



City Commission Regular Meeting Agenda

Thursday, October 23, 2025 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136



All meeting items will be continued until meeting is complete.

1. **Call the meeting to order**
2. **Pledge of Allegiance followed by a moment of silence to honor our Veterans, members of the Armed Forces and First Responders**
3. **Deletions and changes to the agenda**
4. **Public comments regarding items not on the agenda**

Citizens are encouraged to speak. However, comments should be limited to three minutes. A thirty-minute allocation of time for public comment on items not on the agenda. Each speaker has up to three-minutes to address the Chair, and one opportunity to speak, no time can be allotted to another speaker.
5. **Consent Agenda**
 - a. Approve the minutes of the October 09, 2025 Meeting.
 - b. Approve an Interlocal Agreement between the Flagler County Supervisor of Elections and the City of Flagler Beach for the 2026 Municipal Election.
6. **General Business**
 - a. Resolution 2025-67. A Resolution by the City Commission of the City of Flagler Beach, Florida, authorizing and approving the South Central Water Main Replacement Project – Phase 2, accepting Mead & Hunt as the Consultant to oversee the construction of the project, in an amount not to exceed \$59,696.00, providing for conflict and an effective date.
 - b. Resolution 2025-88. A Resolution of the City Commission of the City of Flagler Beach to Grant Perpetual Easements on City-Owned Property for the Purpose of Beach Restoration; providing for conflict and an effective date.
 - c. Resolution 2025-89. A Resolution by the City Commission of the City of Flagler Beach, Florida, amending Resolution 2025-65, which adopted a 2025/2026 Fee Schedule; amending City Clerk Fees to add fees for rental of the Wickline Center; providing for conflict and an effective date.
7. **Public Hearings**
 - a. Ordinance 2025-27. An Ordinance by the City Commission of the City of Flagler Beach, Florida, amending the Code of Ordinances, Chapter 6, Article V, Rules and Regulations for Parks; Section 6-73 (29); providing for codification, conflicts and an effective date (First Reading).
8. **Staff Reports**
 - a. City Attorney
 - b. City Manager

9. Commission Comments

- a. Commission comments, including reports from meetings attended
- b. Public comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes. A thirty-minute allocation of time for public comment on items not on the agenda. Each speaker has up to three-minutes to address the Chair, and one opportunity to speak, no time can be allotted to another speaker.

10. Adjournment

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.



City Commission Regular Meeting Minutes

Thursday, October 9, 2025, at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136



Present: Mayor Patti King, Chairman James P. Sherman, Vice-Chair Rick Belhumeur, Commissioners Eric D. Cooley, John Cunningham and Scott Spradley, City Attorney D. Andrew Smith, III, City Manager Dale L. Martin, City Planner Lupita McClenning and City Clerk Penny Overstreet.

1. **Call the meeting to order.** Chairman Sherman called the meeting to order at 5:30 p.m.
2. **Pledge of Allegiance followed by a moment of silence to honor our Veterans, members of the Armed Forces and First Responders.** Chairman Sherman led the pledge to the flag.
3. **Deletions and changes to the agenda. Announcement,** the Veranda Bay and Summertown items will be heard first and tabled to date and time certain of November 13, 2025, at 5:30 p.m. or soon thereafter in the Commission Chambers. Commissioner Cooley expressed displeasure in Power Point presentations not being distributed with the packets, and how soon the packets are provided to the Officials to review.

The agenda moved to Item 7a.

4. **Public comments regarding items not on the agenda.** Bryan Moisao, Patricia Dahlberg, Linda Berge, Paul Eik, Sandra Shultie, RJ Santore, James Fiske and Philip Wade commented on various topics.
5. **Consent Agenda**
 - a. Approve the Minutes of the Regular and Special Meetings of September 25, 2025. Motion by Commissioner Belhumeur that we approve the consent agenda. Commissioner Cooley seconded the motion. The motion carried unanimously.
6. **General Business**
 - a. Consider Agreements for the Purchase/Lease of Golf Course Properties. Attorney Smith stated this item is to consider the Purchase and Sale Agreement, which starts the process for the sale. It does not complete the sale, there is still the due diligence period, and the Charter requires adoption of an Ordinance which requires two public hearings. The applicants Attorney Jay Livingston, Livingston and Sword, P.A., spoke of concerns raised with the Letter of Intent (LOI) that they have addressed. They have added additional layers including the deed restriction that could only be overturned by a super majority vote of the Commission, easements to the City for drainage, a declaration establishing ongoing obligations, as well as laying out a plan for redevelopment. They are willing to add a no assignability clause if so desired. Mr. Livingston noted the title company Coast Title will be the escrow agent. If approved and get to closing they will be able to hit the ground running and get to planting for the April planting season and the goal would be one-year for opening and ready for play. Mr. Jeff Ryan reviewed the plan for planting, noting that the COI has a one-year option to extend the growing season if needed. Mr. Ryan advised it is not possible to rehab the existing turf. Mr. Ryan reported they will have two contractors operating at the same time, one for the building and one for the course. It is a phased process, all 12 holes will not be opened at once, the last piece of turf that goes down will let them know when they can open. Commissioner Spradley inquired about his financiers. Mr. Ryan

responded they have private and public funding options, and underwriting is waiting for the sale and purchase agreement. His investors want the collateral. Commissioner Spradley inquired; prior to financing is there operating cash to allow you to continue what you are doing now? Mr. Ryan responded there is not much heavy lifting left until the loan is in, adding he feels confident with the SBA. Commissioner Cunningham wants to increase the deposit to \$40k. Commissioner Sherman expressed his intent for the property to remain a golf course. Commissioner Cooley referred to the possibility of unintended consequences of saying it must remain a golf course forever. We don't know maybe we might want it to be conservation area in the future. Commissioner Spradley spoke of the emails and conversations he has had stating it's about equal of those wanting to sell and those not wanting to. Commissioner Belhumeur thanked the attorneys for hashing this out, adding when the City purchased the property the goal was to keep it from being developed. Commissioner Cooley suggested adding first right of refusal if they ever want to sell. Mr. Livingston stated if the deed restriction is violated the City can take it back. As far as first right of refusal, they are fine with that and suggest it be in the restricted covenant not the deed and the unanimous consent. Commissioner Cooley stated he does not like private public relationships; feels they do not work in favor of the taxpayers. In this case he feels the government stepped in and protected the residents from the development of the land, now we don't have the financial ability to even improve the course. Chairman Sherman opened public comments. Olga (last name in audible), Chris Conklin, Doug Wilson, Anthony Stewart, Christi at 3600 S. A1A, Scott Crone, Paul Mykytka, Ryan Jones, RJ Santore and Marck Chandler provided comments. Chairman Sherman closed public comments. Attorney Smith stated if approved he would request at minimum 90 days to get the Ordinance through the public hearings and adopted. Commissioner Cunningham requested the earnest money be increased to 5% and requested a letter of financial commitment. Attorney Livingston and Attorney Smith reviewed the concessions agreed to tonight for inclusion in the Purchase and Sale Agreement (PSA) and deed as: non assignability clause for the buyer, Coast Title for escrow agent, and once the PSA is in place they can provide an in-contract benchmark for the final underwriting of the loan. Motion by Commissioner Belhumeur that we approve this PSA Agreement with the changes that we have reached a consensus to add. Commissioner Spradley seconded the motion. The motion carried three to two, with Commissioners Cunningham and Sherman voting no.

Chairman Sherman recessed the meeting at 7:34 p.m.

Chairman Sherman reconvened the meeting at 7:47 p.m.

- b. Resolution 2025-79. A Resolution by the City Commission of the City of Flagler Beach, Florida, to approve a change order submitted by Vecellio & Grogan, inc. for delays incurred during the Pier Removal and Replacement Project in an amount not to exceed \$38,933.48; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Chair Sherman opened public comment. Anthony Stewart provided comment. Chair Sherman closed public comments. Motion by Commissioner Belhumeur to approve Resolution 2025-79. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.
- c. Consider a waiver to Section 6-73 of the Code of Ordinance to allow a special event that is longer than one (1) day. Clerk Overstreet reviewed the request. Discussion ensued and included direction for the Clerk to draft an Ordinance amending the Code. Motion by Commissioner Belhumeur that we approve the waiver and create an Ordinance change to come back to us in the future. Commissioner Cooley seconded the motion. Chairman Sherman opened public comment. Paul Mykytka provided comments. Chairman Sherman closed public comment. Attorney Smith recommended amending the Code to: nothing longer than one day unless approved by the City Commission. Commissioner Belhumeur amended his motion to include Attorney Smith's suggestion. Commissioner Cooley amended his second. The amended motion carried unanimously, after a roll call vote.

- d. Resolution 2025-84. A Resolution by the City Commission of the City of Flagler Beach, Florida, to approve a Change Order submitted by Atlantic Pipe Solutions for emergency repairs to Pump Station 11 Slip Lining Project in an amount not to exceed \$15,306.01; providing for conflict and an effective date. Attorney Smith read title of the Resolution into the record. Commissioner Belhumeur inquired if this was an after-the-fact change order and what is the difference between a Lift and Pump Station. City Engineer Bill Freeman explained the differences. He continued, reporting that additional cleaning was needed due to grease, sludge and roots, stating there was severe intrusion, and they put in a well point to draw the water table down. Commissioner Cunningham asked why a charge was there when he saw City staff installing the well points. Mr. Freeman responded to Commissioner Cunningham stating the City staff assisted by cutting the asphalt for the wet wells but didn't install them as staff does not have the ability to do that. Chairman Sherman opened public comments. No comments were offered. Chairman Sherman closed public comments. Motion by Commissioner Scott to approve Resolution 2025-24. Commissioner Cooley seconded the motion. The motion carried four to one, with Commissioner Cunningham voting no.
- e. First amendment to the Interlocal Agreement for Public School Facility Planning. City Planner Lupita McClenning reviewed the request. Motion by Commissioner Cooley to approve the 1st amendment to the Interlocal Agreement. Commissioner Spradley seconded the motion. Chairman Sherman opened public comments. None were offered. Chairman Sherman closed public comments. The motion carried unanimously, after a roll call vote.

The agenda moved to Item 7g.

7. Public Hearings

- a. Ordinance 2025-21. An Ordinance of the City Commission of the City of Flagler Beach, Florida, to annex property to be included within the corporate area and city limits of the City of Flagler Beach; providing for the annexation of approximately 210.70 acres of property described in Exhibit "A" to this ordinance and lying in the areas proximate to the existing city limits of the City of Flagler Beach, Flagler County, Florida; providing for annexation in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes; providing for annexation of real property/amendment of corporate/city limits; providing for rights and privileges resulting from annexation upon land uses; providing for effect on Ad Valorem taxes; providing for effect on businesses and occupations; providing for severability and an effective date (First Reading). Attorney Smith read the title of the Ordinance into the record. Motion by Commission Cooley to table Ordinance 2025-21 to date certain November 13th at 5:30 pm in this room. Commissioner Spradley seconded the motion. The motion carried unanimously, after a roll call vote.
- b. Ordinance 2025-22. An Ordinance of the City Commission of the City of Flagler Beach, Florida, to annex property to be included within the corporate area and city limits of the City of Flagler Beach; providing for the annexation of approximately 514.06 acres of property described in Exhibit "A" to this ordinance and lying in the areas proximate to the existing city limits of the City of Flagler Beach, Flagler County, Florida; providing for annexation in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes; providing for annexation of real property/amendment of corporate/city limits; providing for rights and privileges resulting from annexation upon land uses; providing for effect on Ad Valorem taxes; providing for effect on businesses and occupations; providing for severability and an effective date (First Reading). Attorney Smith read the title of the Ordinance into the record. Motion by Commission Belhumeur to table Ordinance 2025-22 to date certain November 13th at 5:30 pm in this room. Commissioner Spradley seconded the motion. The motion carried unanimously, after a roll call vote.

