



TOWN COUNCIL AGENDA REGULAR MEETING

THURSDAY
APRIL 18, 2024 – 2:00 P.M.

TOWN COUNCIL CHAMBERS
4300 S. ATLANTIC AVENUE, PONCE INLET, FL

SUNSHINE LAW NOTICE FOR BOARD MEMBERS – Notice is hereby provided that one or more members of the Town’s various boards may attend and speak at this meeting.

A complete copy of the materials for this agenda is available at Town Hall.

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL.

NOTE: Citizens who wish to speak during Public Participation about any subject that is not on the meeting agenda should fill out the Citizen Participation Request form and submit it to the Town Clerk prior to the start of the meeting.

4. ADDITIONS, CORRECTIONS OR DELETIONS TO THE AGENDA.

5. **CITIZENS’ PARTICIPATION** - *The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is an opportunity for our citizens to talk to us collectively on any subject that is not identified on the meeting agenda. The Town’s Rules for Conducting Town Council meetings are set forth in Resolution 2021-11 and include the following guidelines:*

- *Citizens are provided with **5 minutes** at each meeting to speak on one or more issues that are not otherwise placed on the meeting agenda.*
- *Please introduce yourself with your name and address clearly for the record.*
- *Share with us your thoughts, ideas, and opinions; we want to hear them.*
- *Under our rules, all questions and comments are directed to the Mayor.*

While some questions may be able to be addressed at this meeting, others may require research or more information than we have readily available from our staff, so we may have to defer the response to you until we have that information. Also, depending on the type of issue, we may place the matter on a properly noticed subsequent meeting agenda. As a Council, we welcome the opportunity to hear from you and hope you will speak with us not only during Citizen Participation but outside of these meetings. We understand the formal nature of this meeting, but rest assured, we want to hear from you, we want to address your concerns, and we are appreciative of your involvement.

6. **PROCLAMATIONS, PRESENTATIONS, AND AWARDS:**

A. Mayor’s Proclamations report.

7. **CONSENT AGENDA** - *Items on the consent agenda are defined as routine in nature that do not warrant detailed discussion or individual action by the Council; therefore, all items remaining on the consent agenda shall be approved and adopted by a single motion, second and vote by the Town Council. Items on the consent agenda are not subject to discussion. **Any member of the Town Council may remove any item from the consent agenda simply by verbal request at the Town Council meeting.** Removing an*

item from the consent agenda does not require a motion, second or a vote; it would simply be a unilateral request of an individual Council member and this item would then be added as the last item under New Business. As with all agenda items, the public will have the opportunity to comment prior to a motion being placed on the floor and their comment(s) may persuade the Council to remove the item from the Consent Agenda and place under New Business for discussion.

- A. Approval of the Town Council Regular meeting minutes – March 21, 2024.
8. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE MEETING:
 - A. Presentation of Town’s Financial Statements and Independent Auditor’s Report for the Fiscal Year ending September 30, 2023, as prepared by BMC, CPAs.
9. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:
 - A. Review of final site development plan for Sailfish Marina – 4912 Sailfish Drive; FDP #39-2023
10. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:
 - A. Ordinance 2024-01 – 2nd Reading – Amendments to beach addressing requirements.
11. ORDINANCES (FIRST READING) AND RESOLUTIONS:
 - A. Ordinance 2024-02 – 1st Reading – Granting a non-exclusive electric utility franchise to Florida Power & Light Company.
 - B. Resolution 2024-05 – Updating the Town’s fee schedule.
 - C. Resolution 2024-06 – Historic Tree designation at Ponce Preserve
 - D. Resolution 2024-07 – Supporting Volusia County’s beach feasibility study
12. OLD BUSINESS: *None.*
13. NEW BUSINESS:
 - A. Fifth Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement between the Town of Ponce Inlet and the City of Port Orange.
14. FROM THE TOWN COUNCIL:
 - A. Vice-Mayor Smith, Seat #5
 - B. Councilmember Villanella, Seat #4

- C. Councilmember White, Seat #3
 - D. Councilmember Milano, Seat #2
 - E. Mayor Paritsky, Seat #1
15. FROM THE TOWN MANAGER.
16. FROM THE TOWN ATTORNEY.
17. CITIZENS' PARTICIPATION - *The Town of Ponce Inlet encourages engagement by citizens via a variety of means. This is another opportunity for our citizens to talk to us collectively for **2 minutes** before closure of this meeting regarding reports provided by the Town Council, Town Manager, or Town Attorney in items 14-16 (only) of the meeting agenda.*
19. ADJOURNMENT.

Upcoming Town Council meeting(s) and Important date(s):

- Thursday, May 7, 2024, 2:00 p.m. – Regular Council meeting.

*If a person decides to appeal any decision made by the Town Council with respect to any matter considered at a meeting or hearing, he/she will need a record of the proceedings and that for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who require accommodation to attend this meeting should contact the Ponce Inlet Town Hall at 236-2150 **at least 48 hours prior to the meeting** to request such assistance.*



Meeting Date: 4/18/2024

Agenda Item: 6

Report to Town Council

Topic: Proclamations, Presentations, and Awards.

Summary:

- A. Mayor's report of proclamations.

Suggested motion: None required.

Requested by: Mayor Paritsky

Approved by: Mr. Disher, Town Manager



MEMORANDUM

Town of Ponce Inlet - Office of the Mayor

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Vice-Mayor and Town Council members
Through: Michael E. Disher, Town Manager
From: Mayor Lois A. Paritsky *LAP*
Date: April 8, 2024
Subject: Proclamations Presentations

The following Proclamations will be presented during the months of April and May:

- A Proclamation declaring the day of April 26th as *Arbor Day*.
- A Proclamation declaring the week of May 5th – May 11th, 2024 as *Municipal Clerk's Week*.
- A Proclamation declaring the month of May 2024 as *Building Safety Month*.
- A Proclamation declaring the week of May 12th – 18th, 2024 as *Police Officer's Week* & declaring May 15th, 2024 as *Peace Officers Memorial Day*.
- A Proclamation declaring the week of May 19th – May 25th, 2024 as *Public Works Week*.
- A Proclamation declaring the week of May 19th – May 25th, 2024 as *EMS Week*.
- A Proclamation declaring the week of May 18th – May 24th, 2024 as *National Safe Boating Week*.

Copies of the Proclamations may be viewed at the Town Hall kiosk.

PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday called ARBOR DAY, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet, do hereby proclaim April 26th, 2024 as:

ARBOR DAY


in the Town of Ponce Inlet. I urge all citizens to support efforts to protect our trees and woodlands and to support our Town's urban forestry program.

FURTHERMORE, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.


IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April, 2024.



Town of Ponce Inlet, Florida


Lois A. Paritsky, Mayor

Attest:


Kim Cherbano, CMC
Town Clerk

PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of the neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet do hereby proclaim the week of May 5th through May 11th, 2024 as:


MUNICIPAL CLERKS WEEK

And further extend appreciation to our Municipal Clerk, Kim Cherbano and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent and serve.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April 2024.




Town of Ponce Inlet, Florida



Mayor Lois A. Paritsky

Attest:



Kim Cherbano, CMC
Town Clerk

PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, our state's continuing efforts to address the critical issues of safety, energy efficiency, water conservation and sustainability in the built environment that affect our citizens, gives us confidence that our structures are safe and sound; and

WHEREAS, our confidence is achieved through the devotion of vigilant guardians — building safety and fire prevention officials, architects, engineers, builders, and laborers who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians develop and implement the highest-quality codes to protect Americans in the buildings where we live, learn, work, worship, play; and

WHEREAS, the International Codes, the most widely adopted building safety, energy, and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wild land fires and earthquakes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council and International Code Council Foundation, to remind the public about the critical role of our communities' largely unknown guardians of public safety - our local code officials - who assure us of safe, efficient, and livable buildings; and

WHEREAS, "*Mission Possible!*" the theme for Building Safety Month 2024, encourages all Americans to raise awareness of the importance of building safety; sustainable building; and new technologies in the construction industry. Building Safety Month encourages appropriate steps everyone can take to ensure that the places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies; and

WHEREAS, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments and federal agencies in protecting lives and property.

NOW THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet do hereby proclaim the month of May 2024 as

BUILDING SAFETY MONTH

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April 2024.



Town of Ponce Inlet, Florida

Lois A. Paritsky

Mayor Lois A. Paritsky

Attest:

Kim Cherbano

Kim Cherbano, CMC
Town Clerk

PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, the Congress and President of the United States have designated May 15th as National Peace Officers Memorial Day, and the week in which it falls as National Police Week; and

WHEREAS, the International Association of Chiefs of Police has declared law enforcement officer safety and wellness a top priority, and promotes the importance of individual, agency, family and community safety and wellness awareness; and

WHEREAS, the members of the Ponce Inlet Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Ponce Inlet; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the Ponce Inlet Police Department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service; and

NOW THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet do hereby recognize May 12th – May 18th, 2024 as:

NATIONAL POLICE WEEK

I FURTHER call upon all Ponce Inlet residents to observe Wednesday, May 15th as **National Peace Officers Memorial Day** to honor those officers who have lost their lives or have become disabled in the performance of duty.


IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April 2024.

Town of Ponce Inlet, Florida



Mayor Lois A. Paritsky

Attest:



Kim Cherbano, CMC
Town Clerk



PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on the these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform. This year's theme is: "*Advancing Quality of Life for All*".

NOW THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet do hereby proclaim the week of May 19th – May 25th, 2024 as

NATIONAL PUBLIC WORKS WEEK

in the Town of Ponce Inlet, and call upon citizens and civic organizations to acquaint themselves with the issues involved in providing services and to recognize the contributions which public works staff make every day to our health, safety, comfort, and quality of life.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April 2024.



Town of Ponce Inlet, Florida

Lois A. Paritsky

Mayor Lois A. Paritsky

Attest:

Kim Cherbano

Kim Cherbano, CMC
Town Clerk

PROCLAMATION OF THE TOWN OF PONCE INLET, FLORIDA

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, Ponce Inlet Fire Rescue is ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of Ponce Inlet Fire Rescue by designating Emergency Medical Services Week; and

NOW THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet do hereby proclaim the week of May 19th – May 25th, 2024 as


EMERGENCY MEDICAL SERVICES WEEK

With the theme, *"Honoring Our Past. Forging Our Future."*, I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April 2024.




Town of Ponce Inlet, Florida



Mayor Lois A. Paritsky

Attest:



Kim Cherbano, CMC
Town Clerk

PROCLAMATION
OF THE
TOWN OF PONCE INLET, FLORIDA

WHEREAS, for over 100 million Americans, boating continues to be a popular recreational activity; and

WHEREAS, on average, 650 people die each year in boating-related accidents in the U.S.; and

WHEREAS, 75 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets.

THEREFORE, I, Lois A. Paritsky, Mayor of the Town of Ponce Inlet, do hereby support the goals of the Safe Boating Campaign and proclaim May 18th – May 24th, 2024 as:


NATIONAL SAFE BOATING WEEK

and the start of the year-round effort to promote safe boating in the Town of Ponce Inlet. I urge all those who boat to practice safe boating habits and wear a life jacket at all times while boating.

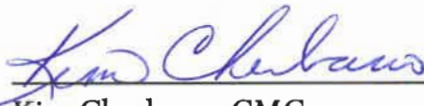
IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the Town of Ponce Inlet Florida, to be affixed this 18th day of April, 2024.



Town of Ponce Inlet, Florida


Lois A. Paritsky, Mayor

Attest:


Kim Cherbano, CMC
Town Clerk



Meeting Date: 4/18/2024

Agenda Item: 7

Report to Town Council

Topic: Consent Agenda

- A. Approval of the Town Council regular meeting minutes – March 21, 2024.

Summary: See attached staff reports.

Suggested motion: To approve the Consent agenda as presented.

Requested by: Ms. Cherbano, Town Clerk

Approved by: Mr. Disher, Town Manager



**Town of Ponce Inlet
Town Council
Regular Meeting Minutes
March 21, 2024**

4

5
6 **1. CALL TO ORDER:** Pursuant to proper notice, Mayor Paritsky called the meeting to
7 order at 2:00 p.m. in the Council Chambers at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

8
9 **2. PLEDGE OF ALLEGIANCE:** Mayor Paritsky led the Pledge of Allegiance.

10
11 **3. ROLL CALL:**

12 **Town Council:**

13 Mayor Paritsky, Seat #1
14 Councilmember Milano, Seat #2
15 Councilmember White, Seat #3
16 Councilmember Villanella, Seat #4
17 Vice-Mayor Smith, Seat #5

18
19 **Staff Members Present:**

20 Ms. Alex, Cultural Services Manager
21 Ms. Cherbano, Town Clerk
22 Mr. Disher, Town Manager
23 Ms. Gjessing, Assistant Deputy Clerk
24 Chief Glazier, Police Chief
25 Mr. Griffith, Public Works Director
26 Ms. Hall, Accountant/Grants Coordinator
27 Ms. Hugler, Fire Department Office Manager/PIO
28 Mr. Lear, Planning & Development Director
29 Ms. McColl, Finance Director
30 Mr. Okum, IT Director
31 Chief Scales, Public Safety Director
32 Attorney Shepard, Town Attorney

33
34 **4. ADDITIONS, CORRECTIONS, OR DELETIONS TO THE AGENDA.** There were
35 no changes.

36
37 Mayor Paritsky moved to approve the agenda as presented; seconded by Councilmember
38 Villanella. The motion PASSED 5-0, consensus.

39
40 **5. CITIZENS PARTICIPATION:** Mayor Paritsky opened citizens participation: Craig
41 Sandman, 37 Ocean Way Drive, discussed his concerns with parking and traffic. He explained the
42 hazards in certain areas around the Town, focusing on the traffic from Lighthouse Point Park. Jair
43 Kessler, 81 Buschman Drive, provided an update to the Farmer's Market, and expressed her
44 opinion with how the situation has been handled. Jim Cameron, of Jim Cameron Consulting, LLC,

45 Daytona Beach, provided a brief history of his career and provided an updated report on
46 government relations and actions of the Florida Legislature. Charles Burge, 4670 Links Village
47 Drive, Unit B702, explained his concern with public safety and provided some tips on how people
48 can stay safe. Mr. Burge also asked whether fiber optics have been discussed between Town staff
49 and his HOA, and Mr. Disher stated there have been discussions, but nothing further.

50

51 **6. PROCLAMATIONS, PRESENTATIONS, AND AWARDS:**

52

53 **A. Proclamation** – Mayor Paritsky presented a proclamation designating April as Water
54 Conservation Month and stated the proclamation may be viewed at Town Hall.

55

56 **B. Presentation from FCCMA** – Chris Edwards, Economic Development Director of New
57 Smyrna Beach, presented a plaque to the Town on behalf of the Florida City and County
58 Management Association, recognizing the Town’s 30 years under the Council-Manager form of
59 government. Mayor Paritsky thanked Mr. Edwards for the recognition.

60

61 **7. CONSENT AGENDA:** Mayor Paritsky asked if there was any item Council would like to
62 remove from the consent agenda; there were no requests. Mayor Paritsky asked for public
63 comments – hearing none, she closed public comments.

64

65 **A. Town Council Regular meeting minutes – February 15, 2024**

66

67 **B. Authorizing Volusia County Mosquito Control Division to perform low-level
68 flights, inspection, and application of insecticides in the Town of Ponce Inlet
69 for 2024-2026.**

70

71 **C. Approval of the 2023 Statewide Mutual Aid Agreement between the Town of
72 Ponce Inlet and the State of Florida.**

73

74 Mayor Paritsky moved to approve the Consent Agenda as presented; seconded by Councilmember
75 Villanella. The motion PASSED 5-0, consensus.

76

77 **8. OLD/NEW BUSINESS ITEMS PREFERRED AT THE BEGINNING OF THE**
78 **MEETING**

79 **A. Task assignment for Mead & Hunt – SAHFI Funding and Bidding Assistance**
80 **– Sewer Resilience Phases 1 & 2.** – Mr. Disher introduced the item and Ms. McColl, Finance
81 Director, introduced Sheryl Parsons, Regional Funding Practice Leader for Mead & Hunt’s Water
82 Resources market. Ms. Parsons presented an overview of the project and how the funding works
83 through a [PowerPoint](#) and then turned it over to Council for discussion. She described the history
84 of State Revolving Funds (SRF’s) and explained how they were divided into two categories. She
85 stated that the loan application must be submitted by August 12th, and that the earlier the
86 application is submitted, the better chance there is for approval. She then explained the loan
87 forgiveness program. Councilmember White asked if there was a way Council could assist the
88 contract to go through faster, and Ms. Parsons explained the only thing needed is Council’s
89 approval. There was then clarification on the respective roles of Ponce Inlet versus Port Orange.
90 Vice-Mayor Smith discussed some of the benefits of this project.

91
92 Mayor Paritsky opened public participation: Robert Bullard, 4802 South Peninsula Drive,
93 commended Ms. Parsons for the ability to get this application through. Mr. Bullard suggested that
94 there should be a link through the Town website where all the plans for the project are accumulated.
95 Charles Burge, 4670 Links Village Drive, Unit B702 requested clarification of the projected cost
96 and Mr. Disher stated the proposed funds would cover the entire project. Mayor Paritsky closed
97 public participation.

98
99 Mayor Paritsky moved to approve the task assignment for Mead & Hunt as set forth in exhibit two
100 of item 8-A of the March 21, 2024 agenda subject to the approval of an interlocal agreement
101 between the Town of Ponce Inlet and the City of Port Orange as to the cost-share ratio of 72%
102 Port Orange and 28% Ponce Inlet for Mead & Hunt's project management proposal of \$99,349
103 as outlined in exhibit three of item 8-A of the March 21, 2024 agenda; seconded by Councilmember
104 Milano. The motion PASSED 5-0, with the following vote: Mayor Paritsky – yes; Councilmember
105 Milano – yes; Councilmember White – yes; Councilmember Villanella – yes; Vice-Mayor Smith –
106 yes.

107
108 **B. Request for Approval for the Riverside Conservancy Living Shorelines**
109 **Project within Ponce Preserve.** – Mr. Lear, Planning & Development Director, introduced the
110 item and explained that at no cost to the Town, the Conservancy would place approximately 1,000
111 linear feet of living shoreline oyster reef enhancements in Ponce Preserve. He explained the
112 benefits of this project and introduced Kelli McGee, Executive Director of Riverside Conservancy,
113 to answer questions. Discussion ensued between Mayor Paritsky, Ms. McGee, and Attorney
114 Shepard clarifying the terms of the hold harmless and indemnity agreement.

115
116 Mayor Paritsky asked for public comments – hearing none, she closed public comments.
117
118 Councilmember Villanella moved to approve the Riverside Conservancy Living Shorelines project
119 within Ponce Preserve subject to the hold harmless and indemnity agreement; seconded by
120 Councilmember White. The motion PASSED 5-0, consensus.

121
122 Mr. Disher asked Ms. McGee whether her group is accepting volunteers. She stated they are and
123 if anyone is interested then they should email her directly at kelli@riversideconservancy.org
124

125 **C. Approval of continuing services contract with Raftelis Financial Consultants,**
126 **Inc.** – Chief Scales, Public Safety Director, introduced this item and explained ways in which the
127 Town has utilized Raftelis' services in the past, and how they will be used for future projects.
128 Councilmember White asked if the current cost structure and the Martin County pay scale mirrors
129 the proposed contract and what the Town will receive. Chief Scales confirmed that it would be the
130 same.

131
132 Mayor Paritsky asked for public comments – hearing none, she closed public comments.
133
134 Councilmember Villanella moved to approve the continuing services contract with Raftelis
135 Financial Consultants, Inc. as presented; seconded by Councilmember Milano. The motion
136 PASSED 5-0, consensus.

137
138 **9. PUBLIC HEARINGS / QUASI-JUDICIAL MATTERS:** *None.*

139
140 **10. PUBLIC HEARINGS / NON-QUASI-JUDICIAL MATTERS:** *None.*

141
142 **11. ORDINANCES (FIRST READING) AND RESOLUTIONS:**

143
144 **A. Ordinance 2024-01** – Attorney Shepard read Ordinance 2024-01 by title only. **AN**
145 **ORDINANCE OF THE TOWN OF PONCE INLET, FLORIDA, AMENDING CHAPTER**
146 **18 OF THE PONCE INLET CODE OF ORDINANCES RELATING TO POSTING OF**
147 **ADDRESS NUMBERS FOR PROPERTIES ADJACENT TO THE ATLANTIC OCEAN;**
148 **AMENDING SECTION 18.4 “POSTING OF ADDRESSES” OF CHAPTER 18**
149 **“BUILDINGS AND BUILDING REGULATIONS; REQUIRING THE POSTING OF**
150 **ADDRESS NUMBERS ON BEACHFRONT PROPERTIES THAT ARE VISIBLE FROM**
151 **THE ADJACENT BEACH; PROVIDING FOR ENFORCEMENT; PROVIDING FOR**
152 **CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR**
153 **CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.** Mr. Lear, Planning &
154 Development Director, provided a background on the proposed ordinance amending beach
155 addressing requirements. He explained that on December 18, 2023 the Council adopted Ordinance
156 2023-06 which contained provisions on beach addressing. The ordinance required multi-family
157 and commercial properties to include the street name as well as the street number. The proposed
158 amendments remove the requirement for the street name to be posted, with a deadline of 60 days
159 after the approval of the second reading. Councilmember Milano thanked Mr. Lear for listening to
160 the residents on the beachside. Councilmember White requested clarification on addressing the
161 Townhomes. Mr. Disher clarified it is ultimately up to what first responders need, and it should be
162 enough to have the number posted on the HOA building.

163
164 Mayor Paritsky opened public participation: Doris Hynes, 4621 South Atlantic Avenue, requested
165 clarification on the size requirements and location of the address posting. Mr. Lear stated the
166 numbers must be one foot high, and they must be affixed to a structure. There was then discussion
167 around posting in the dunes, and it was emphasized that the numbers need to be affixed to a
168 structure. Mayor Paritsky closed public participation.

169
170 Councilmember Milano moved to approve proposed Ordinance 2024-01 updating Code of
171 Ordinances Chapter 18 “Buildings and Building Regulations” section 18.4 “Posting of
172 Addresses”; seconded by Councilmember Villanella. The motion PASSED 5-0, with the following
173 vote: Councilmember Milano – yes; Councilmember Villanella – yes; Mayor Paritsky – yes;
174 Councilmember White – yes; Vice-Mayor Smith – yes.

175
176 **B. Resolution 2024-04** – Attorney Shepard read Resolution 2024-04 by title only. **A**
177 **RESOLUTION OF THE TOWN OF PONCE INLET, FLORIDA, AUTHORIZING A**
178 **TRANSFER OF APPROPRIATIONS WITHIN THE TOWN’S BUDGET FOR FISCAL**
179 **YEAR 2023-2024; AND PROVIDING AN EFFECTIVE DATE.** Chief Scales, Public Safety
180 Director, explained that staff is requesting authorization to transfer funds from the sidewalk fund
181 reserve account to the expenditure account. He briefly explained the reason for the request citing
182 that Public Works needs more funds for sidewalk repair than what was anticipated last year. He

183 also updated Council that while the staff memo originally had the fund balance at \$76,824, the
184 most recent balance is \$90,787. Councilmember White asked if there was an estimate on how
185 many sections will be replaced and whether the fund transfer will cover the cost. Chief Scales
186 stated there is a priority list on the sidewalks to be addressed and clarified the job would be hired
187 out.

188
189 Mayor Paritsky asked for public comments – hearing none, she closed public comments.

190
191 Councilmember White moved to approve Resolution 2024-04 as presented; seconded by
192 Councilmember Milano. The motion PASSED 5-0, with the following vote: Councilmember White
193 – yes; Councilmember Milano – yes; Mayor Paritsky – yes; Councilmember Villanella – yes; Vice-
194 Mayor Smith – yes.

195
196 **12. OLD BUSINESS:**

197
198 **A. Update on proposals for a memorial tribute to Jeff Miller.** Jackie Alex, Cultural
199 Services Manager, explained the options that had been proposed for memorial tributes and
200 requested direction from Council regarding selection. Council agreed Option A seemed to be the
201 best selection which includes a bench, plaque, and tree dedication at Timucuan Oaks Garden.

202
203 Mayor Paritsky opened public participation: Robert Bullard, 4802 South Peninsula Drive,
204 commented that the memorial should be at the Public Works department. Mayor Paritsky
205 explained that she received an email from two residents who voted in favor of either option A or
206 the lighthouse. Mayor Paritsky closed public participation.

207
208 Councilmember Milano made a motion for staff to proceed forward with Option A of placing the
209 memorial at Timucuan Oaks; seconded by Councilmember White. The motion PASSED 5-0,
210 consensus.

211
212 **13. NEW BUSINESS:**

213 **A. Authorization to Execute Grant Work Program Agreement No. 23PLN129**
214 **with the Florida Department of Environmental Protections for the Adaptation Action Plan.**
215 – Patty Rippey, Principal Planner, explained the Adaptation Action Plan is a continuation of the
216 resiliency work undertaken to date. She then provided a brief history of the previous resiliency
217 plans and explained the differences between them and how they benefit the Town. The Adaption
218 Action Plan focuses on the most vulnerable, low-lying areas and Ms. Rippey explained no
219 matching funds are required from the Town, and the grant expiration date is March 31, 2025.

220
221 Mayor Paritsky asked for public comments – hearing none, she closed public comments.

222
223 Councilmember Milano made a motion to approve the authorization to execute the Grant Work
224 Program Agreement with FDEP for the adoption of the Adaptation Action Plan; seconded by
225 Councilmember White. The motion PASSED 5-0, consensus.

226
227 **14. FROM THE TOWN COUNCIL:**

228 Mayor Paritsky thanked Debbie Phillips, representative of US Congressman Cory Mills, for her
229 attendance.
230

231 **A. Vice-Mayor Smith, Seat #5** – Vice-Mayor Smith emphasized what had been
232 discussed regarding the septic-to-sewer project and explained the benefits of the project from his
233 experience.
234

235 **B. Councilmember Villanella, Seat #4** – Councilmember Villanella stated it was
236 another productive meeting with positive information and accomplishments for Ponce Inlet.
237

238 **C. Councilmember White, Seat #3** – Councilmember White provided an update on
239 the easement agreements with Volusia County and the timeline for the project to begin. He
240 explained some updates on the Volusia County’s beach discussions, such as their request for
241 authorization to continue work through the sea turtle nesting season, and their change in policies
242 regarding tolls and off-street beach parking. He further explained the potential parking policy
243 changes and what updates they are proposing. Councilmember White expressed his concern for
244 the increase in traffic if the County decides to open the back gate on South Peninsula Drive into
245 Lighthouse Point Park, stating that while it was not part of their proposal, there is a discussion
246 circulating. He explained that the Town was offered to piggyback off their upcoming parking
247 vendor contract should the Council wish to charge for parking on its own lots within the Town.
248 He stated if this is explored, he would suggest that Town residents do not have to pay for parking.
249 Councilmember White then reviewed information on vacation rentals and offered ideas on how to
250 reduce the volume of those who are not permitted to rent. He mentioned a couple of webinars that
251 he attended and some information he gathered regarding EV’s. Mayor Paritsky requested
252 clarification from Attorney Shepard regarding the law around rental advertisement. Attorney
253 Shepard explained when it comes to any messaging, the Town cannot control the content of what
254 is written. While the Town could reach out to let people know that the messages are false, the
255 Town could not mandate they change the message.
256

257 **D. Councilmember Milano, Seat #2** – Councilmember Milano briefly spoke on
258 short-term rentals and how the Volusia League of Cities has fought for home rule. He then gave
259 an update to the First-Step Shelter; 94% of people that have completed the program are still in
260 housing, and over 250,000 meals have been served from December 2019 to February 2024.
261

262 **E. Mayor Paritsky, Seat #1** – Mayor Paritsky described the proposed changes to
263 Volusia County’s off-beach parking and how this could impact the Town. The Town attorneys
264 were contacted to research the parameters of permitted parking restrictions within the Town, and
265 Mayor Paritsky explained what was determined. Council provided a consensus for staff to provide
266 options for parking restrictions and permitting systems. Mayor Paritsky provided an update to the
267 recent legislative session and several bills that did not pass. She explained there are other bills that
268 are still awaiting the Governor’s review and bills that may be filed again in the future. Mayor
269 Paritsky expressed her appreciation to the C4PI Editor, Lauren Albinson, and all the Board and
270 committee members for their professional and outstanding work. She explained the updates they
271 have made to the newsletter and website.
272

273 **15. FROM THE TOWN MANAGER** – Mr. Disher explained how the change in laws and
274 bills influence day-to-day operations, and the potential for bills to be filed again when they did not
275 pass. He thanked Mr. Bullard for his ideas regarding the sewers and provided a brief synopsis of
276 what is to come and what has happened. He provided an update on the replacement generators in
277 the Fire and Public Works department, and then explained the interlocal agreement with the
278 County regarding the Sidewalk project and their timeline for design and construction. Mr. Disher
279 stated the Police Department will be hosting a Women’s Self Defense Class. He then stated it
280 appears as though the Town will have another perfect audit this year, and the auditors will attend
281 the next Council meeting via Zoom where they will be available to answer questions.
282

283 **16. FROM THE TOWN ATTORNEY** – Attorney Shepard discussed the Supreme Court
284 Case from March 15, 2024 ‘Lindke v. Freed’.
285

286 **17. PUBLIC PARTICIPATION (on items 14 – 16 only)** – Mayor Paritsky opened public
287 participation – Robert Bullard, 4802 South Peninsula Drive, stated there should be no construction
288 of new sidewalks now, and that the S. Peninsula sidewalk project should be incorporated into the
289 entire sewer installation process. He also mentioned the Town should discuss options to set up
290 tolls. Terri Woodruff, 4495 South Atlantic Avenue Unit 1040, thanked Councilmember White for
291 discussing rentals and requested the Town suggest condominium and homeowner’s associations
292 post the Town’s rental restrictions on their website. Charles Burge, 4670 Links Village Drive Unit
293 B702, commented that Tallahassee is out of touch and spoke on some the bills that recently passed.
294 He then asked Councilmember White about the bill concerning EV’s and how that would impact
295 the Town. Councilmember White directed the question to Attorney Shepard. Mayor Paritsky
296 closed public participation.
297

298 **18. ADJOURNMENT** – With no further business, Mayor Paritsky adjourned the meeting at
299 3:50 PM.
300

301 Respectfully submitted by:
302

303 **Draft**

304 Kim Cherbano, CMC, Town Clerk

305 Prepared by: Stephanie Gjessing, Assistant Deputy Clerk



Meeting Date: 4/18/2024

Agenda Item: 8-A

Report to Town Council

Topic: Presentation of Town's Financial Statements and Independent Auditor's Report for the Fiscal Year ending September 30, 2023, as prepared by BMC, CPAs.

Summary: See attached staff report and supporting documents.

Suggested motion: To accept the Town's Financial Statements and Independent Auditor's Report for the Fiscal Year ending September 30, 2023, as prepared by BMC, CPAs

Requested by: Ms. McColl, Finance Director

Approved by: Mr. Disher, Town Manager



MEMORANDUM

Town of Ponce Inlet – Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Michael E. Disher, AICP, Town Manager
Date: April 5, 2024
Subject: Presentation of the Town's Audit for FY 22/23

Copies of the FY 22/23 audit were made available to the Council on April 5th. The Town's auditors, BMC CPAs, will formally present this audit at the April 18th Council meeting, and you may contact them in advance with any questions.

While there are many factors that require reporting in a government audit, there are three main areas that the Town's management focuses on. I'm providing those to you below with the specific responses:

- 1) *Do we have more/less money than the prior year?* The Town ended FY 22/23 with a monetary increase of \$142,079 to the General Fund, which remains over \$4.1 million. We have a 53% reserve, which represents a little over 6 months of operating expense; however, it is a decrease from last year's reserve of 59%, or slightly more than 7 months.
- 2) *Do we have more/less debt than the prior year?* The Town ended FY 22/23 with a decrease of \$498,142 in its long-term debt, though the liability for compensated absences (accrued sick and personal leave) increased by \$31,112. The Town Hall loan has an annual debt service of approximately \$328,000 that will be paid off in FY 2025. The Stormwater State Revolving Fund (SRF) loan has an annual debt service of \$78,293 and will be paid off in FY 2026.
- 3) *Are there any irregularities in the Town's accounting process?* Absolutely not.

The Town's combined net position decreased by \$361,841 in FY 22/23. A significant reason for this was the Town's Water Utility Enterprise Fund produced an operating loss (before contributions and operating transfers) of \$190,134. Water service rates were increased effective October 1, 2023, to help overcome the financial deficiencies. No water rate adjustments had been implemented since 2018.

Other reasons for the decline in net position are that: a) the one-time receipt of \$1,656,824 revenue from federal ARPA grant funds in FY 21/22 was not repeated in FY 22/23; and b) all the expenses incurred from Hurricane Ian and Nicole have not yet been reimbursed from FEMA and the State.

Additionally, the State of Florida requires that a pro-rata share of the current actuarial projections for the Florida Retirement System (FRS) must also be reported in each FRS participant's audit, and this also significantly impacts the net position each year. We can neither take the "credit" nor the "blame" for these actuarial fluctuations each year. Our current projected pension expense is approximately \$1,151,000, where last year it was \$248,000 which equates to an unfavorable change of \$903,000.

