Council
6850 Belfort Oaks Place
Jacksonville, FL 32216

Dear Ms. Moehring:

Please find enclosed one copy of Flagler County’s application to the Florida Department of Transportation Public Transit Office for federal assistance under U.S.C. Section 5310 Assistance Program.

We are requesting the appropriate parties review our application and provide a letter of approval to the program manager at the FDOT District V Office listed below:

FDOT District V
Orlando Urban Office
Attention: Diane Poitras
133 Semoran Boulevard
Orlando, FL 32807

If you require additional information, please don’t hesitate to contact me at (386) 313-4185.

Respectfully Submitted,

Heidi Petito, County Transit Director
Flagler County Public Transportation
Sent to News-Tribune via email

November 23, 2020

PUBLIC NOTICE

All interested parties within Flagler County are hereby advised that Flagler County Board of County Commissioners is applying to the Florida Department of Transportation for a capital grant under Section 5310, for the purpose of purchasing five buses at a cost of approximately $364,385.00 to be used for the provision of public transit services within Flagler County, Florida.

A Public Hearing has been scheduled Thursday, December 18, 2020 at 10:00 a.m., at 1769 East Moody Blvd., Building 5, Bunnell, Florida 32110 for the purpose of advising all interested parties of service being contemplated if a grant is awarded, and to ensure that contemplated services would not represent a duplication of current or proposed services provided by existing transit or paratransit operators in the area.

This hearing will be conducted, if and only if a written request for the hearing is received by Thursday, December 11, 2020.

Requests for a hearing must be addressed to Tishia Peterson, Flagler County Public Transportation, 1769 East Moody Blvd., Building 5, Bunnell, FL 32110, and a copy sent to Diane Poitras, Florida Department of Transportation, 420 W. Landstreet Road, Orlando, FL 32824.

Heidi Petito-General Services Director
PART II - FUNDING REQUEST

Form A-1: Current System Description

(a) Please provide a brief general overview of the organization type (i.e., government authority, private non-profit, etc.) including its mission, program goals, and objectives (Maximum 300 words).

The primary focus for Flagler County Public Transportation is to provide transportation in and between areas of the County where concentrations of people are located thereby providing an efficient system for transport where we can consolidate trips based on destination and purpose. With an average client age of 62, FCPT client focus is necessarily on the elderly. As our community and state continue to grow, the elderly and disabled population is also expected to continue to increase. And so, the leaders of this County believe that the ongoing relation we have enjoyed with the Florida Department of Transportation’s 5310/5311 programs is integral to the certainty that this community will be able to provide transportation services to our growing population. Through the generosity of FDOT and the Flagler County Board of County Commissioners (FCBOCC) we believe that we will be prepared for this expected and unprecedented growth, provided state property tax reform and Medicaid non-emergency transportation problems with AHCA do not trickle down to our local level in debilitating form. The FCBOCC in partnership with its FCPT division is committed to this transportation service and takes great pride in providing first rate public transportation for our community. The FCBOCC has served as CTC since 2004.

(a) Please provide information below:

Organizational structure (attach an organizational chart at the end of this section)

Total number of employees in organization 361

Total number of transportation-related employees in the organization 31

Who is responsible for insurance, training, management, and administration of the agency’s transportation programs? (Maximum 100 words)

The Director of General Services and the Transportation Manager manage the division. Training of personnel is under the direction of the Transportation Coordinator. Insurance for both equipment and personnel is provided by the County through the Human Resources Department.
(b) How are the operations of the transportation program currently funded? What are the sources of the funding (e.g., state, local, federal, private foundations, fares, other program fees?)? Please provide details regarding each of the individual funding programs currently available to fund the transportation program. *Maximum 200 words*

For operating we currently apply for 5310 and 5311 operating grants. Also TD trips and the State Block Grant. The balance of our funding comes from the County property taxes. 65% of our funding comes from the above grants and 35% from County taxes.

How does your agency ensure that passengers are eligible recipients of 5310-funded transportation service? *Maximum 200 words*

All clients complete a passenger intake form. This enables the data input employee to determine what program(s) the perspective client is eligible for.

Please answer the below questions in the space provided below:

To what extent does your agency serve minority populations?
Is your agency minority-owned? *Maximum 200 words*

We are owned by Flagler by Flagler County Board of County Commissioners. We provide trips to all populations of the County regardless of race.

How many drivers (including contracted drivers) are utilized for 5310-funded transportation services?

How many drivers do you have?
- Number of Full-Time Drivers 21
- Number of Part Time Drivers 5

How many vehicles do you have that require a Commercial Driver’s License (CDL) certified driver? 20

How many drivers are needed during peak service? 27
How many vehicles are needed during peak service? 27
Fully explain your transportation program:

- Service hours, planned service, routes and trip types;
- Staffing—include plan for training on vehicle equipment such as wheelchair lifts, etc.;
- Records maintenance—who, what methods, use of databases, spreadsheets etc.;
- Vehicle maintenance—who, what, when and where. Which services are outsourced (e.g., oil changes)?
  Include a section on how vehicles are maintained without interruptions in service
- System safety plan (5310 only agencies exempt)
- Drug-free workplace; and
- Data collection methods, including how data was collected to complete Form A-2.

Note: If the applicant is a CTC, relevant pages of a TDSP and AOR containing the above information may be provided. Please do not attach the entire plan or report. If the applicant is a “5310 only agency,” relevant information from the TOP containing the above elements may be provided below.

Service hours are Monday – Friday 4:30am – 6:30pm. Saturday 7am – 6:30pm.

The major areas of transportation need is medical, employment, special needs training, adult day care, and nutritional services. For the period of July 1, 2017 – June 30, 2018 the trips were 108,175 covering 652,884 vehicle miles. For the period of July 1, 2018 – June 30, 2019 there was a decrease in trips 101,089 covering 617,365 vehicle miles. For the period of July 1, 2019 – June 30, 2020 again another decrease, but this time due to the COVID-19 pandemic 80,407 covering 525,527 vehicle miles. We continue to maintain our commitment to the elderly and the disabled community.

Flagler County Fleet Maintenance provides the maintenance of the entire transportation fleet. A preventative maintenance schedule has been set following County and State guidelines in include safety inspections, oil changes, brake inspections, and pre and post trip inspections. The program is outlined on the inside of each FDOT vehicle book. The preventative maintenance program helps to ensure the safety of passengers and staff, as well as allowing the vehicles to serve the entire life span that the Department of Transportation assigns each vehicle type.

To maintain our client and trip data we currently use Route Match routing software and hardware.
**Form A-2: Fact Sheet**

<table>
<thead>
<tr>
<th></th>
<th>Calculations&lt;sup&gt;1&lt;/sup&gt; (current system)</th>
<th>Current System</th>
<th>Calculations&lt;sup&gt;1&lt;/sup&gt; (if grant is awarded)</th>
<th>If Grant is Awarded (Estimates are acceptable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Number of total one-way trips served by the agency <strong>PER YEAR</strong> (for entire system).* Please include calculations.</td>
<td>80,407</td>
<td>From AOR</td>
<td>101,089</td>
</tr>
<tr>
<td>2</td>
<td>Number of one-way passenger trips provided to seniors and individuals with disabilities <strong>PER YEAR</strong>.*</td>
<td>55,442</td>
<td>From AOR</td>
<td>60,000</td>
</tr>
<tr>
<td>3</td>
<td>Number of individual senior and disabled clients (unduplicated) <strong>PER YEAR</strong>.</td>
<td>5,905</td>
<td>From AOR</td>
<td>6,700</td>
</tr>
<tr>
<td>4</td>
<td>Total number of vehicles used to provide service to seniors and individuals with disabilities.</td>
<td>32</td>
<td>Vehicles Count</td>
<td>32</td>
</tr>
</tbody>
</table>

---

1 If a software program is used to obtain the required data for the fact sheet, please identify the source.
<table>
<thead>
<tr>
<th><strong>5</strong> Number of 5310 vehicles used to provide service to seniors and individuals with disabilities eligible for replacement that have reached their useful life.</th>
<th>5</th>
<th>Vehicle Count</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>6</strong> Total fleet vehicle miles traveled to provide service to seniors and individuals with disabilities PER YEAR.</td>
<td>466,560</td>
<td>From AOR</td>
<td>525,527+</td>
</tr>
<tr>
<td><strong>7</strong> Total number of square miles of service coverage.</td>
<td>571</td>
<td>Internet</td>
<td>571</td>
</tr>
<tr>
<td><strong>8</strong> Number of days that vehicles are in operation to provide service to seniors and individuals with disabilities AVERAGE PER YEAR.</td>
<td>7</td>
<td>Work Hours</td>
<td>7</td>
</tr>
<tr>
<td>Number of hours of service</td>
<td>Calculations¹ (current system)</td>
<td>Current System</td>
<td>Calculations¹ (if grant is awarded)</td>
</tr>
<tr>
<td>----------------------------</td>
<td>--------------------------------</td>
<td>----------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>9 Number of hours of service AVERAGE PER DAY (24-hour period).</td>
<td>12</td>
<td></td>
<td>12</td>
</tr>
<tr>
<td>10 Number of hours of service PER YEAR.</td>
<td>3,624</td>
<td>302*12=3,624</td>
<td>3,624</td>
</tr>
<tr>
<td>11 Posted hours of normal operation agency provides service to seniors and individuals with disabilities PER WEEK (This does not include non-scheduled emergency availability).</td>
<td>M–F: 4:30am – 6:30pm Saturday: 7am – 6:30pm Sunday: N/A Total (WEEK): 72</td>
<td></td>
<td>M–F: 4:30am – 6:30pm Saturday: 7am – 6:30pm Sunday: N/A Total (WEEK): 72</td>
</tr>
</tbody>
</table>

*One-way passenger trip* is the unit of service provided each time a passenger enters the vehicle, is transported, and then exits the vehicle. Each different destination would constitute a passenger trip.
Management has the overall responsibility for the safe and secure operations of Flagler County Public Transportation system and for the contracted service operators. Each employee is required to carry out specific system safety responsibilities, depending on his/her position, in compliance with the SSPP. The organization information provided below describes each position and the reporting structure; the table in the following page shows system safety responsibilities of each position.

5.1 Flagler County Public Transportation Organization Chart

Note: The chart above only shows Flagler County departments/staff involved with transportation.
Form A-3: Proposed Project Summary
All Applicants

(a) How will the grant funding be used?

Check all that apply:

- ✔ Vehicle(s) →
- ☐ Expansion
- ☑ Replacement

- ☐ Equipment →
- ☐ Expansion
- ☑ Replacement

- ☐ Mobility Management

- ☐ Preventative Maintenance

- ☑ Operating →
- ☐ Expansion
- ☑ Continuing Service

In which geographic area(s) will the requested grant funds be used to provide service?

- ✔ Urban (UZA)
- ☐ Small Urban (SUZA)
- ☑ Rural

Complete the service area percentages for the geographic areas where the requested grant funds will be used to provide service

Example:

If your agency makes 500 trips per year and 100 of those trips are urban then:

100 UZA trips / 500 total trips = .2 * 100 = 20% UZA service area

<table>
<thead>
<tr>
<th>UZA</th>
<th>72,366 / 80,407 = 90%</th>
<th>☑</th>
<th>% UZA service area</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUZA</td>
<td></td>
<td></td>
<td>% Small Urban service area</td>
</tr>
<tr>
<td>Rural</td>
<td>8,041 / 80,407 = 10%</td>
<td>☑</td>
<td>% Rural service area</td>
</tr>
</tbody>
</table>

Number of trips, revenue service hours, or revenue service miles within specified geographic area

Divided by

Total number of trips, revenue service hours, or revenue service miles

Equals

Percentage of service within specified geographic area
Calculate the funding split for the geographic areas where the requested grant funds will be used to provide service.

<table>
<thead>
<tr>
<th></th>
<th>Total amount requested</th>
<th>Multiplied by</th>
<th>Percentage of service within specified geographic area</th>
<th>Equals</th>
<th>Funding split</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>364,385</td>
<td>x</td>
<td>.90</td>
<td>=</td>
<td>$327,947</td>
</tr>
<tr>
<td>SUZA</td>
<td></td>
<td>x</td>
<td></td>
<td>=</td>
<td>$</td>
</tr>
<tr>
<td>Rural</td>
<td>364,385</td>
<td>x</td>
<td>.10</td>
<td>=</td>
<td>$36,438</td>
</tr>
</tbody>
</table>

**NOTE:** When invoicing for operating projects, you must use the above funding split on your invoice summary forms.

Once you have determined the funding split between UZA, SUZA and Rural, you will need to calculate the match amount.

**NOTE: Operating Assistance (50% Federal and 50% Local):**

<table>
<thead>
<tr>
<th></th>
<th>Total amount requested</th>
<th>Multiplied by</th>
<th>Percentage of service within specified geographic area</th>
<th>Equals</th>
<th>Funding split</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>414,360</td>
<td>x.90</td>
<td>.5 Federal &amp; .5 Local</td>
<td>=</td>
<td>$186,462</td>
</tr>
<tr>
<td>SUZA</td>
<td></td>
<td>x</td>
<td>.5 Federal &amp; .5 Local</td>
<td>=</td>
<td>$</td>
</tr>
<tr>
<td>Rural</td>
<td>414,360</td>
<td>x.10</td>
<td>.5 Federal &amp; .5 Local</td>
<td>=</td>
<td>$20,718</td>
</tr>
</tbody>
</table>

**NOTE: Capital Assistance (80% Federal, 10% State and 10% Local):**

<table>
<thead>
<tr>
<th></th>
<th>Total amount requested</th>
<th>Multiplied by</th>
<th>Percentage of service within specified geographic area</th>
<th>Equals</th>
<th>Funding split</th>
</tr>
</thead>
<tbody>
<tr>
<td>UZA</td>
<td>327,947</td>
<td>x</td>
<td>.8 Federal &amp; .1 State &amp; .1 Local</td>
<td>=</td>
<td>$262,357</td>
</tr>
<tr>
<td>SUZA</td>
<td></td>
<td>x</td>
<td>.8 Federal &amp; .1 State &amp; .1 Local</td>
<td>=</td>
<td>$</td>
</tr>
<tr>
<td>Rural</td>
<td>36,438</td>
<td>x</td>
<td>.8 Federal &amp; .1 State &amp; .1 Local</td>
<td>=</td>
<td>$29,150</td>
</tr>
<tr>
<td>by</td>
<td>Federal</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&amp; .1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>State &amp;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>.1 Local</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
How will the grant funding improve your agency's transportation service? Provide a general description of the project components to be funded via this agreement.

This grant is not for expansion of service. We will be able to maintain our current level of service with the funds from this grant. This enables us to provide trips originating in all areas of Flagler County.

Provide a description of the project location, please include at least one of the below. Use attachments if necessary:

- Transportation service geographical limits
- Maps
- Illustration/Graphic of project area

Our service area includes all parts of Flagler County including Palm Coast, Flagler Beach, and Beverly Beach which are part of the Palm Coast, Daytona and Port Orange urban area. The funding we are asking for will fund trips originating in the non-urbanized and rural areas of Flagler County.
Describe project components in detail. Please explain the challenges or difficulties that your agency will overcome if awarded these funds.

Will it be used to:

- Provide more hours of service?
- Expand service to a larger geographic area?
  - Provide shorter headways?
  - Provide more trips?
  - To continue service or expand service?

By replacing our fleet we are ensuring that we will still be able to maintain our current level of service, if not more, trips in the non-urbanized and rural areas of Flagler County.
If this grant is not fully funded, can you still proceed with your transportation program? Explain.

If we were not to receive this grant the trips in all areas of Flagler County would not be completed.

All Non-CTC Applicants: Have you met with the CTC and, if so, how are you providing a service they cannot? Provide detailed information supporting this determination. *Applications submitted without the appropriate CTC coordination agreement may be rejected by FDOT. Grant awards will not be made without an appropriate coordination agreement.*

N/A
Capital Requests Only

(a) If this capital request includes equipment, please describe the purpose of the request.
(b) If you are requesting a vehicle that requires a driver with a CDL:
   • Do you currently have an adequate number of CDL licensed drivers on staff to operate
     the requested vehicle(s)? If not, how will you ensure staffing needs are met?
(c) If the requested vehicles or equipment will be used by a lessee or private operator under
    contract to the applicant agency, identify the proposed lessee/operator.
   • Include an equitable plan for distribution of vehicles/equipment to lessees and/or
     private operators.

All drivers are required to have CDL's. We are the CTC and sole provider of transportation in Flagler
County. We do not lease vehicles nor do we have sub-contracted transportation services.
Preventive Maintenance Requests Only

Note: Applicants applying for preventative maintenance costs must have a District-approved Preventative Maintenance (PM) Plan and a cost allocation plan if maintenance activities are performed in-house.