- c. Ordinance 2025-23. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map designation for approximately 233.92 acres of certain real property; providing for severability; providing for conflicts and an effective date (First Reading). Motion by Commission Belhumeur to table Ordinance 2025-23 to date certain November 13th at 5:30 pm in this room. Commissioner Cunningham seconded the motion. The motion carried unanimously, after a roll call vote.
- d. Ordinance 2025-24. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the official Zoning Map designation for approximately 234 acres of certain real property; providing for conflict and an effective date (First Reading). Drew read title into the record. Motion by Commission Spradley to table Ordinance 2025-24 to date certain November 13th at 5:30 pm in this room. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.
- e. Ordinance 2025-25. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map designation for approximately 544.97 acres of certain real property; providing for severability; providing for conflicts; and providing for an effective date. (First Reading). Motion by Commission Belhumeur to table Ordinance 2025-25 to date certain November 13th at 5:30 pm in this room. Commissioner Spradley seconded the motion. The motion carried unanimously, after a roll call vote.
- f. Ordinance 2025-26. An Ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Official Zoning Map designation for approximately 545.54 acres of certain real property; providing for severability; providing for conflicts; and providing for an effective date. (First Reading). Motion by Commission Cooley to table Ordinance 2025-26 to date certain November 13th at 5:30 pm in this room. Commissioner Scottw seconded the motion. The motion carried unanimously, after a roll call vote.

The agenda moved to Item 4.

- g. Ordinance 2025-16. An Ordinance by the City Commission of the City of Flagler Beach, Florida, amending Article VI of the Land Development Regulations related to Subdivisions and Platting in order to conform to Florida State Law Amendments requiring administrative approval of plats: providing for conflicts and severability; and providing an effective date. (Final Reading). Attorney Smith read the title of the Ordinance into the record. Attorney Smith explained how this changes the process for staff. Motion by Commissioner Belhumeur that we approve Item 7g. Commissioner Cooley seconded the motion. Chairman Sherman opened public comments. None were offered. Chairman Sherman closed public comments. The motion carried unanimously, after a roll call vote.

8. Staff Reports

- a. City Attorney: Provided the Officials with an update on the foreclosure process for the property in the 12 hundred block of S. Central advising that the children of owners, have been made aware and are addressing the violations and are asking for grace. Attorney Smith reported the fines are getting close to \$40k, he asked if there would be a willingness to consider a reduction of fines if the code issues are corrected. The Commission reached a consensus to provide 90 days to correct the violations without prejudice.
- b. City Manager: Mr. Martin reported the McKim and Creed drafted the Inflow, Infiltration and Wet Weather Program and that it will be presented at a future workshop meeting. Reported he will represent the City at the Jorge Salinas Celebration of Life. Mr. Martin reported he is working with Mr. Fernandez on the legislative requests for \$1.5 million for the berm and \$ 1.5 million for reverse osmosis at the Water Treatment Plant.

City Planner: Mrs. McClenning reported she is scheduling a stakeholder meeting for the mobility plan.

9. Commission Comments

- a. Commission comments, including reports from meetings attended. Commissioner Belhumeur inquired who will Chair the next meeting since he and Commissioner Sherman would be absent. Commissioner Spradley will Chair the meeting.
- b. Public comments regarding items not on the agenda. Paul Mykytka, Bryan Moisao and Tony Stewart provided comments.

10. Adjournment. Commissioner Cooley put forth a motion to adjourn the meeting at 8:46 p.m.

Attest:

James P. Sherman, Chairman

Penny Overstreet, City Clerk



Staff Report

City Commission Regular Meeting

October 23, 2025



To: City Commission
From: Penny Overstreet
Meeting Date: October 23, 2025
Item Name: Approve an Interlocal Agreement between the Flagler County Supervisor of Elections and the City of Flagler Beach for the 2026 Municipal Election.

Background:

The City enters into an annual agreement with the Flagler County Supervisor of Elections to manage the municipal election.

Fiscal Impact:

\$8,000 was approved in the 2025/26 FY Budget. Line 001-5111-305500.

Staff Recommendation:

Recommend approval and authorize Mayor to sign same.

Attachments:

1. 2026 ILA SOE Flagler Beach

INTERLOCAL AGREEMENT FOR ELECTION SERVICES

THIS INTERLOCAL AGREEMENT (hereinafter, the “Agreement”) is made and entered into this ____ day of December 2025 by and between the **FLAGLER COUNTY SUPERVISOR OF ELECTIONS** (hereinafter, the “Supervisor”), an elected constitutional officer, whose address is 1769 E. Moody Blvd., Building 2, Suite 101, Post Office Box 901, Flagler Beach, Florida, 32110 and the **CITY OF FLAGLER BEACH**, a Florida municipality, (hereinafter, the “City”), whose address is 105 S. Second Street, PO Box 70, Flagler Beach, FL 32136.

WITNESSETH

WHEREAS, it is the intent of the Legislature, under Chapter 163, Florida Statutes, to encourage public agencies to join together in agreements that will best serve the public interest and promote the most efficient expenditures of public funds through avoiding costly duplication of services; and

WHEREAS, under State law, the Supervisor is the legal custodian of the Flagler County voting equipment and is charged with responsibility for the custody and maintenance of the equipment; and

WHEREAS, the City desires the Supervisor to provide only such election services as are stated herein, subject to the terms and conditions outlined in this Agreement, for the City’s **March 3, 2026** Municipal Election (hereinafter, the “Election”); and

WHEREAS, the parties to this Agreement recognize Chapters 97 through 106, Florida Statutes shall govern the conduct of a municipality’s Election in the absence of an applicable special act, charter, or ordinance provision. No charter or ordinance provision shall be adopted that conflicts with or exempts a municipality from any provision in the Florida Election Code that expressly applies to municipalities, under Section 100.3605, Florida Statutes; and

WHEREAS, the parties intend that any and all referendum ballot items shall be coordinated between the City and the Supervisor in a timely manner to ensure proper placement on the ballot; and

WHEREAS, the parties desire mapping, scheduling, and other responsibilities related to the conduct of the Election to be completed cooperatively and efficiently as described herein.

IT IS THEREFORE AGREED as follows:

Section One. Recitals Incorporated. The above recitals are true and correct and form a material part of this Agreement upon which the parties have relied.

Section Two. Supervisor's Responsibilities. The Supervisor shall:

1. Schedule necessary advertising with the News-Journal, excluding the Notice of Election and the 3rd and 5th week referendum advertisements, which shall be the responsibility of the City as provided below.
2. Translate ballot content into the Spanish language, as required by law.
3. Upon receiving the ballot-approved information provided by the City via email, the Supervisor will lay out the ballot, prepare the proof, and order the ballots.
4. Provide the City with a ballot proof for approval prior to printing ballots.
5. Arrange for Election night personnel support, program the tabulators, test the system, and provide the Election results.
6. Provide supplies for the conduct of the Election, including sufficient voting equipment and supplies for the polling places. Should a change of polling location become necessary, the Supervisor is responsible for mailing "Polling Place Change Notices" to affected voters, the cost of which shall be reimbursable to the Supervisor.
7. Provide precinct registers with an alphabetical listing of those electors eligible to vote in the Election.
8. Provide an alphabetized street index to the precinct clerk.
9. Select, train, and pay poll workers.
10. Have complete responsibility for printing, handling, distribution, and tabulation of ballots.
11. File with the Division of Elections the parameters used in the advertised Logic and Accuracy Test.

12. Notify the City of the time, date, and place for the Logic and Accuracy Test of the voting tabulation equipment, as well as the time, date, and place for all public Canvassing Board Meetings. The Canvassing Board Meetings shall be conducted at the Supervisor of Elections Office located at 1769 E. Moody Blvd., Bldg. #2, Suite 101, Flagler Beach, FL 32110 as outlined below:

The time(s), date(s) for the Canvassing Board Meetings shall be:

Logic and Accuracy Test of the Voting System:

Friday February 6, 2026 at 10:30 a.m.

Canvass Absentee Ballots:

Tuesday February 17, 2026 at 10:00 a.m.

Unofficial Results on Election Night (may include Official Results & Certification if no Referred or Provisional Ballots):

Tuesday March 3, 2026 at 12:00, 6:00, and 7:00 p.m.

Canvass of Referred and Provisional Ballots, Official Results & Certification (if needed):

Friday March 6, 2026 at 11:00 a.m.

Post Election Audit:

Tuesday March 10, 2026 at 11:00 a.m.

13. Certify the name(s) of the poll watcher(s) designated and approved for the voting area to the City Clerk on or before Noon on February 24, 2026, as required under Florida Statutes.
14. Campaign finance questions issued to the Supervisor's office will be answered by the Supervisor, or his or her designee, and written questions and responses will be forwarded to the City Clerk.
15. Place City candidate biography submissions on the Supervisor's website, upon request.
16. Accept all requests for absentee ballots by telephone, mail, facsimile, email, or in person. The supervisor also agrees to send absentee and overseas

ballots as requested by registered voters, receive and securely store any voted absentee ballots, verify the signatures on any returned voted absentee ballot certificates, and account for all absentee ballots.

17. Coordinate the production and mailing of sample ballots to all registered voters in the City. Sample ballots shall be provided by mail to each registered elector or to each household in which there is a registered elector at least 7 days before an election.
18. Charge each candidate 10 cents (\$0.10) per candidate petition and advise the City Clerk and/or candidate of the number of accepted petitions upon completion of the review. The Supervisor will send a Certification of Petitions to each candidate, with a copy to the City Clerk. Once verified, the supervisor shall provide all City candidate petitions to the City Clerk.
19. Provide a final tally of Election results in printed format to the City.
20. Record this Agreement in the Official Records of Flagler County, Florida.

Section Three. City's Responsibilities. The City shall:

1. Fully execute and return the Interlocal Agreement to the Supervisor on or before December 23, 2025.
2. Upon execution of the Interlocal Agreement:
 - A. Pay an initial deposit of two thousand five hundred dollars (\$2,500.00) towards the costs of the Election and issue said funds to the Supervisor of Elections on or before December 23, 2025.
 - B. Pay the balance of all actual costs or obligations of Election services to the Supervisor of Elections within thirty (30) days of receiving an itemized invoice therefor from the Supervisor of Elections.
3. Designate the City Clerk as the City employee to coordinate with the Supervisor of Elections. City staff will not provide personnel support or act as "runners" for the polls during the Election.
4. Furnish to the Supervisor on or before December 22, 2025, an updated City map, in electronic Shape File format, including all annexations or contractions to properly identify all eligible voters. Once the map has been

received and the data entered, the Supervisor will generate a municipal boundary map for approval by the City. The City must provide written approval of its municipal boundaries generated by the Supervisor's GIS system. If the map cannot be provided in electronic format, the City must provide written approval of their municipal boundaries generated by the Supervisor's GIS system. The City Clerk shall approve or reject the municipal boundaries by way of facsimile or e-mail to the Supervisor's office no later than 7 days following delivery of such municipal boundaries by the Supervisor.