As a side note regarding FRS: According to the Florida Retirement System's most recent FY 23 Annual Comprehensive Financial Report, FRS is currently funded at 82.4%, while the national average is 78.1%; a pension fund is considered healthy at 80%. The state legislature adopts contribution rates each year for participants based upon position categories (e.g., general, special risk, and senior management). The Town pays into this fund throughout the year based upon these approved rates for each employee. Employees contribute 3% of their income to FRS, as well. FRS is a significant recruitment and retainment tool for the Town, due to its portability and desirability. Once an employer is a member of FRS, they may not opt out of FRS without a legislative act authorizing the opportunity for such and it cannot impact current FRS employees. The majority of the Town's employees are in FRS.

If you have any questions about the audit prior to the Council meeting, please let me know.



April 5, 2024

To the Honorable Mayor, and
Members of the Town Council
Town of Ponce Inlet, Florida

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Town of Ponce Inlet, Florida (the "Town"), for the year ended September 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Town are described in Note 1 to the financial statements. Management implemented GASB 87 – Leases and GASB 96 – Subscription-Based Information Technology Arrangements during 2023.

We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the Town's financial statements were:

- Management's estimate of the useful lives of depreciable capital assets is based on the length of time it is believed that those assets will provide some economic benefit in the future.

To the Honorable Mayor, and
Members of the Town Council
Town of Ponce Inlet, Florida
April 5, 2024
Page 2

- Management's estimate of the accrued compensated absences is based on current hourly rates and policies regarding payment of sick and vacation banks.
- Management's estimates of unbilled service receivables and allowances for uncollectible receivable balances are based on past experience and future expectation for collection of various account balances.
- The assumptions used in the actuarial valuations of the Florida Retirement System, the Town of Ponce Inlet, (pension plan) are based on historical trends and industry standards.
- The assumptions used in the actuarial valuations of the Town of Ponce Inlet, Florida Other Post Employment Benefit Plan are based on historical trends and industry standards.

Management's process for determining the above estimates is based on firm concepts and reasonable assumptions of future events. We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- The disclosure of cash and investments in Note 5 to the financial statements concerning the Town's status of funds subject to FDIC insured and collateralized funds.
- The disclosure of long-term debt obligations in Note 10 to the financial statements concerning the Town's outstanding long-term debt obligations and related bond covenants.
- The disclosure of the Town's pension and other postemployment benefit plan obligations disclosed in Notes 12 and 13 to the financial statements concerning the Town's future commitment to provide pension benefits to eligible retirees.

The financial statement disclosures are neutral, consistent and clear.

Difficulties Encountered in Performing the Audit

We encountered no difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

To the Honorable Mayor, and
Members of the Town Council
Town of Ponce Inlet, Florida
April 5, 2024
Page 3

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated March 21, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Management's Discussion and Analysis and the Required Supplementary Schedules of Change in Total OPEB Liability, Schedule of Changes in Sponsor's total OPEB Liability, Schedule of Proportionate Share of Net Pension Liability and Schedule of Contributions – FRS Plan, Schedule of Proportionate Share of Net Pension Liability and Schedule of Contributions – HIS Plan, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the budgetary comparison for the combining and individual nonmajor fund financial statements and individual nonmajor fund budgetary comparisons, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and

To the Honorable Mayor, and
Members of the Town Council
Town of Ponce Inlet, Florida
April 5, 2024
Page 4

reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves. The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

This information is intended solely for the use of the Town Council and management of the Town and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

BMC CPAs

FINANCIAL STATEMENTS

TOWN OF PONCE INLET, FLORIDA

For the Year Ended September 30, 2023
With Independent Auditors' Reports

MAYOR

Honorable Lois A. Paritsky

VICE MAYOR

Gary L. Smith

TOWN COUNCIL MEMBERS

Skip White
Bill Milano
Joe Villanella

TOWN MANAGER

Michael E. Disher

FINANCIAL SECTION

THIS SECTION IS COMPOSED OF THE FOLLOWING FIVE PARTS:

INDEPENDENT AUDITORS' REPORT

MANAGEMENT'S DISCUSSION AND ANALYSIS

BASIC FINANCIAL STATEMENTS

REQUIRED SUPPLEMENTARY INFORMATION

***COMBINING AND INDIVIDUAL FUND
STATEMENTS AND SCHEDULES***

TABLE OF CONTENTS
ANNUAL FINANCIAL REPORT
September 30, 2023
TOWN OF PONCE INLET, FLORIDA

	<u>Page</u>
FINANCIAL SECTION	
Independent Auditors' Report.....	1
Management's Discussion and Analysis.....	7
Basic Financial Statements:	
Government-Wide Financial Statements:	
Statement of Net Position.....	23
Statement of Activities.....	25
Fund Financial Statements:	
Balance Sheet - Governmental Funds.....	27
Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position.....	28
Statement of Revenues, Expenditures and Changes in Fund Balances - Governmental Funds.....	29
Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds to the Statement of Activities.....	30
Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual - General Fund.....	31
Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – S. Peninsula Drive Sidewalk Fund.....	33
Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual – Public Land Acquisition and Facility Special Revenue Fund.....	34
Statement of Revenues, Expenditures and Changes in Fund Balance Budget and Actual – Hurricane Ian Restoration Fund.....	35
Statement of Net Position - Proprietary Funds.....	36
Statement of Revenues, Expenses and Changes in Net Position - Proprietary Funds.....	37
Statement of Cash Flows - Proprietary Funds.....	38
Notes to the Financial Statements.....	41
Required Supplementary Information:	
Change in Total OBEB Liability.....	83
Schedule of Changes - Sponsor's Total OPEB Liability.....	84
FRS- Schedule of Proportionate Share of Net Pension Liability and Schedule of Contributions.....	86
HIS- Schedule of Proportionate Share of Net Pension Liability and Schedule of Contributions.....	87

TABLE OF CONTENTS (Continued)
ANNUAL FINANCIAL REPORT
 September 30, 2023
 TOWN OF PONCE INLET, FLORIDA

	<u>Page</u>
Other Supplementary Information:	
Combining Balance Sheet-Nonmajor Governmental Funds	90
Combining Statement of Revenues, Expenditures and Changes in Fund Balances- Nonmajor Governmental Funds	92
Schedules of Revenues, Expenditures and Changes in Fund Balances – Budget to Actual:	
Debt Service Fund.....	94
Tree Bank Special Revenue Fund	95
Sidewalks Special Revenue Fund.....	96
Parks and Recreation Special Revenue Fund.....	97
Police Education Special Revenue Fund.....	98
Contraband/Forfeitures Special Revenue Fund.....	99
Economic Impact Capital Project Fund	100
Fire Department Capital Project Fund.....	101
Capital Facility Maintenance Capital Project Fund.....	102
Ponce de Leon Circle Sewer Capital Project Fund.....	103

COMPLIANCE SECTION

Independent Auditors’ Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	105
Management Letter	107
Independent Accountants’ Report on (Compliance with Section 218.415, Florida Statutes)	109

INDEPENDENT AUDITORS' REPORT

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INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor
and Members of the Town Council
Town of Ponce Inlet, Florida

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Town of Ponce Inlet, Florida (the "Town") as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component unit, each major fund, and the aggregate remaining fund information of the Town of Ponce Inlet, Florida, as of September 30, 2023, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

We did not audit the financial statements of the Ponce DeLeon Inlet Lighthouse Preservation Association, Inc., which comprise of 100 percent of the assets, net position, and revenue of the discretely presented component unit as of September 30, 2023 and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended. Those statements were audited by other auditors whose report has been furnished to us, and our opinion, insofar as it relates to the amounts included for the Ponce DeLeon Inlet Lighthouse Preservation Association, Inc. is based solely on the report of the other auditors.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Town of Ponce Inlet, Florida, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Ponce Inlet, Florida's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town of Ponce Inlet, Florida's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Town of Ponce Inlet, Florida's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management’s Discussion and Analysis, the required Schedules of Change in Total OPEB Liability and Change in Sponsor’s Total OPEB Liability, and the Required Schedule of Proportionate Share of Net Pension Liability and Schedule of Contributions – FRS Plan, Schedule of Proportionate Share of Net Pension Liability and Schedule of Contributions – HIS Plan, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town’s basic financial statements. The combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated April 18, 2024, on our consideration of the Town of Ponce Inlet, Florida’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Town of Ponce Inlet, Florida’s internal control over financial reporting and compliance.



April 18, 2024

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MANAGEMENT'S DISCUSSION AND ANALYSIS

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TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

As financial management of the Town of Ponce Inlet, Florida, (hereinafter referred to as the "Town"), we offer the readers of these basic financial statements this narrative overview and analysis of the Town's financial activities for the fiscal year that ended on September 30, 2023. This discussion and analysis is designed to assist the reader in focusing on the significant financial issues and activities and to identify any significant changes in financial position. We encourage readers to consider the information presented here in conjunction with the Town's financial statements, which follow this information.

Financial Highlights

- The Town's overall combined assets and deferred outflows totaled \$26,901,477 at the close of the 2022 - 2023 fiscal year compared to \$26,697,698 in the 2021 - 2022 fiscal year. Total assets and deferred outflows exceeded liabilities by \$15,154,746 (*combined net position*) compared with \$15,516,587 one year earlier. The unrestricted component of the Town's combined net position totaled \$867,960 at September 30, 2023, compared with the previous year total of \$2,154,728.
- Net position of the Town's governmental activities totaled \$13,109,684, a decrease of \$101,601 compared to last year's reported \$13,211,285, or 0.8%. The net position of its business-type activities totaled \$2,045,062, a decrease of \$260,241 compared to last year's \$2,305,303, or 11.3%.
- During the 2022 - 2023 fiscal year, the Town incurred governmental expenses of \$9,602,880, which were \$101,601 more than the \$9,501,279 generated from revenues (inclusive of taxes and all other governmental sources and transfers) from various governmental activities and programs. Included in this amount is \$114,760 of net interfund transfers from the Town's business-type funds for partial reimbursement of administrative costs. The 2022 - 2023 fiscal year decrease in net position of governmental operations is \$101,601 compared to the prior year increase of \$2,149,030, equating to a difference of \$2,250,631. This decrease primarily relates to American Rescue Plan Act (ARPA) revenue recognized of \$1,656,824 in the 2021 - 2022 fiscal year, with no such revenue being recognized in the 2022 - 2023 fiscal year.
- The Town's business-type activities produced a combined operating loss, before contributions and operating transfers, of \$154,643 (based exclusively on consumptive water/sewer/ solid waste utility sales and other revenues of \$3,142,673 in the 2022 - 2023 fiscal year). These utility sales and other revenues totaled \$3,045,127 in the 2021 - 2022 fiscal year. After recognition of this combined operating loss of \$154,643, plus capital contributions of \$9,162, less net interfund transfers of \$114,760, the decrease in combined net position totaled \$260,241 in the 2022 - 2023 fiscal year, compared to a decrease of \$135,896 in the 2021 - 2022 fiscal year.
- Combined fund balances in the General Fund increased by \$178,696 in the 2022 - 2023 fiscal year and totaled \$4,867,246, compared to the increase in the 2021 - 2022 fiscal year of \$35,301 resulting in a total of \$4,688,550. Amounts committed by the Town Council for a stabilization reserve equaling \$2,037,480 and other unassigned fund balance equaling \$2,206,744 totaled \$4,244,224 at September 30, 2023. This amount increased in fiscal year 2022 - 2023 and was \$58,772 more than the \$4,185,452 reported one year earlier. These amounts of reported General Fund unrestricted fund balance represent approximately 53% (193 days) and 59% (216 days) of annual general fund expenditures for fiscal years ended September 30, 2023 and 2022, respectively.
- The Town's total long-term debt represented by loan obligations totaled \$1,872,005 at September 30, 2023, compared to \$2,358,170 one year earlier. This change in long-term debt is due to the principal reductions on the Town's governmental and business-type activities long-term debt of \$486,165. In addition to its long-term loans, the Town has \$497,927 and \$466,815 in compensated absences liabilities outstanding at September 30, 2023 and 2022, respectively, (e.g., accrued sick and personal leave).

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

Overview of the Financial Statements

The Town's basic financial statements are comprised of three parts: 1) management's discussion and analysis, 2) the basic financial statements, including notes to the financial statements, and 3) required supplementary information, including budgetary comparisons and fiduciary fund data.

Management's Discussion and Analysis (MD&A) is intended to serve as an introduction to the basic financial statements and required supplementary information. The MD&A represents management's examination and analysis of the Town's financial condition and financial performance as a whole. Summary financial statement data, key financial and operational indicators used in the strategic plan, budget, and other management tools were used for this analysis.

The basic financial statements include two kinds of statements that present different views of the Town. The first two statements consist of entity-wide financial statements that provide both the short- and long-term financial information about the Town's overall financial status, including its governmental activities and its business-type activities. These statements report information about the Town using full accrual accounting methods and economic resources focus as utilized by similar business activities in the private sector. Information concerning all of the Town's assets and liabilities, both financial and capital, and short-term and long-term debt are included. Likewise, all revenues and expenses incurred during the year, regardless of when cash is received or paid are reported. However, rate-regulated accounting principles applicable to private sector utilities are not used by governmental utilities. The remaining statements are fund financial statements that focus on individual parts of the Town government, reporting the Town's operations in more detail than the government-wide financial statements. The governmental funds' statements tell how general government services like public safety were financed in the short-term as well as what remains for future spending. Proprietary fund statements offer short and long-term financial information about the activities the government operates like businesses, such as the Town's water, sewer and refuse utility systems.

The financial statements also include notes which provide required disclosures and other information that are essential to a full understanding of material data provided in the statements. The notes present information about the Town's significant accounting policies, account balances and activities, material risks, obligations, commitments, contingencies and subsequent events, if any.

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information that further explains and supports the information in the financial statements. This section also contains budgetary comparisons for the Town's governmental fund activities.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the Town's finances in a manner similar to a private-sector business. The basic financial statements of the Town include a statement of net position and a statement of activities, which are described as follows:

- A statement of net position presents information on all of the Town's assets and liabilities at the end of its fiscal year, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the Town's financial position is improving or deteriorating. Net position increases when revenues exceed expenses. Increases to assets without a corresponding increase to liabilities results in increased net position, which indicates an improved financial condition.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT’S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

- The statement of activities presents the results of business operations over the course of the fiscal year and information as to how the Town’s net position changed during the year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of the related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., delinquent taxes; personal leave earned but not used).

Both of the government-wide financial statements distinguish functions of the Town that are principally supported by taxes and intergovernmental revenues (*government activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the Town include general government services, public safety (police, fire and building inspection), transportation and streets (public works), stormwater management and recreation and leisure services. The business-type activities of the Town include its water, sewer and refuse utility systems.

The government-wide financial statements include not only the Town of Ponce Inlet itself (known as the primary government), but also the financial data of the Ponce DeLeon Inlet Lighthouse Preservation Association, Inc. (the “Lighthouse Association”), for which the Town is financially accountable. Financial information for this *component unit* is reported separately from the financial information presented for the primary government itself. Complete financial statements of the Lighthouse Association component unit can be obtained directly from the Association’s Administrative Office at 4931 South Peninsula Drive, Ponce Inlet, FL 32127 or from the Town of Ponce Inlet.

Fund Financial Statements

The fund financial statements provide more detailed information about the Town’s most significant funds - not the Town as a whole. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the Town can be divided into two categories: governmental funds and proprietary funds.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. These funds are reported using the modified accrual accounting method, which measures cash and all other financial assets that can be readily converted into cash. Such information may be useful in evaluating the government’s near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government’s near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances are supplemented with a reconciliation to facilitate this comparison between governmental funds and governmental activities on pages 28 and 30.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

The Town maintains fourteen individual governmental funds and three individual proprietary funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund, the S. Peninsula Drive Sidewalk Fund, the Hurricane Ian Restoration Fund, and the Public Land Acquisition and Facility Fund, all of which are considered to be major funds. Data from the other ten governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining and individual fund budgetary statements in the other supplementary information section of this report.

Proprietary Funds. Services for which the Town charges customers a fee are generally reported in proprietary funds. Proprietary fund financial statements, like the government-wide statements, provide both long and short-term financial information. The Town's three enterprise funds (water, sewer and refuse utility systems, all of which are considered major funds of the Town) are aggregated in the business-type activities presented in the government-wide statements. Since the accounting for these operations is similar to that provided in the government-wide financial statements, the fund financial statements provide limited supplemental information in more detail, such as cash flows data.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

Financial Analysis of the Town as a Whole

Net position. As noted previously, net position may serve over time as a useful indicator of a government's financial position. This year, the Town's combined total assets exceeded liabilities (net position) by \$15,154,746 at September 30, 2023 compared to \$15,516,587 at September 30, 2022, which is summarized below:

	Governmental Activities		Business-type Activities		Total	
	2023	2022	2023	2022	2023	2022
Assets:						
Current and other assets	\$ 7,521,668	\$ 7,483,037	\$ 2,081,491	\$ 2,136,406	\$ 9,603,159	\$ 9,619,443
Restricted assets	-	-	224,179	214,844	224,179	214,844
Capital assets, net	13,443,332	12,945,624	1,765,437	1,887,943	15,208,769	14,833,567
Total assets	20,965,000	20,428,661	4,071,107	4,239,193	25,036,107	24,667,854
Deferred outflows of resources	1,734,850	1,884,596	130,520	145,248	1,865,370	2,029,844
Liabilities:						
Long-term debt	1,066,729	1,499,604	805,276	858,566	1,872,005	2,358,170
Other liabilities	8,378,822	7,423,333	1,334,042	1,200,149	9,712,864	8,623,482
Total Liabilities	9,445,551	8,922,937	2,139,318	2,058,715	11,584,869	10,981,652
Deferred inflows of resources	144,615	179,035	17,247	20,424	161,862	199,459
Net position:						
Invested in capital assets, net of related debt	12,376,603	11,446,020	957,115	1,026,098	13,333,718	12,472,118
Restricted	728,889	674,897	224,179	214,844	953,068	889,741
Unrestricted	4,192	1,090,368	863,768	1,064,360	867,960	2,154,728
Total net position	\$ 13,109,684	\$ 13,211,285	\$ 2,045,062	\$ 2,305,302	\$ 15,154,746	\$ 15,516,587

One of the most significant components of the Town's net position (88.0%) is its investment in capital assets (land, buildings, improvements, and equipment) less any related debt used to acquire or construct those assets, which is still outstanding. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the Town's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

The Town also has a small investment (6.3%) in other restricted net position, consisting of unspent local option fuel taxes (\$478,495), amounts restricted for protective inspections (\$87,954), judgments and fines restricted for police education (\$14,853), court ordered confiscations, capital fire equipment (\$115,830), amounts restricted for debt service payments (\$3,946), utility impact fees restricted for utility expansion (\$224,179), and impact fees for parks and rec (\$27,811). Consequently, the remaining 5.9% of unrestricted net position represents amounts that can be used to finance day-to-day operations without constraints established by debt covenants, enabling legislation, or other legal requirements, which totaled \$867,960 at September 30, 2023 and \$2,154,728 at September 30, 2022.

Changes in Net position. While the statement of net position shows a snapshot of the Town's financial position at the end of the fiscal year, the statement of changes in net position provides answers as to the nature and sources of those changes. During the 2022 – 2023 fiscal year, the Town's total revenues decreased by \$328,528 (or 2.6%) and totaled \$12,551,110, compared to \$12,879,638 in the prior year. An approximate \$1.6 million dollar decrease in revenues due to the ARPA grant recognized in fiscal year 2022 not repeating in fiscal year 2023 was mostly offset by FEMA revenues related to Hurricane Ian, a sharp increase in building permit revenue, an insurance reimbursement claim paid related to Hurricane Ian, and much more investment income due to a sharp increase in interest rates during fiscal year 2023.

During the 2022 – 2023 fiscal year, approximately 46% of the Town's total revenue was derived from property taxes, while 51.0 cents of every dollar raised came from some form of tax. Another 36.9% was produced from fees charged for services, while the substantial portion of the remainder is from capital/operating grants and contributions, intergovernmental revenues and other sources. The total costs of providing all of the Town's routine programs and services increased by \$2,046,448 in the current year, which represents an increase of approximately 18.8% overall. This increase is primarily attributable to several things: 1.) A significant increase in the Florida Retirement System's unfunded liability of which the Town must report its pro rata share makes up \$803,070 of the difference, 2.) There were \$241,842 more capital costs of various projects in the 2022 – 2023 fiscal year as compared to the prior year and, 3.) around \$313,000 of expenses related to clean up after Hurricane Ian.

Overall, the Town's revenues decreased by about 2.6% compared to last year. The Town's expenses for its combined governmental and business activities increased by approximately 18.8% compared to the prior year. The Town's combined net position decreased in the current year by \$361,842, compared to an increase in the prior year of \$2,013,131.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

The following is a summary of changes in net position for the fiscal year:

	Governmental		Business-type		Total	
	Activities		Activities			
	2023	2022	2023	2022	2023	2022
Revenues:						
Current charges for services	\$ 1,487,449	\$ 1,111,360	\$ 3,142,673	\$ 3,045,127	\$ 4,630,122	\$ 4,156,487
Operating grants/contributions	449,406	1,741,377	-	-	449,406	1,741,377
Capital grants/contributions	117,653	153,006	9,162	9,880	126,815	162,886
General revenues						
Property taxes	5,744,654	5,746,647	-	-	5,744,654	5,746,647
Other taxes	655,580	599,218	-	-	655,580	599,218
Intergovernmental	372,334	374,691	-	-	372,334	374,691
Other revenues	559,443	95,407	12,756	2,925	572,199	98,332
Total revenues	9,386,519	9,821,706	3,164,591	3,057,932	12,551,110	12,879,638
Expenses:						
General government	1,837,052	1,716,358	-	-	1,837,052	1,716,358
Public safety	5,312,372	4,351,562	-	-	5,312,372	4,351,562
Physical environment	339,725	6,319	-	-	339,725	6,319
Transportation	704,883	615,056	-	-	704,883	615,056
Culture/recreation	717,764	544,269	-	-	717,764	544,269
Information technology	642,110	484,901	-	-	642,110	484,901
Interest expense	48,974	64,279	-	-	48,974	64,279
Water system	-	-	1,821,222	1,615,818	1,821,222	1,615,818
Sewer system	-	-	1,081,713	1,082,086	1,081,713	1,082,086
Refuse/solid waste system	-	-	407,137	385,856	407,137	385,856
Total expenses	9,602,880	7,782,744	3,310,072	3,083,760	12,912,952	10,866,504
Transfers in (out)	114,760	110,068	(114,760)	(110,068)	-	-
Increase (decrease) in net assets	(101,601)	2,149,030	(260,241)	(135,896)	(361,842)	2,013,134
Net position beginning of year	13,211,285	11,062,255	2,305,303	2,441,199	15,516,588	13,503,454
Net position end of year	\$ 13,109,684	\$ 13,211,285	\$ 2,045,062	\$ 2,305,303	\$ 15,154,746	\$ 15,516,588

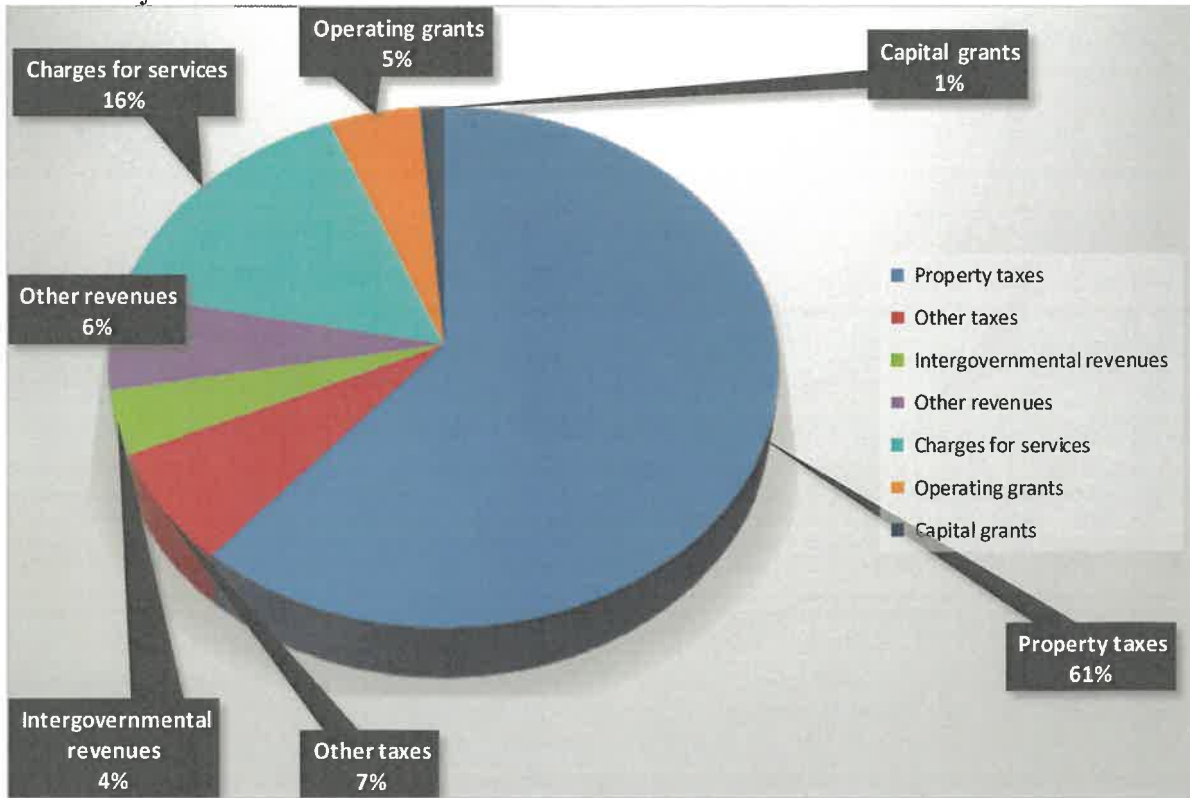
**TOWN OF PONCE INLET, FLORIDA
MANAGEMENT’S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023**

Governmental Activities

Revenues for the Town’s governmental activities were approximately 4.4% less than the amount of revenue earned in the prior fiscal year. Overall, the Town’s governmental revenues totaled \$9,386,519 in the current year, which represents a decrease of \$435,187 under last year’s reported revenues of \$9,821,706.

The following is a summary of the Town’s governmental revenues by source:

Revenues by Source - Governmental Activities



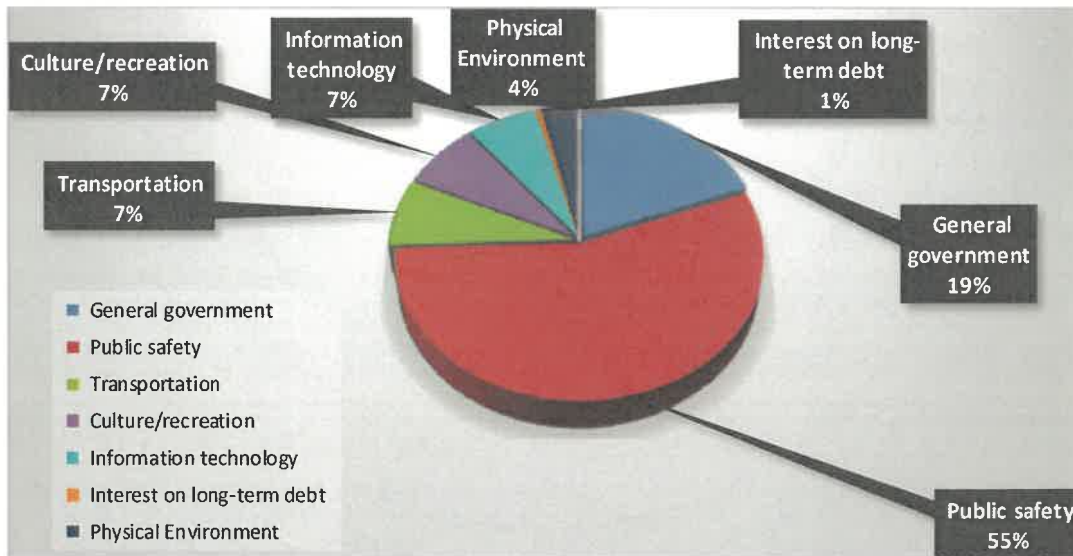
Overall, the Town experienced an increase in expenses for the Town’s combined governmental activities. Governmental activities expenses increased by \$1,820,136 (23.3%), and totaled \$9,602,880 for the year ended September 30, 2023, compared to a total of \$7,782,744 incurred during the prior year. The changes were primarily due to the following: : 1.) A significant increase in the Florida Retirement System’s unfunded liability of which the Town must report its pro rata share makes up \$803,070 of the difference, 2.) There were \$241,842 more capital costs of various projects in the 2022 – 2023 fiscal year as compared to the prior year and, 3.) around \$313,000 of expenses related to clean up after Hurricane Ian.

**TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023**

The Town's public safety (police, fire and inspection) function expenses are the most significant component of cost. During the 2022 - 2023 fiscal year, public safety costs totaled \$5,312,372, or 55% (compared to 56% last year), of the Town's total governmental expenses. The Town's general government function expenses are the next largest segment and totaled \$1,837,052 for the current year, or 19% (compared to 22% last year), of the Town's total operating expenses. The Town's stormwater, transportation and recreation functions combined totaled \$1,762,372 for the current year, or 18% (compared to 15% last year), of the total governmental expense. The Town's information technology function totaled \$642,110 for the current year, or 7% (compared to 6% last year). Interest expense on all of the Town's general long-term debt obligations totaled \$48,974 for the current year, or 1% (compared to 1% last year), of the total governmental expense.

The following is a summary of the Town's governmental expenses by function:

Expenses by Function - Governmental Activities



Business-type Activities

The major sources of operating revenues for the Town's business-type activities are charges for services attributed to its water, sewer and refuse utilities. Potable water is purchased in bulk from the City of Port Orange and sold to the Town's customers under rates established by the Town. Sewer collection services are billed by the Town on behalf of the City of Port Orange under rates established by Port Orange, all of which is remitted to Port Orange monthly. The Town collects an annual administrative fee for billing, collecting, and remitting all sewer charges and payments. The Town also bills utility connection and capacity fees on behalf of Port Orange under rates established by Port Orange, which are collected and subsequently remitted to Port Orange. Solid waste and recycling fees are charged to the Town's customers under rates established by the Town. An independent contractor is engaged by the Town to perform all collection and disposal activities.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

Combined utility sales totaled \$3,142,673 in the current year, compared to \$3,045,127 one year earlier. The Town also collected Port Orange's water and sewer impact/connection fees totaling \$16,245 and \$60,576, respectively, which were remitted to the City of Port Orange. In addition to these charges, the Town received \$9,162 in impact/capital contributions and \$8,216 in investment earnings during the recent fiscal year.

Combined operating expenses of the Town's business-type activities totaled \$3,310,072 in the current year compared to \$3,083,760 one year earlier. Depreciation expense on utility fund assets included in this amount totaled \$133,919 and \$165,267 for the years ended September 30, 2023 and 2022, respectively.

Financial Analysis of the Town's Funds

The Town uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year. As the Town completed the year, its governmental funds reported a combined fund balance of \$6,858,309, which was \$69,856 less than the \$6,928,165 reported one year earlier.

The general fund is the chief operating fund of the Town. At September 30, 2023, the unassigned fund balance in the general fund totaled \$2,206,744, compared to \$1,871,042, one year earlier. Unassigned balances do not contain Town Council established stabilization (commitment) amounts of \$2,037,480 and \$2,314,410 for September 30, 2023 and 2022, respectively. Combined unassigned fund balances and stabilization amounts represent approximately 53% (28 weeks/193 days) of the Town's general fund spending for the 2022 - 2023 fiscal year compared to 59% (31 weeks/216 days) one year earlier.

The Public Land Acquisition and Facility special revenue fund was established in 2003 to separately account for the collection and disposition of the Town's franchise fee collections on solid waste and utility service taxes on providers of electricity and liquid propane in the Town (and pledged for debt service on the Town's Capital Improvement Revenue Note, Series 2005). These funds are restricted for the acquisition and improvement of real property in the Town. At September 30, 2023, unreserved fund balance in this fund was \$439,546 compared to \$464,357 one year earlier. To better describe the activity of this fund in regard to the obligation of the aforementioned Revenue Note, Series 2005 (the Town Hall capital project), the Town continues to budget approximately \$328,000 per year in revenue towards loan payments.

Fund balances in the Town's non-major special revenue and capital projects funds decreased by \$1,000,340 in the current year and totaled \$624,918, compared to \$1,625,258 at the end of the prior year.

Proprietary Funds. The Town's proprietary fund financial statements provide the same type of information found in the government-wide financial statements, but in more detail.

**TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS**

For the Year Ended September 30, 2023

Unrestricted net position of the Water Utility Fund at the end of the current year amounted to \$850,863. Unreserved equity in the Town's Sewer Utility Fund (which is operated on a pass-through basis in conjunction with an Agreement with the City of Port Orange, Florida), totaled \$6,515 at September 30, 2023, all of which will ultimately be transferred to the Town's General Fund. Unreserved fund equity in the Town's Refuse Utility Fund totaled \$6,390 at September 30, 2023. Net operating transfers totaling \$114,760 were transferred to governmental funds during the current year in the form of excess equity, reimbursements for capital acquisitions and operating transfers. Other factors concerning the finances of these funds have already been addressed in the discussion of the Town's business-type activities.