(a) Please specify Period of Performance (should not exceed one (1) year)

(b) Please include a list of general PM activities to take place with the funding

(c) Please list useful life for purchase of any items over $5,000

(d) Funding Request Amount for Preventative Maintenance: ______________________

N/A

## Estimated Transportation Program Operating & Administrative Expenses

*Year of Anticipated Award*

<table>
<thead>
<tr>
<th>Code</th>
<th>Object Class</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5010</td>
<td>Labor</td>
<td>$867,645</td>
</tr>
<tr>
<td>5015</td>
<td>Fringe Benefits</td>
<td>$395,447</td>
</tr>
<tr>
<td>5020</td>
<td>Services</td>
<td>$164,519</td>
</tr>
<tr>
<td>5030</td>
<td>Materials and Supplies</td>
<td>$151,405</td>
</tr>
<tr>
<td>5040</td>
<td>Utilities</td>
<td>$16,802</td>
</tr>
<tr>
<td>5050</td>
<td>Casualty and Liability Costs</td>
<td>$20,793</td>
</tr>
<tr>
<td>5060</td>
<td>Taxes</td>
<td>$</td>
</tr>
<tr>
<td>5100</td>
<td>Purchased Transportation</td>
<td>$47,822</td>
</tr>
<tr>
<td>5090</td>
<td>Miscellaneous</td>
<td>$</td>
</tr>
<tr>
<td>5230</td>
<td>Capital Leases</td>
<td>$</td>
</tr>
<tr>
<td>5260</td>
<td>Depreciation</td>
<td>$</td>
</tr>
<tr>
<td>-</td>
<td>Other</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total All Expenses</strong></td>
<td><strong>$1,664,433</strong></td>
</tr>
<tr>
<td>Code</td>
<td>Object Class</td>
<td>Amount</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>4111</td>
<td>Passenger-Paid Fares</td>
<td>$46,828</td>
</tr>
<tr>
<td>4112</td>
<td>Organization-Paid Fares</td>
<td>$</td>
</tr>
<tr>
<td>4310</td>
<td>General Revenues of the Local Government</td>
<td>$</td>
</tr>
<tr>
<td>4390</td>
<td>Other Local Funds</td>
<td>$86,000</td>
</tr>
<tr>
<td>4420</td>
<td>State Transportation Fund</td>
<td>$632,712</td>
</tr>
<tr>
<td>4500</td>
<td>Federal Funds</td>
<td>$444,333</td>
</tr>
<tr>
<td>4610</td>
<td>Contributed Services</td>
<td>$430,440</td>
</tr>
<tr>
<td>4630</td>
<td>Sales and Disposals of Assets</td>
<td>$</td>
</tr>
<tr>
<td>-</td>
<td>Other- Advertising</td>
<td>$24,120</td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total All Revenues</strong></td>
<td><strong>$1,664,433</strong></td>
</tr>
</tbody>
</table>
### Proof of Local Match - Operating Projects

**Operating Project Total:** $414,360.00

<table>
<thead>
<tr>
<th>Match Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flagler County Property Tax Revenue</td>
<td>$207,180.00</td>
</tr>
</tbody>
</table>

**Operating Match Total:**
50% of Operating Project Total

$207,180.00

### Proof of Local Match – Capital Projects

**Capital Project Total:** $364,385.00

<table>
<thead>
<tr>
<th>Match Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flagler County Property Tax Revenue</td>
<td>$34,438.00</td>
</tr>
</tbody>
</table>

**Capital Match Total:**
10% of Capital Project Total

$34,438.00
Attach documentation of match funds directly after this page. Proof may consist of, but not be limited to:

- Transportation Disadvantaged (TD) Allocation
- Letter on official letterhead from the applicant’s CEO attesting to match availability and commitment,
- Written statements from county commissions, state agencies, city managers, mayors, town councils, organizations, accounting firms and financial institutions.

__________________________
Signature

Jerry Cameron, County Administrator

__________________________
Typed Name and Title of Authorized Representative

December 7, 2020
Date
SUBJECT: Consideration of a Resolution and FY21/22 Flagler County Public Transportation Applications to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Capital Assistance Program in the Amount of $291,508.00

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5310 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas. This is an annual grant that we receive to provide these services. The current year grant award is $294,852.00. The amount of the 5310 grant application for the next fiscal year 21/22 is $291,508.00 for capital expense reimbursement.

The amount of 5310 grant fiscal year 21/22 would be $291,508.00 to reimburse the capital purchase of five replacement buses. We are replacing uses 94, 96, 99, 100, and 105 which have become mechanically unreliable and/or have high mileage.

While the total project costs $364,385.00 the county’s required grant match is ten percent (10%) with an additional ten percent (10%) coming from the State and the remaining eighty percent (80%) coming from the Federal Government.

<table>
<thead>
<tr>
<th>Proposed Project – Capital Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
<tr>
<td>Ending Date: 09/30/2022</td>
</tr>
<tr>
<td>Estimated Funding</td>
</tr>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>$ 291,508.00</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>$ 36,438.50</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td>$ 36,438.50</td>
</tr>
<tr>
<td>Total</td>
</tr>
<tr>
<td>$ 364,385.00</td>
</tr>
</tbody>
</table>

The application was completed and will be sent to the granting agency prior to the deadline of January 8, 2021.

FUNDING INFORMATION: If this grant is approved the local match for the 5310 grant will be $36,856.50 this match would be included in the FY21/22 budget.

DEPT./CONTACT/PHONE #: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application for the FDOT 5310 grant program and authorize the County Administrator to execute the grant agreement and all documents related to the application, acceptance, implementation, and closeout of the grant.

ATTACHMENTS:
1. 5310 Grant Application
2. Resolutions
FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS
CONSENT / AGENDA ITEM #

SUBJECT: Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application to the Florida Department of Transportation (FDOT) 5310 – Elderly and Persons with Disabilities Operating Assistance Program in the Amount of $207,180.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5310 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas.

The amount of the 5310 grant would be $207,180 for operating expense reimbursement to fund our New Freedom Program which requires a dollar-for-dollar match. This program has expanded our service by adding an additional hour each weekday and a full day of service on Saturday for the last five years.

Previous years of funding for service expansion was included in FTA 5317 grant funds. This funding has gone away and the New Freedom Program is now being rolled into FTA 5310 grant funds. Our annual grant request and the required grant match remains the same.

<table>
<thead>
<tr>
<th>Proposed Project – Operating Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
<tr>
<td>Estimated Funding</td>
</tr>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

The applications will be completed and sent to the granting agency prior to the deadline of January 8, 2021.

FUNDING INFORMATION: If this grant is approved the local match for the 5310 grant will be $207,180. This match would be included in the FY21/22 budget.

DEPT./CONTACT/PHONE #: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application for the FDOT 5310 grant program and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant.

ATTACHMENTS:
1. 5310 Grant Application
2. Resolution
Form B-2: Operations Phase- Estimate of Project Costs by Budget Category

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Local</th>
<th>Federal</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>103,590.00</td>
<td>103,590.00</td>
<td>207,180.00</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>103,590.00</td>
<td>103,590.00</td>
<td>207,180.00</td>
</tr>
<tr>
<td>Contractual Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Direct Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>$207,180.00</strong></td>
<td><strong>$207,180.00</strong></td>
<td><strong>$414,360.00</strong></td>
</tr>
</tbody>
</table>

Budget category amounts are estimates. While the contract is active, amounts can be shifted between items without amendment (because they are all within the Operations Phase), but the revised budget must be submitted to the District to be approved and updated in the Florida Accountability Contract Tracking System (FACTS).

**Cost Reimbursement**

The Agency will submit invoices for cost reimbursement on a:

- [ ] Monthly
- [x] Quarterly
- [ ] Other: ____________

basis upon the approval of the deliverables including the expenditure detail provided by the Agency.
Form B-3: Capital Request Form

To identify vehicle type and estimate cost visit http://tripsflorida.org/.

All vehicle requests must be supported with a completed sample order form in order to generate a more accurate estimating of the vehicle cost. The order form can be obtained from http://www.tripsflorida.org/contracts.html

1. Select Desired Vehicle (Cutaway, Minibus etc.)
2. Choose Vendor (use drop down arrow next to vendor name to see information)
3. Select Order Packet
4. Complete Exhibit A (Order Form)

The Florida Department of Management Services Contract can be found at Florida Department of Management DMS

Vehicle Request

<table>
<thead>
<tr>
<th>Replacement (R) or Expansion (E)</th>
<th>Fuel Type</th>
<th>Useful Life</th>
<th>Description/ Vehicle Type</th>
<th>Quantity</th>
<th>Estimated Cost (from Order Form)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R</td>
<td>Gas</td>
<td>5-7 years</td>
<td>Ford U4X 22’ 3.5L 2 Wheelchair positions with wheelchair lift. 4 Ambulatory Seats.</td>
<td>5</td>
<td>$69,813.00</td>
</tr>
</tbody>
</table>

Subtotal $348,280.00

* Under Description/Vehicle Type, include the length and type vehicle, lift or ramp, number of seats and wheelchair positions. For example, 22’ gasoline bus with lift, twelve (12) ambulatory seats, and two (2) wheelchair positions. Please note, in this example, if both wheelchair positions are occupied the ambulatory seats will be reduced to eight (8). Any bus options that are part of purchasing the bus itself should be part of the vehicle request and NOT separated out under equipment.

Replacement Vehicles (R)

If the capital request includes replacement vehicles, please list the vehicles in your current fleet that you are intending to replace with the vehicle from your vehicle request. Please list by order of priority.

<table>
<thead>
<tr>
<th>FDOT Control #</th>
<th>VIN</th>
<th>Year</th>
<th>Make</th>
<th>Model</th>
<th>Mileage</th>
</tr>
</thead>
<tbody>
<tr>
<td>92505</td>
<td>1FDFE4FS2CDA92880</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>164,171</td>
</tr>
<tr>
<td>N/A</td>
<td>1FDGR4GY5CEB81938</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>158,399</td>
</tr>
<tr>
<td>N/A</td>
<td>1FD6E4FS5CDA94414</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>175,108</td>
</tr>
<tr>
<td>-----</td>
<td>------------------</td>
<td>------</td>
<td>------</td>
<td>-----------</td>
<td>---------</td>
</tr>
<tr>
<td>94550</td>
<td>1FD6E4FS9CDA94397</td>
<td>2012</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>172,767</td>
</tr>
<tr>
<td>N/A</td>
<td>1FD6E4FL8EDA74701</td>
<td>2014</td>
<td>Ford</td>
<td>E-450 Bus</td>
<td>169,526</td>
</tr>
</tbody>
</table>

**Equipment Request**

If item requested is after-market, it is recommended to gather and retain at least two estimates for the equipment requested. Purchases must be approved at the local level and follow the Procurement Guidelines. Note: this section is for equipment NOT requested as part of a vehicle purchase.

<table>
<thead>
<tr>
<th>Description</th>
<th>Useful Life</th>
<th>Quantity</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEON Security Camera System</td>
<td>5-7 years</td>
<td>5</td>
<td>11,870.00</td>
</tr>
<tr>
<td>SEON Additional Cameras</td>
<td>5-7 years</td>
<td>10</td>
<td>3,450.00</td>
</tr>
<tr>
<td>2 Way Radio prep package</td>
<td>5-7 years</td>
<td>5</td>
<td>785.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>16,105.00</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* List the number of items and provide a brief description (i.e. two-way or stereo radio, computer hardware/software, etc.)

**Preventative Maintenance Request**

<table>
<thead>
<tr>
<th>FDOT Control #</th>
<th>Description of Maintenance Expense</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

| Subtotal       | $                |

| $348,280.00    | $16,105.00      | $0.00        | **$364,385.00** |

Vehicle Subtotal Plus Equipment Subtotal Plus Preventative Maintenance Subtotal Equals Capital Project Cost Total

| $364,385.00    | **$291,508.00** |

Capital Project Cost Total Multiplied by 80% Equals Federal Request Form 424, Block 18 (a)
**ORDER FORM**

**CONTRACT # TRIPS-15-MB-NB**

MiniBus with ADA Option

Nations Bus Sales

**AGENCY NAME:** Flagler County  
**DATE:** 11/20/2020

**PURCHASE ORDER NUMBER:** __________

**CONTACT PERSON:**  T. Peterson  
(Name, Telephone Number and Email Address)

**October 7, 2019**

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit Cost</th>
<th>Quantity</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base Vehicle Type</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ford Model U4X 10,360 GVWR 22' 3.5L V-6 DOHC Gas Engine</td>
<td>$56,637</td>
<td>5</td>
<td>283,185.00</td>
</tr>
<tr>
<td>3.5L V-6 Eco Boost Gas Engine</td>
<td>$58,395</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diesel</td>
<td>$62,573</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CNG Option</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SEATS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Seats</td>
<td>$599</td>
<td>20</td>
<td>11,980.00</td>
</tr>
<tr>
<td>Child Seats</td>
<td>$261</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Upgraded AC</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gasoline Engine</td>
<td>Standard with base</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td>Diesel Engine</td>
<td>Standard with base</td>
<td>NC</td>
<td></td>
</tr>
<tr>
<td><strong>Paint Choices</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>$0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paint Scheme A</td>
<td>$190</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paint Scheme B</td>
<td>$940</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paint Scheme C</td>
<td>$2900</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other Options</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dual Swing Entry Door “DELETE” option</td>
<td>($3925)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wheelchair lift/ramp Manufacturer: Braun Model: Vista 2 800 lbs</td>
<td>$4480</td>
<td>5</td>
<td>22,400.00</td>
</tr>
<tr>
<td>Wheelchair lift/ramp Manufacturer: Ricon Model: Klearview Series 800 lbs</td>
<td>$4580</td>
<td></td>
<td>Currently Not Available</td>
</tr>
<tr>
<td>All alternative wheel options</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2-way radio prep package</td>
<td>$157</td>
<td>5</td>
<td>785.00</td>
</tr>
<tr>
<td>A 110V power inverter with accessory outlet (per position)</td>
<td>$295</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Options Continued</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual reading lamps, cup holder and electrical accessory outlet</td>
<td>$83</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Optional floor covering material</td>
<td>$250</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Driver safety partition</td>
<td>$190</td>
<td>5</td>
<td>950.00</td>
</tr>
<tr>
<td>Securement Devices</td>
<td>Manufacturer: Q-Straint Model: QRT Deluxe</td>
<td>$645</td>
<td>10</td>
</tr>
<tr>
<td>Q-Straint WC18 QRT Deluxe System</td>
<td>$805</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sidewall Wheelchair Carrier</td>
<td>$400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Security camera system,</td>
<td>$1880</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional Camera</td>
<td>$320</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OEM limited slip axle</td>
<td>$302</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OEM deep tinted glass, to include rear defroster</td>
<td>$619</td>
<td></td>
<td></td>
</tr>
<tr>
<td>OEM 2 additional keys with FOBS</td>
<td>$73</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Upgraded Seating**

| Freedman Child Restraint System | $45 |
| Freedman 2 Pass. FWD Facing Fold Away (street) | $930 | 10 | 9,300.00 |

**Additional Options**

| AngelTraxx HDX & camera system with DVR & 360° | $2374 |
| Yamaha Seon Camera System | $2095 | 5 | 11,870.00 |
| Additional camera for HDX system | $345 | 10 | 3,450.00 |
| OEM Manual Regen Initiation for Diesel Engine | $233 |
| OEM Manual Regen Initiation with Active Regen Inhibitor for Diesel Engine | $349 |
| OEM Long Arm Non Telescoping, Power Heated Mirrors with Turn Signals | $203 |
| OEM Am/Fm Stereo CD with Audio Input Jack, HD Radio, Sirius and 4” Display | $426 |
| OEM Am/Fm Stereo CD with Audio Input Jack, Message Center, Sync and 4” Display | $739 |
| OEM My Ford Touch, Navigation with 6” Display, HD and Sirius, Sync2 | $1966 |
| Byk Rak | $1090 |
| Set of two (2) rear flashing LED light strips | $275 |

**GRAND TOTAL**

| 350,370.00 |

Estimated model year/contract increase 4% 14,015.00

Grand Total 364,385.00
PART III – MANAGERIAL CAPABILITY

Exhibit I: FDOT Certification and Assurances

(Flagler County Board of County Commissioners) certifies and assures to the Florida Department of Transportation regarding its Application under U.S.C. Section 5310 dated 7th day of December, 2020

1 It shall adhere to all Certifications and Assurances made to the federal government in its Application.

2 It shall comply with Florida Statues:
   - Section 341.051–Administration and financing of public transit and intercity bus service programs and projects
   - Section 341.061 (2)–Transit Safety Standards; Inspections and System Safety Reviews
   - Section 252.42 – Government equipment, services and facilities: In the event of any emergency, the division may make available any equipment, services, or facilities owned or organized by the state or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area or upon the request of any recognized and accredited relief agency through such duly constituted authority.