5. Provide candidate handbooks and necessary materials to candidates before qualifying; qualify any and all candidates and receive candidate and/or committee finance reports.
6. Promptly scan and email filed candidate qualifying forms to the Supervisor as they are received.
7. The City will furnish to the Supervisor the list of certified candidates, along with copies of the Candidate's Loyalty Oath, **within 24 hours** of the close of the qualifying period.
8. Provide to the Supervisor on or before Noon on the last day of candidate qualifying all referendum ballot items to ensure proper placement on the ballot. Ballot items may not be added or amended later than the last day of qualifying. The approved ballot data provided to the Supervisor of Elections office shall be in Microsoft Word format for the preparation of the ballot proof. The City Clerk shall approve or reject the ballot proof by way of facsimile or e-mail to the Supervisor's office no later than 24 hours following notification by the Supervisor.
9. Pay the costs incurred by the Supervisor for scheduling, training, and preparing payroll for all poll workers, including supplies, instructional materials, and manuals.
10. Coordinate with the Supervisor the placement of all required legal advertisements. The City shall publish the Notice of Election and 3rd and 5th-week referendum advertisements, if required.

11. Select Canvassing Board Members, confirm members' availability to attend in writing, and notify the Supervisor of Elections office no later than **4:30 p.m. Monday, November 26, 2025**, of the names of the Canvassing Board Members.
12. Provide written notification of the Canvassing Board schedule, which shall include the logic and accuracy testing, during candidate qualifying or by certified mail to each political party chair and all candidates on or before February 6, 2026.
13. Pay the costs involved in repairing any equipment damaged during the City Election, including shipping, to the extent not covered and paid by any insurance.
14. Turn over all requests for Vote-By-Mail ballots to the Supervisor daily by 4:30 pm. The deadline to accept Vote-By-Mail ballot requests is February 20, 2026.
15. Should the City of Flagler Beach Commission Chamber Room become unavailable, assist in locating and securing an emergency alternative polling location and reimburse the Supervisor for the cost of printing and posting such notice of relocation.
16. Submit the name(s) of the proposed poll watcher(s) to the Supervisor on or before February 17, 2026, at Noon for the Supervisor of Elections to certify and include a list with the precinct supplies as required under Florida Statutes.
17. Should the City request any additional and/or deletions of provisions of this Agreement, and should such requests require the Supervisor to seek the consultation and/or advice of legal counsel, the City shall assume the responsibility for all legal fees.
18. The City shall be responsible for confirming the accuracy of all dates and times and any information contained herein to ensure compliance with the City Charter and the Florida Statutes.
19. Accept the release of City Election records no later than 10 days after the Certification of Election.

Section Four. Miscellaneous Provisions.

1. The parties understand and agree that the Election shall not have an early voting period.
2. Each party, to extent permitted by Section 768.28, Florida Statutes, agrees to indemnify and hold harmless the other party, its officers, agents and employees, from and against any and all claims, damages, injuries, losses and expenses, including reasonable attorney's fees, arising out of or relating to that party's actions or omissions arising out of this Agreement and the actions or omissions of the party's officers, agents and employees; provided, however, that neither party waives sovereign immunity hereby as to third parties.
3. The terms of this Agreement cannot be altered without the prior written consent of both parties.
4. The Agreement shall become effective upon recordation in the Official Records of Flagler County and shall be in effect only for the 2026 City of Flagler Beach Municipal Election to be held on March 3, 2026, and to be canvassed and certified as provided by law. This Agreement shall be made a part of the City Commission minutes.

IN WITNESS WHEREOF, the parties hereto affix their hand and seal this _____
day of _____ 2025.

**FLAGLER COUNTY SUPERVISOR OF
ELECTIONS**

Witness (*signature*)

Print Name

Witness (*signature*)

Print Name

The Honorable Kaiti Lenhart
Supervisor of Elections

CITY OF FLAGLER BEACH

ATTEST:

Patti King
Mayor

Penny Overstreet, City Clerk



Staff Report

City Commission Regular Meeting

October 23, 2025



To: City Commission
From: William Freeman, City Engineer/Public Works Administrator
Meeting Date: October 23, 2025
Item Name: Resolution 2025-67. A Resolution by the City Commission of the City of Flagler Beach, Florida, authorizing and approving the South Central Water Main Replacement Project – Phase 2, accepting Mead & Hunt as the Consultant to oversee the construction of the project, in an amount not to exceed \$59,696.00, providing for conflict and an effective date.

Background:

The City of Flagler Beach operates a potable water distribution system that provides essential service to residents and businesses. To ensure reliability and reduce costly maintenance, the City is replacing aging infrastructure through the South Central Water Main Replacement Project.

Phase 1 of the project was recently completed, replacing older water mains between Moody Boulevard and 3rd Street. This work improved water flow, reduced leaks, and modernized a critical section of the system. Mead & Hunt served as the design consultant for Phase 1, providing construction oversight and technical support.

Phase 2 will extend these improvements southward along South Central Avenue, from 3rd Street to 6th Street. Work includes:

- Installing new water mains and service connections,
- Replacing valves and related fittings,
- Completing pavement restoration once construction is finished.

Consultant Role:

Mead & Hunt is recommended to serve again as consultant for Phase 2. They will oversee construction, ensure quality control, coordinate with contractors, and provide technical expertise. Because they managed Phase 1 successfully, their continued involvement ensures

consistency and efficiency.

Fiscal Impact:

The proposed project is included in the City's Capital Funding Plan for the current fiscal year. The appropriate funds will be drawn from the Utility Infrastructure Reserve. The fee for the proposed service is \$59,696.00

Staff Recommendation:

Staff recommends that the City Commission approve Resolution 2025-67, authorizing the City to enter into a contract with Mead & Hunt for consultant services to oversee construction of the South Central Water Main Replacement Project – Phase 2, in an amount not to exceed \$59,696.

Attachments:

1. 2025-67
2. South Central WM Replacement Ph. 2 Scope of Services

RESOLUTION 2025-67

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING AND APPROVING THE SOUTH CENTRAL WATER MAIN REPLACEMENT PROJECT – PHASE 2, ACCEPTING MEAD & HUNT AS THE CONSULTANT TO OVERSEE THE CONSTRUCTION OF THE PROJECT, IN AN AMOUNT NOT TO EXCEED \$59,696.00, PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, the City of Flagler Beach operates a potable water distribution system that serves residents and businesses within the City limits; and,

WHEREAS, the City previously completed Phase 1 of the South Central Water Main Replacement Project, which replaced critical segments of aging water infrastructure and improved service reliability from Moody Boulevard to 3rd Street; and,

WHEREAS, Staff has determined that completion of Phase 2 is necessary to continue upgrading the system, reduce water loss, enhance flow, and ensure compliance with state and federal utility standards; and,

WHEREAS, Phase 2 will include the installation of new water main lines, service connections, valves, and appurtenances, as well as pavement restoration, on South Central Avenue from 3rd Street to 6th Street; and,

WHEREAS, the proposed project is included in the City's Capital Funding Plan for the current fiscal year. The appropriate funds will be drawn from the Utility Infrastructure Reserve; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The City Commission hereby accepts Mead & Hunt as consultant to oversee the construction of Phase 2 of the South Central Water Main Replacement Project, and authorizes the execution of a contract in an amount not to exceed \$59,696.00.

SECTION 2. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

SECTION 3. If any portion of the Resolution shall be declared unconstitutional or if the applicability of this Resolution or any portion thereof to any person or circumstances shall be held invalid, the validity of the remainder of this Resolution and the applicability of this

Resolution, or any portion thereof to other persons or circumstances, shall not be affected thereby.

SECTION 4. This Resolution shall become effective upon execution.

Upon motion duly made and carried, the foregoing Resolution was accepted by the City Commission of the City of Flagler Beach this 23rd day of October, 2025.

CITY OF FLAGLER BEACH, FLORIDA

PATTI KING, MAYOR

ATTEST:

PENNY OVERSTREET, CITY CLERK



August 7, 2025

Bill Freeman, P.E.
City Engineer
City of Flagler Beach
800 S. Daytona Avenue
Flagler Beach, FL 32136

Email: bfreeman@cityofflaglerbeach.com

Subject: South Central Water Main Replacement, Phase 2 (S. 3rd St. to S. 6th St.)

Dear Mr. Freeman,

Mead & Hunt is pleased to provide this revised engineering scope of services and fee estimate for the above-mentioned project. The scope includes design, permitting, and bidding assistance. Construction phase services will be included in a future scope/proposal.

We look forward to the opportunity to complete another successful project for the City of Flagler Beach. If you have any questions or comments, please contact our office.

Sincerely,
MEAD & HUNT, Inc.

A blue ink signature of David A. King.

David A. King, P.E.
Vice President

A blue ink signature of Cassandra Cissell.

Cassandra "Casey" Cissell, P.E.
Department Manager

DAK/CC;bf

Attachment: Scope of Services and Fee Estimate

**CITY OF FLAGLER BEACH
SCOPE OF SERVICES
FOR
SOUTH CENTRAL WATER MAIN REPLACEMENT, PHASE 2
(S. 3RD ST. TO S. 6TH ST.)**

The Task Order is in conformance with the Agreement for Continuing Engineering Consulting Services, dated March 23, 2017, between the City of Flagler Beach (OWNER) and Mead & Hunt, Inc. (MEAD & HUNT) and is referred to herein as the Contract.

GENERAL

The City of Flagler Beach has owned and maintained the City's potable water system for many years. Throughout time, pipe material has improved, and many municipalities replace the less desirable pipe material (Asbestos Cement, Cast Iron, Galvanized Iron) with preferred material (Ductile Iron, PVC) as they are able so to improve reliability and water quality and reduce the likelihood of breaks. The City wishes to continue replacing the obsolete water mains on the beach side from south of SR 100 (Moody Blvd.) to S. 28th Street between S. Daytona Ave. and A1A and specifically along S. Central Ave.

The first phase between SR100 and S. 3rd St. is currently being constructed, and the City wishes to proceed with Phase 2.

It is anticipated that the second phase of the S. Central work will include the portion of the City between S. 3rd St. and S. 6th St. along S. Central Ave. Based on the City's utility mapping, the project will result in the replacement/abandonment of approximately 500 LF 8-in ACP with 10" PVC watermain and 500 LF 8" PVC 'dryline' reclaimed watermain.

The order of magnitude construction cost estimate for this second phase is \$540K (based on Phase 1 bids).

SCOPE OF SERVICES

After receipt of authorization to proceed, MEAD & HUNT will provide the following services:

RESPONSIBILITIES OF CITY

This scope of services is based on the CITY performing or providing the following:

- A designated representative with complete authority to transmit instructions and information, receive information, interpret policy, and define decisions
- Access to the project site
- Available data, drawings, and information related to the project
- Review of deliverables within reasonable timeframes of receipt
- Protection of MEAD & HUNT-supplied digital information or data, if any, from contamination, misuse, or changes

ASSUMPTIONS AND LIMITATIONS

MEAD & HUNT prepared this Scope of Work based on the following assumptions and limitations. If any of the assumptions below prove to be incorrect, MEAD & HUNT will consult with the CITY and modify this scope as needed.

- Design concept of Phase 1 will be replicated
- No hydraulic modeling is needed

PHASE 1 – PROJECT MANAGEMENT

MEAD & HUNT'S Project Manager (PM) will monitor and manage the project budget, schedule, and scope throughout the estimated 7-month project duration. The PM will manage the development of project work and subconsultant efforts. MEAD & HUNT will coordinate and conduct one (1) in-person project kick-off meeting with the project team and OWNER staff to review project goals, scope of work, team member roles, lines of communication, project schedule and administrative processes. Following the meeting, MEAD & HUNT will prepare a written summary of the project meeting and distribute it to the attendees. MEAD & HUNT will implement, and the PM will monitor, a quality assurance and control process, which includes independent technical review of project technical work products before their submission to the OWNER.