General Fund Budgetary Highlights

Over the course of the year, the Town Council revised the Town's operating budget. These budget amendments fall into two categories:

- Amendments and supplemental appropriations were approved midway through the year to reflect the actual opening account balances (correcting estimated amounts in the budget adopted at the beginning of the year).
- Increases/decreases in line item budget appropriations to prevent budget overruns.

Actual earned revenues were \$94,885 less than the final amounts anticipated to be received during the year in the Town's General Fund. Actual expenditures incurred were \$492,790 under the \$8.39 million amended budget appropriations provided in the current year operating budget.

Capital Assets and Debt Administration

Capital Assets. At September 30, 2023, the Town had \$25 million invested in a broad range of capital assets, including land, buildings, park facilities, police equipment, public works equipment and water lines. This investment in capital assets, net of depreciation, for all activities is reflected in the following schedule:

	Governmental		Business-type		Total	
	Activities		Activities			
	2023	2022	2023	2022	2023	2022
Land and land rights	\$ 4,605,518	\$ 4,605,518	\$ 4,033	\$ 4,033	\$ 4,609,551	\$ 4,609,551
Buildings	5,993,009	5,807,969	6,713	-	5,999,722	5,807,969
Improvements other than buildings	6,595,413	5,779,692	4,075,223	4,075,223	10,670,636	9,854,915
Equipment and furniture	3,477,434	3,144,422	374,343	376,968	3,851,777	3,521,390
	20,671,374	19,337,601	4,460,312	4,456,224	25,131,686	23,793,825
Less accumulated depreciation	(7,743,111)	(7,338,365)	(2,694,875)	(2,568,281)	(10,437,986)	(9,906,646)
	12,928,263	11,999,236	1,765,437	1,887,943	14,693,700	13,887,179
Construction in progress	515,069	946,388	-	-	515,069	946,388
Net capital assets	<u>\$ 13,443,332</u>	<u>\$ 12,945,624</u>	<u>\$ 1,765,437</u>	<u>\$ 1,887,943</u>	<u>\$ 15,208,769</u>	<u>\$ 14,833,567</u>

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

Long-term Debt. At September 30, 2023, the Town had \$1,872,005 in governmental and business-type activities long-term note and promissory loan obligations outstanding, compared to \$2,358,170 one year earlier. All of the Town's long-term debt is secured solely by specified revenue sources and is not backed with the full faith and credit of the government.

These obligations and the Town's compensated absences liabilities are reflected in the following schedule:

	Governmental		Business-type		Total	
	Activities		Activities			
	2023	2022	2023	2022	2023	2022
Capital Improvement Revenue						
Note, Series 2005	\$ 618,000	\$ 909,000	\$ -	\$ -	\$ 618,000	\$ 909,000
Florida Department of Environmental Protection State Revolving Fund Loans	448,729	590,604	805,276	858,566	1,254,005	1,449,170
	1,066,729	1,499,604	805,276	858,566	1,872,005	2,358,170
Net pension liability	7,232,420	6,294,611	563,833	477,274	7,796,253	6,771,885
Other post-employment benefits	160,000	170,965	16,217	17,229	176,217	188,194
Compensated absences	433,580	405,368	64,347	61,447	497,927	466,815
General long-term debt	<u>\$ 8,892,729</u>	<u>\$ 8,370,548</u>	<u>\$ 1,449,673</u>	<u>\$ 1,414,516</u>	<u>\$ 10,342,402</u>	<u>\$ 9,785,064</u>

The Town has a 2005 capital improvement revenue note obligation payable to Bank of America totaling \$618,000 at September 30, 2023. The proceeds of this Series 2005 loan were used to finance the acquisition of land and the construction of a Town Hall and Public Safety Complex. The Town makes semi-annual debt service payments on this obligation until 2025.

The Town has a low interest loan program offered by the Florida Department of Environmental Protection Clean Water State Revolving Fund Loan Program. The proceeds of this construction loan were used to develop and rehabilitate the Town's stormwater management infrastructure. The Town makes semi-annual debt service payments on this obligation until 2026. The balance due on this loan at September 30, 2023 was \$448,729.

The Town has a low interest loan program offered by the Florida Department of Environmental Protection Drinking Water State Revolving Fund Loan Program. The proceeds of this construction loan were used to finance the construction of public water systems. The Town makes semi-annual debt service payments on this obligation until 2037. The balance due on this loan at September 30, 2023 was \$805,276.

Economic Factors and Next Year's Budgets and Rates

Many factors are considered each year by the Town Council in its efforts to establish an operating budget, to evaluate its personnel needs, and to develop uniform utility fees that are reasonable, and more importantly, capable of cost recovery. Some of the major factors considered in this process are the local economy, civilian labor force, unemployment rates, and inflation rates.

TOWN OF PONCE INLET, FLORIDA
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the Year Ended September 30, 2023

- The most recent estimates available for unemployment data in Volusia County, Florida are compiled by the U.S. Department of Labor, Bureau of Labor Statistics. This agency estimates a countywide unemployment rate of 3.4% at the end of September 2023, which is unfavorable to the 2.8% rate experienced one year earlier. These estimates are slightly higher than the State of Florida's 2.8% unemployment rate. Nationwide, the unemployment rate is stated at 3.8% as of September 2023.
- Inflationary trends for Volusia County are consistent with those trends experienced at the state and national levels.
- The Town Council voted to adopt the operating millage for the 2023 levy of 6.2779 mills. This is .9779 mills more than the millage rate used for the 2022 levy of 5.3 mills.

In the process of presenting a balanced operating budget for the General Fund for the 2023-2024 fiscal year and to meet the challenges discussed above, a complete departmental review of the operational needs of each department was considered and submitted to the Town Manager for approval prior to being compiled and submitted to the Town Council for inclusion in the final budget.

Requests for Information

This financial report is designed to provide our citizens, taxpayers, customers, and creditors with a general overview of the Town's finances and to demonstrate the Town's accountability for the money it receives. Questions concerning any of the information provided in this report, or requests for additional information should be addressed to the Office of the Town Manager, Town of Ponce Inlet, Florida, 4300 South Atlantic Avenue, Ponce Inlet, Florida 32127.

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BASIC FINANCIAL STATEMENTS

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TOWN OF PONCE INLET, FLORIDA
STATEMENT OF NET POSITION
September 30, 2023

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	Lighthouse Association
Assets:				
Cash and cash equivalents	\$ 2,564,484	\$ 1,781,312	\$ 4,345,796	\$ 2,571,319
Investments	4,303,865	-	4,303,865	657,918
Receivables, net	401,552	293,773	695,325	-
Inventories	5,797	-	5,797	208,086
Prepaid expenses	38,293	6,406	44,699	51,585
Deposits	-	-	-	1,703
Right of use assets - leases, net	70,897	-	70,897	-
Right of use assets - SBITAs, net	136,780	-	136,780	-
Temporarily restricted assets:				
Cash and cash equivalents	-	224,179	224,179	-
Capital assets:				
Land, construction in progress and other	5,120,587	4,033	5,124,620	2,801,715
Other capital assets, net of depreciation	8,322,745	1,761,404	10,084,149	3,336,098
Total assets	20,965,000	4,071,107	25,036,107	9,628,424
Deferred outflows on pensions	1,734,850	130,520	1,865,370	-
Liabilities:				
Accounts payable and accrued liabilities	164,506	410,057	574,563	280,392
Deposits/unearned revenue	174,241	276,542	450,783	-
Accrued interest payable	6,566	3,046	9,612	-
Other postemployment benefits	160,000	16,217	176,217	-
Net pension liability	7,232,420	563,833	7,796,253	-
Lease liabilities:				
Due within one year	25,974	-	25,974	-
Due in more than one year	45,303	-	45,303	-
SBITA liabilities:				
Due within one year	47,291	-	47,291	-
Due in more than one year	88,941	-	88,941	-
Long-term debt:				
Due within one year	448,658	53,829	502,487	50,938
Due in more than one year	618,071	751,447	1,369,518	704,087
Compensated absences	433,580	64,347	497,927	-
Total liabilities	9,445,551	2,139,318	11,584,869	1,035,417
Deferred inflows on pensions	144,615	17,247	161,862	-
Net Position:				
Net investment in capital assets	12,376,603	957,115	13,333,718	5,382,788
Restricted for:				
Utility expansion	-	224,179	224,179	-
Public safety	218,637	-	218,637	-
Debt service	3,946	-	3,946	-
Transportation	478,495	-	478,495	-
Recreation	27,811	-	27,811	-
Historic Parcetti Hotel restoration	-	-	-	829,321
Unrestricted	4,192	863,768	867,960	2,380,898
Total net position	\$ 13,109,684	\$ 2,045,062	\$ 15,154,746	\$ 8,593,007

See Independent Auditors' Report and Notes to the Financial Statements.

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TOWN OF PONCE INLET, FLORIDA
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2023

	Program Revenues			
Functions / Programs	Expenses	Charges For Service	Operating Grants and Contributions	Capital Grants and Contributions
Primary Government:				
Governmental activities:				
General government	\$ 1,837,052	\$ 541,652	\$ -	\$ -
Public safety	5,312,372	875,554	-	-
Physical environment	339,725	-	373,373	-
Transportation	704,883	-	76,033	54,734
Culture/recreation	717,764	70,243	-	62,919
Information technology	642,110	-	-	-
Interest on long-term debt	48,974	-	-	-
Total governmental activities	9,602,880	1,487,449	449,406	117,653
Business-type Activities:				
Water utilities	1,821,222	1,618,332	-	9,162
Sewer utilities	1,081,713	1,105,699	-	-
Refuse utilities	407,137	418,642	-	-
Total business-type activities	3,310,072	3,142,673	-	9,162
Total primary government	\$ 12,912,952	\$ 4,630,122	\$ 449,406	\$ 126,815
Component Units:				
Lighthouse Association	\$ 1,787,529	\$ 1,756,314	\$ 95,846	\$ 668,705
General revenues:				
Taxes:				
Property taxes, levied for general purposes				
Public service taxes				
Other taxes				
Intergovernmental revenues				
Investment earnings (loss)				
Miscellaneous				
Transfers				
Total general revenues and transfers				
Change in net position				
Net position - beginning of year				
Net position - end of year				

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2023

Net (Expense) Revenue and Changes in Net Assets			
Primary Government			Component Unit
Governmental Activities	Business-type Activities	Total	Lighthouse Association
\$ (1,295,400)	\$ -	\$ (1,295,400)	
(4,436,818)	-	(4,436,818)	
33,648	-	33,648	
(574,116)	-	(574,116)	
(584,602)	-	(584,602)	
(642,110)	-	(642,110)	
(48,974)	-	(48,974)	
<u>(7,548,372)</u>	<u>-</u>	<u>(7,548,372)</u>	
-	(193,728)	(193,728)	
-	23,986	23,986	
-	11,505	11,505	
<u>-</u>	<u>(158,237)</u>	<u>(158,237)</u>	
<u>(7,548,372)</u>	<u>(158,237)</u>	<u>(7,706,609)</u>	
			<u>\$ 733,336</u>
5,744,654	-	5,744,654	-
647,668	-	647,668	-
7,912	-	7,912	-
372,334	-	372,334	-
215,182	8,216	223,398	36,711
344,261	4,540	348,801	360
114,760	(114,760)	-	-
<u>7,446,771</u>	<u>(102,004)</u>	<u>7,344,767</u>	<u>37,071</u>
<u>(101,601)</u>	<u>(260,241)</u>	<u>(361,842)</u>	<u>770,407</u>
<u>13,211,285</u>	<u>2,305,303</u>	<u>15,516,588</u>	<u>7,822,600</u>
<u>\$ 13,109,684</u>	<u>\$ 2,045,062</u>	<u>\$ 15,154,746</u>	<u>\$ 8,593,007</u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
BALANCE SHEET – GOVERNMENTAL FUNDS
September 30, 2023

	General	S. Peninsula Drive Sidewalk	Public Land Acquisition and Facility	Hurricane Ian Restoration	Other Governmental Funds	Total- Governmental Funds
Assets:						
Cash and cash equivalents	\$ 644,077	\$ 802,756	\$ 383,176	\$ 77,202	\$ 657,273	\$ 2,564,484
Investments	4,303,865	-	-	-	-	4,303,865
Receivables, net	61,275	-	56,370	-	-	117,645
Due from other funds	21,156	-	-	-	-	21,156
Due from other governments	212,494	-	-	71,342	70	283,906
Inventories	5,797	-	-	-	-	5,797
Prepaid expenses	36,006	-	-	-	-	36,006
Total assets	\$ 5,284,670	\$ 802,756	\$ 439,546	\$ 148,544	\$ 657,343	\$ 7,332,859
Liabilities, Deferred Inflows, and Fund Balances:						
Liabilities:						
Accounts payable and accrued expenses	\$ 128,542	\$ -	\$ -	\$ 24,701	\$ 11,269	\$ 164,512
Due to other funds	-	-	-	-	21,156	21,156
Unearned revenue	186,377	-	-	-	-	186,377
Total liabilities	314,919	-	-	24,701	32,425	372,045
Deferred Inflows:						
Unavailable revenue	102,505	-	-	-	-	102,505
Fund Balances:						
Nonspendable	41,803	-	-	-	-	41,803
Restricted	566,449	-	-	-	162,440	728,889
Committed	2,037,480	-	439,546	-	-	2,477,026
Assigned	14,771	802,756	-	123,843	483,634	1,425,004
Unassigned	2,206,744	-	-	-	(21,156)	2,185,588
Total fund balances	4,867,246	802,756	439,546	123,843	624,918	6,858,309
Total liabilities, deferred inflow and fund balances	\$ 5,284,670	\$ 802,756	\$ 439,546	\$ 148,544	\$ 657,343	\$ 7,332,859

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE
STATEMENT OF NET POSITION
September 30, 2023

Total governmental activities fund balances		\$ 6,858,309
Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds		13,443,337
Revenues in the statement of activities that do not provide current financial resources and, therefore, are not reported as revenue in the funds:		
Delinquent tax revenues	12,136	
Unavailable revenues not collected within 90 days	102,505	114,641
Difference between right of use assets recognized on leases and SBITAs and the corresponding liabilities related to these arrangements		2,457
The (increase) decrease in net pension liabilities, deferred outflows and inflows, and postemployment benefits costs are reported in the statement of activities, but not in individual governmental fund statements as follows:		
Deferred outflows of pension plans	1,734,850	
Deferred inflows of pension plans	(144,615)	
Net pension liabilities	(7,232,420)	
Other postemployment benefit obligation payable	(160,000)	(5,802,185)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds:		
Bonds and notes payable, and finance lease obligations	(1,066,729)	
Accrued interest payable	(6,566)	
Compensatory wages payable	(433,580)	(1,506,875)
Net position of governmental activities		<u>\$ 13,109,684</u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
For the Year Ended September 30, 2023

	General	S. Peninsula Drive Sidewalk	Public Land Acquisition and Facility	Hurricane Ian Restoration	Other Governmental Funds	Total Governmental Funds
Revenue:						
Taxes:						
Property taxes	\$ 5,745,573	\$ -	\$ -	\$ -	\$ -	\$ 5,745,573
Local option gas taxes	130,767	-	-	-	-	130,767
Public service taxes	174,479	-	473,189	-	-	647,668
Business taxes	7,912	-	-	-	-	7,912
Permits, fees and assessments	1,024,041	-	44,393	-	22,730	1,091,164
Federal grant	-	-	-	270,868	-	270,868
Intergovernmental revenue	372,334	-	-	-	-	372,334
Local intergovernmental capital grants	-	-	-	-	62,919	62,919
Charges for services	366,523	-	-	-	-	366,523
Fines and forfeitures	27,619	-	-	-	1,230	28,849
Investment earnings (loss)	209,248	-	5,934	-	-	215,182
Insurance reimbursements	-	-	-	241,745	-	241,745
Miscellaneous revenue	91,422	-	-	-	13,963	105,385
Total revenue	8,149,918	-	523,516	512,613	100,842	9,286,889
Expenditures:						
Operating:						
General government	1,550,842	-	-	-	-	1,550,842
Public safety	4,465,412	-	-	-	-	4,465,412
Physical environment	17,400	-	7,955	314,370	-	339,725
Transportation	485,087	-	-	-	-	485,087
Culture/recreation	506,970	-	-	-	3,275	510,245
Information technology	559,297	-	-	-	-	559,297
Capital outlay:						
General government	-	-	212,372	-	-	212,372
Public safety	58,788	-	-	-	201,570	260,358
Transportation	148,666	-	-	-	-	148,666
Physical Environment	-	-	-	183,129	190,550	373,679
Information technology	41,176	-	-	-	39,701	80,877
Debt service:						
Principal	58,319	-	-	-	432,875	491,194
Interest	2,216	-	-	-	52,070	54,286
Total expenditures	7,894,173	-	220,327	497,499	920,041	9,532,040
Excess of revenues over (under) expenditures	255,745	-	303,189	15,114	(819,199)	(245,151)
Other Financing Sources (Uses):						
Operating transfers in	136,235	652,756	-	308,255	609,584	1,706,830
Operating transfers (out)	(273,819)	-	(328,000)	(199,526)	(790,725)	(1,592,070)
Lease and SBITA liabilities issued	60,535	-	-	-	-	60,535
	(77,049)	652,756	(328,000)	108,729	(181,141)	175,295
Excess of revenue and other sources over expenditures and other uses	178,696	652,756	(24,811)	123,843	(1,000,340)	(69,856)
Fund balances - beginning of year	4,688,550	150,000	464,357	-	1,625,258	6,928,165
Fund balances - end of year	\$ 4,867,246	\$ 802,756	\$ 439,546	\$ 123,843	\$ 624,918	\$ 6,858,309

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE
STATEMENTS OF ACTIVITIES
For the Year Ended September 30, 2023

Net change in fund balances - total governmental funds		\$ (69,856)
Amounts reported for governmental activities in the statement of activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period:		
Expenditures for capital assets	1,075,952	
Less: net adjusted basis of current year asset disposals	(2,875)	
Less: current year provision for depreciation	<u>(575,375)</u>	497,702
Deferred outflows and inflows of resources are not available in the current period and, therefore, are not reported in the governmental funds. Deferred outflows and inflows of resources at year end consist of:		
Deferred outflows of pension plans	(149,744)	
Deferred inflows of pension plans	<u>34,420</u>	(115,324)
Unavailable revenues (revenues not collectable within sixty days after year-end) are recorded as a deferred inflow in the governmental funds. For government-wide financial statements these are considered revenue		
		102,505
Difference between right of use assets recognized on leases and SBITAs and the corresponding liabilities related to these arrangements		
		2,457
Net pension and postemployment benefits obligations that are actuarially due and payable in the current period which will be accumulated and paid in future periods consist of:		
Net pension liabilities	(937,809)	
Other postemployment benefit obligation payable	<u>10,965</u>	(926,844)
Some expenses reported in the statement of activities do not require the use of current financial resources are not reported as expenditures in the funds:		
(Increase) decrease in employee compensated absences	(28,212)	
(Increase) decrease in accrued interest on long-term debt obligations	<u>3,096</u>	(25,116)
Repayment of principal on long-term debt obligations is an expenditure in the governmental fund, but the repayments reduce long-term liabilities in the statement of net position		
		<u>432,875</u>
Change in net position of governmental activities		<u><u>\$ (101,601)</u></u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – GENERAL FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Taxes:				
Property taxes	\$ 5,764,807	\$ 5,748,807	\$ 5,745,573	\$ (3,234)
Local option gas taxes	113,288	131,300	130,767	(533)
Public service taxes	178,276	174,700	174,479	(221)
Local business taxes	9,650	8,207	7,912	(295)
Permits and fees	807,023	957,397	1,024,041	66,644
Intergovernmental:				
Local half-cent sales tax	219,058	237,000	235,772	(1,228)
Other intergovernmental	236,380	128,600	136,562	7,962
Charges for services	339,067	355,401	366,523	11,122
Fines and forfeitures	25,500	25,500	27,619	2,119
Miscellaneous:				
Investment earnings (loss)	26,613	192,546	209,248	16,702
Contributions and donations	7,800	9,913	12,382	2,469
Miscellaneous revenues	247,865	275,432	79,040	(196,392)
Total revenues	<u>7,975,327</u>	<u>8,244,803</u>	<u>8,149,918</u>	<u>(94,885)</u>
Expenditures:				
General Government:				
Legislative	236,464	209,072	190,738	18,334
Executive, finance, and administrative	806,370	873,348	823,790	49,558
Legal	240,000	290,000	277,072	12,928
Planning and zoning	372,488	339,076	259,242	79,834
	<u>1,655,322</u>	<u>1,711,496</u>	<u>1,550,842</u>	<u>160,654</u>
Public Safety:				
Police	1,722,023	1,747,168	1,695,294	51,874
Fire	1,906,790	2,108,786	1,981,781	127,005
Protective Inspection	937,832	910,222	847,125	63,097
	<u>4,566,645</u>	<u>4,766,176</u>	<u>4,524,200</u>	<u>241,976</u>
Physical Environment:				
Stormwater	11,500	15,978	17,400	(1,422)
Transportation:				
Public works facilities	581,275	620,271	591,565	28,706
Road and street facilities	50,600	56,300	42,188	14,112
	<u>631,875</u>	<u>676,571</u>	<u>633,753</u>	<u>42,818</u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – GENERAL FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Culture/Recreation	\$ 529,055	\$ 520,635	\$ 506,970	\$ 13,665
Information Technology	704,949	635,572	600,473	35,099
Debt Service - Leases and SBITAs				
Interest	-	2,216	2,216	-
Principal retirement	-	58,319	58,319	-
	-	60,535	60,535	-
Total expenditures	8,099,346	8,386,963	7,894,173	492,790
Excess of revenue over (under) expenditures	(124,019)	(142,160)	255,745	397,905
Other Financing Sources (Uses):				
Transfers from:				
Enterprise Funds	106,995	106,995	106,995	-
Capital Fire Equipment Fund	-	12,000	12,000	-
Capital Facility Maintenance Fund	-	17,240	17,240	-
Appropriated fund balance	273,607	219,208	-	(219,208)
Transfers to:				
Enterprise Funds	-	(17,235)	(17,235)	-
Capital Fire Equipment Fund	(100,000)	(100,000)	(100,000)	-
Capital Facility Maintenance Fund	(25,000)	(25,000)	(25,000)	-
Debt Service Fund	(131,583)	(131,583)	(131,584)	(1)
Lease and SBITA liabilities issued	-	60,535	60,535	-
Total other financing sources (uses)	124,019	142,160	(77,049)	(219,209)
Net change in fund balance	-	-	178,696	178,696
Fund Balance - Beginning of year	2,881,914	2,881,914	4,688,550	1,806,636
Fund Balance - End of year	\$ 2,881,914	\$ 2,881,914	\$ 4,867,246	\$ 1,985,332

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
BUDGET AND ACTUAL – S. PENINSULA DRIVE SIDEWALK FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Local government grant	\$ -	\$ -	\$ -	\$ -
Total revenues	-	-	-	-
Expenditures:				
Physical Environment:				
Capital outlay	-	-	-	-
Total expenditures	-	-	-	-
Excess of revenue over (under) expenditures	-	-	-	-
Other Financing Sources (Uses):				
Appropriated for fund balance	(818,574)	(652,756)	-	652,756
Transfer from Hurricane Ian Fund	-	199,526	199,526	-
Transfer from Economic Impact Fund	818,574	453,230	453,230	-
Operating transfer from General Fund	-	-	-	-
Total other financing sources (uses)	-	-	652,756	652,756
Net change in fund balance	-	-	652,756	652,756
Fund Balance - Beginning of year	-	-	150,000	150,000
Fund Balance - End of year	\$ -	\$ -	\$ 802,756	\$ 802,756

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – PUBLIC LAND ACQUISITION AND FACILITY
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Taxes:				
Utility service taxes-electric	\$ 384,674	\$ 417,300	\$ 459,227	\$ 41,927
Utility service taxes-liquid propane	21,384	17,000	13,962	(3,038)
	<u>406,058</u>	<u>434,300</u>	<u>473,189</u>	<u>38,889</u>
Permits and fees:				
Franchise fees-solid waste	35,468	43,700	44,393	693
Miscellaneous Revenues:				
Investment earnings (loss)	181	6,800	5,934	(866)
Total revenues	<u>441,707</u>	<u>484,800</u>	<u>523,516</u>	<u>38,716</u>
Expenditures:				
Physical Environment:				
Operating expenditures	-	8,000	7,955	45
Other General Government:				
Capital expenditures	197,676	221,690	212,372	9,318
Total expenditures	<u>197,676</u>	<u>229,690</u>	<u>220,327</u>	<u>9,363</u>
Excess of revenue over (under) expenditures	<u>244,031</u>	<u>255,110</u>	<u>303,189</u>	<u>48,079</u>
Other Financing Sources (Uses):				
Appropriated fund balance	83,969	72,890	-	(72,890)
Operating transfer to Debt Service Fund	(328,000)	(328,000)	(328,000)	-
Total other financing sources (uses)	<u>(244,031)</u>	<u>(255,110)</u>	<u>(328,000)</u>	<u>(72,890)</u>
Net change in fund balance	-	-	(24,811)	(24,811)
Fund Balance - Beginning of year	<u>505,052</u>	<u>505,052</u>	<u>464,357</u>	<u>(40,695)</u>
Fund Balance - End of year	<u>\$ 505,052</u>	<u>\$ 505,052</u>	<u>\$ 439,546</u>	<u>\$ (65,506)</u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – HURRICANE IAN RESTORATION
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Grants:				
Federal Grant - FEMA	\$ -	\$ 199,526	\$ 270,868	\$ 71,342
Miscellaneous:				
Insurance Reimbursement	-	241,745	241,745	-
Total revenues	-	441,271	512,613	71,342
Expenditures:				
Physical Environment:				
Operating expenditures	-	333,710	314,370	19,340
Capital outlay	-	187,028	183,129	3,899
Total expenditures	-	520,738	497,499	23,239
Excess of revenue over (under) expenditures	-	(79,467)	15,114	94,581
Other Financing Sources (Uses):				
Appropriated for fund balance	-	(29,262)	-	29,262
Transfer from Economic Impact Fund	-	308,255	308,255	-
Transfer to S. Peninsula Drive Sidewalk Fund	-	(199,526)	(199,526)	-
Total other financing sources (uses)	-	79,467	108,729	29,262
Net change in fund balance	-	-	123,843	123,843
Fund Balance - Beginning of year	-	-	-	-
Fund Balance - End of year	\$ -	\$ -	\$ 123,843	\$ 123,843

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF NET POSITION - PROPRIETARY FUNDS
For the Year Ended September 30, 2023

	Business-type Activities - Enterprise Funds			Totals
	Water Utility	Sewer Utility	Refuse Utility	
Assets:				
Current Assets:				
Cash and cash equivalents	\$ 1,688,958	\$ 89,354	\$ 3,000	\$ 1,781,312
Restricted cash and cash equivalents	224,179	-	-	224,179
Receivables, net:				
Accounts	3,373	1,222	1,349	5,944
Unbilled accounts	158,246	93,486	36,097	287,829
Prepaid expenses	6,406	-	-	6,406
Total current assets	<u>2,081,162</u>	<u>184,062</u>	<u>40,446</u>	<u>2,305,670</u>
Noncurrent Capital Assets:				
Land and land rights	4,033	-	-	4,033
Infrastructure	1,505,602	-	-	1,505,602
Distribution system	2,569,621	-	-	2,569,621
General utilities equipment	381,056	-	-	381,056
	<u>4,460,312</u>	<u>-</u>	<u>-</u>	<u>4,460,312</u>
Less: accumulated depreciation	(2,694,875)	-	-	(2,694,875)
Total noncurrent capital assets	<u>1,765,437</u>	<u>-</u>	<u>-</u>	<u>1,765,437</u>
Total assets	<u>3,846,599</u>	<u>184,062</u>	<u>40,446</u>	<u>4,071,107</u>
Deferred Outflows on Pensions	<u>130,520</u>	<u>-</u>	<u>-</u>	<u>130,520</u>
Liabilities:				
Accounts payable and accrued expenses	201,500	177,547	34,056	413,103
Customer deposits	276,542	-	-	276,542
Other postemployment benefits	16,217	-	-	16,217
Net pension liability	563,833	-	-	563,833
Long-term debt:				
Due within one year	53,829	-	-	53,829
Due in more than one year	751,447	-	-	751,447
Compensated absences	64,347	-	-	64,347
Total liabilities	<u>1,927,715</u>	<u>177,547</u>	<u>34,056</u>	<u>2,139,318</u>
Deferred Inflows on Pensions	<u>17,247</u>	<u>-</u>	<u>-</u>	<u>17,247</u>
Net Position:				
Net investment in capital assets	957,115	-	-	957,115
Restricted for utility expansion	224,179	-	-	224,179
Unrestricted	850,863	6,515	6,390	863,768
Total net position	<u>\$ 2,032,157</u>	<u>\$ 6,515</u>	<u>\$ 6,390</u>	<u>\$ 2,045,062</u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF REVENUES, EXPENSES, AND CHANGE IN NET POSITION –
PROPRIETARY FUNDS

For the Year Ended September 30, 2023

	Business-type Activities - Enterprise Funds			Totals
	Water Utility	Sewer Utility	Refuse Utility	
Operating Revenues:				
Charges For Services:				
Sales and connection fees	\$ 1,581,277	\$ 1,021,161	\$ -	\$ 2,602,438
Port Orange's connection/impact fees	16,245	60,576	-	76,821
Other administrative charges	20,810	23,962	-	44,772
Refuse and recycling charges	-	-	418,642	418,642
Total operating revenue	<u>1,618,332</u>	<u>1,105,699</u>	<u>418,642</u>	<u>3,142,673</u>
Operating Expenses:				
Cost of sales	888,780	-	-	888,780
Personal services	599,434	-	-	599,434
Materials and supplies	17,489	-	-	17,489
Maintenance and repairs	41,488	-	-	41,488
Contractual services	93,572	1,021,137	407,137	1,521,846
Other expenses	21,991	-	-	21,991
Impact/connect fee payments to Port Orange	16,245	60,576	-	76,821
Depreciation	133,919	-	-	133,919
Total operating expenses	<u>1,812,918</u>	<u>1,081,713</u>	<u>407,137</u>	<u>3,301,768</u>
Operating income (loss)	<u>(194,586)</u>	<u>23,986</u>	<u>11,505</u>	<u>(159,095)</u>
Nonoperating revenues (expenses):				
Investment earnings	8,216	-	-	8,216
Miscellaneous revenue	4,540	-	-	4,540
Interest on long-term debt	(8,304)	-	-	(8,304)
Net nonoperating revenue (expenses)	<u>4,452</u>	<u>-</u>	<u>-</u>	<u>4,452</u>
Income before contributions and transfers	<u>(190,134)</u>	<u>23,986</u>	<u>11,505</u>	<u>(154,643)</u>
Capital contributions	9,162	-	-	9,162
Transfer to General Fund	(70,495)	(12,500)	(24,000)	(106,995)
Transfer from General Fund	17,235	-	-	17,235
Transfer to Debt Service Fund	-	(12,500)	(12,500)	(25,000)
Net decrease in net position	<u>(234,232)</u>	<u>(1,014)</u>	<u>(24,995)</u>	<u>(260,241)</u>
Net position - beginning of year	<u>2,266,389</u>	<u>7,529</u>	<u>31,385</u>	<u>2,305,303</u>
Net position - end of year	<u>\$ 2,032,157</u>	<u>\$ 6,515</u>	<u>\$ 6,390</u>	<u>\$ 2,045,062</u>

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS
For the Year Ended September 30, 2023

	Business-type Activities - Enterprise Funds			Totals
	Water Utility	Sewer Utility	Refuse Utility	
Cash Flows From Operating Activities:				
Cash received from customers and users	\$ 1,582,355	\$ 1,097,119	\$ 417,534	\$ 3,097,008
Cash paid for personal services	(497,147)	-	-	(497,147)
Cash paid to suppliers and others	(1,038,520)	(1,067,627)	(404,797)	(2,510,944)
 Net cash provided by operating activities	 46,688	 29,492	 12,737	 88,917
Cash Flows From Noncapital and Related Financing Activities:				
Nonoperating revenues received	4,540	-	-	4,540
Nonoperating expenses paid	(8,304)	-	-	(8,304)
Operating transfers received	17,235	-	-	17,235
Operating transfers paid	(70,495)	(25,000)	(36,500)	(131,995)
 Net cash used for non-capital and related financing activities	 (57,024)	 (25,000)	 (36,500)	 (118,524)
Cash Flows From Capital and Related Financing Activities:				
Contributed capital received	25,407	-	-	25,407
Acquisition of fixed assets	(11,414)	-	-	(11,414)
Capital transfers to Port Orange	(16,245)	-	-	(16,245)
Repayment of long-term debt	(53,523)	-	-	(53,523)
 Net cash used for capital and related financing activities	 (55,775)	 -	 -	 (55,775)
Cash Flows From Investing Activities:				
Interest earnings received	8,216	-	-	8,216
 Net cash provided by investing activities	 8,216	 -	 -	 8,216
 Net increase (decrease) in cash and cash equivalents	 (57,895)	 4,492	 (23,763)	 (77,166)
Cash and cash equivalents - Beginning of year	1,971,032	84,862	26,763	2,082,657
Cash and cash equivalents - End of year	\$ 1,913,137	\$ 89,354	\$ 3,000	\$ 2,005,491
Reconciliation of cash and cash equivalents:				
Unrestricted cash	\$ 1,688,958	\$ 89,354	\$ 3,000	\$ 1,781,312
Restricted cash	224,179	-	-	224,179
 Total - all sources	 \$ 1,913,137	 \$ 89,354	 \$ 3,000	 \$ 2,005,491

See Independent Auditors' Report and Notes to the Financial Statements.