3 It shall comply with Florida Administrative Code (Does not apply to Section 5310 only recipients):
   - Rule Chapter 14-73–Public Transportation
   - Rule Chapter 14-90–Equipment and Operational Safety Standards for Bus Transit Systems
   - Rule Chapter 14-90.0041–Medical Examination for Bus System Driver
   - Rule Chapter 41-2–Commission for the Transportation Disadvantaged

4 It shall comply with FDOT's:
   - Bus Transit System Safety Program Procedure No. 725-030-009 (Does not apply to Section 5310 only recipients)
   - Transit Vehicle Inventory Management Procedure No. 725-030-025
   - Public Transportation Vehicle Leasing Procedure No. 725-030-001
   - Guidelines for Acquiring Vehicles
   - Procurement Guidance for Transit Agencies Manual

5 It has the fiscal and managerial capability and legal authority to file the application. Local matching funds will be available to purchase vehicles/equipment at the time an order is placed.

6 It will carry adequate insurance to maintain, repair, or replace project
vehicles/equipment in the event of loss or damage due to an accident or casualty.

7 It will maintain project vehicles/equipment in good working order for the useful life of the vehicles/equipment.

8 It will return project vehicles/equipment to FDOT if, for any reason, they are no longer needed or used for the purpose intended.

9 It recognizes FDOT's authority to remove vehicles/equipment from its premises, at no cost to FDOT, if FDOT determines the vehicles/equipment are not used for the purpose intended, improperly maintained, uninsured, or operated unsafely.

10 It will not enter into any lease of project vehicles/equipment or contract for transportation services with any third party without prior approval of FDOT.

11 It will notify FDOT within 24 hours of any accident or casualty involving project vehicles/equipment and submit related reports as required by FDOT.

12 It will notify FDOT and request assistance if a vehicle should become unserviceable.

13 It will submit an annual financial audit report to FDOT (FDOTSingleAudit@dot.state.fl.us), if required.

14 It will undergo a triennial review and inspection by FDOT to determine compliance with the baseline requirements. If found not in compliance, it must send a progress report to the local FDOT District office on a quarterly basis outlining the agency's progress towards compliance.

December 7, 2020 Date

____________________________ Signature of Authorized Representative

Jerry Cameron, County Administrator Typed Name and Title of Authorized Representative

Representative
Exhibit J: Standard Lobbying Certification

The undersigned Flagler County Board of County Commissioners certifies, to the best of his or her knowledge and belief, that:

1 No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," (a copy of the form can be obtained from FDOT's website) in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]

3 The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

NOTE: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such expenditure or failure.

The (Flagler County Board of County Commissioners), certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

December 7, 2020 Date

__________________________________ Signature of Contractor's Authorized Official

Jerry Cameron, County Administrator Typed Name and Title of Authorized Representative
Exhibit I: Certification of Equivalent Service

CERTIFICATION OF EQUIVALENT SERVICE

(Flagler County Board of County Commissioners) certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. Such service, when viewed in its entirety, is provided in the most integrated setting feasible and is equivalent with respect to:

1. Response time;
2. Fares;
3. Geographic service area;
4. Hours and days of service;
5. Restrictions on trip purpose;
6. Availability of information and reservation capability; and
7. Constraints on capacity or service availability.

In accordance with 49 CFR Part 37, public entities operating demand responsive systems for the general public which receive financial assistance under 49 U.S.C. 5310 and 5311 of the Federal Transit Administration (FTA) funds must file this certification with the appropriate state program office before procuring any inaccessible vehicle. Such public entities not receiving FTA funds shall also file the certification with the appropriate state office program. Such public entities receiving FTA funds under any other section of the FTA Programs must file the certification with the appropriate FTA regional office. This certification is valid for no longer than one year from its date of filing. Non-public transportation systems that serve their own clients, such as social service agencies, are required to complete this form.

Executed this 7th day of December, 2020

Jerry Cameron, County Administrator

Typed Name and Title of Authorized Representative

______________________________

Signature of Authorized Representative
Application for Federal Assistance SF-424

* 1. Type of Submission:  
   [ ] Preapplication  
   X Application  
   [ ] Changed/Corrected Application

* 2. Type of Application:  
   [ ] New  
   X Continuation  
   [ ] Revision

* 3. Date Received:  
   12/07/2020

4. Applicant Identifier:  
   Not Applicable

5a. Federal Entity Identifier:  
   Not Applicable

5b. Federal Award Identifier: 
   [ ]

State Use Only:

6. Date Received by State: 
7. State Application Identifier: 

8. APPLICANT INFORMATION:

* a. Legal Name: Flagler County Board of County Commissioners

* b. Employer/Taxpayer Identification Number (EIN/TIN): 
   59-6000605

* c. Organizational DUNS: 
   21121488

d. Address:

* Street1: 1769 East Moody Blvd

Street2: 

* City: Bunnell

County/Parish: 

* State: FL: Florida

Province: 

* Country: USA: UNITED STATES

* Zip / Postal Code: 32110-5991

e. Organizational Unit:

   Department Name: General Services

   Division Name: Public Transportation

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Ms.  

* First Name: Tlehsia

Middle Name: 

* Last Name: Peterson

Suffix: 

Title: Financial Management Coordinator

Organizational Affiliation: County Employee

* Telephone Number: 386-313-4190  
   Fax Number: 386-313-4120

* Email: peterson@flaglercounty.org
Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:
   County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

Other (specify):

10. Name of Federal Agency:
    Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:
    20-513
    CFDA Title:
    Enhanced Mobility of Seniors and Individuals with Disabilities

12. Funding Opportunity Number:
    20-513
    Title:
    Enhanced Mobility of Seniors and Individuals with Disabilities

13. Competition Identification Number:
    Not Applicable
    Title:
    Not Applicable

14. Areas Affected by Project (Cities, Counties, States, etc.):

15. Descriptive Title of Applicant's Project:
    To receive reimbursement of operating expenses for transportation services provided.

Attach supporting documents as specified in agency instructions.
Application for Federal Assistance SF-424

16. Congressional Districts Of:
   a. Applicant
   b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:
   a. Start Date: 10/01/2021
   b. End Date: 09/30/2022

18. Estimated Funding ($):
   a. Federal 207,180.00
   b. Applicant 0.00
   c. State 0.00
   d. Local 207,180.00
   e. Other 0.00
   f. Program Income 0.00
   g. TOTAL 414,360.00

19. Is Application Subject to Review By State Under Executive Order 12372 Process?
   a. This application was made available to the State under the Executive Order 12372 Process for review on 12/07/2020.
   b. Program is subject to E.O. 12372 but has not been selected by the State for review.
   c. Program is not covered by E.O. 12372.

20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)
   Yes ☒ No
   If "Yes", provide explanation and attach

21. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)
   ☒ I AGREE

   ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.
First Name: Jerry
Middle Name:
Last Name: Cameron
Suffix:
Title: County Administrator
Telephone Number: 386-313-4100
Fax Number:
Email: jcameron@flaglercounty.org

Signature of Authorized Representative: [Signature]
Date Signed: 12/07/2020
**Application for Federal Assistance SF-424**

<table>
<thead>
<tr>
<th>*1. Type of Submission:</th>
<th>*2. Type of Application:</th>
<th>* If Revision, select appropriate letter(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Preapplication</td>
<td>□ New</td>
<td></td>
</tr>
<tr>
<td>✓ Application</td>
<td>□ Continuation</td>
<td>* Other (Specify):</td>
</tr>
<tr>
<td>□ Changed/Corrected Application</td>
<td>□ Revision</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>*3. Date Received:</th>
<th>4. Applicant Identifier:</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/07/2020</td>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5a. Federal Entity Identifier:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Applicable</td>
</tr>
</tbody>
</table>

**State Use Only:**

<table>
<thead>
<tr>
<th>6. Date Received by State:</th>
<th>7. State Application Identifier:</th>
</tr>
</thead>
</table>

**8. APPLICANT INFORMATION:**

<table>
<thead>
<tr>
<th>*a. Legal Name:</th>
<th>Flagler County Board of County Commissioners</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>*b. Employer/Taxpayer Identification Number (EIN/TIN):</th>
<th>*c. Organizational DUNS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>59-6000605</td>
<td>31121488</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>d. Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street1: 1769 East Moody Blvd</td>
</tr>
<tr>
<td>Street2:</td>
</tr>
<tr>
<td>City: Bunnell</td>
</tr>
<tr>
<td>County/Parish:</td>
</tr>
<tr>
<td>State: FL</td>
</tr>
<tr>
<td>Province:</td>
</tr>
<tr>
<td>Country: USA</td>
</tr>
<tr>
<td>Zip / Postal Code: 32110-5991</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>e. Organizational Unit:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department Name: General Services</td>
</tr>
<tr>
<td>Division Name: Public Transportation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>f. Name and contact information of person to be contacted on matters involving this application:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prefix: Ms.</td>
</tr>
<tr>
<td>Middle Name:</td>
</tr>
<tr>
<td>* Last Name: Peterson</td>
</tr>
<tr>
<td>Suffix:</td>
</tr>
<tr>
<td>Title: Financial Management Coordinator</td>
</tr>
</tbody>
</table>

Organizational Affiliation:

County Employee

<table>
<thead>
<tr>
<th>* Telephone Number:</th>
<th>Fax Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>383-313-4190</td>
<td>386-313-4120</td>
</tr>
</tbody>
</table>

* Email: tpeterson@flaglercounty.org
### Application for Federal Assistance SF-424

**9. Type of Applicant 1: Select Applicant Type:**
- County Government

**Type of Applicant 2: Select Applicant Type:**

**Type of Applicant 3: Select Applicant Type:**

**Other (specify):**

**10. Name of Federal Agency:**
- Federal Transit Administration

**11. Catalog of Federal Domestic Assistance Number:**
- 20-513

**CFDA Title:**
- Enhanced Mobility of Seniors and Individuals with Disabilities

**12. Funding Opportunity Number:**
- 20-513

**Title:**
- Enhanced Mobility of Seniors and Individuals with Disabilities

**13. Competition Identification Number:**
- Not Applicable

**Title:**
- Not Applicable

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

**15. Descriptive Title of Applicant’s Project:**
- To receive reimbursement of capital expenses for transportation services provided.

Attach supporting documents as specified in agency instructions.
Application for Federal Assistance SF-424

16. Congressional Districts Of:
* a. Applicant: [ ]
* b. Program/Project: [ ]

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:
* a. Start Date: 10/01/2021
* b. End Date: 09/30/2022

18. Estimated Funding ($):

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Federal</td>
<td>291,508.00</td>
</tr>
<tr>
<td>b. Applicant</td>
<td>0.00</td>
</tr>
<tr>
<td>c. State</td>
<td>36,438.50</td>
</tr>
<tr>
<td>d. Local</td>
<td>36,438.50</td>
</tr>
<tr>
<td>e. Other</td>
<td>0.00</td>
</tr>
<tr>
<td>f. Program Income</td>
<td>0.00</td>
</tr>
<tr>
<td>g. TOTAL</td>
<td>364,385.00</td>
</tr>
</tbody>
</table>

19. Is Application Subject to Review By State Under Executive Order 12372 Process?
☒ a. This application was made available to the State under the Executive Order 12372 Process for review on 12/07/2020.
☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
☐ c. Program is not covered by E.O. 12372.

20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)
☐ Yes ☒ No

If "Yes", provide explanation and attach

21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.
First Name: Jerry
Middle Name: 
Last Name: Cameron
Suffix: 

Title: County Administrator

Telephone Number: 386-313-4100
Fax Number: 

Email: jcameron@flaglercounty.org

Signature of Authorized Representative: [ ]
Date Signed: 12/07/2020
RESOLUTION 2020 - ___

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

WHEREAS, Flagler County has the authority to apply for and accept grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes, and/or by the Federal Transit Administration Act of 1964, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. This resolution applies to Federal Programs under U.S.C. Section 5310.
2. The submission of grant applications, supporting documents, and assurances to the Florida Department of Transportation is approved.
3. The County Administrator or his designee is authorized to sign any grant documents to accept, implement, and administer the grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED in open session of the Flagler County Board of County Commissioners, Florida, on this 7th day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

------------------------------------------
Donald T. O’Brien Jr., Chair

Attest:

------------------------------------------
Tom Bexley, Clerk of the Circuit Court and Comptroller

------------------------------------------
Al Hadeed
County Attorney
SUBJECT: Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application Submission to the Florida Department of Transportation (FDOT) 5311 – Non-Urbanized Area Formula Operating Assistance Program in the amount of $70,000.00.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5311 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas. This is an annual grant that we receive to provide these operating services. The current grant award is $64,000. The amount of the 5311 grant application for FY21/22 is $70,000 for operating expense reimbursement, which requires a dollar-for-dollar match.

<table>
<thead>
<tr>
<th>Proposed Project – Operating Expense Reimbursement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
<td>Ending Date: 09/30/2022</td>
</tr>
<tr>
<td>Estimated Funding</td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>$ 70,000</td>
</tr>
<tr>
<td>State</td>
<td>$ 0</td>
</tr>
<tr>
<td>Flagler County</td>
<td>$ 70,000</td>
</tr>
<tr>
<td>Total</td>
<td>$ 140,000</td>
</tr>
</tbody>
</table>

The applications will be completed and sent to the granting agency prior to the deadline of January 8, 2021.

FUNDING INFORMATION: If this grant is approved the local match for the 5311 grant will be $70,000.00. This match would be included in the FY21/22 budget.

DEPARTMENT CONTACT: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application submission for the FDOT 5311 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant.

ATTACHMENTS:  
1. 5311 Grant Application  
2. Resolution
FLAGLER COUNTY
BOARD OF COUNTY COMMISSIONERS

2020

U.S.C. SECTION 5311
OPERATING ASSISTANCE PROGRAM

OPERATING ASSISTANCE
GRANT APPLICATION
FY21/22
Florida Department of Transportation
Capital & Operating Assistance Application
Federal Fiscal Year 2021 / State Fiscal Year 2022

FDOT

49 U.S.C. Section 5311, CFDA 20.509
Formula Grants for Rural Areas

<table>
<thead>
<tr>
<th>Agency Name:</th>
<th>Flagler County Public Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Type(s):</td>
<td>☐ Capital</td>
</tr>
<tr>
<td></td>
<td>☑ Operating</td>
</tr>
</tbody>
</table>
Applicant Information

<table>
<thead>
<tr>
<th>Agency (Applicant) Legal Name: Flagler County Board of County Commissioners</th>
<th>Physical Address (No P.O. Box): 1769 E. Moody Blvd.</th>
</tr>
</thead>
</table>

Applicant Status: [ ] First-time applicant  [ ] Returning applicant
*A first-time applicant has not received any funding for the past two grant cycles*

Applicant's County: Flagler
If Applicant has offices in more than one county, list county where main office is located

<table>
<thead>
<tr>
<th>City: Bunnell</th>
<th>State: Florida</th>
<th>Zip + 4 Code: 32110</th>
<th>Congressional District: 7</th>
</tr>
</thead>
</table>

Federal Taxpayer ID Number: 59-6000605

Applicant's DUNS Number: *Unique 9-Digit number issued by Dun & Bradstreet. May be obtained free of charge at: http://fedgov.dnb.com/webform 21121488*

Applicant Fiscal period start and end dates: October 2021 to September 2022
*State Fiscal period from: July 1, 2020 to June 30, 2021*

Project's Service Area: Flagler County
*List the county or counties that will be served by the proposed project.*

<table>
<thead>
<tr>
<th>Executive Director: Heidi Petito</th>
<th>Grant Contact Person (if different than Executive Director): Tishia Peterson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telephone: 386-313-4185</td>
<td>Telephone: 386-313-4190</td>
</tr>
<tr>
<td>Fax: 386-313-4120</td>
<td>Fax: 386-313-4120</td>
</tr>
<tr>
<td>E-mail Address: <a href="mailto:hpetito@flaglercounty.org">hpetito@flaglercounty.org</a></td>
<td>Email Address: <a href="mailto:tpeterson@flaglercounty.org">tpeterson@flaglercounty.org</a></td>
</tr>
</tbody>
</table>

Current Vehicle Inventory
Enter Number for ENTIRE Fleet in each category:

<table>
<thead>
<tr>
<th>Sedans:</th>
<th>Vans: 1</th>
<th>MiniVans with Ramp: 1</th>
<th>Buses (Cutaways): 32</th>
<th>Buses (Medium Duty): N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Authorizing Representative certifying to the information contained in this application is true and accurate.