Deliverables

- Kick-Off Meeting Agenda and Summary

PHASE 2 – DATA COLLECTION AND SITE RECONNAISSANCE

Utility Coordination

MEAD & HUNT will coordinate with existing utilities along the project route by submission of 60% electronic construction drawings to all utility companies identified by the Sunshine 811 Design Ticket and request markups of existing facilities and resolution of any estimated conflicts with the proposed improvements. MEAD & HUNT will discuss the potential conflicts with the utility company representatives to coordinate the relocation needs as needed. MEAD & HUNT will add information to the construction drawings based on the received utility markups and planned relocations.

Survey

MEAD & HUNT will utilize a survey subconsultant to prepare a route survey along the project limits, including designating OWNER water/wastewater/storm facilities based on accessible features and record maps.

Site Reconnaissance

MEAD & HUNT will conduct site reconnaissance to verify existing conditions and collect photographic and other data collection needed for the design.

Deliverables

- Site survey (electronic PDF format)

PHASE 3 – PROJECT DESIGN

Task 1 – 60% Design Development

The 60% submittal package will be submitted to the OWNER for review and comment. The submittal will include the items shown in the deliverable section below. It is assumed the OWNER will conduct their review in a two-week period. At the end of the OWNER's review period, MEAD & HUNT will schedule and

attend a 60% design review meeting to review the OWNER's comments on the design drawings and specifications.

Deliverables

- 60% Design Drawings (electronic PDF format)
- 60% Specifications (electronic PDF format)
- 60% EOPCC (electronic PDF format)
- 60% Design Review Meeting Summary (electronic PDF format)

Task 2 – 90% Design Development

Based on the OWNER's 60% review comments received, MEAD & HUNT will prepare revised design drawings and specifications to 90% design level completion. MEAD & HUNT will prepare an updated EOPCC based upon the 90% submittal documents.

The 90% submittal package will be prepared and submitted to the OWNER and permitting agencies for review and comment. The submittal will include the items shown in the deliverable section below. It is assumed the OWNER will conduct their review in a two-week period. At the end of the OWNER's review period, MEAD & HUNT will schedule and attend a 90% design review meeting to review the OWNER's comments on the design drawings and specifications.

Deliverables

- 90% Design Drawings (electronic PDF format)
- 90% Specifications (electronic PDF format)
- 90% EOPCC (electronic PDF format)
- 90% Design Review Meeting Summary (electronic PDF format)

Task 3 – 100% Design Development

Based on the OWNER's 90% review comments received, MEAD & HUNT will prepare revised design drawings and specifications to 100% completion. MEAD & HUNT will prepare an updated EOPCC based upon the 100% submittal documents.

Deliverables

- 100% Design Drawings (electronic PDF format)
- 100% Specifications (electronic PDF format)
- 100% EOPCC (electronic PDF format)

PHASE 4 – PERMITTING ASSISTANCE

MEAD & HUNT shall prepare and submit permit applications for the project as detailed below. All permit fees will be paid by MEAD & HUNT.

FDEP Specific Permit to Construct PWS Components

MEAD & HUNT will prepare and submit the permit application in accordance with the permit requirements. Permit applications will be submitted after the 90% design has been reviewed and accepted by the OWNER.

MEAD & HUNT will respond to up to one (1) Request for Additional Information (RAI) as part of the permit application process.

Deliverables

- Final Specific Permit to Construct PWS Components application

PHASE 5 – BIDDING ASSISTANCE

The CITY will be responsible for the overall solicitation for construction bids process, including any legal review of the bidding and contract documents (Division 0) and verifying compliance with CITY purchasing and contract policies (Division 0 and 1). The CITY will also be responsible for request for bid advertisements, distribution of bidding documents, prebid meeting, and bid opening. MEAD & HUNT will provide the following:

MEAD & HUNT will utilize CITY supplied templates, bid number and dates (advertisement, prebid, bidder question deadline and bid opening) to prepare draft bidding and contract documents as Divisions 0 and 1 of the Project Manual and submit such to the CITY for review. Upon receipt of the CITY's review comments, MEAD & HUNT will prepare final bidding and contract documents and assemble the entire Project Manual and submit the Project Manual and Construction Drawings (denoted as bid set) in electronic format to the CITY. The CITY will be responsible for distributing bidding documents to interested parties. MEAD & HUNT will attend an in-person pre-bid meeting and present project information to the potential bidders. The CITY will be responsible for the pre-bid meeting agenda, recording, and summary/minutes. MEAD & HUNT will respond to potential bidders' questions during the bid period. MEAD & HUNT will prepare suggested responses and provide the CITY with draft addenda for review. Upon receipt of CITY comments, MEAD & HUNT will revise the addenda and provide such to the CITY for distribution. This scope assumes two (2) addenda. MEAD & HUNT will attend the in-person bid opening. The CITY will be responsible for receiving, opening, and recording the bids.

Upon receipt of copies of the submitted bid documents from the CITY, MEAD & HUNT will review bids for completeness and conformance with technical requirements. MEAD & HUNT will evaluate the low bidder(s) submitted qualifications information and contact provided references to inquire about bidders' experience, if the CITY or MEAD & HUNT does not have any past experience working with the bidders. MEAD & HUNT will prepare a tabulation of received bid prices, including unit prices, if applicable, and verify extended values and totals. MEAD & HUNT will also review submitted pricing for imbalances and other disparities. Based on that review, MEAD & HUNT will submit to the CITY the bid tabulation and a recommendation of award. MEAD & HUNT will attend CITY Commission meeting for bid award so to address questions regarding the recommendation of bid award.

Deliverables

- Draft/final bid documents
- Draft/final addenda
- Bid tabulation
- Recommendation of award

PHASE 6 – REIMBURSABLES

Items under this phase include out-of-pocket direct job expenses such as reproductions, postage, etc. It is assumed permit application fees will be paid by MEAD & HUNT and are included in this phase. Items included in this phase will be billed at actual cost.

EXCLUSIONS

This scope of services excludes all items not specifically described herein, including but not limited to:

- Easement Acquisition
- Construction Phase Services
- Funding Assistance
- Environmental

SCHEDULE

Mead & Hunt estimates the work included in this task order will be completed in accordance with the following schedule:

Phase/Task	Duration to Complete (calendar days)	Cummulative Duration (calendar days)	Commencing Upon
<i>Phase 1 – Project Management</i>	<i>215</i>	<i>-</i>	<i>Receipt of PO/NTP</i>
<i>Kick-off Coordination</i>	<i>15</i>	<i>15</i>	<i>Receipt of PO/NTP</i>
<i>Phase 2 – Design Data Collection and Site Reconnaissance</i>	<i>45</i>	<i>45</i>	<i>Receipt of PO/NTP</i>
<i>Phase 3 – Project Design</i>	<i>-</i>	<i>-</i>	<i>-</i>
<i>Task 1 – 60% Design</i>	<i>30</i>	<i>75</i>	<i>Receipt of Survey</i>
<i>OWNER Review</i>	<i>10</i>	<i>85</i>	<i>Delivery of 60% submittal</i>
<i>Task 2 – 90% Design</i>	<i>15</i>	<i>100</i>	<i>Receipt of comments on 60% submittal</i>
<i>OWNER Review</i>	<i>10</i>	<i>110</i>	<i>Delivery of 90% submittal</i>
<i>Task 3 – 100% Design</i>	<i>15</i>	<i>125</i>	<i>Receipt of comments on 90% submittal</i>
<i>Phase 4 – Permitting Assistance</i>	<i>30</i>	<i>155</i>	<i>OWNER approval of 90% deliverable (concurrent with Phase 3, Task 3)</i>
<i>Phase 5 – Bidding Assistance</i>	<i>60</i>	<i>215</i>	<i>Completion of Phase 3, Task 3 or Phase 4 (OWNER preference)</i>

COMPENSATION

The not-to-exceed cost for this Scope of Services is **\$59,696** based on the following breakdown and labor estimate:

Phase/Task	Fee/Cost	Basis
Phase 1 – Project Management	\$6,009	Lump Sum
Phase 2 – Data Collection and Site Reconnaissance	\$4,475	Lump Sum
Phase 3 – Project Design	\$26,500	Lump Sum
Phase 4 – Permitting Assistance	\$2,299	Lump Sum
Phase 5 – Bidding Assistance	\$9,628	Lump Sum
Subtotal	\$48,911	
Phase 6 – Reimbursables	\$10,785	Actual cost
TOTAL	\$59,696	

Phase	Description	Principal	Senior Client/Project Manager	Senior Engineer	Engineer III	Engineer II	Senior Technician	Administrative Assistant	Total Task (\$)
	Hourly Rate	\$ 340.00	\$ 309.00	\$ 217.00	\$ 195.00	\$ 172.00	\$ 188.00	\$ 114.00	See Below
1	Project Management								
	Project Kick-Off Meeting	2	2		2				\$ 1,688
	Project Coordination		7					7	\$ 2,961
	QA/QC	4							\$ 1,360
	Subtotals	6	9	0	2	0	0	7	\$ 6,009
2	Data Collection and Reconnaissance								
	Survey Coordination		1		2		2		\$ 1,075
	Utilities Coordination		2		2		2		\$ 1,384
	Site Visits		4		4				\$ 2,016
	Subtotals	0	7	0	8	0	4	0	\$ 4,475
3	Design								
	60% Design	1	4	8	16		30		\$ 12,072
	60% Design Review Meeting		2		2				\$ 1,008
	90% Design	1	2	4	8		20		\$ 7,146
	90% Design Review Meeting		2		2				\$ 1,008
	100% Design	1	2	4	8		10		\$ 5,266
	Subtotals	3	12	16	36	0	60	0	\$ 26,500
4	Permitting Assistance								
	FDEP PWS Application	1	2			4			\$ 1,646
	FDEP RAI Response		1			2			\$ 653
	Subtotals	1	3	0	0	6	0	0	\$ 2,299
5	Bidding Assistance								
	Bid Set Documents	2	4					30	\$ 5,336
	Prebid		2						\$ 618
	Addenda	1	2					6	\$ 1,642
	Bid Opening		2						\$ 618
	Bid Review and ROA	1	2					4	\$ 1,414
	Subtotals	4	12	0	0	0	0	40	\$ 9,628
TOTAL ALL TASKS		14	43	16	46	6	64	47	\$ 48,911
6	SUBCONSULTANT/REIMBURSABLES								
	Survey Allowance	\$ 9,385							Lump Sum Total \$ 48,911
	Permit Fee Allowance	\$ 900							Subs/Reimbursables \$ 10,785
	Printing, etc.	\$ 500							Contingency \$ -
	Total	\$ 10,785							GRAND TOTAL \$ 59,696

AUTHORIZATION:

The scope of services and compensation stated in this proposal are valid for a period of thirty (30) days from date of submission. If authorization to proceed is not received during this period, this proposal may be withdrawn or modified by MEAD & HUNT.

Accepted by: MEAD & HUNT, INC.

By: Cassandra Cissell

Name: Cassandra 'Casey' Cissell, P.E.

Title: Department Manager

Date: August 7, 2025

Approved by: MEAD & HUNT, INC.

By: David A. King

Name: David A. King, P.E.