TOWN OF PONCE INLET, FLORIDA
STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS (CONTINUED)
For the Year Ended September 30, 2023

	Business-type Activities - Enterprise Funds			
	Water Utility	Sewer Utility	Refuse Utility	Totals
Reconciliation of Operating Income (Loss) to Net Cash Provided by Operating Activities:				
Operating income (loss)	\$ (194,586)	\$ 23,986	\$ 11,505	\$ (159,095)
Adjustments to reconcile net operating income to net cash provided by operating activities:				
Depreciation	133,919	-	-	133,919
Changes in assets and liabilities:				
Accounts receivable	(22,696)	(8,580)	(1,108)	(32,384)
Prepaid expenses	799	-	-	799
Accounts payable and accrued expenses	24,001	14,086	2,340	40,427
Other post employment benefits	(1,012)	-	-	(1,012)
Compensated absences	2,900	-	-	2,900
Pension liability	86,559	-	-	86,559
Deferred outflows on pensions	14,728	-	-	14,728
Deferred inflows on pensions	(3,175)	-	-	(3,175)
Customer deposits	5,251	-	-	5,251
Net cash provided by operating activities	<u>\$ 46,688</u>	<u>\$ 29,492</u>	<u>\$ 12,737</u>	<u>\$ 88,917</u>

See Independent Auditors' Report and Notes to the Financial Statements.

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NOTES TO THE FINANCIAL STATEMENTS

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Ponce Inlet, Florida (the “Town”), have been prepared in conformance with accounting principles generally accepted in the United States of America, as applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted body for promulgating governmental accounting and financial reporting principles. The following is a summary of the Town’s significant accounting policies:

A. Reporting Entity

The Town of Ponce Inlet, Florida, is a municipal corporation created by the Laws of Florida, located in Volusia County. The Town was originally incorporated under the general laws of Florida in May 1963 under the provisions of House Bill No. 1133 (amending Article 2, Section 4, of Chapter 63-1829, Laws of Florida, Special Acts of 1963), and the Municipal Home Rule Power Act, F.S. Ch. 166. The legislative branch of the Town is composed of an elected five-member Town Council consisting of the Mayor and four Council members. The Town Council is governed by the Town Charter and by state and local laws and regulations. The Town Council is responsible for the establishment and adoption of policy. The execution of such policy is the responsibility of the Council-appointed Town Manager.

The accompanying financial statements present the financial position, results of operations and cash flows of the applicable funds controlled by or dependent on the Town. In evaluating the Town as a reporting entity, management has addressed all potential component units for which the entity may or may not be financially accountable and, as such, be included within the Town’s financial statements.

Discretely Presented Component Unit. The “component unit” column in the basic financial statements includes the financial data of the Ponce DeLeon Inlet Lighthouse Preservation Association, Inc. (the “Lighthouse Association”). The financial statements of the Lighthouse Association are discretely reported in separate columns to emphasize that it is legally separate from the Town (primary government). The Lighthouse Association was created exclusively to manage the contribution of citizen efforts, services and resources in the development, restoration, improvement and operation of the Ponce DeLeon Inlet Lighthouse, a historical site owned by the Town of Ponce Inlet, under the terms of a maintenance agreement dated May 22, 1985.

The Lighthouse Association was created as a non-profit corporation and is exempt from income taxes under the provisions of Internal Revenue Code Section 501(a) as an organization described in Section 501(c)(3). Under its corporate charter, the Lighthouse Association must devote at least 70% of its gross receipts to undertaking its stated purpose. Furthermore, the Town Council has the authority to disapprove any activity(ies) of the Lighthouse Association deemed not to be in harmony with the responsibilities of the Town and all Lighthouse Association assets revert to the Town upon its dissolution.

Complete financial statements of the component unit can be obtained directly from the Association’s administrative offices, which is as follows:

Administrative Office:
Ponce DeLeon Inlet Lighthouse Preservation Association, Inc.
4931 South Peninsula Drive
Ponce Inlet, FL 32127

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

B. Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of changes in net position) report aggregated information for the overall government for all of the activities of the primary government and the discretely presented component unit. The primary government is reported in two columns to separately report governmental activities from business-type activities. Component unit data is aggregated into a single column. These statements do not report fiduciary funds or fiduciary component units such as retirement trust funds. When applicable, those activities are reported only in fund financial statements. The effect of interfund activity has been removed from these statements.

Governmental activities, which normally are supported by taxes, intergovernmental revenues, and other non-exchange revenues are reported separately from business-type activities, which are financed wholly or partially by fees charged to external parties for goods or services and are reported as enterprise funds.

The statement of net position presents the overall government's financial position at year-end. The statement of activities presents direct expenses of a given function or segment offset by program revenues for the fiscal reporting period. The resulting net expense or revenue is then totaled and offset by general revenues producing the aggregate change in net position for the period. Program revenues include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment of the government, and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other nonexchange revenues not properly included among program revenues are reported as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual business-type funds are reported in separate columns in the fund financial statements.

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or as soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 3 months of the end of the current fiscal period, except for property taxes, for which the period is 60 days. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Property taxes, franchise fees, intergovernmental revenue, licenses and permits, charges for services, and interest earnings associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the government.

Revenues, expenses, gains, losses, assets, and liabilities resulting from nonexchange transactions are recognized and grouped into four classes, based on their principal characteristics. The accounting treatment for each type of transaction is as follows:

- ***Derived Tax Revenue***, defined as assessments imposed on exchange transactions. Examples include: sales taxes, franchise tax, utility taxes, etc. Assets from derived tax revenue are recognized in the period when the exchange transaction on which the tax is imposed or when resources are received, whichever occurs first. Revenues are recognized, net of estimated uncollectible amounts, in the same period that the assets are recognized. Resources received in advance are recorded as deferred revenue until the period of the exchange.
- ***Imposed Nonexchange Revenue***, result from assessments on nongovernmental entities, other than assessments on exchange transactions. Examples include: ad valorem (property) taxes, fines and penalties, and property forfeitures. Assets from imposed nonexchange revenues are recognized in the period when an enforceable legal claim to the assets arises or when the resources are received, whichever occurs first. Property taxes are recognized in the period for which the taxes are levied. All other imposed nonexchange revenues are recognized in the same period that the assets are recognized.
- ***Government-mandated Nonexchange Transactions***, frequently establish eligibility requirements before a transaction can occur. Examples include federal awards and state financial assistance. Until the requirements are met, the recipient does not have a receivable and the recognition of revenue received in advance is deferred. The providers (usually federal, state, and county governments) often offer resources on a reimbursement (“expenditure-driven”) basis at the time the recipient has incurred allowable costs under the applicable program.
- ***Voluntary Nonexchange Transactions***, result from legislative or contractual agreements other than exchanges, entered into willingly by two or more parties. Examples include certain grants, entitlements, and donations by nongovernmental entities. Principal characteristics of these types of transactions are (1) they are not imposed on the provider or recipient, and (2) fulfillment of eligibility requirements is essential for a transaction to occur. Assets and revenues are recognized when all applicable eligibility requirements, including time requirements, are met. Resources received in advance are reported as deferred revenue.

Proprietary fund financial statements are reported using the accrual basis of accounting. Under this method, revenue is recorded when earned and expenses are recorded at the time liabilities are incurred. Based on the accounting and reporting standards set forth in Government Accounting Standards Board Statement No. 20, “*Accounting and Financial Reporting for Proprietary Funds and other Governmental Entities that use Proprietary Fund Accounting*”, the Town has opted to apply only those accounting and reporting pronouncements issued by the GASB subsequent to November 30, 1989, as it pertains to the accounting for proprietary fund activity.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

The Town's accounts are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures, or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. The focus of the governmental and proprietary fund financial statements is on major funds, as defined and determined based on criteria established under Governmental Accounting Standards Boards Statement No. 34.

The Town reports the following governmental funds:

- The **General Fund** is the principal fund of the Town which accounts for all financial transactions not accounted for in other funds. The majority of current operating expenditures of the Town other than proprietary fund activities are financed through revenues received by the General Fund.
- The **Debt Service Fund** is a debt service fund established by the Town to separately account for the resources accumulated and payments made for principal and interest on general long-term debt of the Town's governmental funds.

The Town reports the following proprietary funds:

- The **Water Utility Fund** accounts for the costs and recovery of costs in the form of user charges related to the purchase and distribution of potable water within the Town. The maintenance and improvement of utility plant required to provide these goods and services has been financed primarily from user charges and a loan from the Florida Department of Environmental Protection.
- The **Sewer Utility Fund** accounts for the activities of the Town's sewer utility system, which is owned and operated by the City of Port Orange. The costs of wastewater collection and pumping systems are recovered by user charges billed to customers by the Town pursuant to customer rate schedules established by Port Orange. All utility service amounts billed by the Town, and collected from its customers, are subsequently remitted to the City of Port Orange.
- The **Refuse Utility Fund** accounts for the activities of the Town's refuse collection system which provides the community with refuse and recycling services provided by third-party contracted vendors, the costs of which are recovered by user charges.

Additionally, the Town reports the following fund types:

- **Special Revenue Funds** - are used to account for the proceeds of specific revenue sources (other than special assessments, or capital projects) which are legally restricted to finance particular functions or activities of the Town. These funds include the Public Land Acquisition and Facility Fund, Tree Bank Fund, Sidewalks Fund, Parks and Recreation Fund, Police Education Fund, the Contraband/Forfeitures Fund, and the Hurricane Ian Restoration Fund.
- **Capital Projects Funds** – are used to account for capital projects whose life may extend for many fiscal years. These funds include the Economic Impact Fund, Fire Department Capital Fund, Capital Facility Maintenance Fund, Ponce de Leon Circle Sewer Project Fund, and the South Peninsula Drive Sidewalk Project Fund.

Private-sector standards of accounting and financial reporting issued prior to December 1, 1989, generally are followed in both the government-wide and proprietary fund financial statements to the extent that those standards do not conflict with or contradict guidance of the Governmental Accounting Standards Board.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Governments also have the option of following subsequent private-sector guidance for their business-type activities and enterprise funds, subject to this same limitation. The Town has elected not to follow subsequent private-sector guidance.

As a general rule, the effect of interfund Town activities has been eliminated from the government-wide financial statements. Exceptions to this general rule are payments-in-lieu of taxes (when applicable) and other charges between the Town's water and sewer function and various other functions. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Amounts reported as program revenues include: (1) charges to customers or applicants for goods, services, or privileges provided, (2) operating grants and contributions, and (3) capital grants and contributions, including special assessments, when applicable. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the Town's enterprise funds are charges to customers for utility sales and services. The Town recognizes as operating revenue the portion of impact fees intended to recover the cost of connecting new customers to the water system. Impact and connection fees are also assessed and collected from sewer customers which are remitted directly to the City of Port Orange to recover their costs connecting new customers to the sewer system. Operating expenses for the enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first, then unrestricted resources as they are needed.

D. Assets, Liabilities, and Net Position or Equity

1. Deposits and Investments

The Town's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

The Town's investment policies are governed by state statutes and local ordinance. These policies authorize the Town to invest in the Local Government Surplus Funds Trust Fund, authorized intergovernmental investment pools, Securities and Exchange Commission registered money market funds (with rating exceptions), interest-bearing savings accounts, interest bearing certificates of deposits, interest bearing time deposits and direct obligations of the U.S. Treasury.

All of the Town's investments are reported at fair value, with the exception of certificates of deposit, which are recorded at historical value. Interest on certificates of deposit are not recognized until they are received, typically when the certificate of deposit matures.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

2. Receivables and Payables

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either “due to/from other funds” (i.e., the current portion of interfund loans) or “advances to/from other funds” (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as “due to/from other funds.” Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances,” when applicable.

All trade and property tax receivables are reported net of an allowance for uncollectible accounts, which is based upon management's analysis of historical trends. Utility operating sales are generally recognized on the basis of cycle billings rendered quarterly. Unbilled water, sewer and refuse accounts receivable are accrued by the Town at September 30th, to recognize the sales revenues earned between the last meter reading dates made in mid-September through the end of the fiscal year.

All unpaid property taxes receivable at year end are at least 180 days past due, at which time the applicable property is subject to lien, and penalties and interest are assessed.

3. Inventories and Prepaid Items

The cost of stored fuel inventory is accounted for on the consumption basis wherein inventories are charged as expenditures when used, rather than when purchased. All inventories are valued at cost, which approximates net realizable value. The effect of this method is to flow the costs of the fuel in the order in which they are purchased and to assign a balance sheet inventory valuation more nearly at current replacement value. No required minimum levels of inventory are maintained.

All other inventories are valued at average cost and consist of the merchandise held for sale in the Lighthouse Association gift shop (a discretely presented component unit).

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/ expenses when consumed rather than when purchased.

4. Restricted Assets

Certain proceeds from the imposition of the Town's impact fee requirements and from building permits are classified as restricted assets on the balance sheet because their use is limited by applicable legal indentures.

5. Capital Assets

Capital assets include property, plant, equipment and infrastructure assets. The terms general capital assets and general infrastructure assets relate only to the assets associated with governmental activities, whereas the terms capital assets and infrastructure assets relate to all such assets belonging to the Town. The Town has elected to report all known infrastructure assets and related depreciation expense on all infrastructure assets in the entity-wide statement of net position and statement of activities.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Infrastructure assets are capitalized when their costs exceed \$5,000 and possess useful lives of more than two years. Such assets are recorded at historical cost or estimated historical cost. Donated capital assets are recorded at acquisition value at the date of donation. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized if they meet the dollar threshold above for capitalization.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized, but charged to operating expense as incurred.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Proprietary fund capital assets that are constructed include construction period interest that is capitalized net of interest earned on unexpended construction funds and, therefore, depreciated over the remaining useful life of the related asset, when applicable.

Depreciation is provided for by utilization of the straight-line method calculated on a service-life basis to amortize the cost of the assets over their economic estimated useful lives which are as follows:

Buildings	15 - 40 years
Source of supply plant.....	25 - 50 years
Pumping plant.....	25 - 50 years
Water treatment plant	25 - 50 years
Transmission and distribution plant	25 - 50 years
Infrastructure	15 - 50 years
Equipment.....	3 - 25 years

6. *Compensated Absences*

The portion of payroll costs paid subsequent to year-end attributable to services performed prior to year-end, including accumulated unpaid vacation and sick-leave, is recorded and recognized as a current liability. The portion of the liability for compensated absences attributable to periods beyond the current year is recognized as a long-term liability. The General Fund and Water Utility Fund employ personnel and are responsible for liquidating compensated absence obligations.

It is the Town's policy to grant employees personal leave based upon the number of years of employment with the Town. Annual leave for full-time general employees accrues at the rate of 144 to 288 hours per year based on number of years of employment. Annual leave for part-time (20-39 hours per week) general employees accrues at the rate of 72 to 144 hours per year based on number of years of employment. Annual leave for firefighters accrues at the rate of 204 to 408 hours per year based on number of years of employment. A cumulative total of 480 hours (60 days) is the maximum personal leave which may be carried over to the next calendar year. Upon termination, without cause, all accrued annual leave is paid up to 480 hours. Accrued personal leave over 480 hours upon termination, without cause, is lost. As such, it is the Town's policy to accrue only accrued personal leave up to 480 hours as a liability, as amounts over this will not be payable upon termination.

7. *Unearned Revenue*

Unearned revenues are reported when potential revenues do not meet both the "measurable" and "available" criteria for recognition in the current period. Unearned revenues also arise when resources are received by the Town before it has a legal claim to them, as when grant monies are received prior to the incurrence of qualifying expenditures. In subsequent periods, when both revenue recognition criteria are met, or when the Town has a legal claim to the resources, the liability for unearned revenue is removed and revenue is recognized.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

8. Long-term Obligations

In the government-wide financial statements, and proprietary fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Debt issuance costs, when incurred, are charged to expense in the fund receiving debt proceeds.

9. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of net position reports a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net assets that applies to future periods and so will not be recognized as an outflow of resources expense until then. The Town has one item that qualifies for reporting in this category. It is the deferred amount on defined benefit pension liabilities associated with the Florida Retirement System (FRS) and Florida Retirement System Health Insurance Subsidy (HIS). The deferred outflows related to pensions are an aggregate of items related to pensions as calculated in accordance with GASB Statement No. 68, *Accounting and Financial Reporting for Pensions - an amendment of GASB Statement No. 27*. A deferred amount on pension results from the recognition of the Town's proportionate shares of collective pension expense and collective deferred outflows of resources and deferred inflows of resources related to the pension plan. The deferred outflows related to pensions will be recognized as either pension expense or a reduction in the net pension liabilities in future reporting years.

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to future periods and so will not be recognized as an inflow of resources (revenue) until that time. The Town has two items that qualifies for reporting in this category. It is the deferred inflows on defined benefit pension contributions, earnings and other liabilities associated with the Florida Retirement System (FRS) and Florida Retirement System Health Insurance Subsidy (HIS) that qualify for reporting in this category and also the deferred inflows for revenue unavailable within 90 days of year-end. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

10. Pensions / Net Pension Liabilities

In the financial statements, retirement plans (pensions) are required to be recognized and disclosed using the accrual basis of accounting. In general, the Town recognizes a net pension liability, which represents the Town's proportionate share of the excess of the total pension liability over the fiduciary net position of the pension reflected in the actuarial report provided by the Florida Retirement System (FRS) defined benefit plan and the Health Insurance Subsidy (HIS) defined benefit plan.

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the FRS defined benefit plan and the HIS defined benefit plan, and additions to/deductions from the FRS and the HIS fiduciary net position have been determined on the same basis as they are reported by the FRS and the HIS plans. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with benefit terms. Investments are reported at fair value.

11. Leases and Subscription Based Information Technology Arrangements (SBITAs)

The Town has recorded right of use assets in connection with leases and SBITAs presented under GASB 87 and 96. The right of use assets are initially measured at an amount equal to the initial measurement of the related lease liability plus any lease payments made prior to the lease term, less lease incentives, and plus ancillary charges necessary to place the lease into service. The right of use assets are amortized on a straight-line basis over the life of the related lease.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

12. Fund Balance Flow Assumptions

Sometimes the entity will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the Town's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

13. Fund Balance Policies

In the fund financial statements, governmental funds report fund balance classifications that comprise a hierarchy based primarily on the extent to which the Town is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. Those classifications are as follows:

Nonspendable. This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. The "not in spendable form" criterion includes items that are not expected to be converted to cash such as inventories and prepaid amounts. It also includes the long-term amount of loans and notes receivable, as well as property acquired for resale unless the use of the proceeds from the collection of those receivables or from the sale of those properties is restricted, committed, or assigned.

Restricted. This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or (b) imposed by law through constitutional provisions or enabling legislation (i.e. when the government assesses, levies, charges, or otherwise mandates payment of resources from external resource providers and includes a legally enforceable requirement that those resources be used only for the specific purposes stipulated in the legislation). The Town has classified law enforcement forfeitures as being restricted because their use is restricted by state statute for police investigative expenditures. Debt service resources are to be used for future servicing of the revenue note and are restricted through debt covenants. Building inspection fees are restricted by state statute and county laws and are legally segregated for the funding of inspection services.

Committed. This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action of the Town Council. The Town Council is the highest level of decision-making authority for the Town that can, by adoption of an ordinance prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the ordinance remains in place until a similar action is taken (the adoption of another ordinance) to remove or revise the limitation. This classification also includes contractual obligations to the extent that existing resources have been specifically committed for use in satisfying those contractual requirements.

Assigned. This classification includes amounts that are constrained by the Town's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the Town Council or through the Town Council delegating this responsibility to the Town Manager through the budgetary process, as is authorized under Part I, Article VI, Section 6.04(d) of the Town Charter.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Unassigned. This classification includes the residual fund balance for the General Fund and fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the General Fund.

The Town would typically use restricted fund balances first, followed by committed resources, and then assigned resources, as appropriate opportunities arise, but reserves the right to selectively spend unassigned resources first to defer the use of these other classified funds.

14. Net Position

The government-wide and business-type activities fund financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted. Net investment in capital assets groups all capital assets into one component of net position; accumulated depreciation and the outstanding balances of debt that are attributed to the acquisition, construction or improvement of these assets reduce the balance in this category. Restricted net position includes all net position with external restrictions imposed by creditors, grantors, or laws and regulations of other governments. Unrestricted net position is the residual amount of net position of the Town that is not restricted for any particular purpose.

In 2009, The Town Council approved Resolution 2009-04, “*Policy for Reserve/Contingency Level of Operating Budget (Policy)*”. Under the Policy, a portion of the fund balance of the General Fund is committed for stabilization arrangements, such as might be needed in emergency situations or when revenue shortages or budgetary imbalances occur. The Policy states that, an amount equal to at least 3 months (25%) of the annual operating revenue of the General Fund is to be committed for use in covering current and future risks such as revenue shortfalls, natural disasters, unanticipated expenditures and to ensure stable tax rates. At September 30, 2023, \$2,037,480 of the fund balance for the General Fund was reported as committed for economic stabilization. The Policy recognizes that under extreme conditions, the use of resources may result in the committed fund balance amount dropping below the established threshold. Such amounts are required to be reinstated by the end of the subsequent fiscal year.

15. Use of Estimates

Management uses estimates and assumptions in preparing financial statements in accordance with generally accepted accounting principles. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenue and expenses. Actual results could vary from the estimates assumed in preparing the financial statements.

E. Recent Accounting Standards

The following Governmental Accounting Standards Board (GASB) Statements have been implemented in the current financial statements:

- Statement No. 91, *Conduit Debt Obligations*. The primary objectives of this Statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice. It is anticipated that no action will be required by the Town to implement this Statement. The provisions of this Statement are effective for reporting periods beginning after December 15, 2021, and had no impact on the Town.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

- Statement No. 93, *Replacement of Interbank Offered Rates*. Some governments have entered into agreements in which variable payments made or received depend on an interbank offered rate (IBOR)—most notably, the London Interbank Offered Rate (LIBOR). As a result of global reference rate reform, LIBOR is expected to cease to exist in its current form at the end of 2021, prompting governments to amend or replace financial instruments for the purpose of replacing LIBOR with other reference rates, by either changing the reference rate or adding or changing fallback provisions related to the reference rate. The provisions of this Statement are effective for reporting periods beginning after December 31, 2021, and had no impact on the Town.
- Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The primary objective of this Statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs). As used in this Statement, a PPP is an arrangement in which a government (the transferor) contracts with an operator (a governmental or nongovernmental entity) to provide public services by conveying control of the right to operate or use a nonfinancial asset, such as infrastructure or other capital asset (the underlying PPP asset), for a period of time in an exchange or exchange-like transaction. Some PPPs meet the definition of a service concession arrangement (SCA), which the Board defines in this Statement as a PPP in which (1) the operator collects and is compensated by fees from third parties; (2) the transferor determines or has the ability to modify or approve which services the operator is required to provide, to whom the operator is required to provide the services, and the prices or rates that can be charged for the services; and (3) the transferor is entitled to significant residual interest in the service utility of the underlying PPP asset at the end of the arrangement. The provisions of this Statement are effective for reporting periods beginning after June 15, 2022, and had no impact on the Town.
- Statement No. 96, *Subscription-Based Information Technology Arrangements*. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). The provisions of this Statement are effective for reporting periods beginning after June 15, 2022.
- Statement No. 99, *Omnibus 2022*. Updates on the requirements related to extension of the use of LIBOR, accounting for SNAP distributions, disclosures of nonmonetary transactions, pledges of future revenues by pledging governments, clarification of certain provisions in Statement 34, as amended, and terminology updates related to Statement 53 and Statement 63. The provisions of this Statement are effective for reporting periods beginning after June 15, 2022, and had no impact on the Town.

The Town is currently evaluating the effects that the following Governmental Accounting Standards Board (GASB) Statements, which will be implemented in future financial statements, will have on its financial statements for subsequent fiscal years.

- Statement No. 100, *Accounting Changes and Error Corrections – An Amendment of GASB Statement No. 62*. The requirements of this Statement will improve the clarity of the accounting and financial reporting requirements for accounting changes and error corrections, which will result in greater consistency in application in practice. In turn, more understandable, reliable, relevant, consistent, and comparable information will be provided to financial statement users for making decisions or assessing accountability. In addition, the display and note disclosure requirements will result in more consistent, decision useful, understandable, and comprehensive information for users about accounting changes and error corrections. The provisions of this statement will be effective for reporting periods beginning after June 15, 2023.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

- Statement No. 101, *Compensated Absences*. This Statement amends the existing requirement to disclose the gross increases and decreases in a liability for compensated absences to allow governments to disclose only the net change in the liability (as long as they identify it as a net change). In addition, governments are no longer required to disclose which governmental funds typically have been used to liquidate the liability for compensated absences. The provisions of this statement will be effective for reporting periods beginning after December 15, 2023.
- Statement No. 102, *Certain Risk Disclosures*. This Statement requires a government to assess whether a concentration or constraint makes the primary government reporting unit or other reporting units that report a liability for revenue debt vulnerable to the risk of a substantial impact. Additionally, this Statement requires a government to assess whether an event or events associated with a concentration or constraint that could cause the substantial impact have occurred, have begun to occur, or are more likely than not to begin to occur within 12 months of the date the financial statements are issued. The provisions of this statement will be effective for reporting periods beginning after June 15, 2024.

NOTE 2 - RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

A. Explanation of Certain Differences between the Governmental Fund Balance Sheet and the Government-Wide Statement of Net Position

Following the governmental fund balance sheet is a reconciliation of the fund balance - total governmental funds and net position - governmental activities as reported in the government-wide statement of net position. A detailed explanation of these differences is provided in this reconciliation.

B. Explanation of Certain Differences between the Governmental Fund Statement of Revenues, Expenditures and Changes in Fund Balance and the Government-Wide Statement of Activities

Following the governmental fund statement of revenues, expenditures, and changes in fund balances, there is a reconciliation of the net changes in fund balances - total governmental funds and changes in net position of governmental activities as reported in the government-wide statement of activities. A detailed explanation of these differences is provided in this reconciliation.

NOTE 3 - STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

A. Budgetary Information

Annual budgets for all governmental and proprietary funds were adopted in compliance with Florida law. The basis on which the budgets are prepared is consistent with the basis of accounting utilized by the various fund types. The governmental funds' budgets are prepared on the modified accrual basis of accounting. The proprietary funds' budgets are prepared on a full accrual basis of accounting. The Town uses the following procedures in establishing the budgetary data reflected in the accompanying financial statements:

- On or before August 1st, the Town Manager submits a preliminary budget to the Town Council for the ensuing fiscal year.
- Budget workshop sessions are scheduled by the Town Council, as needed.
- A general summary of the budget and notice of public hearing is published in a local newspaper.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

- Prior to October 1st, the budget is legally enacted through passage of an ordinance.
- The Town Council, by ordinance, may make supplemental appropriations in excess of those estimated for the year up to the amount of available revenue in accordance with Section 6.04 of the Town Charter. Prior to the end of the fiscal year, supplemental appropriations are typically made for unanticipated spending requirements by the Council.
- The Town Council must approve all inter-departmental budget amendments and/or appropriations transfers. The Town Manager is authorized to approve all intra-department budget amendments.
- Budgetary control is exercised at the fund level.
- Every appropriation lapses at the close of the fiscal year.

B. Excess of Expenditures over Appropriations

During the year ended September 30, 2023, none of the Town’s funds reported actual expenditures that exceeded budgetary appropriations for the year. The Ponce de Leon Circle Sewer Project had a deficit fund balance of \$21,156 as of September 30, 2023.

NOTE 4 - PROPERTY TAX CALENDAR

Under Florida law, the assessment of all properties and the collection of all county, municipal and school district property taxes are consolidated in the offices of the County Property Appraiser and County Finance Director. The laws of the state regulating tax assessment are also designed to assure a consistent property valuation method statewide. State Statutes permit municipalities to levy property taxes at a rate of up to 10 mills. The ad valorem millage rate assessed by the Town (2022 levy) was 5.30 mills. Collections on this levy were received during the year ended September 30, 2023.

The Town’s property tax calendar is as follows:

Assessment Roll Valuation Date	January 1
Property Appraiser prepares the assessment roll with values as of January 1, submits preliminary roll for approval by the State and notifies each taxing authority of their respective valuations.	July 1
Town Council holds two required public hearings and adopts a budget and ad valorem tax millage rate for the coming fiscal year.	September
Property Appraiser certifies the assessment roll and all real and tangible personal property taxes are due and payable (Levy date).	November 1
A Notice of Taxes is mailed to each property owner on the assessment roll. Taxes are paid November through March, with the following applicable discounts:	November 1

<u>Month Paid</u>	<u>Discount</u>
November	4%
December	3%
January	2%
February	1%
March	None

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

All unpaid taxes on real/tangible personal property become delinquent.	April 1
Listings of unpaid real and personal property taxes are advertised.	April/May
Tax certificates are sold on all real estate parcels with unpaid real property taxes (Lien date).	June 1
A court order is obtained authorizing the seizure and sale of personal property if the taxpayer fails to pay the delinquent taxes	August

NOTE 5 - DEPOSITS AND INVESTMENTS

Deposits. At September 30, 2023, the carrying value of the Town’s cash deposit accounts totaled \$4,345,696 and the bank balances totaled \$4,395,410. Cash deposits and certificates of deposit totaling a carrying value of \$4,303,865, are held by banks that are fully insured and/or collateralized at September 30, 2023, as required by Chapter 280, Florida Statutes. Amounts do not include \$100 in cash funds on hand at the end of the fiscal year.

At September 30, 2023, the carrying value of the Lighthouse Association’s bank deposits totaled \$2,571,319 of which approximately \$1,479,000 was in excess of the Federal Deposit Insurance Corporation limit of \$250,000. In addition, the Lighthouse Association holds \$535,833 in certificates of deposit, all of which are FDIC insured. The Association also holds \$122,085 in equity securities that are not FDIC insured.

Investments. As of September 30, 2023, the Town had the following investments and maturities:

Investment Type	Fair Value	Investment Maturities (Years)	
		Less Than 1	From 1-5
Certificates of deposit:			
Florida Qualified Public Depositories	\$ 2,303,865	\$ 2,303,865	\$ -
Custodial and Non-Florida Depositories	2,000,000	-	2,000,000
Total investments - primary government	4,303,865	2,303,865	2,000,000
Lighthouse Association - component unit:			
Certificates of deposit	535,833	-	535,833
Equities and exchange traded funds	98,067	98,067	-
Corporate securities	24,018	24,018	-
Total investments - component unit	657,918	122,085	535,833
Total investments - combined	\$ 4,961,783	\$ 2,425,950	\$ 2,535,833

The Lighthouse Association’s investments consist of amounts invested in certificates of deposit with average maturities of 9 to 36 months, and also certain equities as noted above.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Interest Rate Risk. Interest rate risk exists when there is a possibility that changes in interest rates could adversely affect an investment's fair value. The Town has developed formal investment policies that limit investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. All investments are governed by the Town's Investment Policies and related state statutes. Generally, the Town limits the acquisition of investments with maturities of greater than twenty-four months, unless such investments are purchased for holding to maturity. Interest rate risk is minimized for all other investments, which are normally held for periods of less than one year.

GASB 40, "*Deposit and Investment Risk Disclosures*," requires that interest rate risk be disclosed using one of the five approved methods for all debt investments as well as investments in mutual funds, external investment pools, and other pooled investments that do not meet the definition of a 2a-7 like pool. The five methods are segmented time distribution, specific identification, weighted average maturity (WAM), duration, and simulation model. Different methods may be presented for different types of investments.

Credit Risk. The Town's investment policies allow the government to invest in Local Government Surplus Trust Fund Investment Pool, United States Government Securities, United States Government Agencies, federal instrumentalities, interest bearing time deposits or savings accounts, repurchase agreements, commercial paper, bankers' acceptances, state and/or local governmental taxable and/or tax-exempt debt, registered investment companies (money market and mutual funds), and authorized intergovernmental investment pools.

Concentrations of Credit Risk. The Town's investment policies place limits on portfolio composition, individual issuers and maturity limitations, all of which vary for each allowable investment type. Supplemental due diligence requirements have been established that must be met prior to investing with registered investment companies and intergovernmental investment pools.