Signature (Authorizing Representative) ________________________

Printed Name: Jerry Cameron

Title: County Administrator

Email Address: jcameron@flaglercounty.org

*Must attach a Resolution of Authority from your Board (original document) for the person signing ALL documents on behalf of your agency. See Exhibit B*
Application Checklist

Each of the below items must be included with your Section 5311 Grant Application submittal in the same order as the checklist.

☒ Application Checklist (this form)
☒ Applicant Information

PART I - APPLICANT ELIGIBILITY

☒ Eligibility Questionnaire (only applicable for returning applicants)
☒ Exhibit A: Cover Letter
☒ Exhibit B: Governing Board’s Resolution
☐ Exhibit C: Public Hearing Notice
☐ Exhibit D: Local Clearinghouse Agency/RPC Cover Letter (Required if proposed project is for facilities)

Date received: _______________________

PART II - FUNDING REQUEST

☒ Form A-1: Current System Description
☒ Form A-2: Fact Sheet
  ☒ Organization Chart
☒ Form A-3: Proposed Project Description
☒ Form B-1: Financial Capacity – Proposed Budget for Transportation Program
  ☒ Proof of Local Match
  ☒ Supporting Documentation
☒ Form B-2: Operations Phase - Estimate of Project Costs by Budget Category
☐ Form B-3: Capital Request
  ☐ Completed Sample Order Form(s)
☐ Form C: Current Vehicle and Transportation Equipment Inventory
☒ Exhibit I: FDOT Certification and Assurances
☒ Exhibit J: Standard Lobby Certification
☒ Exhibit K: FTA Section 5333 (b) Assurance
☐ Exhibit L: Leasing Certification
☐ Exhibit M: Certification of Equivalent Service
☒ Form 424: Application for Federal Assistance
☐ Exhibit N: Federal Certifications and Assurances (to be submitted after published)
☐ Exhibit O: Title VI Plan (Required if not previously submitted to District) (previously submitted)
☐ Exhibit P: Protection of the Environment (Required if the proposed project is for facilities)
☐ Exhibit Q: Triennial Review - CAP Closeout
PART I – APPLICANT ELIGIBILITY

Eligibility Questionnaire

This questionnaire applies to returning applicants. If you are a current grant sub-recipient and are not compliant with all FDOT and FTA Section 5311 requirements, you will not be eligible to receive grant funds until compliance has been determined. You must be in compliance at time of grant award execution.

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you a returning applicant? *If yes, please answer all questions. If no, disregard remaining questions in this questionnaire.</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Has your agency completed a Triennial Oversight Review?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>If yes, what date(s) did the review occur?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>__________________________ 10/20/20-10/26/20 __________________________</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>If yes, is your agency currently in compliance?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>If your agency is not in compliance, do you have a corrective action plan to come into compliance?</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>If yes, what is the date of anticipated date of corrective action closeout?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is your agency registered on SAM.gov?</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>*Note: Agency must register each year/application cycle.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature
Jerry Cameron, County Administrator

Typed Name and Title
December 7, 2020

Date
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION GRANT APPLICATION

Flagler County Board of County Commissioners submits this Application for the Section 5311 Program Grant and agrees to comply with all assurances and exhibits attached hereto and by this reference made a part thereof, as itemized in the Checklist for Application Completeness.

Flagler County Board of County Commissioners further agrees, to the extent provided by law (in case of a government agency in accordance with Sections 129.07 and 768.28, Florida Statutes) to indemnify, defend and hold harmless the Department and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the non-compliance by the Agency, its officers, agents or employees, with any of the assurances stated in this Application.

This Application is submitted on this 7th day of December 2020 with two (2) original resolutions or certified copies of the original resolution authorizing the County Administrator or the Boards Designee to sign this Application and any other documents relating to this grant including but not limited to the acceptance of the grant award.

Flagler County Board of County Commissioners

By: Date: December 7, 2020

Signature: __________________________

Donald O’Brien Jr.
Title: Chairman, Board of County Commissioners
December 7, 2020

Mr. Margo Moehring  
Northeast Florida Regional Council  
6850 Belfort Oaks Place  
Jacksonville, FL 32216

Dear Ms. Moehring:

Please find enclosed one copy of Flagler County's application to the Florida Department of Transportation Public Transit Office for federal assistance under U.S.C. Section 5311 Operating Assistance Program.

We are requesting the appropriate parties review our application and provide a letter of approval to the program manager at the FDOT District V Office listed below:

FDOT District V  
Orlando Urban Office  
Attention: Diane Poitras  
420 W. Landstreet Road  
Orlando, FL 32824

If you require additional information, please don't hesitate to contact me at (386) 313-4185.

Respectfully Submitted,

Heidi Petito, County Transit Director  
Flagler County Public Transportation
RESOLUTION 2020 - ___

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

WHEREAS, Flagler County has the authority to apply for and accept grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. This resolution applies to Federal Programs under U.S.C. Section 5311.

2. The submission of grant applications, supporting documents, and assurances to the Florida Department of Transportation is approved.

3. The County Administrator or his designee is authorized to sign any grant documents to accept, implement, and administer the grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED in open session of the Flagler County Board of County Commissioners, Florida, on this 7th day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

__________________________
Donald O'Brien Jr., Chair

__________________________
Tom Bexley, Clerk of the Circuit Court and Comptroller

__________________________
Al Hadeed
County Attorney
RESOLUTION 2020 - ___

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FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

Donald O’Brien Jr., Chair

__________________________

Tom Bexley, Clerk of the Circuit Court and Comptroller

Al Hadeed

County Attorney
PART II - FUNDING REQUEST

Form A-1: Current System Description

Please provide a brief general overview of the organization type (i.e., government authority, private non-profit, etc.) including its mission, program goals, and objectives (Maximum 300 words).

The primary focus for Flagler County Public Transportation is to provide transportation in and between areas for the County where concentration of people are located thereby providing an efficient system of transport where we can consolidate trips based on destination and purpose. With an average client age of 62, FCPT client focus is necessarily on the elderly. As our community and state continue to grow, the elderly and disabled population is also expected to continue to increase. And so, the leaders of this County believe that the ongoing relation we have enjoyed with FDOT 5310 and 5311 programs is integral to the certainty that this community will be able to provide transportation services to our growing population. Through the generosity of FDOT and the Flagler County Board of County Commissioners we believe that we will be prepared for this expected and unprecedented growth, provided state property tax reform and Medicaid non-emergency transportation problems with AHCA does not trickle down to our local level in debilitation form. The Board of County Commissioners in partnership with its FCPT division is committed to this transportation service and takes great pride in providing first-rate public transportation for our community. The Flagler County Board of County Commissioners has served as Community Transportation Coordinator (CTC) since 2004.

Please provide information below:

Organizational structure (attach an organizational chart at the end of this section)
Total number of employees in organization 361
Total number of transportation-related employees in the organization 31
Who is responsible for insurance, training, management, and administration of the agency’s transportation programs? (Maximum 100 words)

The Director of General Services and Transportation Manager manage the division. Training of personnel is under the direction of the Transportation Coordinator. Insurance for both equipment and personnel is provided by the County through the Human Resources Department.

How are the operations of the transportation program currently funded? What are the sources of the funding (e.g., state, local, federal, private foundations, fares, other program fees?)? (Maximum 200 words)

For operating we currently apply for 5310 operating grant, 5311 operating grant, TD trips operating grant, and the State Block Grant operating grant. The balance of our funding comes from County property taxes. This leads to about 65% of our funding comes from the above grants and 35% comes from the County property taxes.
Fully explain your transportation program:

Service hours, planned service, routes and trip types;
Staffing—include plan for training on vehicle equipment such as wheelchair lifts, etc.;
Records maintenance—who, what methods, use of databases, spreadsheets etc.;
Vehicle maintenance—who, what, when and where. Which services are outsourced (e.g.,
oil changes)? Include a section on how vehicles are maintained without interruptions in service;
System safety plan;
Drug-free workplace; and
Data collection methods, including how data was collected to complete Exhibit A-2.

Note: If the applicant is a Community Transportation Coordinator (CTC), relevant pages of a Transportation Disadvantaged Service Plan (TDSP) and AOR containing the above information may be provided. Please do not attach entire documents.

Our service hours are Monday – Friday 4:30am - 6:30pm and Saturday 7am – 6:30pm.

The major areas of transportation needs are medical, employment, special needs training, adult day care and nutritional services. For the period of July 1, 2017 – June 30, 2018 trips totaled 108,175 covering 652,884 vehicles miles. In the period of July 1, 2018 – June 30, 2019 there was a decrease in trips 101,089 covering 617,365 vehicle miles. And in the period of July 1, 2019 – June 30, 2020 we saw our biggest decrease in trips during the COVID-19 outbreak totaling 80,407 trips covering 525,527 vehicle miles. We continue to maintain our commitment to the elderly and the disabled community.

Flagler County Fleet Maintenance provides the maintenance of the entire transportation fleet. A preventative maintenance schedule has been set following County and State guidelines to include safety inspections, oil changes, brake inspections and pre-post trip inspections. The program is outlined on the inside of each FDOT vehicle book. The preventative maintenance program helps to ensure the safety of passengers and staff, as well as allowing the vehicles to serve the entire life span that the Department of Transportation assigns each vehicle type.

We currently use Route Match software and hardware to maintain our client and trip data.
Form A-2: Fact Sheet

<table>
<thead>
<tr>
<th></th>
<th>Calculations¹ (current system)</th>
<th>Current System</th>
<th>Calculations¹ (if grant is awarded)</th>
<th>If Grant is Awarded (Estimates are acceptable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Number of total one-way trips served by the agency <strong>PER YEAR.</strong></td>
<td>80,407</td>
<td>From AOR</td>
<td>101,089</td>
</tr>
<tr>
<td>2</td>
<td>Number of individuals served unduplicated (first ride per fiscal year) <strong>PER YEAR.</strong></td>
<td>5,905</td>
<td>From AOR</td>
<td>7,438</td>
</tr>
<tr>
<td>3</td>
<td>Number of vehicles used for this service <strong>ACTUAL</strong></td>
<td>33</td>
<td>Vehicle Count</td>
<td>33</td>
</tr>
<tr>
<td>4</td>
<td>Number of ambulatory seats. <strong>AVERAGE PER VEHICLE</strong> (Total ambulatory seats divided by total number of fleet vehicles)</td>
<td>14</td>
<td>473/73=14.33</td>
<td>14</td>
</tr>
</tbody>
</table>

---

¹ If a software program is used to obtain the required data for the fact sheet, please include the source of the data, i.e., Trapeze).
<table>
<thead>
<tr>
<th>Calculation</th>
<th>Current System</th>
<th>Calculations if grant is awarded</th>
<th>If Grant is Awarded (Estimates are acceptable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Number of wheelchair positions <strong>AVG PER VEHICLE</strong> (Total wheelchair positions divided by total number of fleet vehicles)</td>
<td>3</td>
<td>81/32 = 2.53</td>
<td>3</td>
</tr>
<tr>
<td>6 Vehicle miles traveled <strong>PER YEAR</strong></td>
<td>525,527</td>
<td>From AOR</td>
<td>652,365</td>
</tr>
<tr>
<td>7 Average vehicle miles <strong>PER DAY</strong></td>
<td>6*52 = 312-11 = 301, 525,527/301 = 1745.93</td>
<td>1746 (all vehicles)</td>
<td>54 (per vehicle)</td>
</tr>
<tr>
<td>8 Normal vehicle hours in operation <strong>PER DAY</strong></td>
<td>12</td>
<td>1746/32 = 54.26</td>
<td>12</td>
</tr>
<tr>
<td>9 Normal number of days in operation <strong>PER WEEK</strong></td>
<td>7</td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>10 Trip length (roundtrip) <strong>AVG</strong></td>
<td>13</td>
<td>525,527/80,407 = 6.53*2 = 13.06</td>
<td>13</td>
</tr>
</tbody>
</table>

The information listed should be specific to the Section 5311 funds and not agency wide.

*One-way passenger trip* is the unit of service provided each time a passenger enters the vehicle, is transported, and then exits the vehicle. Each different destination would constitute a passenger trip.
** The unduplicated riders are for current year and the subsequent year once the grant is awarded
Management has the overall responsibility for the safe and secure operations of Flagler County Public Transportation system and for the contracted service operators. Each employee is required to carry out specific system safety responsibilities, depending on his/her position, in compliance with the SSPP. The organization information provided below describes each position and the reporting structure; the table in the following page shows system safety responsibilities of each position.

5.1 Flagler County Public Transportation Organization Chart

Note: The chart above only shows Flagler County departments/staff involved with transportation.
Form A-3: Proposed Project Description

(a) How will the grant funding improve your agency's transportation service? Provide detail. Will it be used to:

- Provide more hours of service?
- Expand service to a larger geographic area?
- Provide shorter headways?
- Provide more trips?
- Replace existing equipment?
- Purchase additional vehicles/equipment?

Also, highlight the challenges or difficulties that your agency will overcome if awarded these funds.

This grant is not for expansion of service. We will be able to maintain our current level of service with the funds from this grant. This enables us to provide trips originating in the non-urbanized and rural areas of Flagler County. Also, please see responses to (a) and (e) above.
If a grant award will be used to maintain services as described in Form A-1, specifically explain how it will be used in the context of total service. Make sure to include information on how the agency will maintain adequate financial, maintenance, and operating records and comply with FTA reporting requirements including information for the Annual Program of Projects Status Reports, Milestone Activity Reports, NTD reporting, DBE reports etc.

Our service area includes all parts of Flagler County even though Palm Coast, Flagler Beach, and Beverly Beach are part of the Palm Coast, Daytona and Port Orange urban area. The funding we are asking for will fund trips originating in the non-urbanized and rural areas of Flagler County. We keep all required Transportation documentation on spreadsheets and/or in our Transportation software program.
If this grant is not fully funded, can you still proceed with your transportation program? Explain.

If we were not to receive this grant the trips in the non-urbanized and rural areas of Flagler County would not be completed.

All Non-CTC Applicants: Have you met with the CTC and, if so, how are you providing a service they cannot? Provide detailed information supporting this determination. Applications submitted without the appropriate CTC coordination agreement may be rejected by FDOT. Grant awards will not be made without an appropriate coordination agreement.
We are a Community Transportation Coordinator County. Documentation can be provided upon request.

This coordination agreement must be enforced the entire time of the grant (vehicle life or operating PTGA expiration).
Operating Requests Only

(a) Please specify year of activity for operating assistance.

October 2021 – September 2022

Capital Requests Only

(a) If this capital request includes equipment, please describe the purpose of the request.
(b) If you are requesting a vehicle that requires a driver with a CDL:
   
   • Who will drive the vehicle?
   • How will you ensure that your driver(s) maintain CDL certification?
(c) If the requested vehicles or equipment will be used by a lessee or private operator under contract to the applicant agency, identify the proposed lessee/operator.
   • Include an equitable plan for distribution of vehicles/equipment to lessees and/or private operators.

N/A
(d) If this capital request is for bus related facilities

- Please provide any pertinent documents that may be on record, to make a
determination on such things as reasonableness of cost, sufficiency of preliminary
engineering and design work completed.

- Please provide a full, detailed scope of the project, including but not limited to a project
schedule, construction days, method of procurement, etc.

- Please provide a detailed description of all project activities included in the
construction of the facility.

**NOTE:** If awarded, the agency must prepare a draft/proposed facilities/building
maintenance plan that will need to be adopted after construction of facilities.