Title: Vice President

Date: August 7, 2025

Accepted by: CITY OF FLAGLER BEACH

By: _____

Name: _____

Title: _____

*The above person is authorized to sign for Owner
and bind the Owner to the terms hereof.*

Date: _____

PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF MEAD & HUNT INC. MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

IF THE CONTRACTOR (MEAD & HUNT, INC.) HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S (MEAD & HUNT, INC.'s) DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT (PROPOSAL), CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT CITY HALL, CITY OF FLAGLER BEACH, P.O. BOX 70, FLAGLER BEACH, FL 32136-0070, City Clerk, Penny Overstreet, (386) 517-2000, Ext. 233, POverstreet@CityofFlaglerBeach.com.



Staff Report

City Commission Regular Meeting

October 23, 2025



To: City Commission
From: Dale Martin, City Manager
Meeting Date: October 23, 2025
Item Name: Resolution 2025-88. A Resolution of the City Commission of the City of Flagler Beach to Grant Perpetual Easements on City-Owned Property for the Purpose of Beach Restoration; providing for conflict and an effective date.

Background:

As part of Flagler County's Beach Renourishment efforts, the County is prepared to move forward with the area commonly referred to as "Reach 2." Reach 2 extends from N. 7th Street to the Hammock Dunes area in unincorporated Flagler County. Flagler County is requesting easements on City-owned property similar to those provided as part of last year's beach renourishment project ("Reach 1"). The specific properties for which easements are to be granted are identified in Exhibit A to the Flagler County Beach Restoration Easement document.

Additionally, Flagler County seeks to convert the temporary easements associated with last year's Reach 1 efforts to perpetual easements in line with the easements being sought for Reach 2.

Fiscal Impact:

Flagler County will pay \$1.00 "and other good and valuable consideration" to the City.

Staff Recommendation:

Staff recommends approval of Resolution 2025-88.

Attachments:

1. 2025-88
2. Correspondence, S. Moylan to D. Smith
3. Flagler County Beach Restoration Easement
4. City of Flagler Beach Temporary Work Area Easement 11.03.23

RESOLUTION 2025-88

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, TO GRANT PERPETUAL EASEMENTS ON CITY-OWNED PROPERTY FOR THE PURPOSE OF BEACH RESTORATION; PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, Flagler County and the City of Flagler Beach entered into an Interlocal Agreement regarding dune restoration projects within the City (October, 2019); and,

WHEREAS, Section 6 of the aforementioned Interlocal Agreement states that “The Parties grant to each other necessary non-exclusive easements, for the benefit of each other... over, under, upon, and across their publicly owned beach front properties on land situated in Flagler County... for the duration of the Projects;” and,

WHEREAS, Flagler County is prepared to commence the beach restoration project commonly referred to as “Reach 2;” and,

WHEREAS, Flagler County also seeks to revise the easements which were originally authorized as temporary (to expire November 1, 2025) for the non-federal portion of “Reach 1,” from S. 6th Street to N. 7th Street; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The City Commission hereby approves the Flagler County Beach Restoration Easement (“Easement Agreement”), including the City-owned parcels described in Exhibit A to the Easement Agreement.

SECTION 2. The City Commission also accepts the conversion of the temporary easements on City-owned property provided during Reach 1 beach restoration activities to perpetual easements for the purpose of restoring and renourishing the properties to mitigate against beach and dune erosion and storm damage and additional activities as allowed for the Reach 2 perpetual easements.

SECTION 3. All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

SECTION 4. This Resolution shall become effective upon execution.

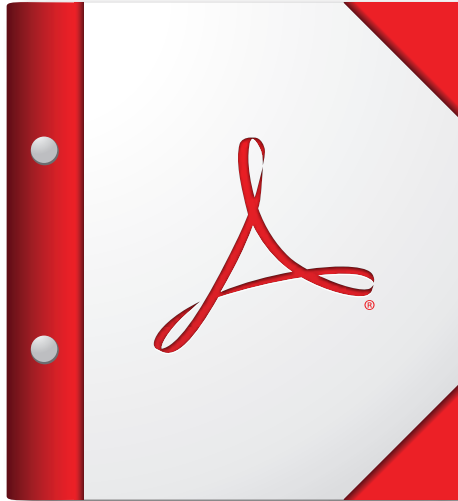
Upon motion duly made and carried, the foregoing Resolution was accepted by the City Commission of the City of Flagler Beach this 23rd day of October, 2025.

CITY OF FLAGLER BEACH, FLORIDA

PATTI KING, MAYOR

ATTEST:

PENNY OVERSTREET, CITY CLERK



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FLAGLER COUNTY BEACH RESTORATION EASEMENT

THIS BEACH RESTORATION EASEMENT (“Easement”) is made and executed this ____ day of _____, 2025, by the City of Flagler Beach, a Florida municipal corporation, whose address is 105 South 2nd Street, Flagler Beach, Florida 32136 (the “City”) to Flagler County, a political subdivision of the State of Florida, whose address is 1769 E. Moody Boulevard, Building 2, Bunnell, Florida 32110 (the “County”).

WITNESSETH, that the City, in consideration of one dollar and other good and valuable consideration, hereby voluntarily grants to the County a perpetual, non-exclusive easement over the real properties described in EXHIBIT A (collectively, the “Property”), which is attached hereto and incorporated herein, subject to the following conditions:

- A.) Grant of Perpetual Easement.** The County and its employees, agents, and assigns (collectively called the “County”) may enter onto, over, across, and under the City’s Property for the purpose of restoring and renourishing the Property to mitigate against beach and dune erosion and storm damage, including by placing sand, constructing and grading the dune and beach fill, installing temporary sand fencing, planting native vegetation, maintaining the dune, beach, and vegetation, and leveling escarpments.
- B.) Easement Terms.**
1. The use of the Property by the County shall be in accordance with all applicable laws, rules, regulations, and permits, and such activity shall be performed in a workmanlike manner.
 2. The County acknowledges that the City reserves the right and privilege to use its Property for any lawful purpose not inconsistent with the County’s restoration of the dune and beach, as authorized herein, including the right of the City to construct dune walkovers in accordance with applicable laws.
 3. The County shall be responsible for the negligent or wrongful acts of its employees and agents, and agrees to hold harmless and indemnify the City, within the scope and limitations of Section 768.28, Florida Statutes, for claims arising out of the County’s access and utilization of the Property, and that of its employees and agents, pursuant to this Easement.
 4. This Easement does not enlarge, limit or in any way affect the existing right of the public to customary use of the dry sandy beach portion of the Property as described in Flagler County Code Section 7-1 and City of Flagler Beach Code Section 6-11.
- C.) Further Assurance.** The City gives consent to the County to pursue funding sources for the work authorized by this Easement and will execute documents necessary to secure permits to perform the work.

D.) Recordation. This Easement will be recorded in the Public Records of Flagler County at the expense of the County, with a copy provided to the City for City's records. Upon recording, this Easement shall be binding upon the parties' successors and assigns.

IN WITNESS WHEREOF, the City of Flagler Beach has caused this Beach Renourishment Easement to be executed on the date shown below.

CITY OF FLAGLER BEACH

Patti King, Mayor

Date: _____

105 South 2nd Street
Flagler Beach, FL 32136

ATTEST:

Penny Overstreet, City Clerk

APPROVED AS TO FORM:

D. Andrew Smith, III, City Counsel

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged by me by means of physical presence, this ____ day of _____, 2025, by Patti King, as Mayor of the City of Flagler Beach, on its behalf, who is personally known to me.

(SEAL)

Notary Public

**FLAGLER COUNTY BOARD OF
COUNTY COMMISSIONERS**

Andrew S. Dance, Chair

Date: _____

1769 E. Moody Blvd., Bldg. 2
Bunnell, FL 32110

ATTEST:

Tom Bexley, Clerk of the Circuit
Court and Comptroller

APPROVED AS TO FORM:

Sean S. Moylan, Deputy County Attorney

[Exhibit A to Follow.]

Exhibit A

121231-4500-00630-0070 (25-0233)

From a Point of Beginning being at the Northwest corner of Lot 3, Block 2 Moody Subdivision of the Town of Flagler Beach, Flagler County, Florida, according to the plat thereof, in Map Book 1, Page 24, Flagler County, Florida, run thence along the prolongation of the Westerly boundary line of said Lot 3 to the Southerly right of way line of 7th Street; thence East along the Southerly right of way line of 7th Street and the Easterly prolongation thereof to the Atlantic Ocean; thence South along the Atlantic Ocean to the Easterly prolongation of the Northerly boundary line of Lots 1 and 3, Block 2, of said Moody Subdivision; thence West along the prolongation of the North boundary of said Lots 1 and 3, Block 2 Moody Subdivision and along the Northerly boundary line of said Lots 1 and 3 to the Point of Beginning; however, excepting therefrom that portion thereof lying within the right of way line of State Highway A1A.

361131-5630-00120-0061 (20-0487)

Sunrise Beach Sub East of A1A opposite Block 2 Lot 12 West of Mean High Water line

361131-5630-00130-0130 (20-0494)

Sunrise Beach Sub East of A1A opposite Block 3 Lots 7 thru 12 West of Mean High Water line

361131-5630-00130-0140 (20-0495)

Sunrise Beach Sub East of A1A opposite Block 3 Lot 10 West of Mean High Water Line

361131-5630-00140-0160 (20-0497)

Sunrise Beach Sub East of A1A opposite Block 4 Lots 1 thru 12 West of Mean High Water Line

011231-1100-00150-0060 (20-0639)

Cochran Place Sub East of A1A opposite 11th Street North Block 3 West of Mean High Water Line

121231-4500-00680-0200 (20-0674)

Moody Sub East of A1A opposite State Road 100 Block 7 West of Mean High Water Line

121231-4500-00720-0300 (20-0682)

Moody Sub East of A1A opposite 5th Street South Block 11 West of Mean High Water Line

121231-4500-00650-0120 (20-0664)

Land in Government Lots 1, 2, 3, of Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lot 1, Block 4 Moody Subdivision according to the plat thereof, as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 1, Block 4 of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 1 Block 4, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00640-0100 (20-0662)

Land in Government Lots 1, 2 and 3 of Section 12, Township 12 South, Range 31 East lying Easterly Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lot 10 Block 3, Moody Subdivision, a subdivision according to the plat thereof, as recorded in Map Book 1 Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 10, Block 3, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 3, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00670-0180 (20-0670)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1 and B, Block 6 in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 1, Block 6, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 2, Block 6, of said plat of Moody Subdivision projected Easterly

to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00710-0290 (20-0678)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lot 9 and Lot 10, Block 10 in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 9 Block 10, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 10, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00690-0220 (20-0676)

The riparian rights, accretions, littoral rights, parkage and ground lying East of Ocean Shore Boulevard and between the North boundary of Eighth Street (now known as Second Street South) as said boundary is extended Easterly to the low water mark of the Atlantic Ocean and the South boundary being the North half of Lot 9 Block 9 Moody Subdivision extended Easterly to the low water mark of the Atlantic Ocean, according to the plat of Town of Flagler Beach on file and of record in the

office of the Clerk of Court of Flagler County, Florida in Map Book 1, Page 24. Also known as the property lying East of A1A opposite of 2nd Street South Block 8 and opposite Lot 1, 2 and North ½ of Lot 9 Block 9.

121231-4500-00640-0070 (20-0663)

Land in Government Lots 1, 2, and 3 of Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of North 5th Street in Moody Subdivision, a subdivision according to the plat thereof recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows:

Bounded on the North by the Southerly lot line of Lot 10, Block 3, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, of Block 4, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A. Also known as Moody Sub East of A1A opposite 5th Street North Blk 3 West of MHW line.

121231-4500-00660-0160 (20-0668)

Land in Government Lots 1, 2, and 3 Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, 9 and 10, Block 5, Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public

Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows:
Bounded on the North by the Northerly lot line of Lot 1, Block 5, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 5 of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00730-0330

Moody Sub East of A1A opposite 6th Street South Blk 12 West of MHW Line.