Custodial Credit Risk. Custodial credit risk is the risk that in the event of a failure of a depository, the Town's deposits may not be returned to it. Pursuant to the applicable provisions of Chapter 280, Florida Statutes, *The Florida Security for Public Deposits Act* ("the Act"), the State of Florida, Department of Financial Services, Division of Treasury, Bureau of Collateral Management have established specific requirements relative to security and collateralization for public deposits. Accordingly, banks qualifying as a public depository in the State of Florida must adopt the necessary procedures outlined in these statutes and meet all of the requirements of this chapter to be designated by the State's Chief Financial Officer as eligible to receive deposits from municipal depositors. Collateral having a market value equal to 50% of the average daily balance for each month of all public deposits in excess of any applicable depository insurance is required to be pledged or deposited with the State's Chief Financial Officer to secure such deposits. Additional collateral, up to a maximum of 125% may be required if deemed necessary under the conditions set forth in the Act. Securities eligible to be pledged as collateral are generally limited to obligations of the United States government and any state thereof and are held in the name of the State Chief Financial Officer's office. Compliance with the provisions of Chapter 280, Florida Statutes, is monitored by a Qualified Public Depository Oversight Board with members appointed by the State Chief Financial Officer.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 6 – DISAGGREGATION OF RECEIVABLES AND PAYABLES

Amounts are aggregated into single accounts receivable (net of allowance for uncollectible accounts) and accounts payable/accrued liability-lines for certain funds and aggregated columns. Below is a detail for the governmental and business-type activities anticipated to be collected within an operating cycle:

Assets	Primary Government			Component
	Government Activities	Business Type Activities	Total	Unit
Accounts receivable	\$ 117,646	\$ 8,706	\$ 126,352	\$ -
Delinquent taxes receivable	12,136	-	12,136	-
Unbilled accounts receivable	-	287,829	287,829	-
Due from other governments	283,906	-	283,906	-
	413,688	296,535	710,223	-
Less allowance for doubtful accounts	(12,136)	(2,762)	(14,898)	-
Net receivables	<u>\$ 401,552</u>	<u>\$ 293,773</u>	<u>\$ 695,325</u>	<u>\$ -</u>
<u>Liabilities</u>				
Accounts payable	\$ 99,283	\$ 45,712	\$ 144,995	\$ 63,680
Accrued wages	65,223	13,406	78,629	-
Contract and retention payable	-	-	-	216,712
Due to other governments	-	350,939	350,939	-
Net payables	<u>\$ 164,506</u>	<u>\$ 410,057</u>	<u>\$ 574,563</u>	<u>\$ 280,392</u>

NOTE 7 – INTERFUND BALANCES AND TRANSFERS

Interfund Transfers - Transfers occur to move revenues from various funds to debt service funds as debt service principal and interest payments become due and to move funds to finance various programs, provide grant matching funds, or to subsidize operations that the Town must account for in other funds in accordance with budgetary authorizations.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Interfund transfers between the Town's governmental and business-type funds during the fiscal year ended September 30, 2023, are as follows:

	Transfer From	Transfer To
Governmental Activities		
General Fund		
Debt Service Fund	\$ -	\$ 131,584
Fire Department Capital Fund	12,000	100,000
Capital Facility Maintenance Fund	17,240	25,000
Water Utility Fund	70,495	17,235
Sewer Utility Fund	12,500	-
Refuse Utility Fund	24,000	-
Debt Service Fund		
General Fund	131,584	-
Public Land Acquisition and Facility Fund	328,000	-
Sewer Utility Fund	12,500	-
Refuse Utility Fund	12,500	-
Capital Facility Maintenance Fund		
General Fund	25,000	17,240
Fire Department Capital Special Revenue Fund		
General Fund	100,000	12,000
Hurricane Ian Restoration Fund		
Economic Impact Fund	308,255	-
S. Peninsula Drive Sidewalk Fund	-	199,526
S. Peninsula Drive Sidewalk Fund		
Hurricane Ian Restoration Fund	199,526	-
Economic Impact Fund	453,230	-
Economic Impact Fund		
Hurricane Ian Restoration Fund	-	308,255
S. Peninsula Drive Sidewalk Fund	-	453,230
Public Land Acquisition and Facility Fund		
Debt Service Fund	-	328,000
	\$ 1,706,830	\$ 1,592,070
Net Transfers from Governmental Funds	\$ 114,760	
Business-type Activities		
Water Utility Fund		
General Fund	\$ 17,235	\$ 70,495
Sewer Utility Fund		
General Fund	-	12,500
Debt Service Fund	-	12,500
Refuse Utility Fund		
General Fund	-	24,000
Debt Service Fund	-	12,500
	\$ 17,235	\$ 131,995
Net Transfers to Business-Type Funds	\$ (114,760)	

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 8 - CAPITAL ASSETS

A. Governmental Activities

The following is a summary of changes in capital assets during the year:

	Balances 9/30/2022	Additions	Transfers	Disposals	Balances 9/30/2023
Capital assets, not being depreciated					
Land	\$ 4,605,518	\$ -	\$ -	\$ -	\$ 4,605,518
Construction in progress	946,388	180,780	(612,099)	-	515,069
	<u>5,551,906</u>	<u>180,780</u>	<u>(612,099)</u>	<u>-</u>	<u>5,120,587</u>
Capital assets, being depreciated					
Buildings	5,807,969	185,040	-	-	5,993,009
Improvements other than buildings	5,779,692	315,978	500,797	(1,054)	6,595,413
Equipment, furniture, and vehicles	3,144,422	394,154	111,302	(172,444)	3,477,434
	<u>14,732,083</u>	<u>895,172</u>	<u>612,099</u>	<u>(173,498)</u>	<u>16,065,856</u>
Less: accumulated depreciation	<u>(7,338,365)</u>	<u>(575,375)</u>	<u>-</u>	<u>170,629</u>	<u>(7,743,111)</u>
	<u>7,393,718</u>	<u>319,797</u>	<u>612,099.00</u>	<u>(2,869)</u>	<u>8,322,745</u>
Net capital assets	<u>\$ 12,945,624</u>	<u>\$ 500,577</u>	<u>\$ -</u>	<u>\$ (2,869)</u>	<u>\$ 13,443,332</u>

Depreciation expense was as follows for the year ended September 30, 2023:

Governmental activities	
General government	\$ 107,138
Public safety	128,512
Transportation	169,954
Culture/recreation	129,856
Information technology	<u>39,915</u>
Total depreciation expense	<u>\$ 575,375</u>

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

B. Business-Type Activities

The following is a summary of changes in capital assets during the year:

	Balances 9/30/2022	Additions	Transfers	Disposals	Balances 9/30/2023
Capital assets, not being depreciated					
Land	\$ 4,033	\$ -	\$ -	\$ -	\$ 4,033
	<u>4,033</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,033</u>
Capital assets, being depreciated					
Buildings	-	6,713	-	-	6,713
Improvements other than buildings	4,075,223	-	-	-	4,075,223
Equipment, furniture, and vehicles	376,968	4,702	-	(7,327)	374,343
	<u>4,452,191</u>	<u>11,415</u>	<u>-</u>	<u>(7,327)</u>	<u>4,456,279</u>
Less: accumulated depreciation	(2,568,281)	(133,919)	-	7,325	(2,694,875)
	<u>1,883,910</u>	<u>(122,504)</u>	<u>-</u>	<u>(2)</u>	<u>1,761,404</u>
Net capital assets	<u>\$ 1,887,943</u>	<u>\$ (122,504)</u>	<u>\$ -</u>	<u>\$ (2)</u>	<u>\$ 1,765,437</u>

There was no capitalized interest charged in the current year. Depreciation expense for the year ended September 30, 2023 totaled \$133,919.

C. Discretely Presented Component Unit – Lighthouse Association

The following is a summary of changes in capital assets during the year:

	Balances 9/30/2022	Additions	Disposals	Balances 9/30/2023
Capital assets, not being depreciated				
Land	\$ 407,450	\$ -	\$ -	\$ 407,450
Renovation in progress	453,012	872,759	-	1,325,771
Museum artifact collection	1,055,238	13,256	-	1,068,494
	<u>1,915,700</u>	<u>886,015</u>	<u>-</u>	<u>2,801,715</u>
Capital assets, being depreciated				
Restoration and improvement	3,425,801	41,582	-	3,467,383
Historical property	1,700,000	-	-	1,700,000
Equipment and furniture	292,457	29,464	(26,190)	295,731
	<u>5,418,258</u>	<u>71,046</u>	<u>(26,190)</u>	<u>5,463,114</u>
Less: accumulated depreciation	(2,046,374)	(104,855)	24,213	(2,127,016)
	<u>3,371,884</u>	<u>(33,809)</u>	<u>(1,977)</u>	<u>3,336,098</u>
Net capital assets	<u>\$ 5,287,584</u>	<u>\$ 852,206</u>	<u>\$ (1,977)</u>	<u>\$ 6,137,813</u>

Depreciation expense for the year ended September 30, 2023 totaled \$104,855.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 9 – LEASES AND SUBSCRIPTION-BASED INFORMATION TECHNOLOGY ARRANGEMENTS (SBITAS)

The Town’s right of use (ROU) assets recognized under lease agreements subject to GASB No. 87 are as follows as of September 30, 2023:

Lease Description	Lease Type	Classification	Gross Asset Balance	Accumulated Amortization	Net Asset Balance
2023 Chevy Silverado #1	Operating	Vehicles	\$ 24,790	\$ 3,512	\$ 21,278
2023 Chevy Silverado #2	Operating	Vehicles	24,790	3,512	21,278
2023 Chevy Silverado #3	Operating	Vehicles	24,790	3,512	21,278
Quadient mail machine	Operating	Equipment	8,227	1,164	7,063
			<u>\$ 82,597</u>	<u>\$ 11,700</u>	<u>\$ 70,897</u>

The following is a summary of lease agreements that the Town is party to as of September 30, 2023:

Operating leases for three 2023 Chevy Silverado's with identical terms. Term began in May of 2023 and ends in May of 2026. Payment of \$2,142 (\$714 for each vehicle) due monthly including interest at the Town's incremental borrowing rate.	\$ 64,238
Operating lease for Quadient mail machine. Term began in November of 2022 and ends in November of 2027. Payment of \$108.80 due monthly including interest at the Town's incremental borrowing rate.	<u>7,039</u>
Total lease liability at September 30, 2023	71,277
Less current portion	<u>(25,974)</u>
Total long-term lease liability at September 30, 2023	<u>\$ 45,303</u>

The following are future payments due under leases noted above as of September 30, 2023:

Fiscal Year Ended September 30	Chevy Silverado Leases		Mail Machine Lease		Total
	Liability	Reduction	Interest	Interest	
2024	\$ 24,375	\$ 1,329	\$ 1,599	\$ 217	\$ 27,520
2025	24,992	711	1,655	161	27,519
2026	14,870	123	1,713	104	16,810
2027	-	-	1,772	44	1,816
2028	-	-	301	1	302
Thereafter	-	-	-	-	-
	<u>\$ 64,237</u>	<u>\$ 2,163</u>	<u>\$ 7,040</u>	<u>\$ 527</u>	<u>\$ 73,967</u>

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

The Town's right of use (ROU) assets recognized under subscription-based information technology arrangements (SBITAs) subject to GASB No. 96 are as follows as of September 30, 2023:

SBITA Description	Gross Asset Balance	Accumulated Amortization	Net Asset Balance
Telecom System	\$ 158,246	\$ 40,117	\$ 118,129
Police body cameras	24,985	6,334	18,651
	<u>\$ 183,231</u>	<u>\$ 46,451</u>	<u>\$ 136,780</u>

The following is a summary of SBITAs that the Town is party to as of September 30, 2023:

Five year agreement with Blueline for a telecom system. Term began in August of 2021 and will end in August of 2026. Payments of \$3,485 due monthly including interest at the Town's incremental borrowing rate.	\$ 117,298
Five year agreement with Axon for body cameras for the police department. Term began in August of 2022 and will end in August of 2027. Payments of \$6,624 due annually including interest at the Town's incremental borrowing rate.	<u>18,934</u>
Total SBITA liability at September 30, 2023	136,232
Less current portion	<u>(47,291)</u>
Total long-term SBITA liability at September 30, 2023	<u>\$ 88,941</u>

The following are future payments due under SBITAs noted above as of September 30, 2023:

Fiscal Year Ended September 30	Blueline Telecom System		Axon Body Cameras		Total
	Liability Reducation	Interest	Liability Reducation	Interest	
2024	\$ 41,139	\$ 676	\$ 6,152	\$ 472	\$ 48,439
2025	41,422	393	6,310	314	48,439
2026	34,737	109	6,472	152	41,470
2027	-	-	-	-	-
2028	-	-	-	-	-
Thereafter	-	-	-	-	-
	<u>\$ 117,298</u>	<u>\$ 1,178</u>	<u>\$ 18,934</u>	<u>\$ 938</u>	<u>\$ 138,348</u>

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 10 - LONG-TERM DEBT

The Town's long-term debt is comprised of the following at September 30, 2023:

A. Primary Government – Governmental Activities

Capital Improvement Revenue Note, Series 2005

In April 2005, the Town issued a Capital Improvement Revenue Note, Series 2005, which was originally issued for \$4,030,000 and is payable through July 2025. Proceeds from the note were used to finance the acquisition of real property and for related capital improvements. The note is secured by a pledge of the Town's electric and liquid propane utility tax, solid waste franchise fee, and the Florida Power and Light franchise fee. The note bears interest at a fixed rate of 4.11% and is payable semi-annually on January 1 and July 1 through maturity on July 1, 2025. Principal payments are due annually on July 1 through maturity on July 1, 2025. The balance due on this obligation at September 30, 2023 totaled \$618,000. Current maturities due on this obligation totaled \$303,000 at September 30, 2023.

The total remaining principal and interest to be paid on the note totals \$656,347. During the current year, electric and liquid propane utility tax, solid waste franchise fee, and the Florida Power and Light franchise fee revenue was \$814,794, compared to annual debt requirements of \$328,400.

Clean Water State Revolving Fund Loan

In October 2004, the Town entered into a state revolving fund loan agreement with the State of Florida Department of Environmental Protection to finance the planning, design, and construction of stormwater pollution control facilities. The loan is secured by specific pledged revenues which include the Town's cell tower lease revenue, one to six cents local option fuel taxes, telecommunications excise taxes and a pledged annual transfer of \$25,000 from the utility enterprise fund. The original loan bears interest at 2.95% per annum for the first disbursement of \$96,559, 2.65% per annum for the first loan amendment disbursement of \$1,668,216, and 2.57% for the second loan amendment disbursement of \$303,500 and 2.62% for the third loan amendment disbursement of \$303,500. The loan is payable in semiannual payments due in March and September and becomes due in September 2026. The aggregate balance due on this obligation at September 30, 2023 was \$448,729. Current maturities due on this obligation totaled \$145,658 at September 30, 2023.

The total remaining principal and interest to be paid on the loan totals \$503,890. During the current year, the pledged revenues identified above totaled \$353,431, compared to annual debt requirements of \$165,859.

B. Business-Type Activities

Drinking Water State Revolving Fund Loan

In June 2015, the Town entered into a state revolving fund loan agreement with the State of Florida Department of Environmental Protection to finance the construction of public water systems. The loan is secured by pledged revenues generated by the Town's water system. The original loan in the amount of \$1,122,126 bears interest at 1.01% per annum. The loan is payable in semiannual payments due in May and November and becomes due in May 2037. The aggregate balance due on this obligation at September 30, 2023 was \$805,276. Current maturities due on this obligation totaled \$53,829 at September 30, 2023.

The total remaining principal and interest to be paid on the loan totals \$865,579.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Loan Restrictions and Covenants - Pursuant to Sections 3.01 and 6.01 of the Loan Agreement, the Town is required to make monthly loan deposits to the loan debt service accounts equal to one-sixth of the next succeeding semi-annual interest and principal payments. In the event of a failure to make the monthly loan deposits, the Town is required to promptly notify the State of Florida Department of Environmental Protection of any such failure. During the year ended September 30, 2023, the Town made all the mandatory transfers on a timely basis.

Changes in Long-Term Debt

A summary of changes in the Town's long-term debt for the year is as follows:

A. Primary Government – Governmental Activities

	Balance 9/30/2022	Additions	Deletions	Balance 9/30/2023
Notes payable:				
Capital Improvement Revenue Note, Series 2005	\$ 909,000	\$ -	\$ (291,000)	\$ 618,000
Florida Department of Environmental Protection State Revolving Fund Loan	590,604	-	(141,875)	448,729
Net pension liability	6,294,611	937,809	-	7,232,420
Other post-employment benefits	170,965	-	(10,965)	160,000
Compensated absences	405,368	28,212	-	433,580
Total long-term debt	<u>\$ 8,370,548</u>	<u>\$ 966,021</u>	<u>\$ (443,840)</u>	8,892,729
Less current maturities				<u>(448,658)</u>
Net long-term debt				<u>\$ 8,444,071</u>

Debt Service to Maturity

Aggregate debt service requirements to maturity on long-term debt obligations are as follows:

Fiscal Year Ended September 30	Capital Improvement Note		FDEP State Revolving Fund Loan	
	Principal	Interest	Principal	Interest
2024	\$ 303,000	\$ 25,400	\$ 145,658	\$ 20,201
2025	315,000	12,947	149,542	18,395
2026	-	-	153,529	16,565
2027	-	-	-	-
2028	-	-	-	-
Thereafter	-	-	-	-
	<u>\$ 618,000</u>	<u>\$ 38,347</u>	<u>\$ 448,729</u>	<u>\$ 55,161</u>

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

B. Primary Government – Business-Type Activities

	Balance 9/30/2022	Additions	Deletions	Balance 9/30/2023
Notes payable:				
Florida Department of Environmental Protection State Revolving Fund Loan	\$ 858,566	\$ -	\$ (53,290)	\$ 805,276
Net pension liability	477,274	86,559	-	563,833
Other post-employment benefits	17,229	-	(1,012)	16,217
Compensated absences	61,447	2,900	-	64,347
Total long-term debt	\$ 1,414,516	\$ 89,459	\$ (54,302)	1,449,673
Less current maturities				(53,829)
Net long-term debt				\$ 1,395,844

Debt Service to Maturity

Aggregate debt service requirements to maturity on long-term debt obligations are as follows:

Fiscal Year Ended September 30,	FDEP State Revolving Fund Loan		Total
	Principal	Interest	
2024	\$ 53,829	\$ 7,998	\$ 61,827
2025	54,374	7,453	61,827
2026	54,925	6,902	61,827
2027	55,481	6,346	61,827
2028	56,043	5,784	61,827
2029-2033	288,842	20,293	309,135
2034-2038	241,782	5,527	247,309
	\$ 805,276	\$ 60,303	\$ 865,579

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

The component unit had the following debt activity during the year ended September 30, 2023:

	Balance 9/30/2022	Additions	Deletions	Balance 9/30/2023
Notes payable:				
Note payable to financial institution	\$ 859,196	\$ -	\$ (104,171)	\$ 755,025
Less current maturities				(50,938)
Net long-term debt				\$ 704,087

Future debt maturities on long-term debt of the component unit are as follows for September 30, 2023:

September 30,	Principal
2024	\$ 50,938
2025	53,273
2026	55,714
2027	58,268
2028	60,939
Thereafter	475,893
	\$ 755,025

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 11 – FUND BALANCE

The following table contains the individual components of the reported fund balance classifications depicting the relative strength of the spending constraints placed on the purposes for which resources can be used at September 30, 2023:

Fund Balances	Major Funds					Total
	General Fund	S. Peninsula Drive Sidewalk Fund	Public Land Acquisition and Facility Fund	Hurricane Ian Restoration Fund	Nonmajor Funds	
Nonspendable:						
Inventories and prepaids	\$ 41,803	\$ -	\$ -	\$ -	\$ -	\$ 41,803
Restricted:						
Public safety	-	-	-	-	130,683	130,683
Debt service	-	-	-	-	3,946	3,946
Impact Fees - Parks and Rec	-	-	-	-	27,811	27,811
Protective inspection	87,954	-	-	-	-	87,954
Transportation gas tax	478,495	-	-	-	-	478,495
Committed:						
Operating reserve	2,037,480	-	-	-	-	2,037,480
Public land acquisitions	-	-	439,546	-	-	439,546
Assigned:						
General government	93	-	-	-	266,002	266,095
Public works	-	802,756	-	-	173,547	976,303
Hurricane restoration	-	-	-	123,843	-	123,843
Recreation	14,678	-	-	-	44,085	58,763
Unassigned	2,206,744	-	-	-	(21,156)	2,185,588
	<u>\$4,867,246</u>	<u>\$ 802,756</u>	<u>\$ 439,546</u>	<u>\$ 123,843</u>	<u>\$ 624,918</u>	<u>\$ 6,858,309</u>

NOTE 12 – EMPLOYEES’ PENSION PLANS

1. Florida Retirement System (FRS) (Defined Benefit Pension Plan)

General Information About the FRS. The FRS was created in Chapter 121, Florida Statutes, to provide a defined benefit pension plan for participating public employees. The FRS was amended in 1998 to add the Deferred Retirement Option Program under the defined benefit plan and amended in 2000 to provide a defined contribution plan alternative to the defined benefit plan for FRS members effective July 1, 2002. This integrated defined contribution pension plan is the FRS Investment Plan. Chapter 112, Florida Statutes, established the Retiree Health Insurance Subsidy (HIS) Program, a cost-sharing multiple-employer defined benefit pension plan, to assist retired members of any State-administered retirement system in paying the costs of health insurance.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Provisions relating to the FRS are established by Chapters 121 and 122, Florida Statutes; Chapter 112, Part IV, Florida Statutes; Chapter 238, Florida Statutes; and FRS Rules, Chapter 60S, Florida Administrative Code; wherein eligibility, contributions, and benefits are defined and described in detail. Such provisions may be amended at any time by further action from the Florida Legislature. The FRS is a single retirement system administered by the Florida Department of Management Services, Division of Retirement, and consists of the two cost-sharing, multiple-employer defined benefit plans and other nonintegrated programs.

The State of Florida annually issues a publicly available financial report that includes financial statements and required supplementary information for the FRS. The latest available report may be obtained by writing to the State of Florida Division of Retirement, Department of Management Services, P.O. Box 9000, Tallahassee, Florida 32315-9000, or from the Web site:

www.dms.myflorida.com/workforce_operations/retirement/publications

Plan Description. The FRS Pension Plan (Plan) is a cost-sharing multiple-employer defined benefit pension plan, with a Deferred Retirement Option Program (DROP) for eligible employees. The Town's general classes of membership available are as follows:

- Regular Class - Members of the FRS who do not qualify for membership in the other classes.
- Senior Management Service Class (SMSC) - Members in senior management level positions.
- Special Risk Class - Members who are employed as law enforcement officers, firefighters, firefighter trainers, fire prevention officers, emergency medical technicians and paramedics that meet the criteria to qualify for this class.

Employees enrolled in the Plan prior to July 1, 2011, vest at 6 years of creditable service and employees enrolled in the Plan on or after July 1, 2011, vest at 8 years of creditable service. All vested members, enrolled prior to July 1, 2011, are eligible for normal retirement benefits at age 62 or at any age after 30 years of service. All members enrolled in the Plan on or after July 1, 2011, once vested, are eligible for normal retirement benefits at age 65 or any time after 33 years of creditable service. Members of the Plan may include up to four years of credit for military service toward creditable service. The Plan also includes an early retirement provision; however, there is a benefit reduction for each year a member retires before his or her normal retirement date. The Plan provides retirement, disability, death benefits, and annual cost-of-living adjustments to eligible participants.

DROP, subject to provisions of Section 121.091, Florida Statutes, permits employees eligible for normal retirement under the Plan to defer receipt of monthly benefit payments while continuing employment with an FRS participating employer. An employee may participate in DROP for a period not to exceed 60 months after electing to participate, except that certain instructional personnel may participate for up to 96 months. During the period of DROP participation, deferred monthly benefits are held in the FRS Trust Fund and accrue interest. The net pension liability does not include amounts for DROP participants, as these members are considered retired and are not accruing additional pension benefits.

Benefits Provided. Benefits under the Plan are computed on the basis of age and/or years of service, average final compensation, and service credit. Credit for each year of service is expressed as a percentage of the average final compensation. For members initially enrolled before July 1, 2011, the average final compensation is the average of the 5 highest fiscal years' earnings; for members initially enrolled on or after July 1, 2011, the average final compensation is the average of the 8 highest fiscal years' earnings. The total percentage value of the benefit received is determined by calculating the total value of all service, which is based on the retirement class to which the member belonged when the service credit was earned. Members are eligible for in-line-of-duty or regular disability and survivors' benefits. The following chart shows the percentage value for each year of service credit earned:

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

<u>Class, Initial Enrollment, and Retirement Age/Years of Service</u>	<u>% Value</u>
<i>Regular Class members initially enrolled before July 1, 2011:</i>	
Retirement up to age 62 or up to 30 years of service	1.60
Retirement at age 63 or with 31 years of service	1.63
Retirement at age 64 or with 32 years of service	1.65
Retirement at age 65 or with 33 or more years of service	1.68
<i>Regular Class members initially enrolled on or after July 1, 2011:</i>	
Retirement up to age 65 or up to 33 years of service	1.60
Retirement at age 66 or with 34 years of service	1.63
Retirement at age 67 or with 35 years of service	1.65
Retirement at age 68 or with 36 or more years of service	1.68
<i>Senior Management Service Class</i>	2.00
<i>Special Risk Class</i>	
Service from Dec. 1, 1970 through Sept. 30, 1974	2.00
Service on and after Oct. 1, 1974	3.00

As provided in Section 121.101, Florida Statutes, if the member is initially enrolled in the FRS before July 1, 2011, and all service credit was accrued before July 1, 2011, the annual cost-of-living adjustment is 3 percent per year. If the member is initially enrolled before July 1, 2011, and has service credit on or after July 1, 2011, there is an individually calculated cost-of-living adjustment. The annual cost-of-living adjustment is a proportion of 3 percent determined by dividing the sum of the pre-July 2011 service credit by the total service credit at retirement multiplied by 3 percent. Plan members initially enrolled on or after July 1, 2011, will not have a cost-of-living adjustment after retirement.

Contributions. The Florida Legislature establishes contribution rates for participating employers and employees. Contribution rates during the 2022-2023 fiscal year were as follows:

<u>Class</u>	<u>Employee</u>	<u>Percent of Gross Salary</u>	
		<u>Employer (1)</u>	
		<u>Pre 7/01/23</u>	<u>Post 6/30/23</u>
FRS, Regular	3.00	11.91	13.57
FRS, Senior Management Service	3.00	31.57	34.52
FRS, Special Risk	3.00	27.83	32.67
DROP - Applicable to Members of the Above Class	0.00	18.60	21.13
FRS, Reemployed Retiree		(2)	(2)

Notes: (1) Employer rates include 1.66 percent and 2.00 percent for the postemployment health insurance subsidy for Pre 7/01/23 and Post 6/30/23, respectively. Also, employer rates, other than for DROP participants, include 0.06 percent for administrative costs of the Investment Plan.

(2) Contribution rates are dependent upon retirement class in which reemployed.

The Town's employer and employee contributions to the FRS Plan totaled \$745,164 and \$117,243 respectively, for the fiscal year ended September 30, 2023. This excludes HIS defined benefit pension plan contributions of \$67,268 and FRS Investment Plan contributions of \$125,738.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions. At September 30, 2023, the Town reported a liability of \$6,172,236 for its proportionate share of the Plan's net pension liability. The net pension liability was measured as of June 30, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2023. The Town's proportionate share of the net pension liability was based on the Town's 2022-2023 fiscal year contributions relative to the 2022-2023 fiscal year contributions of all participating members based on a June 30, 2023 fiscal year. At June 30, 2023, the Town's proportionate share was 0.015489902 percent, which was up 0.000163625 percent from its proportionate share measured at June 30, 2022 of 0.015326277 percent.

For the fiscal year ended September 30, 2023, the Town recognized Plan pension expense of \$578,287. In addition, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

<u>Description</u>	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 579,520	\$ -
Changes in assumptions	402,358	-
Net difference between projected and actual earnings on FRS pension plan investments	257,769	-
Changes in proportion and differences between FRS contributions and proportionate share of contributions	214,526	16,132
Contributions subsequent to the measurement date	<u>227,679</u>	<u>-</u>
 Total	 <u>\$ 1,681,852</u>	 <u>\$ 16,132</u>

The deferred outflows of resources related to pensions, totaling \$227,679, resulting from the Town's contributions to the Plan subsequent to the measurement date, will be recognized as a reduction of the net pension liability in the fiscal year ended September 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Fiscal Year Ending June 30:</u>	<u>Amount</u>
2024	\$ 237,578
2025	(3,054)
2026	1,056,928
2027	116,387
2028	<u>30,202</u>
	 <u>\$ 1,438,041</u>

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Actuarial Assumptions. The total pension liability in the July 1, 2023 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40 percent
Salary Increases	3.25 percent, average, including inflation
Investment rate of return	6.70 percent, net of pension plan investment expense, including inflation

Mortality rates were based on the Generational RP-2000 with Projection Scale BB tables.

The actuarial assumptions used in the July 1, 2023, valuation were based on the most recent actuarial experience study for the period July 1, 2013, through June 30, 2018.

The long-term expected rate of return assumption of 6.70 percent consists of two building block components: a real (in excess of inflation) return of 4.20 percent, consistent with the currently articulated real return target in the current Florida State Board of Administration's investment policy, developed using capital market assumptions calculated by Aon Hewitt Investment Consulting; and 2) a long-term average annual inflation assumption of 2.40 percent as adopted in October 2022 by the FRS Actuarial Assumption Conference. In the opinion of the FRS consulting actuary, Milliman, both components and the overall 6.70 percent return assumption were determined to be reasonable and appropriate per the Actuarial Standards of Practice.

For reference, the table below contains a summary of Milliman's assumptions for each of the asset classes in which the plan was invested at that time based on the long-term target asset allocation. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. These assumptions are not based on historical returns, but instead based on a forward-looking capital market economic model:

Asset Class	Target Allocation	Annual Arithmetic Return	
Cash	1.00%	2.60%	
Fixed income	19.80%	4.40%	
Global equity	54.00%	8.80%	
Real Estate (Property)	10.30%	7.40%	
Private Equity	11.10%	12.00%	
Strategic Investments	<u>3.80%</u>	6.20%	
 Total	 100.00%		
 Assumed Inflation - Mean		 2.40%	 1.90%

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Calculation of Money-Weighted Rate of Return. For the year ended June 30, 2023, the annual money-weighted rate of return on FRS pension plan investments, net of pension plan investment expense, was 3.35 percent. The money-weighted rate of return considers the changing amounts estimated as invested during a period and weights the amount of pension plan investments by the proportion of time they are available to earn a return during that period. Cash flows are estimated on a monthly basis and are assumed to occur at the beginning of each month. Cash inflows are netted with cash outflows, resulting in a net cash flow in each month. The money-weighted rate of return is calculated net of investment expenses.

Discount Rate. The discount rate used to measure the total pension liability was 6.70 percent. The Plan’s fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the long-term expected rate of return.

Sensitivity of the Entity’s Proportionate Share of the Net Position Liability to Changes in the Discount Rate. The following presents the Town’s proportionate share of the net pension liability calculated using the discount rate of 6.70 percent, as well as what the Town’s proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1 percentage-point lower (5.70 percent) or 1 percentage-point higher (7.70 percent) than the current rate:

	1% Decrease (5.70%)	Current Discount Rate (6.70%)	1% Increase (7.70%)
The Town's proportionate share of the net pension liability (0.015326277%)	<u>\$ 10,543,436</u>	<u>\$ 6,172,236</u>	<u>\$ 2,515,204</u>

Pension Plan Fiduciary Net Position. Detailed information about the Plan’s fiduciary net position is available in the separately issued FRS Pension Plan and Other State-Administered Systems Annual Comprehensive Financial Report.

Payable to the FRS Pension Plan. The Town had no amounts payable to the FRS Plan for outstanding contributions at September 30, 2023.

2. HIS Pension Plan (Defined Benefit Pension Plan)

Plan Description. The HIS Pension Plan (HIS Plan) is a cost-sharing multiple-employer defined benefit pension plan established under Section 112.363, Florida Statutes, and may be amended by the Florida Legislature at any time. The benefit is a monthly payment to assist retirees of State-administered retirement systems in paying their health insurance costs and is administered by the Florida Department of Management Services, Division of Retirement.

Benefits Provided. For the fiscal year ended June 30, 2023, eligible retirees and beneficiaries received a monthly HIS payment equal to the number of years of service credited at retirement multiplied by \$5. The minimum payment is \$30 and the maximum payment is \$150 per month, pursuant to section 112.363, Florida Statutes. To be eligible to receive a HIS benefit, a retiree under one of the state administered retirement systems must provide proof of eligible health insurance coverage, which may include Medicare.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Contributions. The HIS Plan is funded by required contributions from FRS participating employers as set by the Florida Legislature. Employer contributions are a percentage of gross compensation for all active FRS members. For the fiscal year ended September 30, 2023, the HIS contribution rate for the period from October 1, 2022 through June 30, 2023, and from July 1, 2023 through September 30, 2023, was 1.66% and 2.00%, respectively, of payroll pursuant to section 112.363, Florida Statutes. The Town contributed 100 percent of its statutorily required contributions for the current and preceding 3 years. HIS Plan contributions are deposited in a separate trust fund from which payments are authorized. HIS Plan benefits are not guaranteed and are subject to annual legislative appropriation. In the event the legislative appropriation or available funds fail to provide full subsidy benefits to all participants, benefits may be reduced or canceled.

The Town’s contributions to the HIS Plan totaled \$67,268 for the fiscal year ended September 30, 2023.