N/A
## Estimated Transportation Program Operating & Administrative Expenses

<table>
<thead>
<tr>
<th>Code</th>
<th>Object Class</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>5010</td>
<td>Labor</td>
<td>$867,645</td>
</tr>
<tr>
<td>5015</td>
<td>Fringe Benefits</td>
<td>$395,447</td>
</tr>
<tr>
<td>5020</td>
<td>Services</td>
<td>$164,519</td>
</tr>
<tr>
<td>5030</td>
<td>Materials and Supplies</td>
<td>$151,405</td>
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<tr>
<td>5040</td>
<td>Utilities</td>
<td>$16,802</td>
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<tr>
<td>5050</td>
<td>Casualty and Liability Costs</td>
<td>$20,793</td>
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<tr>
<td>5060</td>
<td>Taxes</td>
<td>$</td>
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<tr>
<td>5100</td>
<td>Purchased Transportation</td>
<td>$47,822</td>
</tr>
<tr>
<td>5090</td>
<td>Miscellaneous</td>
<td>$</td>
</tr>
<tr>
<td>5230</td>
<td>Capital Leases</td>
<td>$</td>
</tr>
<tr>
<td>5260</td>
<td>Depreciation</td>
<td>$</td>
</tr>
<tr>
<td>-</td>
<td>Other</td>
<td>$</td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total All Expenses</strong></td>
<td><strong>$1,664,433</strong></td>
</tr>
<tr>
<td>Code</td>
<td>Object Class</td>
<td>Amount</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>4111</td>
<td>Passenger-Paid Fares</td>
<td>$46,828</td>
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<tr>
<td>4112</td>
<td>Organization-Paid Fares</td>
<td>$</td>
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<tr>
<td>4310</td>
<td>General Revenues of the Local Government</td>
<td>$</td>
</tr>
<tr>
<td>4390</td>
<td>Other Local Funds</td>
<td>$86,000</td>
</tr>
<tr>
<td>4420</td>
<td>State Transportation Fund</td>
<td>$632,712</td>
</tr>
<tr>
<td>4500</td>
<td>Federal Funds</td>
<td>$444,333</td>
</tr>
<tr>
<td>4610</td>
<td>Contributed Services</td>
<td>$430,440</td>
</tr>
<tr>
<td>4630</td>
<td>Sales and Disposals of Assets</td>
<td>$</td>
</tr>
<tr>
<td>-</td>
<td>Other - Advertising</td>
<td>$24,120</td>
</tr>
<tr>
<td></td>
<td><strong>Grand Total All Revenues</strong></td>
<td><strong>$1,664,433</strong></td>
</tr>
</tbody>
</table>
## Proof of Local Match - Operating Projects

### Operating Project Total:

<table>
<thead>
<tr>
<th>Match Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flagler County Property Tax Revenue</td>
<td>$70,000</td>
</tr>
</tbody>
</table>

### Operating Match Total:

50% of Operating Project Total

**$70,000**

## Proof of Local Match – Capital Projects

### Capital Project Total:

<table>
<thead>
<tr>
<th>Match Source</th>
<th>Amount</th>
</tr>
</thead>
</table>

### Capital Match Total:

10% of Capital Project Total

**$**
Attach documentation of match funds directly after this page. Proof may consist of, but not be limited to:

- Transportation Disadvantaged (TD) allocation,
- *Letter on official letterhead from the applicant's CEO attesting to match availability and commitment,*
- Written statements from county commissions, state agencies, city managers, mayors, town councils, organizations, accounting firms and financial institutions.

___________________________

*Signature*

Jerry Cameron, County Administrator

___________________________

*Typed Name and Title of Authorized Representative*

December 7, 2020

___________________________

*Date*
Form B-2: Operations Phase - Estimate of Project Costs by Budget Category

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Local</th>
<th>Federal</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>35,000</td>
<td>35,000</td>
<td>70,000</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>35,000</td>
<td>35,000</td>
<td>70,000</td>
</tr>
<tr>
<td>Contractual Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Direct Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indirect Costs</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Totals** $70,000 $70,000 $140,000

Budget category amounts are estimates. While the contract is active, amounts can be shifted between items without amendment (because they are all within the Operations Phase), but the revised budget must be submitted to the District to be approved and updated in the Florida Accountability Contract Tracking System (FACTS).

**Cost Reimbursement**

The Agency will submit invoices for cost reimbursement on a:

- [ ] Monthly
- [ ] Quarterly
- [x] Other: Annual

basis upon the approval of the deliverables including the expenditure detail provided by the Agency.
SUBJECT: Consideration of a Resolution and FY 21/22 Flagler County Public Transportation Application Submission to the Florida Department of Transportation (FDOT) 5311 – Non-Urbanized Area Formula Operating Assistance Program in the amount of $70,000.00

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Florida Department of Transportation (FDOT) advised Flagler County of its eligibility to apply for FTA 5311 grant funds, which apply to operating or capital expenses of recipients who operate or contract public transportation services in non-urbanized areas. This is an annual grant that we receive to provide these operating services. The current grant award is $64,000. The amount of the 5311 grant application for FY21/22 is $70,000 for operating expense reimbursement, which requires a dollar-for-dollar match.

<table>
<thead>
<tr>
<th>Proposed Project – Operating Expense Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start Date: 10/01/2021</td>
</tr>
<tr>
<td>Estimated Funding</td>
</tr>
<tr>
<td>Federal</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Flagler County</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

The applications will be completed and sent to the granting agency prior to the deadline of January 8, 2021.

FUNDING INFORMATION: If this grant is approved the local match for the 5311 grant will be $70,000.00. This match would be included in the FY21/22 budget.

DEPT./CONTACT/PHONE #: General Services, Heidi Petito (386) 313-4185

RECOMMENDATIONS: Request the Board approve the resolution and grant application submission for the FDOT 5311 grant program as approved to form by the County Attorney and authorize the County Administrator to execute the grant agreement, if awarded, and any other documentation associated with the implementation of the grant.

ATTACHMENTS:
1. 5311 Grant Application
2. Resolution
Exhibit I: FDOT Certification and Assurances

*Flagler County Board of County Commissioners* certifies and assures to the Florida Department of Transportation regarding its Application under U.S.C. Section 5311 dated *7th* day of *December, 2020*

1. It shall adhere to all Certifications and Assurances made to the federal government in its Application.

2. It shall comply with Florida Statues:
   - Section 341.051–Administration and financing of public transit and intercity bus service programs and projects
   - Section 341.061 (2)–Transit Safety Standards; Inspections and System Safety Reviews
   - Section 252.42 – Government equipment, services and facilities: In the event of any emergency, the division may make available any equipment, services, or facilities owned or organized by the state or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area or upon the request of any recognized and accredited relief agency through such duly constituted authority.

3. It shall comply with Florida Administrative Code:
   - Rule Chapter 14-73–Public Transportation
   - Rule Chapter 14-90–Equipment and Operational Safety Standards for Bus Transit Systems
   - Rule Chapter 14-90.0041–Medical Examination for Bus System Driver
   - Rule Chapter 41-2–Commission for the Transportation Disadvantaged

4. It shall comply with FDOT’s:
   - Bus Transit System Safety Program Procedure No. 725-030-009 (Does not apply to Section 5310 only recipient)
   - Public Transit Substance Abuse Management Program Procedure No. 725-030-035
   - Transit Vehicle Inventory Management Procedure No. 725-030-025
   - Public Transportation Vehicle Leasing Procedure No. 725-030-001
   - Guidelines for Acquiring Vehicles
   - Procurement Guidance for Transit Agencies Manual

5. It has the fiscal and managerial capability and legal authority to file the application.

6. Local matching funds will be available to purchase vehicles/equipment at the time an order is placed.

7. It will carry adequate insurance to maintain, repair, or replace project vehicles/equipment in the event of loss or damage due to an accident or casualty.

8. It will maintain project vehicles/equipment in good working order for the useful life
of the vehicles/equipment.

9 It will return project vehicles/equipment to FDOT if, for any reason, they are no longer needed or used for the purpose intended.

10 It recognizes FDOT's authority to remove vehicles/equipment from its premises, at no cost to FDOT, if FDOT determines the vehicles/equipment are not used for the purpose intended, improperly maintained, uninsured, or operated unsafely.

11 It will not enter into any lease of project vehicles/equipment or contract for transportation services with any third party without prior approval of FDOT.

12 It will notify FDOT within 24 hours of any accident or casualty involving project vehicles/equipment, and submit related reports as required by FDOT.

13 It will notify FDOT and request assistance if a vehicle should become unserviceable.

14 It will submit an annual financial audit report to FDOT (FDOTSingleAudit@dot.state.fl.us), if required.

15 It will undergo a triennial review and inspection by FDOT to determine compliance with the baseline requirements. If found not in compliance, it must send a progress report to the local FDOT District office on a quarterly basis outlining the agency's progress towards compliance.

December 7, 2020

Date

________________________________
Signature of Contractor's Authorized Official

Jerry Cameron, County Administrator

________________________________
Name and Title of Contractor's Authorized Official
Exhibit J: Standard Lobbying Certification

The undersigned (Flagler County Board of County Commissioners) certifies, to the best of his or her knowledge and belief, that:

1 No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2 If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," (a copy of the form can be obtained from FDOT’s website) in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]

3 The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

NOTE: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such expenditure or failure.

The (Flagler County Board of County Commissioners), certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

_________________________ Date

_________________________ Signature of Contractor’s Authorized Official

_________________________ Jerry Cameron, County Administrator
Name and Title of Contractor’s Authorized Official
Exhibit K: FTA Section 5333 (b) Assurance
(Note: By signing the following assurance, the recipient of Section 5311 and/or 5311(f) assistance assures it will comply with the labor protection provisions of 49 U.S.C. 5333(b) by one of the following actions: (1) signing the Special Warranty for the Rural Area Program (see FTA Circular C 9040.1G, Chapter VIII) (2) agreeing to alternative comparable arrangements approved by the Department of Labor (DOL); or (3) obtaining a waiver from the DOL.)

The Flagler County Board of County Commissioners (hereinafter referred to as the “Recipient”) HEREBY ASSURES that the “Special Section 5333 (b) Warranty for Application to the Small Urban and Rural Program” has been reviewed and certifies to the Florida Department of Transportation that it will comply with its provisions and all its provisions will be incorporated into any contract between the recipient and any sub-recipient which will expend funds received as a result of an application to the Florida Department of Transportation under the FTA Section 5311 Program.

December 7, 2020
Date

Jerry Cameron, County Administrator
Name and title of authorized representative

Signature of authorized representative

Note: All applicants must complete the following form and submit it with the above Assurance.

LISTING OF RECIPIENTS, OTHER ELIGIBLE SURFACE TRANSPORTATION PROVIDERS, UNIONS OF SUB-RECIPIENTS, AND LABOR ORGANIZATIONS REPRESENTING EMPLOYEES OF SUCH PROVIDERS, IF ANY

<table>
<thead>
<tr>
<th></th>
<th>Identify Recipients of Transportation Assistance Under this Grant.</th>
<th>Site Project by Name, Description, and Provider (e.g. Recipient, other Agency, or Contractor)</th>
<th>Identify Other Eligible Surface Transportation Providers (Type of Service)</th>
<th>Identify Unions (and Providers) Representing Employees of Providers in Columns 1, 2, and 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Flagler County Board of County Commissioners</td>
<td>Application for section 5311 funds for FY21/22 for Flagler County Board of County Commissioners Transportation Department to provide public transportation service to residents of rural areas of the county travelling within the rural area and/or to the adjacent urban area and return to rural domicile.</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>2</td>
<td>Flagler County Board of County Commissioners</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Flagler County Public Transportation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Flagler County Public Transportation</td>
<td></td>
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</table>
**Application for Federal Assistance SF-424**

<table>
<thead>
<tr>
<th>* 1. Type of Submission:</th>
<th>* 2. Type of Application:</th>
<th>* If Revision, select appropriate letter(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Preapplication</td>
<td>[ ] New</td>
<td></td>
</tr>
<tr>
<td>[x] Application</td>
<td>[x] Continuation</td>
<td>* Other (Specify):</td>
</tr>
<tr>
<td>[ ] Changed/Corrected Application</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>* 3. Date Received:</th>
<th>4. Applicant Identifier:</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/14/2020</td>
<td>Not Applicable</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>5a. Federal Entity Identifier:</th>
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<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>5b. Federal Award Identifier:</th>
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<tbody>
<tr>
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**State Use Only:**

<table>
<thead>
<tr>
<th>6. Date Received by State:</th>
<th>7. State Application Identifier:</th>
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<tbody>
<tr>
<td></td>
<td>1001</td>
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**8. APPLICANT INFORMATION:**

<table>
<thead>
<tr>
<th>* a. Legal Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flagler County Board of County Commissioners</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>* b. Employer/Taxpayer Identification Number (EIN/TIN):</th>
<th>* c. Organizational DUNS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>59-6000605</td>
<td>21121488</td>
</tr>
</tbody>
</table>

**d. Address:**

<table>
<thead>
<tr>
<th>* Street1:</th>
<th>1769 East Moody Blvd., Building 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street2:</td>
<td></td>
</tr>
<tr>
<td>* City:</td>
<td>Runnell</td>
</tr>
<tr>
<td>County/Parish:</td>
<td></td>
</tr>
<tr>
<td>* State:</td>
<td>FL: Florida</td>
</tr>
<tr>
<td>Province:</td>
<td></td>
</tr>
<tr>
<td>* Country:</td>
<td>USA: UNITED STATES</td>
</tr>
<tr>
<td>* Zip / Postal Code:</td>
<td>32110-5991</td>
</tr>
</tbody>
</table>

**e. Organizational Unit:**

<table>
<thead>
<tr>
<th>Department Name:</th>
<th>Division Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Services</td>
<td>Public Transportation</td>
</tr>
</tbody>
</table>

**f. Name and contact information of person to be contacted on matters involving this application:**

<table>
<thead>
<tr>
<th>Prefix:</th>
<th>* First Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms.</td>
<td>Fishla</td>
</tr>
<tr>
<td>Middle Name:</td>
<td></td>
</tr>
<tr>
<td>* Last Name:</td>
<td>Peterson</td>
</tr>
<tr>
<td>Suffix:</td>
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</table>

<table>
<thead>
<tr>
<th>Title:</th>
<th>Financial Management Coordinator</th>
</tr>
</thead>
</table>

**Organizational Affiliation:**

| County Employee |

<table>
<thead>
<tr>
<th>* Telephone Number:</th>
<th>386-313-4190</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fax Number:</td>
<td>386-313-4120</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>* Email:</th>
<th><a href="mailto:tpeterson@flaglercounty.org">tpeterson@flaglercounty.org</a></th>
</tr>
</thead>
</table>
Application for Federal Assistance SF-424

9. Type of Applicant 1: Select Applicant Type:
   8: County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

10. Name of Federal Agency:
   Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:
    20-509

CFDA Title:
   Formula Grants for Rural Areas, Section 5311

12. Funding Opportunity Number:
    20-509

* Title:
   Formula Grants for Rural Areas, Section 5311

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

15. Descriptive Title of Applicant’s Project:
   To receive reimbursement of operating expenses for transportation services provided in Flagler County.

Attach supporting documents as specified in agency instructions.
Application for Federal Assistance SF-424

16. Congressional Districts Of:
   * a. Applicant
   * b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:
   * a. Start Date: 10/01/2021
   * b. End Date: 09/30/2022

18. Estimated Funding ($):
   * a. Federal
   * b. Applicant
   * c. State
   * d. Local
   * e. Other
   * f. Program Income
   * g. TOTAL

19. Is Application Subject to Review By State Under Executive Order 12372 Process?
   - [X] a. This application was made available to the State under the Executive Order 12372 Process for review on 12/07/2020.
   - [ ] b. Program is subject to E.O. 12372 but has not been selected by the State for review.
   - [ ] c. Program is not covered by E.O. 12372.

20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)
   - [ ] Yes
   - [X] No

   If "Yes", provide explanation and attach

21. By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

   [X] ** I AGREE

   ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr.  * First Name: Jerry
Middle Name:
* Last Name: Cameron
Suffix:
* Title: County Administrator

* Telephone Number: 386-313-4100  Fax Number: 
* Email: jcameron@flaglercounty.org

* Signature of Authorized Representative: ___________________________  * Date Signed: 12/07/2020
RESOLUTION 2020 - ___

A RESOLUTION OF THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE SIGNING AND SUBMISSION OF GRANT APPLICATIONS AND SUPPORTING DOCUMENTS AND ASSURANCES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND THE ACCEPTANCE OF GRANT AWARDS FROM THE DEPARTMENT.

WHEREAS, Flagler County has the authority to apply for and accept grant awards made by the Florida Department of Transportation as authorized by Chapter 341, Florida Statutes and/or by the Federal Transit Administration Act of 1964, as amended;

NOW THEREFORE, BE IT RESOLVED BY THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS THAT:

1. This resolution applies to Federal Programs under U.S.C. Section 5311.

2. The submission of grant applications, supporting documents, and assurances to the Florida Department of Transportation is approved.

3. The County Administrator or his designee is authorized to sign any grant documents to accept, implement, and administer the grant award, unless specifically rescinded.

DULY PASSED AND ADOPTED in open session of the Flagler County Board of County Commissioners, Florida, on this 7th day of December 2020.

FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS

Attest:

Donald T. O’Brien Jr., Chair

Tom Bexley, Clerk of the Circuit Court and Comptroller

Al Hadeed
County Attorney
SUBJECT: Adopt the Capital Improvement Program for Fiscal Year 2021-2025.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: The Flagler County Board of County Commissioners has not had an adopted Five Year Capital Improvement Program since Fiscal Year 2015. An adopted Capital Improvement Program (CIP) is widely recognized as a governmental best practice and is an important tool for planning and funding future capital needs. The attached Capital Improvement Program is in adherence with the Administrative Policy adopted by the Board of County Commissioners on October 1, 2020 by Resolution Number 2020-64. The first year of the five-year CIP will be used as the basis for formal year funded appropriations. The second year shall be financially feasible and the final three years shall be considered reasonably able to fund. Capital Projects are defined as projects/equipment with a cost of $50,000 or above and an asset life of at least five years. Innovation Technology minimum cost is at or above $10,000.