121231-4500-00720-0310 (20-0680)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, and 9 Block 11 in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows:
Bounded on the North by the Northerly lot line of Lot 1, Block 11, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 9, Block 11, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00700-0250 (20-0677)

The riparian rights, accretions, littoral rights, parkage and ground lying East of Ocean Shore Boulevard and between the North boundary being the South half line of Lot 9 Block 9 Moody Subdivision extended Easterly to the low water mark of the Atlantic Ocean, to the Southerly boundary being the South boundary line of Lot 2 Block 10 extended Easterly to the low water mark of the Atlantic Ocean, according to the plat of Town of Flagler Beach on file and of record in the office of the Clerk of Court of Flagler County, Florida in Map Book 1, Page 24. Also known as the property lying East of A1A opposite of Third Street Block 9 and opposite Lot 10 & South ½ Lot 9 and opposite Lots 1 and 2 Block 10.

121231-4500-00730-0340 (20-0683)

Land in Government Lots 1, 2 and 3 of Section 12, Township 12 South, Range 31 East lying Easterly Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, 3 and 4, Block 12, Moody Subdivision, a subdivision according to the amended plat thereof, as recorded in Map Book 3 Page 29, of the Public Records of Flagler County, Florida to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 1, Block 12, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 4, Block 12, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and

bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00630-0060 (20-0658)

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 9 and 10, Block 2 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 9, Block 2, of said Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 2, of said Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00670-0190 (20-0671)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 9 and 10, Block 6, in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded

on the North by the Northerly lot line of Lot 9, Block 6, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 6, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00710-0270 (20-0679)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of South 4th Street in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Southerly lot line of Lot 10, Block 10, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 11, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00670-0170 (20-0672)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of North 2nd Street in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Southerly lot line of Lot 10, Block 6, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 7, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00640-0080 (20-0660)

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 9 and 10, Block 2 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 3, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 2, Block 3 of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water

line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A

121231-4500-00680-0210 (20-0673)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, 9 and 10, Block 7 in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 1 Block 7, of said Plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 7, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00650-0110 (20-0667)

Land in Government Lots 1, 2, 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of North 4th Street in Moody Subdivision, according to the plat thereof, as recorded in Map Book 1 Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property, being more particularly described as follows:

Bounded on the North by the Southerly lot line of Lot 10, Block 4 of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 5, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

121231-4500-00660-0150 (20-0669)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of North 3rd Street in Moody Subdivision, according to the plat thereof as recorded in Map Book 1, Page 24, of the Public Records of Flagler County, Florida to include riparian rights in said property being more particularly described as follows: Bounded on the North by the Southerly lot line of Lot 10, Block 5, of said Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 6, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A

121231-4500-00630-0040 (20-0659)

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of North 6th Street in

Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Southerly lot line of Lot 10, Block 2, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 3, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

361131-5630-00120-0030 (20-0488)

That parcel of land bounded on the West by the East right of way boundary of State Road A1A, bounded on North by the Southerly boundary of Block 2, Sunrise Beach Subdivision of Flagler Beach, Florida extended Easterly to the Atlantic Ocean; bounded on the South by Northerly boundary of Block 3, Sunrise Beach Subdivision of Flagler Beach, extended Easterly to the Atlantic Ocean and bounded on the East by Westerly shores of the Atlantic Ocean

011231-1100-00140-0030 (20-0633)

The parcel of land in U.S. Lot 2, of Section 1, Township 12 South, Range 31 East, more particularly described and bounded as follows: Bounded on the West by State Road A1A on the North and South by the North and South boundary lines of North 12th Street projected in straight lines to the Atlantic Ocean and on the East by the Atlantic Ocean, in Flagler County, Florida.

011231-1100-00160-0120 (20-0641)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of Bay Street of said Cochran Place Addition, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Southerly boundary line of Bay Street, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-4450-00130-0030 (20-0586)

Bounded on the West by Atlantic Boulevard, also known as Ocean Shore Boulevard and as State Road A1A, bounded on the East by the Atlantic Ocean, bounded on the North by the North line of Lot 9, of Block 1, of said Model Land Company's Subdivision of Flagler Beach projected Easterly in a straight line to the Atlantic Ocean and bounded on the South by the South line of Lot 7, of Block 1 of said Model Land Company's Subdivision of Flagler Beach projected Easterly in a straight line to the Atlantic Ocean.

011231-1100-00180-0190 (20-0650)

Parcel bounded on the West by the Easterly boundary line of the right of way of State Road A1A; bounded on the North by the Northerly boundary line of Lot 1, Block 6 Cochran Place Addition, Map Book 1, Page 12, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Southerly boundary line of Lot 2,

Block 6 Cochran Place Addition, Map Book 1, Page 12, of Flagler County, Florida.

AND

Parcel bounded on the West by the Easterly boundary line of the right of way of State Road A1A; bounded on the North by the Northerly boundary line of Lot 5, Block 6 Cochran Place Addition, Map Book 1, Page 12, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Southerly boundary line of Lot 6, Block 6 Cochran Place Addition, Map Book 1, Page 12, of Flagler County, Florida.

011231-4450-00130-0020 (20-0587)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of Lot 6 of Block 1, of Model Land Company Subdivision, Map Book 2, Page 1, Flagler County, Florida, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by the mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of said Lot 6 of Block 1 of said Model Land Company projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

361131-0000-02240-0000 (20-0554)

That part of Government Lot 2, of Section 36, Township 11 South Range 31 East, lying East of Highway A1A and West of the mean high water line of the Atlantic Ocean as described in Deed Book 34, Page 146, of the Public Records of Flagler County, Florida.

EXCEPT that property described in Deed Book 37, Page 122; Deed Book 39, 115; Deed Book 37, Page 67; Deed Book 34, Page 315; Deed Book 45 Page 12; Deed Book 34 Page 258; Deed 36 Page 155; Deed Book 36 Page 320; Deed Book 43, Page 318; Deed Book 46 Page 355.

361131-5630-00130-0080 (20-0496)

That parcel of land bounded on the West by the East Right of Way boundary of State Road A1A, bounded on the North by the Northerly boundary line of Lot 12 Block 3, Sunrise Beach Subdivision of Flagler Beach, Florida, extended Easterly to the Atlantic Ocean, bounded on the South by the Northerly boundary line of Block 4, Sunrise Beach Subdivision of Flagler Beach, Florida, extended Easterly to the Atlantic Ocean and bounded on the East by the Westerly shores of the Atlantic Ocean.

011231-2900-00200-0120 (20-0580)

All that portion of U.S. Lot 1, Section 1, Township 12 South, Range 31 East, lying East of State Road A1A and opposite Hibiscus Street of Gold Coast Subdivision in the City of Flagler Beach, Florida, according to the plat in Plat Book 1, Page 23, of the Public Records of Flagler County, Florida, described as

follows: Bounded on the West by the Easterly boundary line of the right of way of State Road A1A bounded on the North by the Southerly boundary line of Lot 12, of Block 4, of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean, bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Northerly boundary line of Lot 1, of Block 5, of said Gold Coast Subdivision, projected Easterly in a straight line to said mean high tide line of the Atlantic Ocean.

121231-4500-00620-0020 (20-0655)

The North 20 feet of the following described parcel that is bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of 7th Street North per the plat of Moody Subdivision, Map Book 1, Page 24, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of 7th Street North per the plat of Moody Subdivision, Map Book 1, Page 24, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-1100-00170-0140 (20-0648)

Parcel bounded on the West by the Easterly boundary line of the right of way of State Road A1A; bounded on the North by the Southerly boundary line of Lot 6, Block 5 Cochran Place Addition, Map Book 1, Page 12, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on

the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Northerly boundary line of Lot 1, Block 6 Cochran Place Addition, Map Book 1, Page 12, of Flagler County, Florida.

011231-1100-00170-0170 (20-0647)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of Lot 6 Block 5 of said Cochran Place Addition, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Southerly boundary line Lot 6 Block 5, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-1100-00130-0020 (20-0587)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of Lot 6 of Block 1, of Model Land Company Subdivision, Map Book 2, Page 1, Flagler County, Florida, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by the mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of said Lot 6 of Block 1 of said Model Land Company projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-1100-00160-0130 (20-0640)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the South by the Northerly boundary line of Bay Street of said Cochran Place Addition as recorded in Map Book 1, Page 12, recorded in Flagler County, Florida, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the North by the Northerly boundary line of Magnolia Street, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

361131-5630-00140-0150 (20-0498)

That parcel of land bounded on the West by the East right of way boundary of State Road A1A, bounded on the North by the South boundary line of Block 4, Sunrise Beach Subdivision of Flagler Beach, extended Easterly to the Atlantic Ocean bounded on the South by the Northerly boundary line of Block 5 Sunrise Beach Subdivision, Flagler Beach, Florida extended Easterly to the Atlantic Ocean and bounded on the East by the Westerly shores of the Atlantic Ocean.

011231-2900-00180-0080 (20-0574)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of the Southerly twenty feet of Lot 6, of Block 2 of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line

of Lot 12, of Block 2, of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

361131-5630-00110-0010 (20-0482)

That parcel of land bounded on the West by the East right of way boundary of State Road A1A, bounded on the North by the Southerly boundary of Block 1, Sunrise Beach Subdivision of Flagler Beach, Florida, extended Easterly to the Atlantic Ocean; bounded on the South by the Northerly boundary of Lot 6, Block 2, Sunrise Beach Subdivision, extended Easterly to the Atlantic Ocean and bounded on the East by the Westerly shores of the Atlantic Ocean.

361131-5630-00120-0040 (20-0483)

That parcel of land bounded on the West by the East right of way boundary of State Road A1A, bounded on the North by the Southerly boundary of Block 1, Sunrise Beach Subdivision of Flagler Beach, Florida, extended Easterly to the Atlantic Ocean; bounded on the South by the Northerly boundary of Lot 6, Block 2, Sunrise Beach Subdivision, extended Easterly to the Atlantic Ocean and bounded on the East by the Westerly shores of the Atlantic Ocean.

011231-2900-00190-0100 (20-0576)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A, bounded on the North by the Northerly boundary line of Lot 1, of Block 3, of said Gold Coast

Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by the mean high tide line of the Atlantic Ocean and bounded on the South by the South boundary line of Lot 4 of Block 3, of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-1100-00190-0210 (20-0654)

Parcel bounded on the West by the Easterly boundary line of the right of way of State Road A1A; bounded on the North by the Northerly boundary line of Lot 1, Block 7 Cochran Place Addition, Map Book 1, Page 12, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Southerly boundary line of Lot 8, Block 7 Cochran Place Addition, Map Book 1, Page 12, of Flagler County, Florida.

011231-1100-00180-0180 (20-0653)

Parcel bounded on the West by the Easterly boundary line of the right of way of State Road A1A; bounded on the North by the Southerly boundary line of Lot 6, Block 6 Cochran Place Addition, Map Book 1, Page 12, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean; and bounded on the South by the Northerly boundary line of Lot 1, Block 7 Cochran Place Addition, Map Book 1, Page 12, of Flagler County, Florida.

011231-2900-00170-0010 (20-0569)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of Bouganvilla Street of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of Bouganvilla Street, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-2900-00190-0090 (20-0578)

All that portion of U.S. Lot 1 of Section 1, Township 12 South, Range 31 East, lying East of State Road A1A and opposite Poinsettia Street of Gold Coast Subdivision in the City of Flagler Beach, Florida, described as follows: bounded on the West by the Easterly boundary line of the right of way of State Road A1A, bounded on the North by the Southerly boundary line of Lot 12 of Block 3, of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean, bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Northerly boundary line of Lot 1, of Block 4, of said Gold Coast Subdivision, projected Easterly in a straight line to said mean high tide line of the Atlantic Ocean.