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources Related to Pensions. At September 30, 2023, the Town reported a net pension liability of \$1,624,017 for its proportionate share of the HIS Plan’s net pension liability. The net pension liability was measured as of June 30, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2023. The Town’s proportionate share of the net pension liability was based on the Town’s 2022-2023 fiscal year contributions relative to the total 2022-2023 fiscal year contributions of all participating members. At June 30, 2023, the Town’s proportionate share was 0.010225946 percent, which was up 0.0000130415 percent from its proportionate share measured at June 30, 2022, of 0.010095531 percent.

For the fiscal year ended September 30, 2023, the Town recognized HIS Plan pension expense of \$572,958. In addition, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

<u>Description</u>	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 23,774	\$ 3,812
Changes in assumptions	42,695	140,727
Net difference between projected and actual earnings on HIS pension plan investments	839	-
Changes in proportion and differences between HIS contributions and proportionate share of contributions	94,536	1,191
Contributions subsequent to the measurement date	<u>21,672</u>	<u>-</u>
	<u>\$ 183,516</u>	<u>\$ 145,730</u>

The deferred outflows of resources related to pensions, totaling \$21,672 resulting from the Town’s contributions to the Plan subsequent to the measurement date, will be recognized as a reduction of the net pension liability in the fiscal year ended June 30, 2024.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Fiscal Year Ending June 30:	Amount
2024	\$ 17,590
2025	14,059
2026	6,915
2027	(12,966)
2028	(9,089)
Thereafter	(395)
	\$ 16,114

Actuarial Assumptions. The total pension liability in the July 1, 2022, actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.40 percent
Salary Increases	3.25 percent, average, including inflation
Investment rate of return	3.65 percent

Mortality rates were based on the Generational RP-2000 with Projection Scale BB.

The following changes in actuarial assumptions occurred in 2023:

The municipal rate used to determine total pension liability was increased from 3.54% to 3.65%.

Discount Rate. The discount rate used to measure the total pension liability was 3.65 percent. In general, the discount rate for calculating the total pension liability is equal to the single rate equivalent to discounting at the long-term expected rate of return for benefit payments prior to the projected depletion date. Because the HIS benefit is essentially funded on a pay-as-you-go basis, the depletion date is considered to be immediate, and the single equivalent discount rate is equal to the municipal bond rate selected by the HIS Plan sponsor. The Bond Buyer General Obligation 20-Bond Municipal Bond Index was adopted as the applicable municipal bond index.

Sensitivity of the Entity's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate. The following presents the Town's proportionate share of the net pension liability calculated using the discount rate of 3.54 percent, as well as what the Town's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower (2.65 percent) or 1 percentage point higher (4.65 percent) than the current rate:

	1% Decrease (2.65%)	Current Discount Rate (3.65%)	1% Increase (4.65%)
The Town's proportionate share of the net pension liability (0.010095531%)	\$ 1,852,750	\$ 1,624,017	\$ 1,434,412

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Pension Plan Fiduciary Net Position. Detailed information about the Plan’s fiduciary net position is available in the separately issued FRS Pension Plan and Other State-Administered Systems Annual Comprehensive Financial Report.

Payable to the HIS Pension Plan. The Town had no amounts payable to the HIS Plan for outstanding contributions at September 30, 2023

3. FRS Investment Plan (Defined Contribution Pension Plan)

The Town contributes to the Florida Retirement System (FRS) Investment Plan, a defined contribution pension plan, for its eligible employees electing to participate in the FRS Investment Plan. The FRS Investment Plan is administered by the Florida State Board of Administration (SBA), and is reported in the SBA's annual financial statements and in the State of Florida Comprehensive Annual Financial Report. Service retirement benefits are based upon the value of the member's account upon retirement.

As provided in Section 121.450 I, Florida Statutes, eligible FRS members may elect to participate in the FRS Investment Plan in lieu of the FRS defined-benefit plans. The Town’s employees participating in DROP are not eligible to participate in the FRS Investment Plan. Employer and employee contributions, including amounts contributed to individual member's accounts, are defined by law, but the ultimate benefit depends in part on the performance of investment funds. Benefit terms, including contribution requirements, for the FRS Investment Plan are established and may be amended by the Florida Legislature. The FRS Investment Plan is funded with the same employer and employee contribution rates that are based on salary and membership class (Regular Class, Special Risk, Senior Management Service Class, etc.), as the FRS defined benefit plan. Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices.

Allocations to the investment member's accounts during the 2022-2023 fiscal year were as follows:

<u>Class</u>	<u>Percent of Gross Salary</u>	
	<u>Employer</u>	
	<u>Pre 7/01/23</u>	<u>Post 6/30/23</u>
FRS, Regular	6.30	8.30
FRS, Senior Management Service	7.67	9.67
FRS, Special Class	14.00	16.00

For all membership classes, employees are immediately vested in their own contributions and are vested after one year of service for employer contributions and investment earnings. If an accumulated benefit obligation for service credit originally earned under the FRS Pension Plan is transferred to the FRS Investment Plan, the member must have the years of service required for FRS Pension Plan vesting (including the service credit represented by the transferred funds) to be vested for these funds and the earnings on the funds. Nonvested employer contributions are placed in a suspense account for up to five years. If the employee returns to FRS-covered employment within the five year period, the employee will regain control over their account. If the employee does not return within the five year period, the employee will forfeit the accumulated account balance. Costs of administering the FRS Investment Plan, including the FRS Financial Guidance Program, are funded through an employer contribution of 0.06% of payroll and by forfeited benefits of FRS Investment Plan members. For the fiscal year ended June 30, 2023, the information for the amount of forfeitures was unavailable from the SBA; however, management believes that these amounts, if any, would be immaterial to the Town.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

After termination and applying to receive benefits, the member may rollover vested funds to another qualified plan, structure a periodic payment under the FRS Investment Plan, receive a lump-sum distribution, leave the funds invested for future distribution, or any combination of these options. Disability coverage is provided; the member may either transfer the account balance to the FRS Pension Plan when approved for disability retirement to receive guaranteed lifetime monthly benefits under the FRS Pension Plan, or remain in the FRS Investment Plan and rely upon that account balance for retirement income.

The Town's FRS Investment Plan pension expense totaled \$125,738 for the fiscal year ended September 30, 2023.

Payable to the FRS Investment Plan. The Town had no amounts payable to the FRS Investment Plan for outstanding contributions at September 30, 2023.

4. Defined Contribution Plans - General Employees

Florida Municipal Pension Trust Fund (the "FMPTF") - The Town contributes to the Florida Municipal Trust Fund, which provides for a 457(b) deferred compensation plan for employer and employee contributions, respectively. These plans are administered by Florida League of Cities, Inc., P. O. Box 1757, Tallahassee, FL 32302-1757, under Section 2-221 of the Town's Code of Ordinances, the Town established this plan for all regular full time and regular part time employees, except police officers and firefighters.

The Town, as the sponsoring employer, is responsible for defining and amending pension benefit terms, provisions and contribution requirements for the plan. On August 15, 2007, the Town Council adopted Ordinance 2007-20, amending the pension plan for general employees to allow for the conversion to the Florida Retirement System, effective October 1, 2007. As a result of these actions, twenty-two employees opted to withdraw from the above described retirement plan options and convert to the Florida Retirement System. Seven employees remained in the Plan. No new employees will be eligible for entry in the 401(a) plan after October 1, 2007. For each employee in the plan, the Town is required to contribute 10% of the gross employee wages. Employees are permitted to make contributions to the 457(b) pension plan, up to applicable Internal Revenue Code limits. For the year ended September 30, 2023, employee contributions totaled \$13,800 and the Town recognized retirement expense of \$-0-.

All qualifying employees, with no age requirement, are eligible to participate in the plan immediately upon the date of employment. Employees immediately vest in the elective deferral contributions made to the Plan. The vested portions of the accounts or contributions to the plan are available to the participants immediately upon termination of service. Employees do not vest in employer contributions to the plan until after participating for five full years in the plan, at which time employees are 100% vested in the plan.

International City Management Association Retirement Corporation (the "ICMA") - The Town provides its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457(b) and Section 2-291 of the Town's Code of Ordinances. The plan is administered by the International City Managers Association Retirement Corporation, 777 North Capitol Street, NE, Suite 600, Washington, DC 20002. Employees are permitted to make contributions to the pension plan, up to applicable Internal Revenue Code limits. For the year ended September 30, 2023, employee contributions totaled \$13,100 and the Town recognized retirement expense of \$4,082.

All qualified employees at least 18 years of age become eligible to participate in the 457(b) plan on the first date of the month following the date of employment. Employees voluntarily contribute to the plan. Employees immediately vest in the elective deferral contributions made to the 457(b) plan. The vested portions of the accounts or contributions to the plan are available to the participants immediately upon termination of service.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Nationwide Retirement Solutions – The Town provides its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457(b) and Section 2-291 of the Town’s Code of Ordinances. This plan is administered by Nationwide Retirement Solutions, P. O. Box 182797, Columbus, OH 43218-2797. Employees are permitted to make contributions to the pension plan, up to applicable Internal Revenue Code limits. For the year ended September 30, 2023, employee contributions totaled \$6,935 and the Town recognized retirement expense of \$-0-.

All qualified employees at least 18 years of age become eligible to participate in the 457(b) plan on the first date of the month following the date of employment. Employees voluntarily contribute to the plan. Employees immediately vest in the elective deferral contributions made to the 457(b) Plan. The vested portions of the accounts or contributions to the plan are available to the participants immediately upon termination of service.

NOTE 13 – OTHER POSTEMPLOYMENT BENEFITS (OPEB)

Plan Description. The Town’s Retiree Health Care Plan (the “OPEB Plan”) is a single-employer defined benefit postemployment healthcare plan that covers eligible retired employees of the Town. The Plan is administered by the Town and allows employees who retire and meet retirement eligibility requirements under one of the Town’s retirement plans to continue medical insurance coverage as a participant in the Town’s OPEB Plan. Under certain conditions, eligible individuals also include spouses and dependent children. The OPEB Plan does not issue a publicly available financial report. Employees covered by benefit terms as of September 30, 2023 were as follows:

Inactive plan members or beneficiaries currently receiving benefits	3
Inactive plan members entitled to but not yet receiving benefits	0
Active plan members	<u>59</u>
	<u>62</u>

Benefits Provided. The benefits provided are the same as those provided for active employees. Spouses and dependents of eligible retirees are also eligible for medical coverage. All employees of the Town are eligible to receive postemployment health care benefits. All retiree and dependent coverage is at the expense of the retiree.

Total OPEB Liability.

Measurement Date – 9/30/2022
Measurement Period – 10/1/2021 to 9/30/2022
Reporting Period – 10/1/2022 to 9/30/2023
Sponsor’s Total OPEB liability measurement date - 9/30/2022

Actuarial Assumptions. The total OPEB liability was determined by an actuarial valuation as of September 30, 2023 using the following actuarial assumptions –

Inflation	2.50%
Salary Increases	2.50%
Discount Rate	4.77%
Initial Trend Rate	7.25%
Ultimate Trend Rate	4.00%
Years to Ultimate	52

For all lives, mortality rates were RP-2000 Combined Healthy Mortality Tables projected to the validation date using Projection Scale AA.

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

Discount Rate. Given the Town’s decision not to fund the program, all future benefit payments were discounted using a high quality municipal bond rate of 4.77%. The high quality municipal bond rate was based on the week closest but not later than the measurement date of the Bond Buyer 20-Bond Index as published by the Federal Reserve. The 20-Bond Index consists of 20 general obligation bonds that mature in 20 years. The average rating of the 20 bonds is roughly equivalent to Moody’s Investors Service’s Aa2 rating and Standard & Poor’s Corp.’s AA.

OPEB Expense. For the year ended September 30, 2023, the Town recognized OPEB Revenue of \$49.

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate. The following presents the Total OPEB Liability of the Sponsor, as well as what the Sponsor’s Total OPEB Liability would be if it were calculated using a discount rate that is one percentage point lower (3.77 percent) or one percentage point higher (5.77 percent) than the current rate:

	1% Decrease (3.77%)	Current Discount Rate (4.77%)	1% Increase (5.77%)
	<u> </u>	<u> </u>	<u> </u>
Total OPEB Liability	\$ 190,145	\$ 176,217	\$ 163,893

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates. The following presents the Total OPEB Liability of the Sponsor, as well as what the Sponsor’s Total OPEB Liability would be if it were calculated using healthcare cost trend rates that are one percentage point lower (3.00% - 6.25%) or 1 percentage point higher (5.00% - 8.25%) than the healthcare cost trend rates (4.00% - 7.25%):

	1% Decrease	Current Rate	1% Increase
	<u> </u>	<u> </u>	<u> </u>
Total OPEB Liability	\$ 162,910	\$ 176,217	\$ 191,449

Components of OPEB Expense. Under GASB 75 as it applies to plans that qualify for the Alternative Measurement Method, changes in the Total OPEB Liability are not permitted to be included in deferred outflows of resources or deferred inflows of resources related to OPEB. These changes will be immediately recognized through OPEB expense. The components of OPEB expense as of September 30, 2023 are as follows:

	<u>9/30/2023</u>
Service cost	\$ 26,488
Interest	5,104
Recognition of changes in total OPEB liability	(34,241)
Administrative expenses	<u>2,600</u>
Net Change	<u>\$ (49)</u>

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 14 – COMPONENT UNIT CASH FLOWS

See below for a summarization of the cash flows of the Ponce DeLeon Inlet Lighthouse Preservation Association, Inc. for the year ended September 30, 2023:

CASH FLOWS FROM OPERATING ACTIVITES

Change in net assets	\$ 770,407
Adjustments to reconcile change in net assets to net cash provided by operating activities	
Depreciation	104,855
Loss on disposal of assets	277
Unrealized gain on investments	(13,553)
(Increase) decrease in:	
Inventory	(6,460)
Prepaid expenses	(10,386)
Museum artifact collection	(13,256)
Increase (decrease) in:	
Accounts payable and accrued liabilities	<u>191,025</u>

NET CASH PROVIDED BY OPERATING ACTIVITIES 1,022,909

CASH FLOWS FROM INVESTING ACTIVITES

Proceeds from maturity of investments	186,510
Purchase of investments	(355,329)
Purchases of property and equipment	<u>(942,105)</u>

NET CASH USED FOR INVESTING ACTIVITIES (1,110,924)

CASH FLOWS FROM FINANCING ACTIVITIES

Payments on long-term debt	<u>(104,171)</u>
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NET CASH USED BY FINANCING ACTIVITES (104,171)

NET DECREASE IN CASH, CASH EQUIVALENTS AND RESTRICTED CASH (192,186)

BEGINNING OF YEAR 2,763,505

END OF YEAR \$ 2,571,319

TOWN OF PONCE INLET, FLORIDA
NOTES TO THE FINANCIAL STATEMENTS
For the Year Ended September 30, 2023

NOTE 15 - COMMITMENTS AND CONTINGENCIES

Amounts received or receivable from grantor agencies in current and prior years are subject to audit and adjustment by grantor agencies, principally the federal and state governments. Any disallowed claims, including amounts already collected, may constitute a liability of the applicable fund(s). The amount, if any, of expenditures which may be disallowed by the grantor cannot be determined at this time although the Town expects such amounts, if any, to be immaterial.

NOTE 16 - RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters, all of which is satisfactorily insured by general liability insurance. Commercial insurance policies are also obtained for all other risks of loss, including workers' compensation and employee health and accident insurance. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three years.

NOTE 17 – LEGAL MATTERS

The Town is from time to time engaged in routine litigation incidental to the conduct of its municipal affairs. In the opinion of the Counsel to the Town, no other legal proceedings are pending or threatened which may materially affect the financial condition of the Town.

NOTE 18 – SUBSEQUENT EVENTS

In preparing these financial statements, the Town has evaluated events and transactions for potential recognition or disclosure through April 18, 2024, the date the financial statements were available to be issued.

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REQUIRED SUPPLEMENTARY INFORMATION

**TOWN OF PONCE INLET, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
CHANGE IN TOTAL OPEB LIABILITY**

	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>	<u>2019</u>
Reporting Period - September 30, 2022	\$ 188,200	\$ 171,138	\$ 165,559	\$ 146,684	\$ 151,168
Service cost	26,487	26,628	13,914	12,543	16,861
Interest	5,104	4,139	6,237	6,452	5,988
Differences between expected and actual experience	6,474	-	1,108	-	10,762
Changes of assumptions	(40,715)	(4,983)	(5,063)	9,711	(30,925)
Changes of benefit terms	-	-	-	-	-
Contributions - Employer	-	-	-	-	-
Benefit payments	(9,333)	(8,722)	(10,617)	(9,831)	(7,170)
Other changes	-	-	-	-	-
Net changes	<u>(11,983)</u>	<u>17,062</u>	<u>5,579</u>	<u>18,875</u>	<u>(4,484)</u>
Reporting Period - September 30, 2023	<u>\$ 176,217</u>	<u>\$ 188,200</u>	<u>\$ 171,138</u>	<u>\$ 165,559</u>	<u>\$ 146,684</u>

Notes:

Changes of assumptions reflect a change in the discount rate from 2.43% for the reporting period ended September 30, 2022, to 4.77% for the reporting period ended September 30, 2023.

Also reflected as assumption changes are updated health care costs and premiums.

See Independent Auditors' Report

**TOWN OF PONCE INLET, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGES – SPONSOR’S TOTAL OPEB LIABILITY AND RELATED
RATIOS –**

Reporting Period Ending	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2019
Measurement Date	9/30/2022	9/30/2021	9/30/2020	9/30/2019	9/30/2018
Service cost	\$ 26,487	\$ 26,628	\$ 13,914	\$ 12,543	\$ 16,861
Interest	5,104	4,139	6,237	6,452	5,988
Differences between expected and actual experience	6,474	-	1,108	-	10,762
Changes of assumptions	(40,715)	(4,983)	(5,063)	9,711	(30,925)
Benefit payments	<u>(9,333)</u>	<u>(8,722)</u>	<u>(10,617)</u>	<u>(9,831)</u>	<u>(7,170)</u>
Net Change in Total OPEB Liability	(11,983)	17,062	5,579	18,875	(4,484)
Total OPEB Liability - Beginning	<u>188,200</u>	<u>171,138</u>	<u>165,559</u>	<u>146,684</u>	<u>151,168</u>
Total OPEB Liability - Ending	<u>\$ 176,217</u>	<u>\$ 188,200</u>	<u>\$ 171,138</u>	<u>\$ 165,559</u>	<u>\$ 146,684</u>
Covered Employee Payroll - Projected	<u>\$ 3,519,444</u>	<u>\$ 3,069,043</u>	<u>\$ 2,994,188</u>	<u>\$ 2,730,980</u>	<u>\$ 2,664,371</u>
Sponsor's Total OPEB Liability as a percentage of Covered Employee Payroll	<u>5.01%</u>	<u>6.13%</u>	<u>5.72%</u>	<u>6.06%</u>	<u>5.51%</u>

Notes:

Changes of assumptions and other inputs reflect the effects of changes in the discount rate each period. The following are the discount rates used in each period:

FY 2023	4.77%
FY 2022	2.43%
FY 2021	2.14%

No assets are accumulated in a trust in accordance with paragraph 4 of GASB 75

See Independent Auditors' Report

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**TOWN OF PONCE INLET, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
FLORIDA RETIREMENT SYSTEM DEFINED BENEFIT PENSION PLAN**

	Fiscal Year									
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Schedule of the Proportionate Share of the Net Pension Liability:										
Town proportion of the net pension liability	0.015489902%	0.015326277%	0.014872566%	0.014566303%	0.014044218%	0.014410270%	0.013566090%	0.013057636%	0.011120579%	0.010599369%
Town proportionate share of the net pension liability	\$ 6,172,236	\$ 5,702,607	\$ 1,123,453	\$ 6,313,250	\$ 4,836,633	\$ 4,340,448	\$ 4,012,758	\$ 3,297,063	\$ 1,436,372	\$ 646,717
Town covered payroll	\$ 4,138,390	\$ 3,277,242	\$ 3,145,277	\$ 2,874,203	\$ 2,717,579	\$ 2,520,534	\$ 2,239,725	\$ 2,424,268	\$ 2,317,860	\$ 2,186,188
Town proportionate share of the net pension liability as a percentage of covered payroll	149.15%	174.01%	35.72%	219.65%	177.98%	172.20%	179.16%	136.00%	61.97%	29.58%
Plan fiduciary net position as a percentage of the total pension liability	82.38%	82.89%	96.40%	78.85%	82.61%	84.26%	83.89%	84.88%	92.00%	96.09%
Schedule of Contributions:										
Contractually required contribution	\$ 745,164	\$ 654,000	\$ 566,581	\$ 483,974	\$ 409,793	\$ 368,595	\$ 412,168	\$ 340,268	\$ 318,409	\$ 285,945
Contributions in relation to the contractually required contribution	(745,164)	(654,000)	(566,581)	(483,974)	(409,793)	(368,595)	(412,168)	(340,268)	(318,409)	(285,945)
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Town covered payroll	\$ 4,138,390	\$ 3,277,242	\$ 3,145,277	\$ 2,874,203	\$ 2,717,579	\$ 2,520,534	\$ 2,239,725	\$ 2,424,268	\$ 2,317,860	\$ 2,186,188
Contributions as a percentage of covered payroll	18.01%	19.96%	18.01%	16.84%	15.08%	14.62%	18.40%	14.04%	13.74%	13.08%

Notes:

- ▶ (1) The amounts presented for each fiscal year were determined as of June 30.
- ▶ (2) *Changes of Assumptions* -
 - Inflation rate - 2.4% (no change from previous year)
 - Payroll growth rate - 3.25% (no change from previous year)
 - Long-term expected rate of return - 6.70% (no change from previous year)

See Independent Auditors' Report.

**TOWN OF PONCE INLET, FLORIDA
REQUIRED SUPPLEMENTARY INFORMATION
FRS HEALTH INSURANCE SUBSIDY DEFINED BENEFIT PENSION PLAN**

	Fiscal Year									
	2023	2022	2021	2020	2019	2018	2017	2016	2015	2014
Schedule of the Proportionate Share of the Net Pension Liability:										
Town proportion of the net pension liability	0.010225946%	0.010095531%	0.009715029%	0.009046920%	0.009080829%	0.009080829%	0.008362877%	0.008084316%	0.007504364%	0.007327383%
Town proportionate share of the net pension liability	\$ 1,624,017	\$ 1,069,278	\$ 1,191,694	\$ 1,104,614	\$ 1,013,080	\$ 961,125	\$ 894,197	\$ 942,194	\$ 765,327	\$ 685,128
Town covered payroll	\$ 4,138,390	\$ 3,277,242	\$ 3,145,277	\$ 2,874,203	\$ 2,717,579	\$ 2,520,534	\$ 2,239,725	\$ 2,424,268	\$ 2,317,860	\$ 2,186,188
Town proportionate share of the net pension liability as a percentage of covered payroll	39.24%	32.63%	37.89%	38.43%	37.28%	38.13%	39.92%	38.87%	33.02%	31.34%
Plan fiduciary net position as a percentage of the total pension liability	4.81%	3.56%	3.56%	3.00%	2.63%	2.15%	1.64%	0.97%	0.50%	0.99%
Schedule of Contributions:										
Contractually required contribution	\$ 67,268	\$ 61,086	\$ 57,105	\$ 52,133	\$ 50,848	\$ 48,656	\$ 45,971	\$ 40,243	\$ 31,725	\$ 26,587
Contributions in relation to the contractually required contribution	(67,268)	(61,086)	(57,105)	(52,133)	(50,848)	(48,656)	(45,971)	(40,243)	(31,725)	(26,587)
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Town covered payroll	\$ 4,138,390	\$ 3,277,242	\$ 3,145,277	\$ 2,874,203	\$ 2,717,579	\$ 2,520,534	\$ 2,239,725	\$ 2,424,268	\$ 2,317,860	\$ 2,186,188
Contributions as a percentage of covered payroll	1.63%	1.86%	1.82%	1.81%	1.87%	1.93%	2.05%	1.66%	1.37%	1.22%

Notes:

(1) The amounts presented for each fiscal year were determined as of June 30.

(2) *Changes of Assumptions* -

Inflation rate - 2.4% (no change from previous year)

Payroll growth rate - 3.25% (no change from previous year)

Long-term expected rate of return - 3.65% (3.54% in previous year)

See Independent Auditors' Report.

OTHER SUPPLEMENTARY INFORMATION

COMBINING FINANCIAL STATEMENTS

BUDGETARY COMPARISON SCHEDULES

OTHER MAJOR FUNDS

OTHER NONMAJOR FUNDS

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**TOWN OF PONCE INLET, FLORIDA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
September 30, 2023**

Special Revenue Funds

	Tree Bank	Sidewalks	Parks and Recreation	Police Education	Contraband Forfeitures
Assets:					
Cash and cash equivalents	\$ 44,085	\$ 90,787	\$ 27,811	\$ 14,783	\$ -
Accounts receivable	-	-	-	-	-
Due from other governments	-	-	-	70	-
Total assets	\$ 44,085	\$ 90,787	\$ 27,811	\$ 14,853	\$ -
Liabilities and Fund Balances (Deficits):					
Liabilities:					
Accounts payable and accrued expenses	\$ -	\$ -	\$ -	\$ -	\$ -
Due to other funds	-	-	-	-	-
Total liabilities	-	-	-	-	-
Fund Balances (Deficits):					
Restricted	-	-	27,811	14,853	-
Committed	-	-	-	-	-
Assigned	44,085	90,787	-	-	-
Unassigned	-	-	-	-	-
Total fund balances (deficits)	44,085	90,787	27,811	14,853	-
Total liabilities and fund balances	\$ 44,085	\$ 90,787	\$ 27,811	\$ 14,853	\$ -

See Independent Auditors' Report

**TOWN OF PONCE INLET, FLORIDA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
September 30, 2023**

Capital Project Funds					
Fire Department Capital	Capital Facility Maintenance	Ponce de Leon			Total Nonmajor Governmental Funds
		Economic Impact	Circle Sewer Project	Debt Service	
\$ 115,830	\$ 82,760	\$ 277,271	\$ -	\$ 3,946	\$ 657,273
-	-	-	-	-	-
-	-	-	-	-	70
<u>\$ 115,830</u>	<u>\$ 82,760</u>	<u>\$ 277,271</u>	<u>\$ -</u>	<u>\$ 3,946</u>	<u>\$ 657,343</u>
\$ -	\$ -	\$ 11,269	\$ -	\$ -	\$ 11,269
-	-	-	21,156	-	21,156
-	-	11,269	21,156.00	-	32,425
115,830	-	-	-	3,946	162,440
-	-	-	-	-	-
-	82,760	266,002	-	-	483,634
-	-	-	(21,156)	-	(21,156)
<u>115,830</u>	<u>82,760</u>	<u>266,002</u>	<u>(21,156)</u>	<u>3,946</u>	<u>624,918</u>
<u>\$ 115,830</u>	<u>\$ 82,760</u>	<u>\$ 277,271</u>	<u>\$ -</u>	<u>\$ 3,946</u>	<u>\$ 657,343</u>

TOWN OF PONCE INLET, FLORIDA
COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND
BALANCES
NONMAJOR GOVERNMENTAL FUNDS
For the Year Ended September 30, 2023

	Special Revenue Funds				
	Tree Bank	Sidewalks	Parks and Recreation	Police Education	Contraband Forfeitures
Revenue:					
Permits and fees	\$ 19,600	\$ -	\$ 3,130	\$ -	\$ -
Grants from local governments	-	-	-	-	-
Grants from state government	-	-	-	-	-
Taxes	-	-	-	-	-
Fines and forfeitures	-	-	-	1,230	-
Miscellaneous:					
Investment earnings (loss)	-	-	-	-	-
Miscellaneous revenue	-	13,963	-	-	-
Total revenue	19,600	13,963	3,130	1,230	-
Expenditures					
Operating:					
Public safety	-	-	-	-	-
Physical environment	-	-	-	-	-
Culture/recreation	3,275	-	-	-	-
Capital Outlay:					
Public safety	-	-	-	-	-
Physical environment	-	-	-	-	-
Information technology	-	-	-	-	-
Culture/recreation	-	-	-	-	-
Debt Service:					
Principal	-	-	-	-	-
Interest	-	-	-	-	-
Total expenditures	3,275	-	-	-	-
Excess of revenue over (under) expenditures	16,325	13,963	3,130	1,230	-
Other Financing Sources (Uses):					
Operating transfers out	-	-	-	-	-
Operating transfers in	-	-	-	-	-
Net change in fund balances	16,325	13,963	3,130	1,230	-
Fund Balances (deficit) - Beginning of year	27,760	76,824	24,681	13,623	-
Fund Balances (deficit) - End of year	\$ 44,085	\$ 90,787	\$ 27,811	\$ 14,853	\$ -

See Independent Auditors' Report

TOWN OF PONCE INLET, FLORIDA
COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND
BALANCES
NONMAJOR GOVERNMENTAL FUNDS
For the Year Ended September 30, 2023

Capital Project Funds					
Capital Fire Equipment	Capital Facility Maintenance	Economic Impact	Ponce de Leon		Total Nonmajor Governmental Funds
			Circle Sewer Project	Debt Service	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,730
-	-	-	-	-	-
-	-	-	62,919	-	62,919
-	-	-	-	-	-
-	-	-	-	-	1,230
-	-	-	-	-	-
-	-	-	-	-	13,963
-	-	-	62,919	-	100,842
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	3,275
201,570	-	-	-	-	201,570
-	-	146,849	43,701	-	190,550
-	-	39,701	-	-	39,701
-	-	-	-	-	-
-	-	-	-	432,875	432,875
-	-	-	-	52,070	52,070
201,570	-	186,550	43,701	484,945	920,041
(201,570)	-	(186,550)	19,218	(484,945)	(819,199)
(12,000)	(17,240)	(761,485)	-	-	(790,725)
100,000	25,000	-	-	484,584	609,584
(113,570)	7,760	(948,035)	19,218	(361)	(1,000,340)
229,400	75,000	1,214,037	(40,374)	4,307	1,625,258
<u>\$ 115,830</u>	<u>\$ 82,760</u>	<u>\$ 266,002</u>	<u>\$ (21,156)</u>	<u>\$ 3,946</u>	<u>\$ 624,918</u>

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – DEBT SERVICE FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Miscellaneous Revenues:				
Investment earnings (loss)	\$ -	\$ -	\$ -	\$ -
Total revenues	-	-	-	-
Expenditures:				
Debt Service:				
2005 Capital Improvement Revenue Note:				
Principal payments	291,000	291,000	291,000	-
Interest payments	37,360	37,360	37,360	-
State Revolving Fund Loan:				
Principal payments	141,875	141,875	141,875	-
Interest payments	14,710	14,710	14,710	-
	<u>484,945</u>	<u>484,945</u>	<u>484,945</u>	<u>-</u>
Total expenditures	<u>484,945</u>	<u>484,945</u>	<u>484,945</u>	<u>-</u>
Excess of revenue over (under) expenditures	<u>(484,945)</u>	<u>(484,945)</u>	<u>(484,945)</u>	<u>-</u>
Other Financing Sources (Uses):				
Operating transfer from General Fund	131,584	131,584	131,584	-
Operating transfer from Public Land Acquisition and Facility Fund	328,361	328,361	328,000	(361)
Operating transfer from Enterprise Funds	25,000	25,000	25,000	-
Appropriated fund balance	-	-	-	-
Total other financing sources (uses)	<u>484,945</u>	<u>484,945</u>	<u>484,584</u>	<u>(361)</u>
Net change in fund balance	-	-	(361)	(361)
Fund Balance - Beginning of year	<u>5,133</u>	<u>4,307</u>	<u>4,307</u>	<u>-</u>
Fund Balance - End of year	<u>\$ 5,133</u>	<u>\$ 4,307</u>	<u>\$ 3,946</u>	<u>\$ (361)</u>

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TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – TREE BANK SPECIAL REVENUE FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Permits and fees:				
Tree assessment	\$ 4,000	\$ 4,000	\$ 19,600	\$ 15,600
Total revenues	4,000	4,000	19,600	15,600
Expenditures:				
Culture/Recreation:				
Operating expenditures	4,000	4,000	3,275	725
Capital outlay	-	-	-	-
Total expenditures	4,000	4,000	3,275	725
Excess of revenue over (under) expenditures	-	-	16,325	16,325
Other Financing Sources (Uses):				
Appropriated for fund balance	-	-	-	-
Total other financing sources (uses)	-	-	-	-
Net change in fund balance	-	-	16,325	16,325
Fund Balance - Beginning of year	13,906	13,906	27,760	13,854
Fund Balance - End of year	\$ 13,906	\$ 13,906	\$ 44,085	\$ 30,179

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TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – SIDEWALKS SPECIAL REVENUE FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Miscellaneous:				
Miscellaneous revenue	\$ 7,500	\$ 7,500	\$ 13,963	\$ 6,463
Total revenues	<u>7,500</u>	<u>7,500</u>	<u>13,963</u>	<u>6,463</u>
Expenditures:				
Culture/Recreation:				
Operating expenditures	6,000	6,000	-	6,000
Total expenditures	<u>6,000</u>	<u>6,000</u>	<u>-</u>	<u>6,000</u>
Excess of revenue over (under) expenditures	<u>1,500</u>	<u>1,500</u>	<u>13,963</u>	<u>12,463</u>
Other Financing Sources (Uses):				
Appropriated for fund balance	(1,500)	(1,500)	-	1,500
Total other financing sources (uses)	<u>(1,500)</u>	<u>(1,500)</u>	<u>-</u>	<u>1,500</u>
Net change in fund balance	-	-	13,963	13,963
Fund Balance - Beginning of year	<u>53,166</u>	<u>53,166</u>	<u>76,824</u>	<u>23,658</u>
Fund Balance - End of year	<u>\$ 53,166</u>	<u>\$ 53,166</u>	<u>\$ 90,787</u>	<u>\$ 37,621</u>