Staff is seeking approval to adopt the Capital Improvement Program for Fiscal Year 2021-2025 totaling $37,439,834 for FY2021, $15,852,800 for FY2022, $11,731,900 for FY2023, $2,779,500 for FY2024, and $15,060,700 for FY2025. All project funding was approved through the Adopted Fiscal Year 2021 Budget Process and projects with carryforward budgets were amended through the carryforward amended budget process. The attached Capital Improvement Program is inclusive of grant funding and local match. Capital projects being added, deleted, or changing scope that must be made during the fiscal year must be approved by the Board along with an amendment to the Adopted Capital Improvement Program.

FUNDING INFORMATION: All project funding was approved with the Adopted Budget and FY21 Carryforward Amended Budget. Budget Transfer 20-108 will move Land Management Facility Improvement Project #602112 to a capital improvement account as a clean-up item. Total funding is inclusive of grant funding and local match. The Capital Improvement Program does not require any additional funding.

DEPARTMENT CONTACT: Lauren Shank, Senior Financial Analyst (386) 313-4095

RECOMMENDATION: Recommend the Board approve the amended Capital Improvement Program for Fiscal Year 2021-2025 and Budget Transfer 20-108.

ATTACHMENTS:
1. Capital Improvement Program FY2021-2025
2. BTR 20-108
## FY21 - FY25 Capital Improvements Program

### Anticipated Maintenance & New Construction Projects (including bonded projects)

#### Order of Priority: County Fuel Tax Transportation Projects Fund 112

<table>
<thead>
<tr>
<th>Order of Priority</th>
<th>Project Name/Description</th>
<th>Source</th>
<th>FY 2021</th>
<th>FY 2022</th>
<th>FY 2023</th>
<th>FY 2024</th>
<th>FY 2025</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>1</td>
<td>Graham Swamp Multi-Use Trail &amp; Pedestrian Bridge</td>
<td>FDOT/Gas Tax</td>
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<td>Apache Dr from A1A to 1st Ave/Osceola &amp; 1st Ave to Malacompra</td>
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<td>Bond Proceed &amp; 1/2 Cent</td>
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<td>Loan/ FDOT/TDC</td>
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<td>Justice Center Network and Wireless Upgrade</td>
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#### Order of Priority: Impact Fee Projects

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<th>FY 2024</th>
<th>FY 2025</th>
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<td>1</td>
<td>Wadsworth Park - Restroom and Parking (Roberts Road)</td>
<td>Impact Fees</td>
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<td>2</td>
<td>Hammock Key - Pickleball Court Lighting</td>
<td>Impact Fees</td>
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<td>3</td>
<td>Wadsworth Park - Racquetball Court Lighting</td>
<td>Impact Fees</td>
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#### Order of Priority: Flagler County Executive Airport Fund 401

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<th>FY 2024</th>
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<td>Apron Expansion</td>
<td>FAA/ FDOT/Local</td>
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<td>3</td>
<td>Relocate Fuel Farm</td>
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<td>4</td>
<td>Construct T-Hangars</td>
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<td>Airport Master Plan Update</td>
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<td>24</td>
<td>Fire Station Preservation</td>
<td>General Fund</td>
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<tr>
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<td>General Fund</td>
<td>100,000</td>
<td>100,000</td>
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<td>26</td>
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<td>28</td>
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<td>General Fund</td>
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<td>29</td>
<td>Justice Center - Replace UPS System</td>
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<td>30</td>
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<td>31</td>
<td>Fairgrounds - Phase One Ballfields Refurbishment</td>
<td>General Fund</td>
<td>350,000</td>
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<td></td>
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<tr>
<td>32</td>
<td>Hammock CC - Pickleball Court Expansion</td>
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<td>225,000</td>
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<tr>
<td>33</td>
<td>Princess Place - Restroom Construction/Demo of Existing Restrooms</td>
<td>General Fund</td>
<td>100,000</td>
<td>100,000</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>34</td>
<td>Princess Place - Caretaker's Quarters Complete Restoration</td>
<td>General Fund</td>
<td>125,000</td>
<td>125,000</td>
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<td>35</td>
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<td>37</td>
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<td>Library - Palm Coast Branch Replace Asphalt Parking</td>
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<tr>
<td>40</td>
<td>Gov't Complex - GSB - Replace Gutters &amp; Downspouts</td>
<td>General Fund</td>
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<td>100,000</td>
<td></td>
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<tr>
<td>41</td>
<td>Gov't Complex - GSB - Painting Exterior</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>42</td>
<td>Fairgrounds Arena - Roof Cover &amp; Structure</td>
<td>General Fund</td>
<td>50,000</td>
<td>50,000</td>
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<tr>
<td>43</td>
<td>Princess Place - Construct New Restrooms &amp; Showers @ &quot;The Hill&quot;</td>
<td>General Fund</td>
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<td>44</td>
<td>Police Community Center - Construction New Restrooms, etc.</td>
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<td>Fairgrounds - Phase Two Ballfields Refurbishment</td>
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<td>47</td>
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<td>48</td>
<td>Wadsworth Park - Basketball Courts Lighting Replacement</td>
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<td></td>
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<tr>
<td>50</td>
<td>FCSO - Inmate Facility Painting Interior</td>
<td>General Fund</td>
<td>150,000</td>
<td>150,000</td>
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<tr>
<td>51</td>
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<td>General Fund</td>
<td>180,000</td>
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<td>52</td>
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<td>53</td>
<td>Fairgrounds - Phase Three Ballfields Refurbishment</td>
<td>General Fund</td>
<td>350,000</td>
<td>350,000</td>
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<td></td>
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<tr>
<td>54</td>
<td>Wadsworth Park - Skate Park Refurbishment</td>
<td>General Fund</td>
<td>150,000</td>
<td>150,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Fairgrounds - Multi-Purpose Building New Construction</td>
<td>General Fund</td>
<td>400,000</td>
<td>400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>River to Sea Preserve - Bathhouse Renovation</td>
<td>General Fund</td>
<td>85,000</td>
<td>85,000</td>
<td>170,000</td>
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<tr>
<td>57</td>
<td>Fire Station - Build New Station on US1</td>
<td>General Fund</td>
<td>4,000,000</td>
<td>4,000,000</td>
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**SUBTOTAL:** 808,433 | 6,462,800 | 5,421,900 | 1,979,500 | 6,560,700 | 21,233,333

**TOTAL:** 37,439,834 | 15,852,800 | 11,731,900 | 2,779,500 | 15,060,700 | 82,864,734
Transfer funds from Land Management to capital expenditure account for Land Management Facility Improvements Project #602112.

<table>
<thead>
<tr>
<th>LINE NO.</th>
<th>FUND NO.</th>
<th>DEPT. NO.</th>
<th>SUB. NO.</th>
<th>ACCT NO.</th>
<th>PROJ NO.</th>
<th>AMOUNT FROM (DR.)</th>
<th>AMOUNT TO (CR.)</th>
<th>BUDGET WAS</th>
<th>BUDGET WILL BE</th>
<th>ACCOUNT/CENTER DESCRIPTION</th>
<th>PROJECT #</th>
<th>DESCRIPTION</th>
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<td>515</td>
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<td>001</td>
<td>6000</td>
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<td>6210</td>
<td>602112</td>
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TOTAL:

- $75,000.00
- $75,000.00
- $75,000.00
- $75,000.00
SUBJECT: Consideration to Transfer Funding from the Public Safety Communications Network Reserves in the amount of $2,800,000.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: Staff is seeking approval to transfer $2,800,000 from Public Safety Communications reserves to the Public Safety Communications capital budget. This transfer is necessary to complete the P25 upgrade, as well as cover any necessary expenses for any additional items needed as part of that project. This may include annual maintenance on third party software and/or products, as well as any additional items necessary to complete the project or operate the P25 system.

FUNDING INFORMATION: Funding in the amount of $2,800,000 will be transferred from the Reserves Designated Use to account number 182-3816-529.63-10. The remaining balance in the Reserve for Fund 182 will be $392,872 after the transfer.

DEPARTMENT CONTACT: Jarrod Shupe, Chief Information Officer (386) 313-4281
E. John Brower, Financial Services Director (386) 313-4036

RECOMMENDATION: Request the Board approve Budget Transfer 21-114 in the amount of $2,800,000.

ATTACHMENTS:
1. BTR 21-114
Transfer funds from Reserves to capital to finish the P25 upgrade.

<table>
<thead>
<tr>
<th>LINE NO.</th>
<th>FUND NO.</th>
<th>DEPT. NO.</th>
<th>SUB. NO.</th>
<th>ACCT NO.</th>
<th>PROJ NO.</th>
<th>AMOUNT</th>
<th>BUDGET</th>
<th>ACCOUNT/CENTER DESCRIPTION</th>
<th>PROJECT # DESCRIPTION</th>
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<td>5000</td>
<td>587</td>
<td>9811</td>
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<td>2,800,000</td>
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<td>Designated for Future Use</td>
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<td>2</td>
<td>182</td>
<td>3816</td>
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<td>6310</td>
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<td>Improvmts other than bldg</td>
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<td>$2,800,000.00</td>
<td>$2,800,000.00</td>
<td>$3,192,872.00</td>
<td>$3,192,872.00</td>
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</table>

Financial Service Director’s APPROVAL ___________ DISAPPROVAL ___________ DATE: ___________
Administrator’s APPROVAL ___________ DISAPPROVAL ___________ DATE: ___________
Board Action at Meeting APPROVAL ___________ DISAPPROVAL ___________ DATE: ___________

POSTED BY: ______________ DATE POSTED: ______________ cc: ______________
SUBJECT: Consideration of a Contract between Flagler County and the Northeast Florida Regional Council for the Council’s Services as Subcontractor to the County for the Florida Department of Environmental Protection’s Florida’s Resilient Coastline Program (FRCP) in the Amount of $50,000.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: Following approval of the $50,000 grant award for the Florida Department of Environmental Protection’s Florida’s Resilient Coastline Program (FRCP) at the Board’s September 9, 2020 meeting, the County’s subcontractor under the grant, the Northeast Florida Regional Planning Council (NEFRC), completed Task #1. The deliverable for Task #1 has now been accepted by FDEP, and payment should be requested by the County from FDEP under the terms of the grant award.

To create an audit trail that is consistent with the terms and conditions of the grant – and acknowledges the NEFRC’s role as the County’s subcontractor – the NEFRC staff have requested that the County execute the attached contract. Once approved by the Board, the County will request payment from FDEP for the completion of Task #1 and the remittance will be provided to the NEFRC consistent with both the FDEP grant agreement and the NEFRC contract.

FUNDING INFORMATION: The funding for this Agreement is $50,000 and will be appropriated with approval of the attached Unanticipated Revenue Resolution. The funds provided under this Agreement do not have a match requirement.

DEPARTMENT CONTACT: Planning & Zoning, Adam Mengel (386) 313-4065

RECOMMENDATION: Request the Board approve the contract with the Northeast Florida Regional Council, as approved to form by the County Attorney, for services related to the Florida Department of Environmental Protection’s Florida’s Resilient Coastline Program (FRCP) grant award (R2139) in the amount of $50,000 and approve the attached Unanticipated Revenue Resolution.

ATTACHMENTS:
1. Contract
2. Unanticipated Revenue Resolution
Scope of Work & Contract
Flagler County FDEP Resilience Planning Grant

The Northeast Florida Regional Council (the “NEFRC”) worked in partnership with Flagler County (the “County”) to apply for a Resilience Planning Grant from the Florida Department of Environmental Protection (“FDEP”) in 2019. This grant was successfully awarded to the Flagler County Board of County Commissioners (“Flagler County”) in 2020, and the NEFRC was selected as the principal contractor to carry out implementation of the award. The grant funding was awarded through FDEP’s “Florida Resilient Coastlines Program.”

Flagler County adopted and approved RESOLUTION NO. 2020-56 on September 9, 2020. The resolution authorizes Flagler County to execute the FDEP’s Standard Grant Agreement, which provides a detailed overview of tasks, deliverable dates, and expectations to be carried out by the contractor for this grant. Flagler County entered into the standard grant agreement number is R2139 (“Grant Agreement”) which is incorporated herein by reference.

The purpose of this scope of work is to provide an overview of the technical planning and community engagement support services that the NEFRC will be providing to Flagler County in order to carry out implementation of the Grant Agreement. In order to achieve grant implementation objectives, the NEFRC and Flagler County agreed on a phased approach for implementation. There are four tasks included in this scope of work, with specific completion deadlines and deliverables attached to each task. These tasks were designated in the Grant Agreement approved by FDEP and authorized by the Flagler County.

A. Scope of Work

<table>
<thead>
<tr>
<th>Task No.</th>
<th>Task Title</th>
<th>Deliverable Due Date</th>
<th>Funding Amount</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Adaptation Action Area Implementation</td>
<td>10/30/2020</td>
<td>$10,000</td>
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<tr>
<td>2</td>
<td>Comprehensive Plan Updates</td>
<td>01/15/2021</td>
<td>$10,000</td>
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<td>3</td>
<td>Public Meetings</td>
<td>03/15/2021</td>
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<td>4</td>
<td>Final Project Report</td>
<td>04/30/2021</td>
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<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$50,000</strong></td>
</tr>
</tbody>
</table>

All tasks are to be completed by NEFRC and submitted to Flagler County no later than the task/deliverable due date listed in the table above.
B. Responsibilities of Flagler County:

Flagler County, the recipient of funds from the Florida Resilient Coastlines Program, will be responsible for all correspondence between FDEP and the County, including submission to FDEP of task progress reports and deliverables, other reporting requirements, and grant deliverable extension requests (if deemed necessary). Once the scope of work is completed, Flagler County will also be responsible for all correspondence and follow up with FDEP after 4/30/2021.

Compensation and Payment

Contractor Assistance: $50,000

- The total funding amount of this Agreement to be paid to NEFRC is $50,000.00.
- Payment shall be made in accordance with the Local Government Prompt Payment Act. Payment to NEFREC is contingent upon acceptance and approval of the deliverables by FDEP in accordance with the Grant Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

Donald T. O’Brien Jr., Chair
Flagler County Board of County Commissioners

Elizabeth Payne, Chief Executive Officer
Northeast Florida Regional Council

Date: ________________________________

Date: ________________________________

FID #: 596000605

FID #: ______________________________

Approved as to Form for Flagler County:

Al Hadeed, County Attorney
RESOLUTION NO. 2020 - ___

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA TO AMEND THE MUNICIPAL SERVICES FUND 180 FOR THE FISCAL YEAR 2020-21 TO RECOGNIZE AND APPROPRIATE UNANTICIPATED REVENUE.

WHEREAS, the Flagler County Board of County Commissioners has received $50,000 from the Florida Department of Environmental Protection’s Florida’s Resilient Coastline Program (FRCP); and

WHEREAS, Chapter 129, Florida Statutes, authorizes the Board of County Commissioners to amend, by resolution, its budget to provide for the receipt and expenditure of unanticipated funds.

NOW, THEREFORE, BE IT RESOLVED by the Flagler County Board of County Commissioners, in meeting assembled on the 7th day of December, 2020, that the Municipal Services Fund 180 be amended, as follows:

MUNICIPAL SERVICES FUND 180

FUNDING SOURCES:
180-0000-334.39-13 FL RESILIENT COASTAL PG $50,000

EXPENDITURES:
180-8417-538.31-10 PROFESSIONAL SERVICES $50,000

BOARD OF COUNTY COMMISSIONERS
FLAGLER COUNTY, FLORIDA

BY: ____________________________________________
Donald T. O’Brien Jr., Chair

ATTEST:

______________________________
Tom Bexley, Clerk of the Circuit Court and Comptroller

APPROVED AS TO FORM:

______________________________
Al Hadeed, County Attorney
SUBJECT: New Sheriff Operations Center Discussion

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: Staff is seeking approval and direction regarding the advancement of the new Sheriff’s Operation Center. Architects Design Group and Ajax Building Corporation to provide an update on the status of this project and seek Board approval to move forward towards completion.

FUNDING INFORMATION: Funding will for construction will be via bond proceeds to be brought forth at a future meeting for approval.

DEPARTMENT CONTACT: Holly Durrance, Purchasing Manager (386) 313-4063

RECOMMENDATION: Request the Board approval and direction to advance the Design and Construction of the New Sheriff Operations Center, based on information presented from Architects Design Group (ADG) and Ajax Building Corporation.