361131-5630-00110-0020 (20-0481)

A parcel of land lying East of State Road A1A and being bound on the North by the North line of Government Lot 7, on the East by the mean high water line of the Atlantic Ocean and on the South by the prolongation of the Southerly boundary line of Lot 12, Block 1, Sunrise Beach Subdivision, as recorded in Map Book 1, Page 20, of the Public Records of Flagler County, Florida and on the West by the East right of way line of State Road A1A.

011231-4450-00130-0040 (20-0585)

All that certain parcel of land situate in the East half of the Southwest Quarter and in U.S. Lot 2, of Section 1, Township 12 South, Range 31 East, more particularly bounded and described as follows: Bounded on the West by the Easterly boundary line of the right of way of State Road A1A; bounded on North by the North boundary line of said East half of the Southwest quarter and by the North boundary line of said U.S. Lot 2, of Section 1, bounded on the East by the mean high tide line of the Atlantic Ocean, and bounded on the East by the mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of Lot 10, of Block 1, of Model Land Company's Subdivision of Flagler Beach, according to the amended plat thereof on file in Map Book 2, Page 1, of the Public Records of Flagler County, Florida, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean

011231-2900-00180-0040 (20-0575)

Bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of Wisteria Street of said Gold Coast Subdivision, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of Wisteria Street, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

011231-2900-00210-0140 (20-0581)

All that portion of U.S. Lot 1 of Section 1, Township 12 South, Range 31 East, more particularly described as follows: bounded on the West by the Easterly boundary line of the right of way of State Road A1A bounded on the North by the Northerly boundary line of Lot 1, of Block 5, of the Gold Coast Subdivision in the City of Flagler Beach, Florida, according to the plat in Plat Book 1 Page 23, of the Public Records of Flagler County, Florida, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean, bounded on the East by said mean high tide line of the Atlantic Ocean and bounded South by the Southerly boundary line of Lot 3 of Block 5 of said Gold Coast Subdivision, projected Easterly in a straight line to said mean high tide line of the Atlantic Ocean.

121231-4500-00730-0330 (25-0235)

Land in Government Lots 1, 2, and 3, Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of South 6th Street in Moody Subdivision, according to the plat thereof, described in Map Book 1, Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Southerly lot line of Lot 4, Block 12 of said Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 13, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the Mean High Water Line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

TEMPORARY WORK AREA EASEMENT

GRANTOR: **City of Flagler Beach, a Florida municipal corporation**, whose address is P.O. Box 70, Flagler Beach, Florida 32136, hereby grants a temporary easement and right-of-way in, on, over and across the lands described in Exhibit A (Property Identification Nos. and Legal Descriptions of parcels, as well as Legal Description of right of way owned by the City of Flagler Beach, provided), hereafter the Property, for a period not to exceed 24 (twenty-four) months, beginning with the date possession of the land is granted to Flagler County, Florida, (such date to be through and including November 3, 2025), for use by the United States, its representatives, agents, and contractors, as a work area, including the right to deposit fill material thereon, move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the Flagler County Coastal Storm Risk Management Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines.

That such temporary work area easement shall include the right of Flagler County to install native vegetation on the completed dune work in accordance with the approved landscaping plan and specifications.

Further that the temporary use of the Property to rebuild/repair the dune as a storm damage reduction measure is without charge to Flagler County.

This Temporary Work Area Easement is provided pursuant to the Interlocal Agreement Between the Flagler County Board of County Commissioners and the City of Flagler Beach regarding Dune Restoration Projects within the City, executed by the City on September 26, 2019.

IN WITNESS WHEREOF, Grantor has caused this Temporary Work Area Easement to be executed in its name by its authorized representative on the date inscribed below.

Signed in the Presence of:

Brenda Shudecker
Witness 1 Signature

Brenda Ludecker
Witness 1 Printed Name

[Signature]
Witness 2 Signature

Penny Overstreet
Witness 2 Printed Name

City of Flagler Beach
A Florida Municipal Corporation

[Signature]
Suzie Johnston
Mayor



STATE OF FLORIDA)

COUNTY OF FLAGLER)

The foregoing instrument was acknowledged before me this 30th day of November, 2023, by means of ☒ physical presence, or ☐ remote notarization, by **Suzie Johnston as Mayor of the City of Flagler Beach, on its behalf**, who ☒ is personally known to me or ☐ produced valid government issued identification.



NOTARY PUBLIC

(SEAL)



EXHIBIT A

Reunification of City of Flagler Beach ownership of lands east of North Seventh Street on which is located the City's dune walkover:

Parcel ID No.: 12-12-31-4500-00620-0020, adjoining and contiguous with the Quitclaim parcel described below

The North 20 feet of the following described parcel that is bounded on the West by the Easterly boundary line of the right of way of said State Road A1A; bounded on the North by the Northerly boundary line of 7th Street North per the plat of Moody Subdivision, Map Book 1, Page 24, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean; bounded on the East by said mean high tide line of the Atlantic Ocean and bounded on the South by the Southerly boundary line of 7th Street North per the plat of Moody Subdivision, Map Book 1, Page 24, projected Easterly in a straight line to the mean high tide line of the Atlantic Ocean.

and

Parcel ID No.: 12-12-31-4500-00630-0070, per Quitclaim Deed to City of Flagler Beach, recorded in the Official Records of Flagler County, Florida, Book 2822, Page 691

From a Point of Beginning being at the Northwest corner of Lot 3, Block 2 Moody Subdivision of the Town of Flagler Beach, Flagler County, Florida, according to the plat thereof, in Map Book 1, Page 24, Flagler County, Florida, run thence along the prolongation of the Westerly boundary line of said Lot 3 to the Southerly right of way line of 7th Street North; thence East along the Southerly right of way line of 7th Street North and the Easterly prolongation thereof to the Atlantic Ocean; thence South along the Atlantic Ocean to the Easterly prolongation of the Northerly boundary line of Lots 1 and 3, Block 2, of said Moody Subdivision; thence West along the prolongation of the North boundary of said Lots 1 and 3, Block 2 Moody Subdivision and along the Northerly boundary line of said Lots 1 and 3 to the Point of Beginning; however, excepting therefrom that portion thereof lying with the right of way line of State Highway A1A.

Together with

Parcel ID No.: 12-12-31-4500-00630-0060

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 9 and 10, Block 2 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Northerly lot line of Lot 9, Block 2, of said Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 2, of said Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00630-0040

Land in Government Lots 1, 2 and 3, of Section 12, Township 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Third Street,

Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows: Bounded on the North by the Southerly lot line of Lot 10, Block 2, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 3, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00640-0080

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1 and 2, Block 3 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 3, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 2, Block 3 of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00640-0100

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lot 10, Block 3 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Southerly lot line of Lot 9, Block 3, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 3, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00640-0070

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Fourth Street, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Southerly lot line of Lot 10, Block 3, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly line of Lot 1, Block 4, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00650-0120

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lot 1, Block 4 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 4, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly line of Lot 2, Block 4, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

Parcel ID No.: 12-12-31-4500-00650-0110

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Fifth Street, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Southerly lot line of Lot 10, Block 4, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly line of Lot 1, Block 5, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00660-0160

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, 9, and 10, Block 5, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 5, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 5, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00660-0150

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Sixth Street, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Southerly lot line of Lot 10, Block 5, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly line of Lot 1, Block 6, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00670-0180

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1 and 2, Block 6, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the northerly lot line of Lot 1, Block 6, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 2, Block 6, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00670-0190

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 9 and 10, Block 6 Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 9, Block 6, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 6, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00670-0170

Land in Government Lots one (1), two (2), and three (3), of Section 12, Township 12 South, Range 31 East, lying easterly of Highway A-1-A and westerly of the Atlantic Ocean and lying easterly of Seventh Street in Moody Subdivision, a subdivision according the plat of the map thereof described in Map Book 1, Page 24 of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows:

Bounded on the north by the southerly lot line of Lot 10, Block 6, of said Plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the south by the northerly lot line of Lot 1, Block 7, of said plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the east by the mean high water line of the Atlantic Ocean and bounded on the west by the easterly boundary of the right-of-way of State Road A-1-A.

and

Parcel ID No.: 12-12-31-4500-00680-0210

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, 9, and 10, Block 7, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more

particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 7, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 7, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00680-0200

Land in Government Lots one (1), two (2), and three (3), of Section 12, Township 12 South, Range 31 East, lying easterly of Highway A-1-A and westerly of the Atlantic Ocean and lying easterly of Moody Boulevard in Moody Subdivision, a subdivision according the plat of the map thereof described in Map Book 1, Page 24 of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows:

Bounded on the north by the southerly lot line of Lot 10, Block 7, of said Plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the south by the northerly boundary line of Block 8, of said plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the east by the mean high water line of the Atlantic Ocean and bounded on the west by the easterly boundary of the right-of-way of State Road A-1-A.

and

Parcel ID No.: 12-12-31-4500-00690-0220

The riparian rights, accretions, littoral rights, parkage and ground lying East of Ocean Shore Boulevard and between the North boundary of Eith Street (now known as Second Street South) as said boundary is extended Easterly to the low water mark of the Atlantic Ocean and the South boundary being the North half of Lot 9 Block 9 Moody Subdivision extended Easterly to the low water mark of the Atlantic Ocean, according to the plat of the Town of Flagler Beach on file and of record in the office of the Clerk of Court of Flagler County, Florida in Map Book 1, Page 24. Also known as the property lying East of A1A opposite of 2nd Street South Block 9 and opposite Lots 1, 2 and North ½ Lot 9 Block 9.

and

Parcel ID No.: 12-12-31-4500-00700-0250

The riparian rights, accretions, littoral rights, parkage and ground lying East of Ocean Shore Boulevard and between the North boundary being the South half line of Lot 9 Block 9 Moody Subdivision extended Easterly to the low water mark of the Atlantic Ocean, to the Southerly boundary being the South boundary line of Lot 2 Block 10 extended Easterly to the low water mark of the Atlantic Ocean, according to the plat of the Town of Flagler Beach on file and of record in the office of the Clerk of Court of Flagler County, Florida in Map Book 1, Page 24. Also known as the property lying East of A1A opposite of Third Street South Block 9 and opposite Lot 10 & South ½ Lot 9 and opposite Lots 1 and 2 Block 10.

and

Parcel ID No.: 12-12-31-4500-00710-0290

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 9 and 10, Block 10, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 9, Block 10, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 10 of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00710-0270

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Tenth Street, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Southerly lot line of Lot 10, Block 10, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Northerly lot line of Lot 1, Block 11, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00720-0310

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, and 9, Block 11, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 11, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 9, Block 11, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00720-0300

Land in Government Lots one (1), two (2), and three (3), of Section 12, Township 12 South, Range 31 East, lying easterly of Highway A-1-A and westerly of the Atlantic Ocean and lying easterly of Eleventh Street in Moody Subdivision, a subdivision according the plat of the map thereof described in Map Book 1, Page 24 of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows:

Bounded on the north by the southerly lot line of Lot 10, Block 11, of said Plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the south by the northerly lot line of Lot 1, Block 12, of said plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the east by the mean high water line of the Atlantic Ocean and bounded

on the west by the easterly boundary of the right-of-way of State Road A-1-A.