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TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – PARKS AND RECREATION SPECIAL REVENUE FUND
For the Year Ended September 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance With</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
Revenues:				
Permits and fees:				
Impact fees-residential	\$ 5,395	\$ 5,395	\$ 3,130	\$ (2,265)
Total revenues	<u>5,395</u>	<u>5,395</u>	<u>3,130</u>	<u>(2,265)</u>
Expenditures:				
Culture/Recreation:				
Operating expenditures	1,000	1,000	-	1,000
Total expenditures	<u>1,000</u>	<u>1,000</u>	<u>-</u>	<u>1,000</u>
Excess of revenue over (under) expenditures	<u>4,395</u>	<u>4,395</u>	<u>3,130</u>	<u>(1,265)</u>
Other Financing Sources (Uses):				
Appropriated for fund balance	<u>(4,395)</u>	<u>(4,395)</u>	<u>-</u>	<u>4,395</u>
Total other financing sources (uses)	<u>(4,395)</u>	<u>(4,395)</u>	<u>-</u>	<u>4,395</u>
Net change in fund balance	<u>-</u>	<u>-</u>	<u>3,130</u>	<u>3,130</u>
Fund Balance - Beginning of year	<u>9,030</u>	<u>9,030</u>	<u>24,681</u>	<u>15,651</u>
Fund Balance - End of year	<u>\$ 9,030</u>	<u>\$ 9,030</u>	<u>\$ 27,811</u>	<u>\$ 18,781</u>

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TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – POLICE EDUCATION SPECIAL REVENUE FUND
For the Year Ended September 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance With</u>
	<u>Original</u>	<u>Final</u>	<u>Amounts</u>	<u>Final Budget</u>
Revenues:				
Fines and forfeitures	\$ 1,200	\$ 1,200	\$ 1,230	\$ 30
Total revenues	1,200	1,200	1,230	30
Expenditures:				
Public Safety:				
Law Enforcement:				
Operating expenditures	4,000	4,000	-	4,000
Total expenditures	4,000	4,000	-	4,000
Excess of revenue over (under) expenditures	(2,800)	(2,800)	1,230	4,030
Other Financing Sources (Uses):				
Appropriated for fund balance	2,800	2,800	-	(2,800)
Total other financing sources (uses)	2,800	2,800	-	(2,800)
Net change in fund balance	-	-	1,230	1,230
Fund Balance - Beginning of year	10,751	10,751	13,623	2,872
Fund Balance - End of year	<u>\$ 10,751</u>	<u>\$ 10,751</u>	<u>\$ 14,853</u>	<u>\$ 4,102</u>

See Independent Auditors' Report

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – CONTRABAND FORFEITURES SPECIAL REVENUE FUND
For the Year Ended September 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance With Final Budget</u>
	<u>Original</u>	<u>Final</u>		
Revenues:				
Fines and forfeitures	\$ -	\$ -	\$ -	\$ -
Miscellaneous:				
Investment earnings (loss)	-	-	-	-
Total revenues	-	-	-	-
Expenditures:				
Public Safety:				
Law Enforcement:				
Operating expenditures	-	-	-	-
Total expenditures	-	-	-	-
Excess of revenue over (under) expenditures	-	-	-	-
Other Financing Sources (Uses):				
Appropriated fund balance	-	-	-	-
Net change in fund balance	-	-	-	-
Fund Balance - Beginning of year	<u>7,033</u>	<u>7,033</u>	<u>-</u>	<u>(7,033)</u>
Fund Balance - End of year	<u>\$ 7,033</u>	<u>\$ 7,033</u>	<u>\$ -</u>	<u>\$ (7,033)</u>

See Independent Auditors' Report

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – ECONOMIC IMPACT CAPITAL PROJECT FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Grants:	\$ -	\$ -	\$ -	\$ -
Total revenues	-	-	-	-
Expenditures:				
Information Technology				
Operating expenditures	57,132	-	-	-
Capital outlay	-	39,705	39,701	4
Physical Environment				
Capital outlay	250,000	146,851	146,849	2
Total expenditures	307,132	186,556	186,550	6
Excess of revenue over (under) expenditures	(307,132)	(186,556)	(186,550)	6
Other Financing Sources (Uses):				
Transfer to Hurricane Ian Fund	-	(308,255)	(308,255)	-
Transfer to S. Peninsula Drive Sidewalk Fund	(818,574)	(453,230)	(453,230)	-
Appropriated for fund balance	1,125,706	948,041	-	(948,041)
Total other financing sources (uses)	307,132	186,556	(761,485)	(948,041)
Net change in fund balance	-	-	(948,035)	(948,035)
Fund Balance - Beginning of year	-	-	1,214,037	1,214,037
Fund Balance - End of year	\$ -	\$ -	\$ 266,002	\$ 266,002

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TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – FIRE DEPARTMENT CAPITAL PROJECT FUND
For the Year Ended September 30, 2023

	<u>Budgeted Amounts</u>		Actual Amounts	Variance With Final Budget
	<u>Original</u>	<u>Final</u>		
Revenues:				
Miscellaneous:				
Investment earnings (loss)	\$ -	\$ -	\$ -	\$ -
Total revenues	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures:				
Public Safety:				
Fire Suppression:				
Operating expenditures	-	-	-	-
Capital outlay	201,643	201,643	201,570	73
Total expenditures	<u>201,643</u>	<u>201,643</u>	<u>201,570</u>	<u>73</u>
Excess of revenue over (under) expenditures	<u>(201,643)</u>	<u>(201,643)</u>	<u>(201,570)</u>	<u>73</u>
Other Financing Sources (Uses):				
Appropriated fund balance	101,643	113,643	-	113,643
Transfer to General Fund	-	(12,000)	(12,000)	-
Transfer from General Fund	100,000	100,000	100,000	-
Net change in fund balance	<u>-</u>	<u>-</u>	<u>(113,570)</u>	<u>113,716</u>
Fund Balance - Beginning of year	<u>50,000</u>	<u>200,000</u>	<u>229,400</u>	<u>(29,400)</u>
Fund Balance - End of year	<u>\$ 50,000</u>	<u>\$ 200,000</u>	<u>\$ 115,830</u>	<u>\$ 84,316</u>

See Independent Auditors' Report

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – FACILITY MAINTENANCE CAPITAL PROJECT FUND
For the Year Ended September 30, 2023

	<u>Budgeted Amounts</u>		<u>Actual Amounts</u>	<u>Variance With Final Budget</u>
	<u>Original</u>	<u>Final</u>		
Revenues:				
Miscellaneous:				
Investment earnings (loss)	\$ -	\$ -	\$ -	\$ -
Total revenues	-	-	-	-
Expenditures:				
Operating expenditures	-	-	-	-
Total expenditures	-	-	-	-
Excess of revenue over (under) expenditures	-	-	-	-
Other Financing Sources (Uses):				
Transfer from General Fund	25,000	25,000	25,000	-
Transfer to General Fund	-	(17,240)	(17,240)	-
Appropriated fund balance	(25,000)	(7,760)	-	7,760
Net change in fund balance	-	-	7,760	7,760
Fund Balance - Beginning of year	-	-	75,000	75,000
Fund Balance - End of year	\$ -	\$ -	\$ 82,760	\$ 82,760

See Independent Auditors' Report

TOWN OF PONCE INLET, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL – PONCE DE LEON CIRCLE SEWER CAPITAL PROJECT FUND
For the Year Ended September 30, 2023

	Budgeted Amounts		Actual Amounts	Variance With Final Budget
	Original	Final		
Revenues:				
Grants:				
State grant	\$ 118,427	\$ 62,919	\$ 62,919	\$ -
Other revenues:				
Reimbursements from City of Port Orange	4,320	-	-	-
Total revenues	122,747	62,919	62,919	-
Portion of revenues attributable to City of Port Orange per cost-share agreement	-	-	-	-
Net revenues - Ponce Inlet share	122,747	62,919	62,919	-
Expenditures:				
Physical Environment:				
Capital outlay	65,892	43,703	43,701	2
Portion of capital outlay attributable to City of Port Orange per cost-share agreement	-	-	-	-
Net capital outlay - Ponce Inlet share	65,892	43,703	43,701	(2)
Excess of revenue over (under) expenditures	56,855	19,216	19,218	2
Other Financing Sources (Uses):				
Appropriated for fund balance	(56,855)	(19,216)	-	19,216
Operating transfer from Water Fund	-	-	-	-
Total other financing sources (uses)	(56,855)	(19,216)	-	19,216
Net change in fund balance	-	-	19,218	19,218
Fund Deficit - Beginning of year	-	-	(40,374)	(40,374)
Fund Deficit - End of year	\$ -	\$ -	\$ (21,156)	\$ (21,156)

See Independent Auditors' Report

COMPLIANCE SECTION



INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

The Honorable Mayor
and Members of the Town Council
Town of Ponce Inlet, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Town of Ponce Inlet, Florida, as of and for the year ended September 30, 2023, and the related notes to the financial statements, which collectively comprise the Town of Ponce Inlet, Florida's basic financial statements and have issued our report thereon dated April 18, 2024. Our report includes a reference to other auditors who audited the financial statements of the Ponce DeLeon Inlet Lighthouse Preservation Association, Inc., the discretely presented component unit, which represents 100 percent of the assets, net position, and revenues of the discretely presented component unit, as described in our report on the Town of Ponce Inlet, Florida's financial statements. This report includes our consideration of the results of the other auditor's testing of internal control over financial reporting and compliance and other matters that are reported on separately by those other auditors. However, this report, insofar as it relates to the results of the other auditors, is based solely on the reports of the other auditors.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered Town of Ponce Inlet, Florida's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Town of Ponce Inlet, Florida's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town of Ponce Inlet, Florida's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

The Honorable Mayor
and Members of the Town Council
Town of Ponce Inlet, Florida
Page 2

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Town of Ponce Inlet, Florida's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

BMC CPAs

April 18, 2024



MANAGEMENT LETTER

The Honorable Mayor
and Members of the Town Council
Town of Ponce Inlet, Florida

Report on Financial Statements

We have audited the financial statements of Town of Ponce Inlet, Florida, (the “Town”) as of and for the fiscal year ended September 30, 2023, and have issued our report thereon dated April 18, 2024.

Auditors’ Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Florida Auditor General.

Other Reports and Schedule

We have issued our Independent Auditor’s Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; and Independent Accountant’s Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated April 18, 2024, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings and recommendations made in the preceding annual financial audit report.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements.

The Honorable Mayor
and Members of the Town Council
Town of Ponce Inlet, Florida
Page 2

Financial Condition

Section 10.554(1)(i)4 and 10.556(7), Rules of the Auditor General, require that we apply appropriate procedures and report the results of our determination as to whether or not the Town has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the Town did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.c. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the Town. It is management's responsibility to monitor the Town's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same. The financial condition assessment was done as of the fiscal year end.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Annual Financial Report

Section 10.554(1)(i)5.b. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and communicate the results of our determination as to whether the annual financial report for the Town for the fiscal year ended September 30, 2023, filed with the Florida Department of Financial Services pursuant to Section 218.32(1)(a), Florida Statutes, is in agreement with the annual financial audit report for the fiscal year ended September 30, 2023. In connection with our audit, we determined that these two reports were in agreement.

Other Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, Council Members, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

BMC CPAs

April 18, 2024



INDEPENDENT ACCOUNTANTS' REPORT

The Honorable Mayor
and Members of the Town Council
Town of Ponce Inlet, Florida

We have examined the Town of Ponce Inlet, Florida's compliance with the requirements of Section 218.415, Florida Statutes, *Local Government Investment Policies*, during the period October 1, 2022 to September 30, 2023. Management is responsible for the Town of Ponce Inlet, Florida's compliance with those requirements. Our responsibility is to express an opinion on the Town of Ponce Inlet, Florida's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Town of Ponce Inlet, Florida complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Town of Ponce Inlet, Florida complied with the specified requirements. The nature, timing and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

Our examination does not provide a legal determination on the Town of Ponce Inlet, Florida's compliance with specified requirements.

In our opinion, the Town of Ponce Inlet, Florida complied, in all material respects, with the aforementioned requirements during the period October 1, 2022 to September 30, 2023.

This report is intended solely for the information and use of management and the State of Florida Auditor General and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "BMC CPAs". The letters are stylized and cursive.

April 18, 2024



Meeting Date: 4/18/2024

Agenda Item: 9-A

Report to Town Council

Topic: FDP 39-2023; Review of Final Development Plan
Sailfish Marina
4912 Sailfish Drive

Summary: The applicant, representing Blue Water Realty Advisors, LLC, property owner, requests approval of the final development plan for the Sailfish Marina project. The landscape plan was presented to the Cultural Services Board on February 5, 2024 and was recommended for approval. The final site plan was presented to the Planning Board on February 27, 2024 and March 26, 2024, and was recommended for approval.

Suggested motion: Recommendation of approval of the proposed Sailfish Marina final development plan, subject to the conditions presented by staff.

Requested by: Ms. Rippey, Principal Planner
Mr. Lear, Planning & Development Director

Approved by: Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Michael, E. Disher AICP, Town Manager
From: Patty Rippey, AICP, Principal Planner
Through: Darren Lear, AICP, Planning & Development Director
Date: April 10, 2024
Subject: FDP 39-2023 - Final Development Plan for Sailfish Marina

Location: 4912 Sailfish Drive
Applicant: Mark Karet, AICP, Zev Cohen and Associates, Inc., representative for Blue Water Realty Advisors, LLC, Owner
Staff Recommendation: *Approval*, based on the findings in this memorandum.

MEETING DATE: April 18, 2024

1 **INTRODUCTION**

2 The applicant, representing Blue Water Realty Advisors, LLC, property owner, requests approval
3 of the final development plan for the proposed Sailfish Marina project.
4

5 **AUTHORITY AND PROCESS**

6 The application was submitted on June 26, 2023. The Development Review Team (DRT) reviewed
7 the final development plan and provided comments to the applicant. A final revised application
8 was submitted on October 11, 2023, to address technical requirements of the Land Use and
9 Development Code (LUDC). The landscape plan was reviewed and recommended for approval by
10 the Cultural Services Board on February 5, 2024, pursuant to LUDC Section 4.10. The final
11 development plan was reviewed by the Planning Board on February 27, 2024 and was continued
12 to the next regularly scheduled meeting. The Planning Board requested additional information to
13 ensure that every alternative for reducing traffic impacts to Sailfish Marina and surrounding local
14 roads was considered.
15

16 Upon review of available alternatives under the LUDC and the Comprehensive Plan, and after
17 consultation with the Town Attorney, staff proposed the following options to reduce traffic
18 impacts.

- 19 1. The developer may install a security gate for vehicles at the entrance to the proposed marina
20 parking lot at Sailfish Drive. Only boat slip owners will have vehicular access to the
21 parking lot either through a security key fob access system or other secure method. This
22 alternative would allow pedestrians to access the site at Sailfish Drive, as required in the
23 Riverfront Overlay District (Section 2.14.E.2). The applicant has agreed to install a security
24 gate entering the parking lot from Sailfish Drive.
- 25 2. The developer may install a driveway from Front Street to the planned parking lot. The
26 driveway would need to be located within a dedicated easement across the MF-2 property
27 and include a pedestrian sidewalk.
- 28 3. The developer may extend Front Street itself south from its present terminus through the
29 MF-2 property up to and/or into the B-2 property This would require the dedication of a
30 50-foot-wide public right-of-way to the Town of Ponce Inlet and the construction of a road
31 to Town standards.
32

33 Other traffic calming suggestions from the Planning Board and residents were investigated, with
34 findings noted below.

- 35 • *‘Parking for Residents Only’* signs on Ocean Way Drive and other local roads are not
36 permitted, as these roads are publicly dedicated rights-of-way and are open to all. Town
37 staff is researching residential parking permit programs, as utilized in other cities
38 experiencing large number of visitors. The creation of such a program would require
39 amendments to Town Codes. Presently, the Town only has authority to limit parking to
40 certain days and times and to certain locations.
- 41 • A marina parking lot on the adjacent MF-2 property is not permitted by zoning, since a
42 marina is not a permitted use in the MF-2 zoning district.
- 43 • Traffic calming devices are currently not allowed on public streets by code. Adding traffic
44 calming devices such as speed humps would require an amendment to Town Codes and to
45 the Town’s adopted standard construction details.
46

47 On March 26, 2024, the Planning Board considered the alternatives provided by staff and
48 recommended approval of the application with the addition of condition number 4, requiring a
49 security gate for vehicles entering the parking lot and condition number 5, requiring any
50 development outside of the current application parameters to go through the development review
51 process pursuant to LUDC Section 6.6.6 – Development plans and subdivision plats. The Planning
52 Board recommended approval of the final development plan with conditions as amended by a vote
53 of 3 – 2.
54

55 **PROPERTY OVERVIEW**

56 CURRENT DEVELOPMENT AND ADJACENT LAND USES

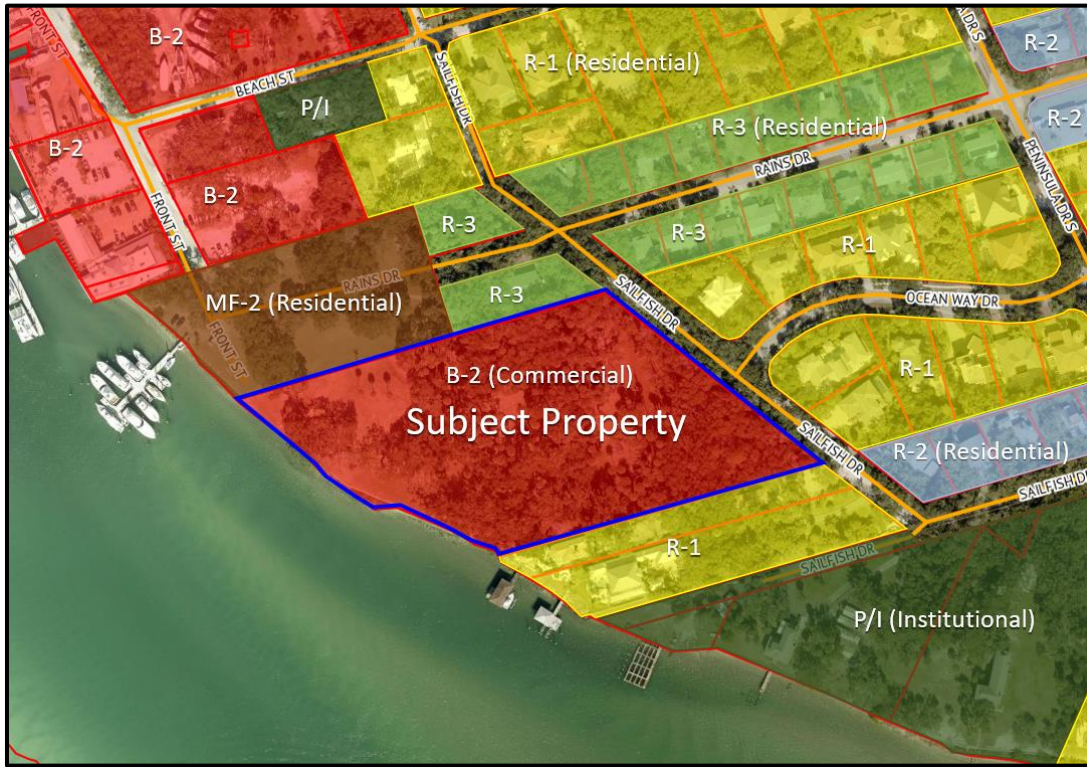
57 The subject area is located west of Sailfish Drive, south of Beach Street and Rains Drive (see
58 **Attachment 1**). The parcel is approximately 5.24 acres in size. The subject site is currently vacant
59 property, zoned “B-2” (Riverfront Commercial), which allows marine-related facilities and
60 businesses, such as marinas. The surrounding parcels are zoned for multifamily and single-family

61 residential uses, as shown in **Figure 1** and **Table 1** below. The property entrance is located at 4912
 62 Sailfish Drive, which is a designated scenic roadway.

63

64 **Figure 1 – Zoning Districts**

65



66

67

68 **Table 1 – Adjacent Land Uses**

69

Direction	Zoning	Future Land Use Designation	Current Use
North	R-3	Medium Density Single Family Residential	Residential
North	MF-2	Medium High Density Multi-Family Residential	Vacant
East	R-1	Low Density Single Family Residential	Residential
South	R-1	Low Density Single Family Residential	Residential
West	C	Conservation	Halifax River

70

71

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73

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80

The future use land designation for the property is *Riverfront Commercial*. This land use category includes land and water-oriented uses and activities that reflect and enhance the unique character of the waterfront and preserve and protect to the maximum extent feasible both physical and visual access to the waterfront. Recreational and working waterfront uses shall be given preference in this land use category, especially those uses that are water dependent and water enhanced. Representative uses within the Riverfront Commercial designation are wet boat storage (e.g., marinas, boat basins, etc.), boat sales and services, fishing charter boat dockage, fishing and boating equipment and supplies, sailing equipment and lessons, bicycle and boat rentals, chandleries, seafood markets, restaurants, boatels, and boat construction and repairs.

81 The property is also in the Riverfront Overlay District (ROD)¹, which encompasses all of the B-2
82 and MF-2 zoning districts lying east of the Halifax River and west of Sailfish Drive (see **Figure**
83 **2**). The purpose of the ROD is to ensure that development within this area promotes the open,
84 water-oriented character of the riverfront, protects environmental resources, and ensures a high
85 quality of design.

86
87 Additionally, the ROD is consistent with the town's comprehensive plan goals, objectives and
88 policies resulting from the town's 2002 visioning process regarding development and
89 redevelopment of the Ponce Inlet riverfront. These goals, objectives and policies were
90 established to create a pedestrian-oriented riverfront environment, to ensure access to the
91 riverfront for both pedestrians and bicyclists, and to preserve the historic setting and unique
92 character of this area, including, the scenic roads of Beach Street and Sailfish Drive².

93
94
95

Figure 2: Riverfront Overlay District



96
97
98

PROPOSED DEVELOPMENT

99

SITE LAYOUT

100 The proposed project includes the construction of a 34-slip boat marina, a parking lot with 16
101 standard parking spaces and 1 handicap parking space, 6 bike-rack parking spaces, a stormwater
102 retention area adjacent to the parking lot, a wooden boardwalk from the parking lot to the boat
103 slips, and a restroom building.

104

105 The wooden boardwalk is approximately 550 feet long and 5 feet in width. The boardwalk will
106 connect the parking lot to the southwest side of the boat slips, travel between the piers and
107 reconnect to the bathroom facilities at the northwest boat slip pier. The restroom building is a 216

¹ LUDC Sec. 2.14.

² Designated by Town Resolutions 1999-11 and 2000-09, respectively.

108 square foot, 18'x12' structure, located just north of the northwest boat slip pier. The upland
109 structures and parking lot account for 6.5% of the total 5.24-acre site as impervious area, while the
110 remaining 93.5% is pervious area. **There is no proposed boat ramp at the marina, therefore,**
111 **there will be no boat trailer traffic accessing the site by land.** Boats will only be able to access
112 the marina boat slips by water from the Halifax River.

113
114 REQUIRED PARKING

115 Pursuant to LUDC Section 4.7.8, Table 4-19, 1 vehicular parking space per 2 boat slips is required
116 for marinas and similar uses. There are no other accessory uses, such as a restaurant or retail shop,
117 that would require additional parking. The applicant proposes to meet this requirement with 17
118 parking spaces.

119
120 In addition, turn-around areas for fire trucks will be provided at the west end of the parking lot.
121 These are required by the Seventh Edition of the Florida Fire Prevention Code (FFPC), under FS
122 633.202, based on the distance of the parking lot from Sailfish Drive. When this distance exceeds
123 150 feet, the fire code requires turn-around areas to be provided, rather than forcing the fire truck
124 to back out. These turnaround areas are intended for emergency purposes only and shall not be
125 used for parking vehicles or trailers of any kind. These areas will need to be marked accordingly
126 with appropriate striping and signage for that purpose.

127
128 TRAFFIC

129 The applicant retained Lassiter Transportation Group (LTG) to conduct a Traffic Impact Analysis.
130 In order to determine the impacts of the proposed development on local roadways, LTG obtained
131 24-hour segment counts along the following roads.

- 132
133
- 134 • Beach Street from Sailfish Drive to Peninsula Drive
 - 135 • Rains Drive from Sailfish Drive to Peninsula Drive
 - 136 • Ocean Way Drive from Sailfish Drive to Peninsula Drive
 - 137 • Sailfish Drive from Ocean Way Drive to Beach Street

138 The daily, a.m. and p.m. peak-hour project trip generation for the proposed development was
139 determined using the Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th
140 Edition. (See **Attachment 2**). The results of the analysis are noted below.

- 141
- 142 • The proposed development is expected to generate 2 morning peak-hour trips and 7
143 evening peak-hour trips. The total daily trip is estimated at 41 entering and 41 departing
144 for a total of 82 daily trips over a 24-hour period. The LTG Traffic Engineer noted at the
145 March 26, 2024, Planning Board meeting that based on the study, residents along Ocean
146 Way Drive can expect 3-4 trips per hour. She also noted that this use is the lowest traffic
147 generator for any permitted use for this site.
 - 148 • Under existing conditions, the study area intersections and roadway segments currently
149 operate within the adopted Level of Service.
 - 150 • Under 2025 build-out conditions, the study area intersections and roadway segments will
151 continue to operate within the adopted Level of Service.

152
153 Based on the analyses by LTG, the impact of the proposed development on the local roadways is
154 insignificant, i.e., it will not impact the adopted level of service for local roads.

155
156 Although the study indicates no significant impact in terms of service levels, the following options
157 are being considered to address residents' traffic concerns and to protect the character and quality
158 of local and scenic roads.

- 159
160
- Resident parking permit program
 - A four-way stop at Ocean Way Drive and S. Peninsula Drive
 - Altering the traffic flow on Sailfish Drive south of Beach Street to one-way travel from
163 north to south
- 164

165 The Police Department and planning staff are investigating these options now.

166
167 During construction a protective track pad will be placed across Sailfish Drive from Ocean Way
168 Drive to stabilize the entrance, protect the sand-based roadway surface, and to prevent tracking
169 mud onto public streets. The construction vehicles entering the Sailfish Drive entrance will be
170 providing equipment and material for construction of the retention areas and the shell parking lot.
171 All other materials for the boat piers, boat slips, and bathroom building construction will come in
172 by tractor-trailer flatbeds via Beach Street to the Sea Love Boat works north of Down the Hatch,
173 and then assembled and launched by the Travel-lift at Sea Love and floated to the expansion area.

174
175 Post-construction traffic shall enter and leave the development by means of Sailfish Drive to Ocean
176 Way Drive, Rains Drive or Beach Street. As noted above, staff is investigating altering the traffic
177 flow on Sailfish Drive south of Beach Street to one-way travel from north to south to reduce
178 adverse traffic impact to Sailfish Drive.

179
180 *DRAINAGE AND UTILITIES*

181 Existing stormwater runoff flows to Depression Area A (DEP-A) on the undeveloped site and
182 eventually makes its way to the Halifax River through a series of inlets and pipes. Post
183 development, stormwater drainage will be accommodated in two dry retention areas, (RA-1 and
184 RA-2) located on the southeast portion of the property adjacent to the proposed driveway to the
185 parking lot (see **Attachment 3**). These retention areas will discharge to the Halifax River via a
186 control structure and pipe network. Adjacent properties will not be impacted by stormwater run-
187 off.

188
189 The bathroom building will be connected to water and sanitary sewer services that currently serve
190 the area. Utility connections will be made at Front Street and Sailfish Drive. The bathroom facility
191 will include a private grinder pump, as required by the City of Port Orange. The proposed structure
192 will not create any significant demand on the utilities of Ponce Inlet or Port Orange. The facility
193 will not be open to the public and will only be for the use of the 34 boat slip owners. The City of
194 Port Orange has determined that the proposed connections to the water and sanitary sewer lines
195 comply with applicable utility regulations.

196
197

198 **VEGETATION**

199 TREE PROTECTION AND REMOVAL

200 The Tree Protection Plan (see **Attachment 4**) calls for the preservation of 118 trees and removal
201 of 49 specimen trees 8” DBH or greater. Of the 49 specimen trees proposed for removal, a total of
202 32 specimen trees 18” DBH or greater are proposed for removal for construction of the driveway,
203 parking lot, restroom facilities, and a stormwater retention area.

204 Tree mitigation is determined pursuant to LUDC Section 4.10.4.E. Table 4-19. For non-residential
205 development, replacement stock for specimen trees shall be a minimum of 10 feet in height and
206 4.5 inches caliper. The 49 specimen trees proposed for removal may be mitigated at a 1:1 ratio,
207 as allowed when additional trees are being preserved outside of the designated protection zones
208 on the property. The Tree Protection Plan was submitted to the Cultural Services Board (CSB) on
209 February 5, 2024, for review. The Board recommended approval unanimously.

210

211 LANDSCAPE REQUIREMENTS AND PLAN

212 The landscape plan has been designed to meet the Town’s tree protection and landscaping
213 requirements to the greatest extent possible, balancing the desire for lush landscaping with the
214 need for cleared space for the restroom facilities structure and parking lot (See **Attachment 5**).

215

216 Landscape requirements for nonresidential developments are a combination of bufferyard
217 plantings within required setback areas, landscape coverage based on the overall size of the
218 property and required landscape areas, landscaping around vehicular parking areas, and building
219 foundation and accent plantings.

220

221 Four trees and 20 shrubs are required within the buffer for every 100 linear feet along the property
222 boundary. In this case, given the project boundary of 2,210 linear feet, the code requires 88 shade
223 trees and 440 shrubs (LUDC Section 4.10.3.C). Up to 25% of required shade trees may be
224 understory or palm trees, planted at a 2:1 ratio. Existing trees and shrubs meeting the minimum
225 size requirements are credited towards this amount. A total of 118 native Live Oaks, Sabal Palms,
226 and Red Cedars are being preserved on the subject site and will count towards the required
227 minimum landscaping.

228

229 The landscape plan proposes 46 shade trees (Red Maple, Eastern Red Cedar, Southern Magnolia,
230 and Southern Live Oak trees), 13 Sabal Palm trees, 440 shrubs (Pineapple Guava, Dwarf Natal
231 Plum, Wax Myrtle, Dwarf Pittosporum, Coontie, and Shrubby Yew), 43 grasses (Muhly grass and
232 Sand Cord grass), and 95 ground cover plants (Shore Juniper, and Society Garlic). The balance of
233 shrubs will be identified on a final landscaping plan submitted at the time of construction permit
234 application. The landscaping will be located around the parking lot, stormwater retention area, and
235 restroom facilities, and adjacent to Sailfish Drive to the east and along the south and north
236 residentially zoned property lines. The bufferyard widths meet the required standards, including a
237 width of 35 feet along Sailfish Drive. All proposed species are native or Florida-Friendly and will
238 be able to survive with minimal maintenance once established.

239

240 ARCHEOLOGICAL

241 The project site contains the “Ellwood Shell Mound”, Site 8VO7061. The site consists of a shell
242 midden dating to the St. Johns II period of Florida’s prehistoric past and was occupied sometime
243 between 500 B.C. and 1564 A.D. The Phase II Archeological Investigation of Site 8VO7061,

244 completed in June 2004 by Florida Archeological Services, Inc. (FAS), recommended that no
245 ground surface disturbance, such as tree removal, grading, utility work, or any other construction-
246 related activities, take place in the area of the shell mound.

247
248 The current site plan is for work adjacent to the mound and is not intended to disturb the mound.
249 As required by the State of Florida, there will be a State-certified archeological monitor onsite
250 during construction in case anything of significance is found. The applicant is responsible for
251 hiring the State-certified archeological monitor.

252
253 At its February 5, 2024 meeting, the Cultural Services Board recommended that the applicant place
254 one or more signs near the mound explaining its historical significance and warning the public to
255 stay off.

256
257 ENVIRONMENTAL ASSESSMENT
258 The applicant retained Zev Cohen & Associates, Inc. Environmental Department staff to conduct
259 an Environmental Assessment for Sailfish Marina. The resulting report provided an assessment of
260 soils, land use, vegetation, protected species, wetlands, and surface waters. Criteria used to
261 determine the presence of wetlands and surface waters and delineate their boundaries were in
262 accordance with Chapter 62-340 F.A.C. and the 1987 Corps of Engineers Wetlands Delineation
263 Manual. After multiple site inspections, no wetlands were observed onsite. However, the site is
264 bound by the ICW to the southeast with a functioning seawall in place. The gopher tortoise was
265 the only listed species with possible presence on the subject property. A 100% gopher tortoise
266 survey was conducted on April 27, 2021 by FWC Authorized Agent, Mallory Tatum. No gopher
267 tortoises or their burrows were observed within the construction limits (See **Attachment 6**). A Per
268 State regulations, a follow-up Gopher Tortoise survey will be conducted a maximum of 90 days
269 prior to any work on site. Any Gopher Tortoise burrows found then could necessitate alterations
270 to the proposed landscaping or tree planting in those areas or require removal through a permit
271 from the Florida Fish and Wildlife Conservation Commission.