ATTACHMENTS:
1. Presentation from Architects Design Group (ADG) and Ajax Building Corporation
FLAGLER COUNTY SHERIFF’S OFFICE DISTRICT 3 ADMINISTRATION & OPERATIONS COMPLEX
EXISTING CONDITIONS

Sheriff's Office current working conditions

- What was once centralized is now located in four locations and on multiple floors co-mingled within other Constitutional & County Operation:
  - Purchasing/Supply – located in Jail Administration Building
  - Training Section located in Jail Administration Building
  - CSI/Evidence – located in temporary facility on Justice Lane
  - Investigative Services, Office of the Sheriff, Human Resources, Victim Advocates, etc. located in two buildings on multiple floors
    - 1st, 2nd and 3rd floors of Courthouse co-mingled among State Attorney, Judges and Clerk of Court offices
    - 1st floor GSB building at Tax Collector’s office.
    - 3rd floor GSB building at County Administrator’s office.
EXISTING CONDITIONS - PURCHASING
EXISTING CONDITIONS - INVESTIGATIONS
PROJECT HISTORY

- Sheriff's Office Vacated Existing Building ............................................. 05.29.2018
- Original Space Needs Assessment .......................................................... 08.30.2019
- RSQ Advertisement .................................................................................. 11.01.2019
- Project awarded to ADG ....................................................................... 01.27.2020
- ADG contracted / Notice to proceed ....................................................... 07.16.2020
- Schematic Design Submission ................................................................. 10.16.2020
- Cost Estimate Issued ................................................................................ 11.05.2020
- County Commission Meeting ................................................................. 12.07.2020
ARCHITECTS DESIGN GROUP

• National leaders in public safety architecture
• 350+ Public safety projects
• Understanding the unique needs of the Flagler County Sheriff’s Office
• Experts in IAPE, CALEA accreditation, and CPTED standards
• Completed multiple critical / essential facilities and experts with these standards
• 50+ public safety projects utilizing the CMAR delivery method
ADG’S NATIONAL EXPERIENCE

- Alpharetta Public Safety Facility
- Alachua County Sheriff’s Complex
- Altamonte Springs Public Safety Complex
- Auburndale Police Facility
- Aurora Police and Fire Department Joint Training Facility
- Bal Harbour Police Facility
- Baytown Police Headquarters
- Bolton Public Safety Facility Renovation
- Boca Raton Police Services Facilities
- Boca Raton Public Safety Information Management Center
- Boynton Beach Police Facility
- Bradford County Public Safety Facility
- Brentwood Police Headquarters Preliminary Spatial Needs Assessment
- Brunswick Police Department
- Cape Canaveral Police and Municipal Facilities
- Cape Coral Police Headquarters
- Cedar Falls Public Safety Facility
- Cedar Park Police Headquarters Renovation
- Clermont Police Department Headquarters
- Cobb County Police Headquarters
- Cobb County Training Facility
- Cocoa Beach Public Safety Complex
- Cookeville Police Headquarters
- Corinth Public Safety Facility
- Covington Police and Courts Facility
- Daytona Beach Shores Public Safety Complex
- DeSoto Police Training Facility
- Elmira Police Facility
- Eastern Florida State College Public Safety Training Center
- Frankfort Public Safety Facility
- Ft. Lauderdale Police Facility
- Gainesville Police Facility Renovation
- Gainesville Police Department Training Facility
- Georgetown Public Safety Operations and Training Complex
- Granbury Police Headquarters
- Grand Prairie / Irving Public Safety Training Facility
- Greene County Public Safety Coordination Center
- Gulfport Public Safety Facility
- Highlands County Sheriff’s Law Enforcement Reconfiguration
- Highlands County Sheriff Detention Center
- Hillsborough Public Safety Operations Facility
- Indian River County Sheriff’s Office
- Johnston Public Safety Complex
- Kissimmee Police Training Facility
- Largo EOC and Police Training Facility
- Lebanon Police Department
- Linn County Sheriff’s Office
- Lowell Police Headquarters
- Lynchburg Police and Courts Spatial Needs Assessment
- Manchester Police Department Headquarters
- Mansfield Police Headquarters
- Martin County Public Safety Facility
- Miami Fire Department USAR Facility Master Plan
- Minneola Police and Fire Facilities
- MNCPPC National Division Headquarters
- Mount Dora Public Safety Facility Renovation
- Niceville Police Headquarters
- Northglenn Police and City Hall Complex
- Ocoee Police Facility
- Orange County Sheriff Sector II
- Orlando Police Department Headquarters
- Orlando Police Department Firing Range and Training Facility
- Owensboro Police Facility
- Palmetto Police Headquarters
- Pembroke Pines Police Headquarters
- Pinellas Park Police Facility
- Plantation Firing Range
- Polk County Sheriff District Command Center
- Port St. Lucie Police and EOC
- Port Fourchon Public Safety Center
- Provincetown Public Safety Facility
- Riviera Beach Police Facility
- River Vale Police Department
- Rochester Police Department
- Rockledge Police Department
- Sanford Public Safety Complex
- Sarasota Police Facility
- Sarasota County Public Safety Center
- Silverton Police Department
- Springfield Police Headquarters
- Spring Hill Police Headquarters
- St. Charles County Evidence Facility
- Sunrise Public Safety and Training Complex
- Tallahassee Police Headquarters Spatial Needs Assessment
- Waukee Public Safety Facility
- Winter Haven Police Facility
- Winter Park Public Safety and Training Facility
- Winter Springs Police and EOC Facility
- Wylie Public Safety Facility
PROJECT INFORMATION

Located near other Flagler County government functions off of East Moody Blvd. (Highway 100) and Commerce Parkway within the City of Bunnell city limits.

- **Site Area**: 8.41 acres
- **Original 2019 Space Needs Assessment**: 81,336 SF
- **Current Space Needs**
  - Building Size: 51,615 SF
  - Add Alternate - Purchasing & Logistics Building: 6,298 SF
  - Future Main Building Expansion: 30,000 SF
Site Master Plan

Legend:
1. Public Parking (51 Spaces)
2. Public Plaza & Entry
3. Catering & Delivery Drop
4. Security Gate
5. Security Fence
6. Secured Parking (124 Spaces)
7. Staff Entry
8. Physical Agility Access / Crossfit
9. Central Utility Plant
10. Dumpster Enclosure
11. Vehicle Evidence Bay
12. Sally Port
13. Future Expansion (1 Story)
14. Future Expansion (2 Story)
15. Future Staff Parking (39 Spaces)
16. Future Staff Parking (62 Spaces)
17. Stormwater Retention
18. Monument Sign

Scale: 1" = 40' - 0'
# COST MANAGEMENT RECAP

![Logo](https://example.com/logo.png)

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<tr>
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<td>Total Sub 02 SHERIFF’S OFFICE</td>
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<td>Total Sub 99 BONDS, INSURANCE &amp; FEES</td>
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Report includes Taxes & Insurance.

## Construction Cost - Base Bid

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<td>Contingency &amp; Inflation Allowance</td>
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9:52:41AM 11/13/2020
UNDERSTANDING THE COST ESTIMATE

• **Size and Condition of the project site.**
  - Deep auger cast foundations due to loose soils.
  - 3'-0” of additional site fill due to high water table.

• Size, quality & performance characteristics of interior & exterior building structure and elements.

• **Code change requirements, switching to FBC 2020 on January 1st 2021**

• **Changing Marketplace conditions for materials & labor costs.**
  - Material shortages due to demand or production changes
  - Availability of skilled and non-skilled labor.

• **Project Cost effected by inflation.**

• Man made & environmental threats have changed, requiring a more secured & reinforced building & site.
SUBJECT: QUASI-JUDICIAL – Application #3230 – Request for Public Use in the AC (Agriculture) District for the Flagler Executive Airport; Owner: Flagler County Board of County Commissioners; Agent: Roy Seeger, Airport Director.

DATE OF MEETING: December 7, 2020

OVERVIEW/SUMMARY: This request is quasi-judicial in nature and requires disclosure of ex parte communication. The request is to add an additional 15.18 acres to the Public Use for the Flagler Executive Airport, on Parcel Number 08-12-31-0650-000B0-0073. This parcel is addressed as 210 Airport Road:

The request is to add an additional 15.18 acres to the existing Flagler Executive Airport Public Use. The Board of County Commissioners approved the purchase of the subject property for this purpose at its February 17, 2020 regular meeting. This additional acreage will be used for the construction of a traffic circle and infrastructure improvements including, but not limited to, stormwater retention purposes. This would increase the overall developable area to 142.53+/- acres.
The Technical Review Committee reviewed the site plan associated with this request on September 16, 2020 and there are no outstanding departmental comments to be addressed. The site plan submitted with this request demonstrates that all improvements on the subject parcel are to be horizontal improvements related to driveway and additional stormwater retention areas, with landscaping. The improvements are to facilitate the movement of vehicular traffic for the public community, tenants, airport service and maintenance vehicles, fuel tankers, Army National Guard vehicles and fire fighting vehicles for a future planned fire station. Several locations for the new roundabout were studied and the best location has been chosen based on applicable criteria and the land available for construction.

This request was reviewed by the Planning and Development Board at its October 13, 2020 regular meeting. The Planning and Development Board unanimously (4-0) recommended approval of Application #3230.

Public notice has been completed consistent with the requirements of Section 2.07.00, Flagler County Land Development Code.

This agenda item is:
_____X____ quasi-judicial, requiring disclosure of ex-parte communication; or
_____ legislative, not requiring formal disclosure of ex-parte communication.

DEPARTMENT CONTACT: Planning & Zoning, Adam Mengel 386-313-4065

OPTIONS FOR THE BOARD:

Option 1 – Approval: The Board of County Commissioners approves Application #3230, Public Use for Flagler Executive Airport, finding that the Public Use is consistent with the Comprehensive Plan and the Flagler County Land Development Code.

Option 2 – Approval with Conditions: The Board of County Commissioners approves Application #3230, Public Use for Flagler Executive Airport, finding that the Public Use is consistent with the Comprehensive Plan and the Flagler County Land Development Code, subject to any conditions required by the Board.

Option 3 – Denial: The Board of County Commissioners denies Application #3230, Public Use for Flagler Executive Airport, finding that the Public Use is not consistent with the Comprehensive Plan and the Flagler County Land Development Code.

Option 4 – Table: The Board of County Commissioners tables Application #3230, Public Use for Flagler Executive Airport, on the basis that additional information is needed from staff or the applicant. Based on the presentation and the public hearing, the Board does not have sufficient information to be able to render a decision on the Public Use request. Tabling the Public Use request to a time and date certain will preserve public notice and provide an opportunity for staff or the applicant to provide additional information.

ATTACHMENTS:
1. Technical Staff Report
2. Site plan
3. Application and supporting documents
4. Public notice
As provided in the Flagler County Land Development Code at Section 3.06.05(B), Public and Semi-public Uses, any public use may be permitted in any land use district provided that the request for such use is officially made to the Planning and Development Board by the public body or semipublic body desiring such use. The Planning and Development Board shall determine whether or not such requested use is consistent with the adopted comprehensive plan and whether the use is necessary or desirable to support projected community needs. Public Uses and structures determined to be consistent with the comprehensive plan and necessary or desirable may be located in any land use district upon recommendation of the Planning and Development Board, based in part on the submittal of a site plan showing site alterations, improvements to be made, and proposed buffers and conceptual landscaping plans. The Planning and Development Board’s recommendation, along with the reasons for the Board’s recommendation, are to be forwarded to the County Commission for its review and decision.

Analysis of Consistency with the Comprehensive Plan
The proposed Airport addition is consistent with the 2010-2035 Transportation Element of the Flagler County Comprehensive Plan, specifically with the following Objective and Policy statements:

Objective B.1.12: Flagler County shall coordinate its comprehensive planning process, including the 2010 Evaluation and Appraisal Report (EAR) based amendments and subsequent amendments, with the adopted Airport Master Plan for the Flagler County Airport, the continuing Florida Aviation System Planning process, and the Florida Department of Transportation (FDOT) Adopted Five Year Work Program.

Policy B.1.12.1: Flagler County shall review the Airport Master Plan and aviation capital improvement projects for consistency with the Future Land Use, Transportation, Coastal Management, and Conservation Elements of the 2010-2035 Comprehensive Plan.

Policy B.1.12.2: All aviation capital improvement projects in Flagler County shall be consistent with the Florida Department of Transportation’s Adopted Five Year Work Program, the Flagler County Capital Improvements Element, and other agency budgets.

Policy B.1.12.3: Flagler County shall ensure that aviation-related new development and expansions are coordinated with the continuing Florida Aviation System Planning Process through participation in the East Central Florida Metropolitan Region Subcommittee and any successor organization or agency.

Policy B.1.12.4: Flagler County shall minimize the impacts to environmentally sensitive land or resources caused by the expansion of existing airport facilities.
Objective B.1.13: Flagler County shall strive to ensure that the uses of land and development standards applied to properties surrounding the Flagler County Airport are compatible with the existing operations and potential future expansion of the Airport.

Policy B.1.13.1: On a continuing basis, Flagler County shall review its land use and development standards to ensure consistency and compatibility with the adopted Airport Master Plan.

Policy B.1.13.2: Flagler County shall coordinate with the City of Palm Coast and the City of Bunnell, as applicable, to ensure that each City’s land uses and development standards are consistent and compatible with the adopted Airport Master Plan.

Policy B.1.13.3: Flagler County shall forward to the Airport Manager for review and comment any development proposals and special use permits that may impact aviation operations. The County shall request that the City of Palm Coast and the City of Bunnell, as applicable, also follow this procedure.

Objective B.1.15: Flagler County shall assist the Airport in economic development initiatives.

Policy B.1.15.1: Flagler County shall strive to ensure that the development of the Airport and surrounding properties provide for sustainable and viable economic growth.

Policy B.1.15.2: Flagler County shall support capacity improvements to allow for an expansion of jet service.

Policy B.1.15.3: Flagler County shall support development of an industrial park within the Airport boundary and on County owned land adjacent to the Airport.

Staff Analysis: These Objectives and Policies further the development of the Airport. The addition of these lands provide for a more efficient development pattern and allows the configuration of the access to serve as a gateway to the new Terminal/FBO Building. The additional acreage added through this request will aid in traffic flow and drainage, and approval of this Public Use is consistent with the Comprehensive Plan.

Analysis of Consistency with the Flagler County Land Development Code
The Land Development Code (LDC) requires that the Planning and Development Board review requests for Public Uses and provide their recommendation to the Board of County Commissioners for final decision. Guidance for recommendation by the Planning and Development Board is provided at LDC Section 3.06.05(B) and outlined below. Planning Department staff has provided an analysis of the applicant’s submittal and its consistency with the text of the Land Development Code for consideration:
The permitted location of public or semi-public uses or structures shall be such as not to be injurious to the health, safety and welfare of the public and shall protect the existing character of the surrounding properties or neighborhoods.

Staff Analysis: This additional acreage is critical to the Airport by providing improved stormwater and access. Due to its location, this additional acreage will have no impact on neighboring properties. This addition to the Public Use is beneficial to the development of the Airport and the overall economic development of the County by furthering the Airport’s Master Plan.

The planning board shall consider the impact of the proposed use on land development patterns, on important natural resources, and, where applicable, the cost effectiveness of service delivery.

Staff Analysis: There are few other options – among these the reconfiguration of the access – that would eliminate the need for the approval of the additional lands as a Public Use. This addition remains as the most cost effective alternative to meet the Airport’s needs.

The planning board also shall determine whether the proposed use will impose any substantial detrimental effects on the living or working conditions in the neighborhood.

Staff Analysis: No effects on the living and working conditions of the surrounding area are anticipated from the addition of these lands into the Airport’s Public Use.

If approved, the planning board shall specify any requirements or conditions in the form of natural buffers, screening, landscaping, limited access or limited hours of operation or other site development restrictions that may be imposed by the planning board to protect the health, safety and welfare of the public or surrounding property owners.