and

Parcel ID No.: 12-12-31-4500-00730-0340

Land in Government Lots 1, 2 and 3, of Section 12 South, Range 31 East, lying Easterly of Highway A1A and Westerly of the Atlantic Ocean and lying Easterly of Lots 1, 2, 9, and 10, Block 12, Moody Subdivision, according to the plat thereof described in Map Book 1 Page 24, of the Public Records of Flagler County, Florida, to include riparian rights in said property being more particularly described as follows: bounded on the North by the Northerly lot line of Lot 1, Block 12, of said plat of Moody Subdivision, projected Easterly to the Atlantic Ocean and bounded on the South by the Southerly lot line of Lot 10, Block 12, of said plat of Moody Subdivision projected Easterly to the Atlantic Ocean and bounded on the East by the mean high water line of the Atlantic Ocean and bounded on the West by the Easterly boundary of the right of way of State Road A1A.

and

Parcel ID No.: 12-12-31-4500-00730-0330

Land in Government Lots one (1), two (2), and three (3), of Section 12, Township 12 South, Range 31 East, lying easterly of Highway A-1-A and westerly of the Atlantic Ocean and lying easterly of Twelfth Street in Moody Subdivision, a subdivision according the plat of the map thereof described in Map Book 1, Page 24 of the Public Records of Flagler County, Florida, to include riparian rights in said property, being more particularly described as follows:

Bounded on the north by the southerly lot line of Lot 10, Block 12, of said Plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the south by the northerly lot line of Lot 1, Block 13, of said plat of Moody Subdivision projected easterly to the Atlantic Ocean and bounded on the east by the mean high water line of the Atlantic Ocean and bounded on the west by the easterly boundary of the right-of-way of State Road A-1-A.

and

Parcel ID No.: 19-12-32-0150-00150-0191

Certain parcel of land located in Flagler Beach, Flagler County, Florida described as follows: Commence at the intersection of the Northerly line of Lot 13, Block 4, Atlanta Beach Subdivision, according to the plat recorded in Map Book 3, Page 24, Public Records of Flagler County, Florida and the Westerly right of way line of State Road A1A, run thence Easterly on a prolongation of the North line of said Lot 13, Block 4, to the Easterly right of way line of State Road A1A to the POINT OF BEGINNING: thence continuing Easterly on a prolongation of the Northerly line of said Lot 13, Block 4 Atlanta Beach Subdivision, to the shore of the Atlantic Ocean, run thence Southerly along the Shore of the Atlantic Ocean to a point where it is interacted by a prolongation Easterly of the Southerly line of Lot 13, Block 4, run thence Westerly along the prolongation of the Southerly line of said Lot 13, Block 4, to the Easterly right of way line of State Road A1A, thence Northerly along said right of way line to the Point of Beginning. Also known as land East of A1A Highway opposite to Lot 13, Block 4, Atlanta Beach Subdivision, Map Book 1, Page 24, of the Public Records of Flagler County, Florida.

Together with the following work staging areas:

Veteran's Park, Parcel ID No.: 12-12-31-4500-00080-0000

Block 8, Moody Subdivision, according to the plat thereof described in Map Book 1, Page 24, of the Public Records of Flagler County, Florida.

and

Remainder B Adjacent to Pebble Beach Village Subdivision

That portion of South Central Avenue lying south of Windsong Cove and the easterly projection of the north lot line of Lot 1, Pebble Beach Village Subdivision, Map Book 26, Page 25, of the Public Records of Flagler County, Florida, to the intersection of the west boundary line of Pebble Beach Village B Subdivision recorded in Map Book 31, Page 22, of the Public Records of Flagler County, Florida, and extending south to the north line of Gamble Rogers Recreation Area, excepting any portion being part of the FDOT right of way.





Staff Report

City Commission Regular Meeting

October 23, 2025



To: City Commission
From: Penny Overstreet
Meeting Date: October 23, 2025
Item Name: Resolution 2025-89. A Resolution by the City Commission of the City of Flagler Beach, Florida, amending Resolution 2025-65, which adopted a 2025/2026 Fee Schedule; amending City Clerk Fees to add fees for rental of the Wickline Center; providing for conflict and an effective date.

Background:

Ordinance 2025-14 removed the rental fees for the Wickline Center from the codified code, with the intent being to add the fees back in via Resolution 2025-65, which adopted the 2025/2026 Fee Schedule for the City. The fees were not included and are before you now for consideration. Staff has made minor changes to the fee schedule for the rental of the Wickline Center. Below is what was previously codified

Sec. 6-41. Use charges.

A charge for the use of the Moody-Wickline Cultural Center, is hereby established to be as follows:

		"Great Room" (largest room)	Single Classroom or Lobby
(1)	Rental fee for one time use except for the groups described in 4, 5 & 6.	\$40.00 per hr. or \$160.00 per day (8 hr. max.)	\$10.00 per hr. or \$40.00 per day (8 hr. max.)
(2)	When used by a nonprofit organization.	\$15.00 per hr.	\$5.00 per hr.
(3)	Nonprofit organization that charges a fee or admission	\$20.00 per hr.	\$15.00 per hr.
(4)	Flagler Beach Community Service Organizations	No Charge	No Charge
(5)	Any group conducting City of Flagler Beach businesses	No Charge	No Charge
(6)	School Board of Flagler County	No charge, determined by Agreement with County	No charge, determined by Agreement with County

For the purpose of this section, a nonprofit organization is a 501(c)3 entity and must provide proof of such designation; an organization that charges a fee or admission is any organization or group of people, other than a 501(c)3 entity, that individuals must pay a fee to participate; and a Flagler Beach Service Organization will be determined by the city.

The cells in grey have been removed for the following reasons.

Last column: The single classroom is no longer available for use. Staff is moving into the area and creating a customer service counter for Business Tax Receipts, Planning and Code Enforcement.

Bottom two rows: The Interlocal Agreement with the County expired and was not renewed.

Row 5 is vague, it is assumed Row 4 could accommodate this type of request for the space.

Row 1 Column 3 "or \$160.00 per day" was removed, Staff is recommending the flat hourly rate.

Staff is recommending increasing the fees by \$5.00, The fees have not been increased since August 24, 2006.

Fiscal Impact:

Staff Recommendation:

Staff recommends approval of Resolution 2025-89.

Attachments:

1. 2025-89

RESOLUTION 2025-89

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING RESOLUTION 2025-65, WHICH ADOPTED A 2025/2026 FEE SCHEDULE; AMENDING CITY CLERK FEES TO ADD FEES FOR RENTAL OF THE WICKLINE CENTER; PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.

WHEREAS, Resolution 2025-65 adopting a Fiscal Year 2025-2026 Fee and Fine Schedule was adopted on August 28, 2025, Regular City Commission Meeting; and,

WHEREAS, Staff removed the fee for rental of the Wickline Center from the Code of Ordinance and needs to include the rates in the 2025/2026 Fee Schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA AS FOLLOWS:

SECTION 1. The “WHEREAS” clauses above are hereby incorporated herein as legislative findings.

SECTION 2. The City Commission approves the following amendments to the Fiscal Year 2025/2026 City Fee and Fine Schedule, to add fees for rental of the Wickline Center as follows:

A charge for the use of the Moody-Wickline Cultural Center, is hereby established to be as follows:

		“Former Senior Center”
(1)	Rental fee for one time use	\$45.00 per hr. (8 hr. max.)
(2)	When used by a nonprofit organization.	\$20.00 per hr. (8 hr. max.)
(3)	Nonprofit organization that charges a fee or admission	\$25.00 per hr. (8 hr. max.)
(4)	Flagler Beach Community Service Organizations	No Charge (8 hr. max.)

For the purpose of this resolution, a nonprofit organization is a 501(c)3 entity and must provide proof of such designation; and a Flagler Beach Service Organization will be determined by the city.

SECTION 3. All resolutions and parts of resolution in conflict with this resolution are hereby repealed.

SECTION 4. If any portion of the Resolution shall be declared unconstitutional or if the applicability of this Resolution or any portion thereof to any person or circumstances shall be held invalid, the validity of the remainder of this Resolution and the applicability of this Resolution, or any portion thereof to other persons or circumstances, shall not be affected thereby.

SECTION 6. This Resolution shall become effective upon execution.

Upon motion duly made and carried, the foregoing Resolution was accepted by the City Commission of the City of Flagler Beach this 23rd day of October 2025.

CITY OF FLAGLER BEACH, FLORIDA

ATTEST

Patti King, Mayor

Penny Overstreet, City Clerk



Staff Report

City Commission Regular Meeting

October 23, 2025



To: City Commission
From: Penny Overstreet
Meeting Date: October 23, 2025
Item Name: Ordinance 2025-27. An Ordinance by the City Commission of the City of Flagler Beach, Florida, amending the Code of Ordinances, Chapter 6, Article V, Rules and Regulations for Parks; Section 6-73 (29); providing for codification, conflicts and an effective date (First Reading).

Background:

At the October 09, 2025, meeting a request was before you to consider a waiver of the Code to allow the TNT Craft Show to hold events in Veterans Park longer than one-day. The Commission approved the waiver and recommended the Clerk draft an amendment to the ordinance to allow events longer than one-day in City Parks with Commission approval.

Fiscal Impact:

The financial impact of the Ordinance is the legal advertisement and codification. Both expenses were included in the FY 2025/26 budget, lines 001-5123-304901 and 001-5123-304700. The legal advertisement estimate is \$70.00 and codification fees are \$18.80 per page for this ordinance with a minor amendment. The cost is estimated to be under \$40.00.

Staff Recommendation:

Approve Ordinance 2025-27 (First Reading).

Attachments:

1. 2025-27

ORDINANCE NO. 2025-27

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 6, ARTICLE V, RULES AND REGULATIONS FOR PARKS; SECTION 6-73 (29); PROVIDING FOR CODIFICATION, CONFLICTS AND EFFECTIVE DATE.

WHEREAS, in updating the Code the City has identified a provision related to prohibitions in City Parks that is in need of update to allow Commission approval for an event to continue longer than one-day in City Parks ; and

WHEREAS, the Code currently allows for one-day events and staff has recommended events to last a maximum of three-days in a City Park if Commission approval is obtained for events longer than one-day; and

WHEREAS, the City Commission finds and determines that adoption of this Ordinance is in the best interest of the residents, businesses, and visitors of Flagler Beach.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AS FOLLOWS:

SECTION ONE. The findings set forth in the recitals above are hereby adopted as legislative findings of the City Commission pertaining to this Ordinance.

SECTION TWO. Chapter 6, Article V; Section 6-73 (29) is amended as follows: (note, underlined text notates additions, strikethrough text notates deletions, and ellipses (***) notate text which remains unchanged and is not reprinted here):

* * *

Section 6-73. Prohibited activities.

* * *

(29) Conduct or participate in meetings or events that last longer than one (1) day-
without obtaining prior approval by the City Commission.

* * *

SECTION THREE. Codification. It is the intent of the City Commission of the City of Flagler Beach that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provisions of this Ordinance.

SECTION FOUR. Conflicts. In any case where a provision of this Ordinance is found to be in conflict with the provisions of any other ordinance of this City, the conflicting provisions of the previous ordinance shall be repealed and superseded by this Ordinance.

SECTION FIVE. Effective date. This Ordinance shall take effect immediately upon adoption as provided by the Charter of the City of Flagler Beach.

PASSED ON FIRST READING THIS 23RD DAY OF OCTOBER, 2025.

PASSED AND ADOPTED THIS — DAY OF _____, 2025.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

Patti King, Mayor

ATTEST:

Penny Overstreet, City Clerk