Staff Analysis: No such additional conditions were recommended by the Planning and Development Board as part of their review of this request.
Future Land Use Map
## APPLICATION FOR PUBLIC USE

**FLAGLER COUNTY, FLORIDA**

1769 E. Moody Blvd, Suite 105

Bunnell, FL 32110

Telephone: (386) 313-4009  Fax: (386) 313-4109

Application/Project #: 3230 / COND-000276-2020

### PROPERTY OWNER(S)

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS</th>
</tr>
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<tr>
<td>Mailing Address:</td>
<td>1769 E MOODY BLVD</td>
</tr>
<tr>
<td>City: BUNNELL</td>
<td>State: FL</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>Fax Number (386) 313-4009</td>
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### APPLICANT/AGENT

<table>
<thead>
<tr>
<th>Name(s):</th>
<th>ROY SIEGER, AIRPORT DIRECTOR / FLAGLER EXECUTIVE AIRPORT</th>
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<tr>
<td>Mailing Address:</td>
<td>201 AIRPORT ROAD</td>
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<tr>
<td>City: PALM COAST</td>
<td>State: FL</td>
</tr>
<tr>
<td>Telephone Number:</td>
<td>(386) 313-4220</td>
</tr>
<tr>
<td>E-Mail Address:</td>
<td><a href="mailto:rsieger@flaglercounty.org">rsieger@flaglercounty.org</a></td>
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### SUBJECT PROPERTY

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<td>Parcel # (tax ID #):</td>
<td>08-12-31-0650-000B0-0073</td>
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<tr>
<td>Parcel Size:</td>
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<tr>
<td>Current Zoning Classification:</td>
<td>C-2 (GENERAL COMMERCIAL &amp; SHOPPING CENTER) AND AC (AGRICULTURE) DISTRICTS</td>
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<tr>
<td>Current Future Land Use Designation:</td>
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**Subject to A1A Scenic Corridor IDO?:**

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<tr>
<th>YES</th>
<th>NO</th>
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</table>

### Description of Use:

Access improvements for Flagler Executive Airport and stormwater retention

**Signature of Owner(s) or Applicant/Agent**

**Date**

**OFFICIAL USE ONLY**

**PLANNING BOARD RECOMMENDATION/ACTION:**

*APPROVED WITH CONDITIONS [ ]

**Signature of Chairman:**

**Date:** *approved with conditions, see attached.

**BOARD OF COUNTY COMMISSIONERS ACTION:**

*APPROVED [ ]

**Signature of Chairman:**

**Date:** *approved with conditions, see attached.
This WARRANTY DEED dated by
Flagler Pines, Properties, LLC, a Florida limited liability company
whose post office address is:
4 Lambert Cove, Flagler Beach, FL 32136
hereinafter called the GRANTOR, to
Flagler County Board of County Commissioners, a political subdivision of
the State of Florida
whose post office address is:
1769 E Moody Blvd, Bunnell, FL 32110.
hereinafter called the GRANTEE
(Wherever used herein the terms "Grantee" and "Grantor" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of $10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienates, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situated in Flagler County, Florida, viz:

A part of lands described in Official Records Book 1387, Page 1869, of the Public Records of Flagler County, Florida, lying in the Southwest 1/4 of Section 8, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

Commence at the West 1/4 corner of said Section 8 and run thence South 01 degrees 12' 44" East, along the West line of said Southwest 1/4, a distance of 161.99 feet to the South right of way line of State Road No. 100, and the Northwest corner of said Official Records Book 1387, Page 1869; thence continue South 01 degrees 12' 44" East along said West line a distance of 316.06 feet to the Southwest corner of lands described in Official Records Book 1387, Page 1114, said Public Records and the POINT OF BEGINNING of the herein described parcel; thence continue South 01 degrees 12' 44" East, along said West line, a distance of 743.15 feet to the Southwest corner of said Official Records Book 1097, Page 1909; thence North 09 degrees 10' 18" East, along the South line of said Official Records Book 1387, Page 1869, a distance of 942.61 feet; thence North 00 degrees 51' 08" West, a distance of 644.51 feet to the Southeast corner of lands described in Official Records Book 363, Page 319, said Public Records; thence South 09 degrees 08' 52" West, a distance of 420.00 feet to the Southwest corner of said Official Records Book 363, Page 319; thence North 00 degrees 55' 55" West along the West line of said Official Records Book 363 Page 319, a distance of 98.98 feet to the Southeast corner of said Official Records Book 2358 Page 1114; thence South 09 degrees 08' 52" West, a distance of 527.36 feet to the said Point of Beginning.

Said property is not homestead property. This is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any member of the household of Grantor(s) reside therein.

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2020 and subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in Fee SIMPLE forever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed this presents the date set forth above.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES:

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, 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.

Signed in the presence of the following "TWO DIFFERENT" WITNESSES:

#1 Witness Signature: ___________________________  
Print Name: ___________________________________

#2 Witness Signature: ___________________________  
Print Name: ___________________________________

State of: ________________________________  
County of: ________________________________  

THE FOREGOING INSTRUMENT was sworn and acknowledged before me, by means of ‍ physical presence or online notarization, on 12th day of March, 2020 by: FLAGLER PINES, PROPERTIES, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BY JAMES E
WARRANTY DEED
(INDIVIDUAL)
(Continued)

GARDNER, JR., MANAGING MEMBER who is personally known to me or who has produced a DRIVER LICENSE as identification and who did take an oath.

(Notary Seal)

NOTARY PUBLIC Signature: [Signature]
My Commission# [Commission Number]
Expires: [Expiration Date]
Print Name: [Print Name]

Sandra M. McDermott
Notary Public State of Florida
My Comm. Exp. June 24, 2022
Comm. No. GG231723
LEGAL DESCRIPTION DRAINAGE EASEMENT

A PARCEL OF LAND BEING A PORTION OF TRACTS 5 AND 6, BLOCK C, GOVERNMENT SECTION 8, TOWNSHIP 12 SOUTH, RANGE 31 EAST, 8TH ADDITION OF THE RUNNELL DEVELOPMENT COMPANY'S LAND, SITUS TO RUNNELL, BROWARD COUNTY, FLORIDA, AS RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AND ALSO BEING A PORTION OF PARCEL 412 RECORDED IN OFFICIAL RECORDS BOOK 601, PAGE 1899, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE BEING THE WEST QUARTER CORNER OF SAID SECTION 8, TOWNSHIP 12 SOUTH, RANGE 31 EAST, THENCE SOUTH 01°13'43" EAST ALONG THE WEST LINE OF SECTION 8, A DISTANCE OF 478.05 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING THE WEST LINE OF SAID SECTION 8, NORTH 89°09'05" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 01°13'43" EAST, A DISTANCE OF 278.51 FEET; THENCE SOUTH 33°35'13" EAST, A DISTANCE OF 4.37 FEET; THENCE NORTH 77°28'25" EAST, A DISTANCE OF 32.60 FEET; THENCE NORTH 29°51'31" WEST, A DISTANCE OF 23.13 FEET; THENCE NORTH 67°17'45" EAST, A DISTANCE OF 30.26 FEET; THENCE SOUTH 71°47'26" EAST, A DISTANCE OF 22.44 FEET; THENCE SOUTH 78°43'49" EAST, A DISTANCE OF 56.39 FEET; THENCE NORTH 67°48'31" EAST, A DISTANCE OF 16.28 FEET; THENCE NORTH 87°45'02" EAST, A DISTANCE OF 14.60 FEET; THENCE SOUTH 24°25'54" EAST, A DISTANCE OF 32.28 FEET; THENCE SOUTH 15°04'08" EAST, A DISTANCE OF 43.46 FEET; THENCE SOUTH 52°45'57" WEST, A DISTANCE OF 28.41 FEET; THENCE NORTH 86°19'44" WEST, A DISTANCE OF 31.52 FEET; THENCE NORTH 69°10'35" WEST, A DISTANCE OF 41.48 FEET; THENCE SOUTH 56°15'22" WEST, A DISTANCE OF 18.91 FEET; THENCE SOUTH 84°53'29" WEST, A DISTANCE OF 32.55 FEET; THENCE SOUTH 130°6'26" WEST, A DISTANCE OF 25.47 FEET; THENCE SOUTH 83°02'57" WEST, A DISTANCE OF 30.10 FEET; THENCE NORTH 47°53'28" WEST, A DISTANCE OF 21.10 FEET; THENCE NORTH 83°21'15" WEST, A DISTANCE OF 13.88 FEET; THENCE SOUTH 01°13'43" EAST, A DISTANCE OF 130.60 FEET; THENCE SOUTH 74°00'52" EAST, A DISTANCE OF 42.79 FEET; THENCE SOUTH 74°00'32" EAST, A DISTANCE OF 73.68 FEET; THENCE SOUTH 80°25'15" EAST, A DISTANCE OF 18.85 FEET; THENCE SOUTH 75°42'56" EAST, A DISTANCE OF 32.90 FEET; THENCE SOUTH 43°10'53" EAST, A DISTANCE OF 28.60 FEET; THENCE SOUTH 5°00'50" WEST, A DISTANCE OF 33.34 FEET; THENCE SOUTH 89°55'50" WEST, A DISTANCE OF 36.11 FEET; THENCE SOUTH 31°32'45" EAST, A DISTANCE OF 37.18 FEET; THENCE SOUTH 89°47'13" EAST, A DISTANCE OF 57.03 FEET; THENCE SOUTH 64°44'18" EAST, A DISTANCE OF 47.03 FEET; THENCE SOUTH 81°36'55" EAST, A DISTANCE OF 99.83 FEET; THENCE NORTH 66°26'05" EAST, A DISTANCE OF 62.86 FEET; THENCE SOUTH 21°10'13" EAST, A DISTANCE OF 34.11 FEET; THENCE SOUTH 70°51'31" EAST, A DISTANCE OF 35.74 FEET TO THE EAST LINE OF THE SUBJECT PARCEL; THENCE SOUTH 0°00'55" EAST ALONG SAID EAST LINE, A DISTANCE OF 78.97 FEET; THENCE DEPARTING SAID EAST LINE SOUTH 89°09'05" WEST, A DISTANCE OF 226.94 FEET; THENCE SOUTH 76°31'30" WEST, A DISTANCE OF 172.09 FEET; THENCE NORTH 01°13'43" WEST, A DISTANCE OF 129.76 FEET; THENCE NORTH 74°00'40" WEST, A DISTANCE OF 135.58 FEET; THENCE NORTH 01°13'43" WEST, A DISTANCE OF 446.54 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 1.83 ACRES, MORE OR LESS.

SURVEYOR'S NOTES
1. BEARINGS BASED ON THE SOUTHWEST LINE OF STATE ROAD 100, HAVING A BEARING OF N89°09'05"E.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SKETCH WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.
3. THIS SKETCH COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER SJ-17.05, FLORIDA ADMINISTRATIVE CODE.
4. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR/MAPPER.
5. UNDERGROUND FOUNDATIONS AND UTILITIES (IF ANY) NOT SHOWN HEREON.
6. THIS IS A GRAPHIC ILLUSTRATION FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A FIELD SURVEY.

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ABBREVIATIONS

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SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS PER CHAPTER SJ-17.050 THRU 17.052, FLORIDA ADMINISTRATIVE CODE.

Kenneth J

Digitally signed by Kenneth J Kuhar
Date: 2019.01.17 07:58:07 -00'00'

KUHAR SURVEYING & MAPPING, LLC
K K
LB/7991

LEGAL DESCRIPTION DRAINAGE EASEMENT

DATE: 01/17/2019
PROJECT: K17141
FILE: K17141 SD DRAINAGE EASEMENT
FIELDBOOK: PAGE: SHEET 2 OF 2

G-11
AFFIDAVIT OF LEGAL NOTICE

I, the undersigned, being first duly sworn, do hereby state under oath and under penalty of perjury, that the following facts are true:

1. I am over the age of 18 and I am a resident of the State of Florida. I have personal knowledge of the facts herein and, if called as a witness, could testify competently thereto.

2. I either completed the legal notice described herein or it was completed under my responsible direction.

3. The facts herein relate specifically to Application # 3230 (Project # COMP-0002-76-2020).

4. Notice for this Application has been provided as stated herein for the (select as applicable):
   - Planning and Development Board meeting on Dec 7, 2020 [date]; and/or
   - Board of County Commissioners meeting on [date].

5. Newspaper publication (select one, proof of publication attached):
   - _ legal advertisement (Publication date: Nov 4, 2020)
   - 2 x 10 with map (Publication date: ________________)
   - 2 x 10 without map (Publication date: ________________)

6. Mailed notice: _____ [number] letters were mailed out on Oct 29, 2020 [date] to parcel owners as listed within Property Appraiser records within 300 feet of the subject parcel(s)(copy of parcel list and sample notice letter attached).

7. __ [number] signs were posted on the subject parcel(s) on Oct 29, 2020 [date](photographs of posted signs attached).

By: __________________________
Name: ________________

Sworn and subscribed before me on November 14, 2020 [date] by
Wendy Hockey [name] who (select one): __ is personally known to me or __ produced __________ [document] as identification and who took an oath.

SCOTT SIMON
Commission # GG 919100
Expires October 22, 2023
Bonded thru Troy Pen Insurance 888-385-7019

NOTARY PUBLIC - STATE OF FLORIDA
Name: ________________
Commission No.: GG 919100
My Commission Expires: 10/22/2023
A request has been made by Flagler County Board of County Commissioners as Owner/Applicant for Public Use approval for a parcel identified by Property Appraiser Parcel #08-12-31-0650-000B0-0073. The subject parcel is intended for access improvements for the County Airport and stormwater retention.

The subject property lies in the AC (Agriculture) and C-2 (General Commercial & Shopping Center) Districts. Public Uses may be permitted in any zoning district provided application is made to the Planning and Development Board for its review and recommendation to the County Commission for final decision.

A Public hearing on the above-captioned matter will be held as follows:

BOARD OF COUNTY COMMISSIONERS:
December 7, 2020 at 9:30 a.m. or as soon thereafter as possible in the Flagler County Government Services Building, Board Chambers, 1769 E. Moody Boulevard, Building 2, Bunnell, Florida 32110. The October 13, 2020 recommendation by the Planning and Development Board will be presented to the Board of County Commissioners for final decision.

All interested persons are urged to attend the public hearing and be heard. Anyone wishing to express their opinion may attend telephone 386-313-4009 or write to: Flagler County Planning Department, 1769 E. Moody Blvd, Building 2, Bunnell, FL 32110 or email to planningdept@flaglercounty.org. Please reference application number above.

Copies of the application, supporting data and analysis, staff reports and other pertinent information are available for review at the Flagler County Planning & Zoning Dept., 1769 East Moody Boulevard, Building 2, Bunnell, Florida 32110, telephone (386) 313-4009.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF COUNTY COMMISSIONERS WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING, A RECORD OF THE PROCEEDINGS MAY BE NEEDED AND, FOR SUCH PURPOSES, THE PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE PLANNING DEPARTMENT AT LEAST 48 HOURS PRIOR TO THE MEETING.
<table>
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<tr>
<th>ParcelId</th>
<th>Owner</th>
<th>Address</th>
<th>City, State, Zip</th>
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<tr>
<td>08-12-31-0650-000B0-0072</td>
<td>AIRPORT COMMONS LLC</td>
<td>3700 AIRPORT ROAD SUITE 302</td>
<td>BOCA RATON, FL 33431</td>
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<tr>
<td>08-12-31-0650-000C0-0040</td>
<td>WALTER ALBANO, INC</td>
<td>P O BOX 352075</td>
<td>PALM COAST, FL 32135-2075</td>
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<td>08-12-31-0650-000C0-0070</td>
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<td>1769 E MOODY BLVD BLDG 2 SUITE 302</td>
<td>BUNNELL, FL 32110</td>
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<td>08-12-31-0650-000B0-0070</td>
<td>FLAGLER PINES PROPERTIES LLC</td>
<td>4 LAMBERT COVE</td>
<td>FLAGLER BEACH, FL 32136</td>
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I hereby affirm mailed notice to each owner on October 29, 2020 for the Board of County Commissioners Meeting on December 7, 2020 at 9:30am.

Hasler
10/29/2020
US POSTAGE $000.00
ZIP 32110
01/11679462
October 29, 2020

FLAGLER COUNTY
1769 E MOODY BLVD BLDG 2 SUITE 302
BUNNELL, FL 32110

Re: Application #3230 – Public Use in the AC (Agriculture) and C-2 (General Commercial & Shopping Center) Districts

Dear Property Owner:

As an owner of property within 300’ of the property referenced herein, Flagler County hereby gives notice of a public hearing to consider approval of a request by Flagler County Board of County Commissioners for a Public Use in the AC (Agriculture) and C-2 (General Commercial and Shopping Center) Districts for access improvements for the County Airport and stormwater retention on property owned by Flagler County Board of County Commissioners, being identified by parcel number 08-12-31-0650-000B0-0073.

The public hearing for the application will be held in the Flagler County Government Services Building, Board Chambers, at 1769 E. Moody Boulevard, Building 2, Bunnell, Florida, and are scheduled as follows:

Board of County Commissioners public hearing on Monday, December 7, 2020 at 9:30 a.m.

Flagler County Land Development Code provides that a Special Use is permitted in any zoning district provided application is made to the Planning Board for its review and recommendation. The Planning and Development Board recommendation will be forwarded to the County Commission for final decision.

You are welcome to attend and express your opinion.

Sincerely,

Wendy Hickey
Planner

NOTE: PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.