272
273 ARCHITECTURAL ELEVATIONS
274 The restroom building has been designed to comply with the Town's architectural requirements of
275 the ROD. The proposed building measures 18 feet wide by 12 feet long. The total height of the
276 building will be 14.5 feet, measured from the finished grade to the peak of the roof. The structure
277 is proposed as a site-built building, as opposed to a prefabricated building.

278
279 LUDC Section 2.14, requires all primary exterior building materials to be of a high-quality finish
280 in harmony with the historic and unique character of the ROD. In addition, the predominant
281 exterior colors shall be complementary and harmonious to the character of the riverfront
282 environment and surrounding development. The architectural design features a fiberglass shingle
283 roof and painted Hardie board siding and trim. The proposed colors are light green and a darker
284 green to blend in with the surrounding natural vegetation (See **Attachment 7**).

285
286 ROD REVIEW CRITERIA
287 In reviewing the application, the DRT made the following findings of fact in terms of compliance
288 with the ROD criteria under LUDC Section 2.14.D.4.

289

- 290 1. The proposed development is consistent with the purpose and intent of the ROD, to assure that
291 development in this area promotes the open, water-oriented character of the riverfront, protects
292 environmental resources, and ensures a high quality of design.
- 293 2. The proposed development is consistent with the Ponce Inlet Comprehensive Plan.
- 294 3. The proposed development meets the concurrency management requirements of the LUDC.
295 Traffic impacts upon the scenic roads of Beach Street and Sailfish Drive will be minimized to
296 the maximum extent possible using the ingress and egress point at Ocean Way Drive and
297 limiting boat access to the site by water only. See additional information in the Traffic section
298 of this report.
- 299 4. The site is physically suitable for the project design as determined by the regulations contained
300 in the LUDC, in particular, to sections 4.8 (Resource Protection), and 4.10 (Tree and Native
301 Vegetation Preservation, Buffers, and Landscape Requirements), and Code of Ordinances,
302 chapter 18, article X (Floodplain Management). Resource protection is addressed in the
303 Environmental Assessment report. Tree and native vegetation preservation, buffers, and
304 landscape requirements are addressed in the site plan. The stormwater calculations and
305 drainage site plan identify floodplain management for the subject property. The proposed
306 development will not adversely impact wetlands, and/or plants and animals that are listed as
307 federal and/or state endangered, threatened, or species of special concern.
- 308 5. The architectural style and building scale of the proposed development reflects the historic
309 setting and the unique character of the ROD area. The restroom structure complies with the
310 architectural style and proportions required in the ROD
- 311 6. The site and landscape design of the proposed development within the ROD is consistent and
312 coordinated with the historic setting and the unique character of the environment of the ROD
313 area and does not adversely impact development within and adjacent to the ROD. The design
314 allows for the preservation of historic trees and specimen trees and complies with buffer and
315 landscaping requirements using native and non-invasive vegetation (LUDC Section 4.10).
- 316 7. The proposed development retains or enhances the visual quality of the site as it complies with
317 LUDC Section 4.10. as noted above in item 6.
- 318 8. The open space within the proposed development is coordinated with existing and planned
319 interconnected open space systems. The proposed marina upland area will be 93 percent open
320 space. The area available to the public for pedestrian access will be available by the entrance
321 at Sailfish Drive.
- 322 9. The proposed development is designed to relate to other existing and (if known) planned
323 projects and systems, such as pedestrian ways, open space areas, landscaping patterns, lighting
324 concepts, and traffic circulation. N/A, no future projects planned.
- 325 10. The proposed development is designed to provide physical access to the riverfront and other
326 activities. The site will include a wooden boardwalk and walk path that pedestrians may access
327 to walk along the riverfront.
- 328 11. Buildings and structures abutting or adjacent to Front Street (or any extension to said street)
329 are designed in such a manner as to allow views of the riverfront from Front Street and from
330 adjacent developments or properties. The only building proposed for construction is a 216 SF,

331 14.5' high, private restroom facility. The structure will not block any view of the riverfront
332 from Front Street.

333 12. The proposed development preserves the existing tree canopy in this district, which creates the
334 special ambience of this area. The applicant will preserve 16 historic trees on site, and 116
335 trees in total. The site will remain open, green space outside of the parking lot and restroom
336 building.

337 13. The treatment of the river edge shall be visually appealing when viewed from the river and the
338 land. The site will include a wooden boardwalk and walk path that pedestrians may access to
339 walk along the riverfront.

340

341 **FINAL DEVELOPMENT PLAN REVIEW CRITERIA**

342 In addition to the above criteria specific to the ROD, six general criteria applicable to all
343 development plans must be considered.³ These criteria are discussed below.

344

345 **a. Characteristics of the site and surrounding area, including important natural and**
346 **manmade features, the size and accessibility of the site, and surrounding land uses.**

347 *Staff's Response:* This criterion is met. See page 9 ROD criteria 4.

349

350 **b. Whether the concurrency requirements of article 5 of this code could be met if the**
351 **development were built.**

352 *Staff's Response:* This criterion is met. See page 5 Traffic section, page 6 Drainage and
353 Utilities section, page 9 ROD criteria 3.

354

355

356 **c. The nature of the proposed development, including land use types and densities; the**
357 **placement of proposed buildings and other improvements on the site; the location, type,**
358 **and method of maintenance of open space and public use areas; the preservation of**
359 **natural features; proposed parking areas; internal traffic circulation system; the**
360 **approximate total ground coverage of paved areas and structures; and types of water**
361 **sewage treatment systems.**

362 *Staff's Response:* The proposed marina, bathroom structure, parking lot, and stormwater
363 retention area is designed to comply with all development regulations and requirements for
364 improvements as identified within the LUDC. This includes allowable use type, density,
365 location, parking and circulation, and preservation of natural features and open spaces. This
366 criterion is met.

367

368

369 **d. Consistency of the proposed development with the comprehensive plan.**

370 *Staff's Response:* The proposed development is consistent with the Ponce Inlet
371 Comprehensive Plan policies . The proposed development does not exceed the 35 feet in
372 height and floor area ratio (FAR) up to 0.35, total floor area of 5,000 square feet in the
373 *Riverfront Commercial* future land use category and will be buffered from adjacent uses
374 with landscaping and screening. The proposed development is consistent with the purpose of
375

³ Section 6.6.6.B.5.b

376 this future land use category, as noted in the Property Overview section of this report.
377 Adequate infrastructure capacity exists to support the development as determined by the
378 Town's level-of-service standards pursuant to DRT comments by Public Works and the City
379 of Port Orange Utilities Department. The development will meet the Town's environmental
380 policies for protected species. See also the discussion under ROD criterion no. 2. This
381 criterion is met.

382
383 **e. Conformity of the proposed development with this code and other applicable**
384 **regulations.**

385
386 *Staff's Response:* The proposed plan complies with the requirements of the LUDC, as
387 described in this report.

388
389 **f. Concerns of surrounding landowners and other affected persons, presented as**
390 **competent substantial evidence regarding one or more of the criteria of this subsection.**

391
392 *Staff's Response:* Staff completed public notice requirements pursuant to LUDC Section
393 6.3.5. On March 29, 2024, letters were sent by certified mail to owners of property abutting
394 the subject property to notify them of the Town Council Hearing for the site plan. Two public
395 hearing notices were posted on the subject property on April 2, 2024. Notice of the Planning
396 Board meeting has been published in the *News-Journal*. These efforts were made to ensure
397 that the public and nearby property owners are aware of the application and for them to have
398 an opportunity to voice their concerns and desires. Resident inquiries and concerns with
399 written staff responses are included in **Attachment 8**.

400
401 **RECOMMENDATION**
402 Based on the findings in this report, Staff recommends approval of the proposed Sailfish Marina
403 final development plan, subject to the following conditions:

- 404
- 405 1. If the floating walkway parallel to shore is to be used to satisfy the pedestrian access
406 requirements of the ROD, it must be un-gated, ADA-compliant, and open to the public.
407 However, if the walkway is not or cannot be open to the public, a finished, ADA-compliant
408 walkway shall be constructed on the adjacent upland to connect the two new wooden
409 walkways provide continuous pedestrian access along the water.
 - 410 2. The parking lot turnaround areas at the west end of the parking lot shall be used for
411 emergency purposes only and shall not be used for parking vehicles or trailers of any kind.
412 The turnaround areas shall be marked accordingly with appropriate striping and signage
413 for that purpose.
 - 414 3. The developer shall place one or more signs near the mound explaining its historical
415 significance and warning the public to stay off.
 - 416 4. The developer shall provide a security gate at the entrance to the proposed marina at
417 Sailfish Drive. Only boat owners will have access to the parking lot either through a key
418 Fob access or other secure method. The gate shall remain in place permanently.
419 Pedestrians shall have access to the site from Sailfish Drive.

- 420 5. Any additional future uses outside the parameters of this final development plan shall be
421 reviewed through the development review process pursuant to LUDC Section 6.6.6.
422 Development plans and subdivision plats.
- 423 6. During construction a protective track pad will be placed across Sailfish Drive from Ocean
424 Way Drive to stabilize the entrance, protect the sand-based roadway surface, and to
425 prevent tracking mud onto public streets. The construction vehicles entering the Sailfish
426 Drive entrance will be providing equipment and material for construction of the retention
427 areas and the shell parking lot. All other materials for the boat piers, boat slips, and
428 bathroom building construction will come in by tractor-trailer flatbeds via Beach Street to
429 the Sea Love Boat works north of Down the Hatch, and then assembled and launched by
430 the Travel-lift at Sea Love and floated to the expansion area.
- 431 7. The developer shall restore Sailfish Drive to its original condition after construction is
432 complete and prior to Certificate of Completion.

433



434

435 Patty Rippey
436 Principal Planner

April 10, 2024
Date

437

438 Attachments:

439

1. Location map
2. Traffic Impact Analysis
3. Pre-Development Basin and Paving, Grading, and Drainage Plan
4. Tree Protection & Removal Plan
- 443 5. Landscape Plan
- 444 6. Environmental Assessment Sailfish Marina
- 445 7. Architectural Elevation in Color
- 446 8. Resident Inquiries/Concerns

ATTACHMENT 1 – LOCATION MAP



Case No.: FDP 39-2023

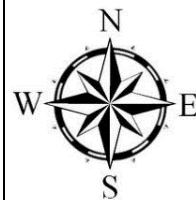
Applicant: Town of Ponce Inlet

Property Address/Location: 4912 Sailfish Drive

Summary of Request: To approve proposed landscape plan for the proposed Sailfish Marina project.



LOCATION MAP
TOWN OF PONCE INLET



ATTACHMENT 2 – TRAFFIC IMPACT ANALYSIS

Ref: 5559.01

TECHNICAL MEMORANDUM

To: Adam Mendenhall
Planning and Development Director

From: Kady L. Dearing, PE

Subject: Sailfish Marina – Traffic Impact Analysis

Date: January 18, 2023

INTRODUCTION

LTG, Inc. (LTG) has been retained by Blue Water Realty Advisers, LLC to prepare a Traffic Impact Analysis (TIA) for the proposed Sailfish Marina located west of Sailfish Drive and Ocean Way Drive intersection in the Town of Ponce Inlet, Florida. Access to the development will be provided via one proposed full access driveway, which will create the eastbound approach at the intersection of Sailfish Drive at Ocean Way Drive. **Figure 1** graphically depicts the location of the study area within the surrounding network. Build-out is anticipated by year 2025.

The intent of the study is to provide analyses of the proposed project's impacts on the local roadway system and address traffic concerns of the Town's Planning Department. The preliminary site plan is attached as **Exhibit A**.

EXISTING CONDITIONS

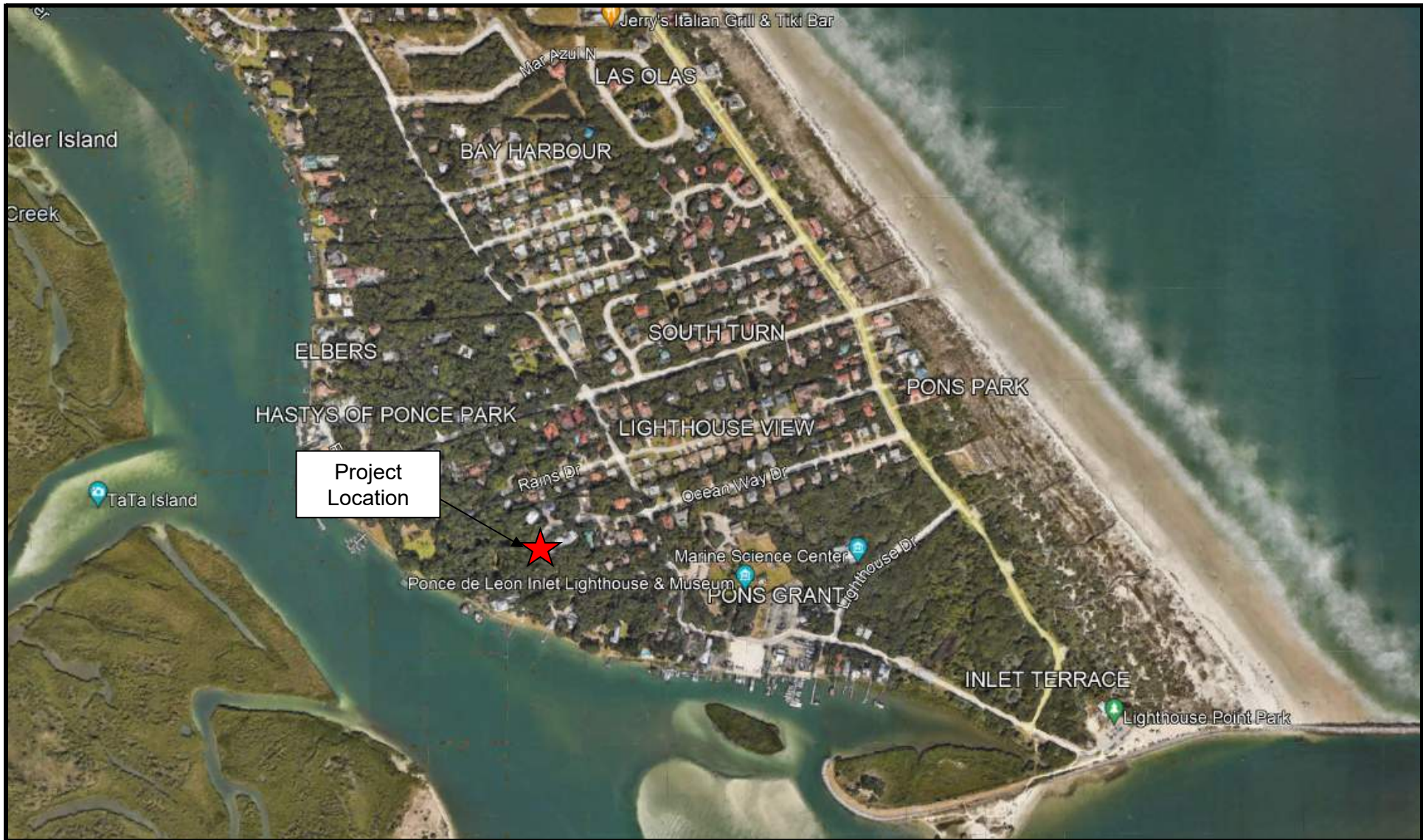
In order to determine the impacts of the proposed development on local roadways, it was necessary to obtain 24-hour segment counts along the following road segments:

- Beach Street from Sailfish Drive to Peninsula Drive
- Rains Drive from Sailfish Drive to Peninsula Drive
- Ocean Way Drive from Sailfish Drive to Peninsula Drive
- Sailfish Drive from Ocean Way Drive to Beach Street

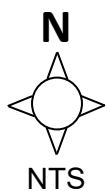
Additionally, in order to assess the impacts of project turns at the adjacent intersections, turning movement counts (TMCs) were conducted during the a.m. and p.m. peak-hours on April 29th, 2021 at the adjacent intersections of Peninsula Drive at Ocean Way Drive and Peninsula Drive at Beach Street. The 2019 FDOT Season Factor (SF) was determined to be 0.98 for the week the TMCs were collected, therefore the SF was not applied for a conservative analysis. The raw count data is attached as **Exhibit B**. The existing a.m. and p.m. peak-hour volumes are presented in **Figures 2**.

EXISTING UNSIGNALIZED INTERSECTION ANALYSIS

The existing operating conditions at the unsignalized intersections were analyzed using the *Highway Capacity Software 7, Version 2022* (HCS). This software utilizes the procedures outlined in Chapter 20 of the *Highway Capacity Manual (6th Edition)* titled, "Two-Way Stop-Controlled Intersections" and Chapter 21 titled "All-Way Stop-Controlled Intersections." **Table 1** shows the existing a.m. and p.m. peak-hour level of service (LOS) at the study area intersections. The HCS summary sheets are attached as **Exhibit C**. As indicated, the unsignalized intersections are currently operating within the adopted LOS.



Sailfish Marina



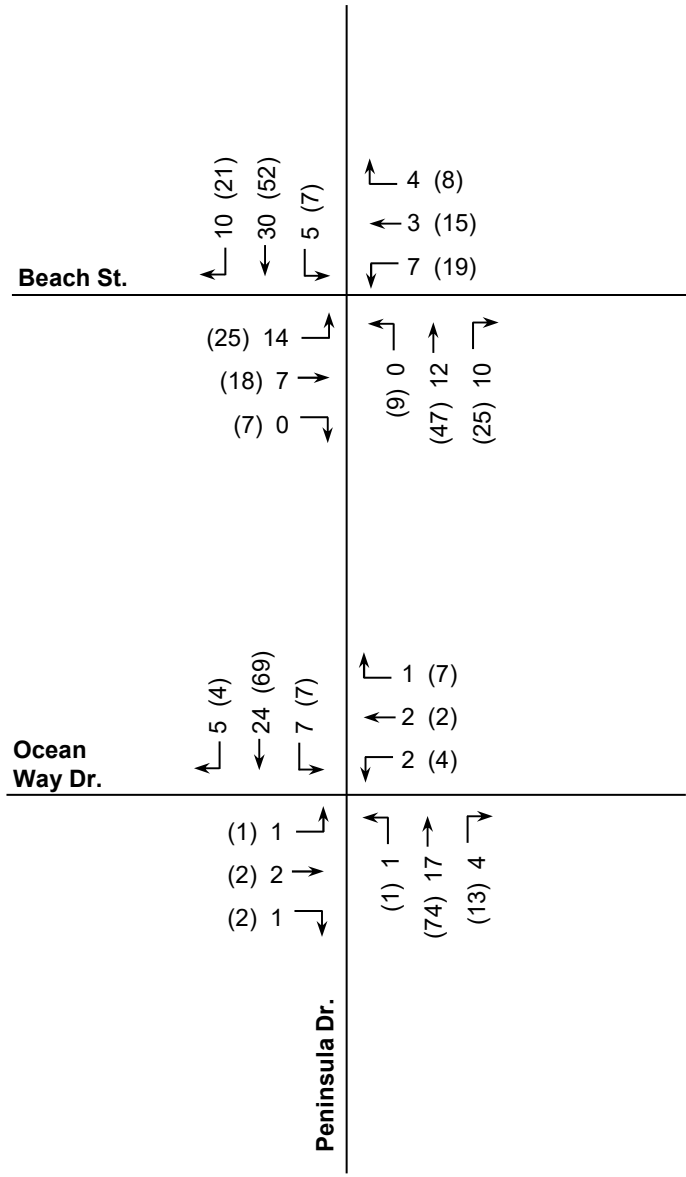
Project Location Map



Project No.: 5559.01

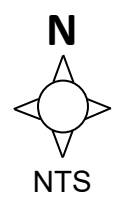
Figure: 1

1450 W. Granada Blvd, Suite 2 – Ormond Beach, Florida 32174
 Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227



Legend:
 XX = AM Peak-Hour
 (XX) = PM Peak-Hour

Sailfish Marina



**Existing A.M. & P.M.
Peak-Hour Volumes**



Project No.: 5559.01

Figure: 2

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TECHNICAL MEMORANDUM

Adam Mendenhall
 January 18, 2023
 Page 4

**Table 1
 Existing A.M. and P.M. Peak-Hour Level of Service – Unsignalized Intersections
 Sailfish Marina**

Intersection	Adopted LOS	AM Peak-Hour			PM Peak-Hour		
		Critical Approach	Delay	LOS	Critical Approach	Delay	LOS
Peninsula Drive at Ocean Way Drive	E	EB/WB	9.1	A	EB	9.6	A
Peninsula Drive at Beach Street	E	EB	7.4	A	EB	7.7	A

EXISTING ROADWAY SEGMENT ANALYSIS

Roadway LOS describes the operating condition determined from the number of vehicles passing over a given section of roadway during a specified time period. It is a qualitative measure of several factors which include speed, travel time, traffic interruptions, freedom to maneuver, driver comfort, convenience, safety and vehicle operating costs. Six LOS categories have been established as standards by which to gauge roadway performance, designated by the letters A through F. The LOS categories are defined as follows:

- Level of Service A: Free flow, individual users virtually unaffected by the presence of others*
- Level of Service B: Stable flow with a high degree of freedom to select operating conditions*
- Level of Service C: Flow remains stable, but with significant interactions with others*
- Level of Service D: High-density stable flow in which the freedom to maneuver is severely restricted*
- Level of Service E: This condition represents the capacity level of the road*
- Level of Service F: Forced flow in which the traffic exceeds the amount that can be served*

The p.m. peak-hour two-way volumes were determined using 24-hour tube counts collected along the study area roadway segments. The existing LOS for the study area road segments during the peak-hour are provided in **Table 2**. As indicated, all study area roadway segments currently operate within their adopted LOS during the peak-hour.

**Table 2
 2022 Existing PM Peak-Hour LOS – Roadway Segments
 Sailfish Marina**

Roadway	Segment		No. of Lanes	Adopted LOS	Peak-Hour Two-Way Capacity*	Existing Peak-Hour Two-Way Volume**	V/C Ratio	Existing Volume Exceed Adopted LOS?
Beach Street	Sailfish Drive	Peninsula Drive	2	E	987	128	0.13	No
Rains Drive	Sailfish Drive	Peninsula Drive	2	E	987	5	0.01	No
Ocean Way Drive	Sailfish Drive	Peninsula Drive	2	E	987	3	0.00	No
Sailfish Drive	Ocean Way Drive	Beach Street	2	E	987	1	0.00	No

*Capacities obtained from 2020 FDOT Quality Level of Service Tables

**Existing P.M. Peak-Hour Two-Way Volume determined using 24 hour tube counts collected along the roadway segments

2022 BACKGROUND GROWTH

Traffic in the area is expected to grow due to local government approvals. This section documents the methods used to project future 2025 traffic conditions. Due to a lack of prior historical count data, a minimum annual growth of 2% was used where applicable for a more conservative analysis, as shown in **Table 3**.



TECHNICAL MEMORANDUM

Adam Mendenhall
 January 18, 2023
 Page 5

**Table 3
 Applied Annual Growth Rates
 Sailfish Marina**

Roadway	Segment		Applied Growth Rate
Beach Street	Sailfish Drive	Peninsula Drive	2.00%
Rains Drive	Sailfish Drive	Peninsula Drive	2.00%
Ocean Way Drive	Sailfish Drive	Peninsula Drive	2.00%
Sailfish Drive	Ocean Way Drive	Beach Street	2.00%

PROJECT TRIP GENERATION

The daily, a.m. and p.m. peak-hour project trip generation for the proposed development was determined using the Institute of Transportation Engineers (ITE), *Trip Generation Manual, 11th Edition*. The project trip generation is presented in **Table 4**.

**Table 4
 Project Trip Generation
 Sailfish Marina**

Time Period	Land Use	ITE LUC	Trip Rate Equation	Quantity (X)	Units	Total Trips (T)	Percent Entering	Percent Exiting	Trips Entering	Trips Exiting
Daily	Marina	420	$T = 2.41 (X)$	34	Berths	82	50%	50%	41	41
A.M. Peak-Hour			$T = 0.07 (X)$			2	33%	67%	1	1
P.M. Peak-Hour			$T = 0.21 (X)$			7	60%	40%	4	3

PROJECT TRIP DISTRIBUTION

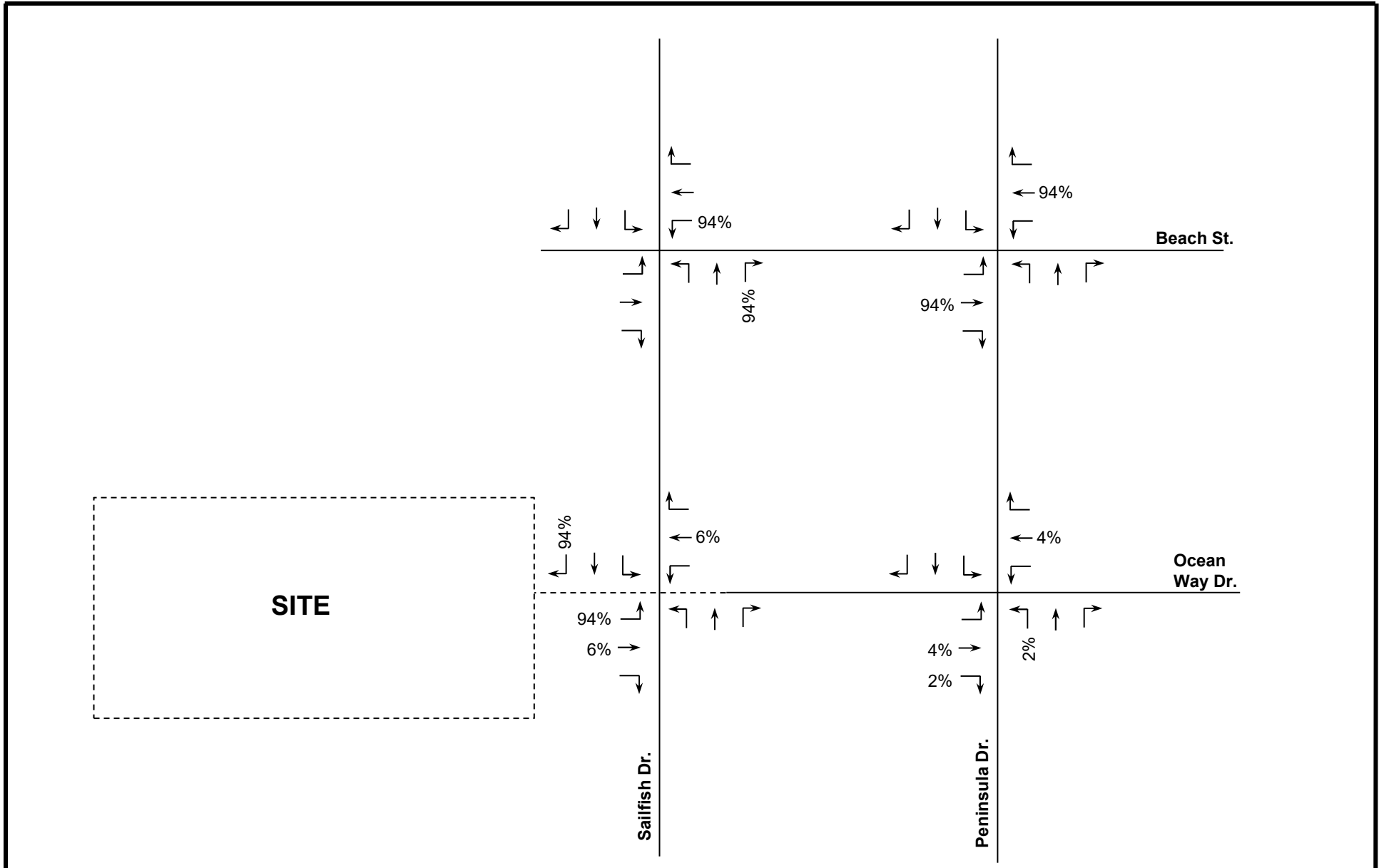
The process of determining the directional flow of traffic associated with a new development is called trip distribution. The existing turning movements counts, and engineering judgement were used to distribute project trips. The project trip distribution is graphically illustrated in **Figure 3**.

PROJECT TRIP ASSIGNMENT

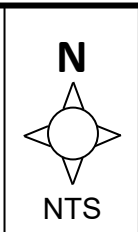
Using the project trip distribution and trip generation, the a.m. and p.m. peak-hour project trips were assigned to the study area roadway network. **Figures 4A and 4B** graphically depict the 2025 background and project trips assigned to the study area intersections.

2025 BUILD-OUT UNSIGNALIZED INTERSECTION ANALYSIS

The study area intersections were analyzed to determine the operational LOS during the a.m. and p.m. peak-hours under 2025 build-out conditions. The results of the build-out conditions analysis are summarized in **Table 5**. The HCS summary sheets are attached as **Exhibit D**.



Sailfish Marina



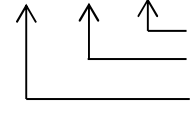
Project Trip Distribution

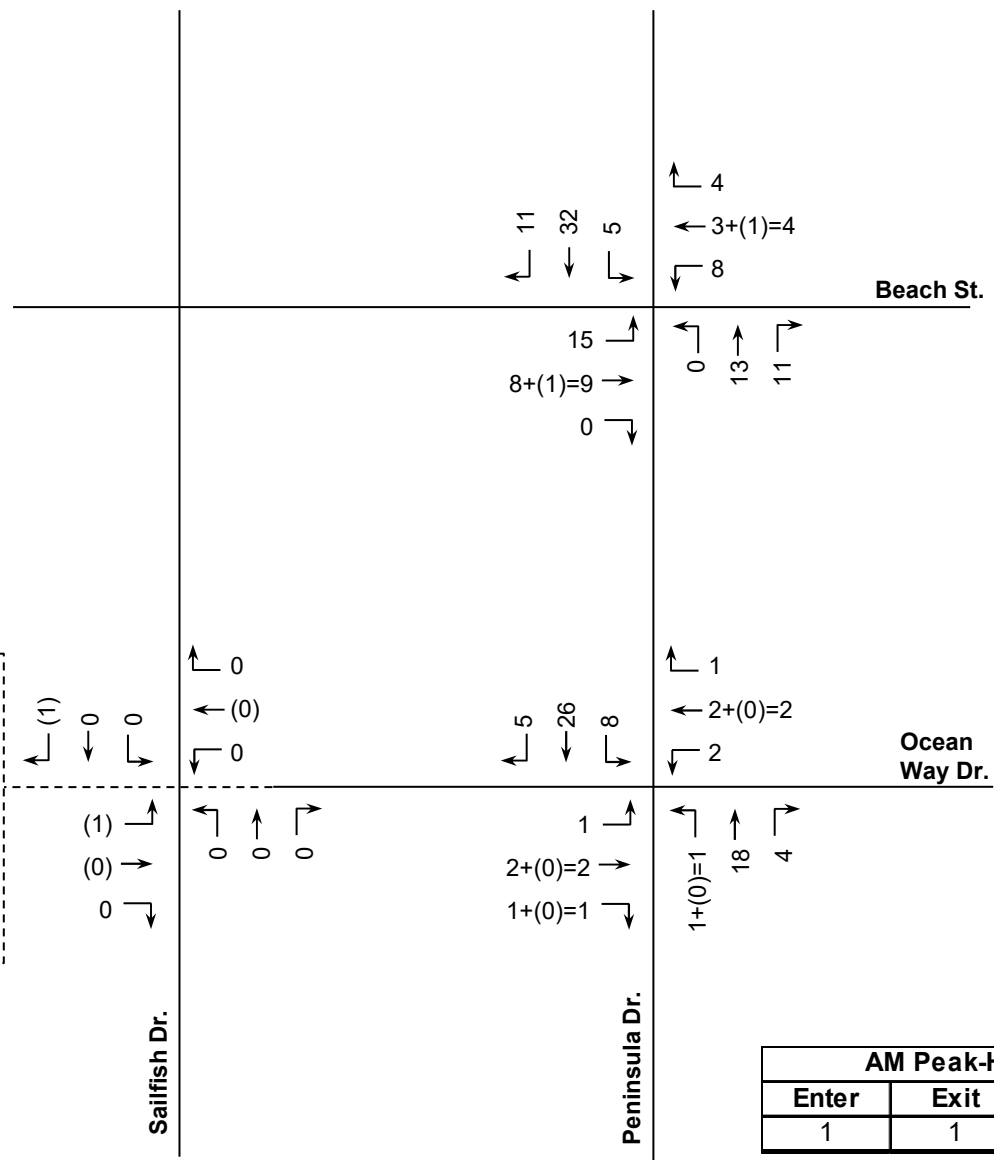
Project No.: 5559.01

Figure: 3



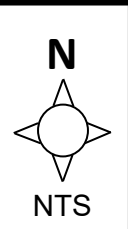
1450 W. Granada Blvd, Suite 2 – Ormond Beach, Florida 32174
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Legend:
 XX + (XX) = XXX

 2025 Total Build-out Traffic
 Project Trips
 2025 Background Traffic



AM Peak-Hour		
Enter	Exit	Total
1	1	2

Sailfish Marina



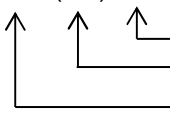
**2025 A.M. Peak-Hour
Build-Out Volumes**

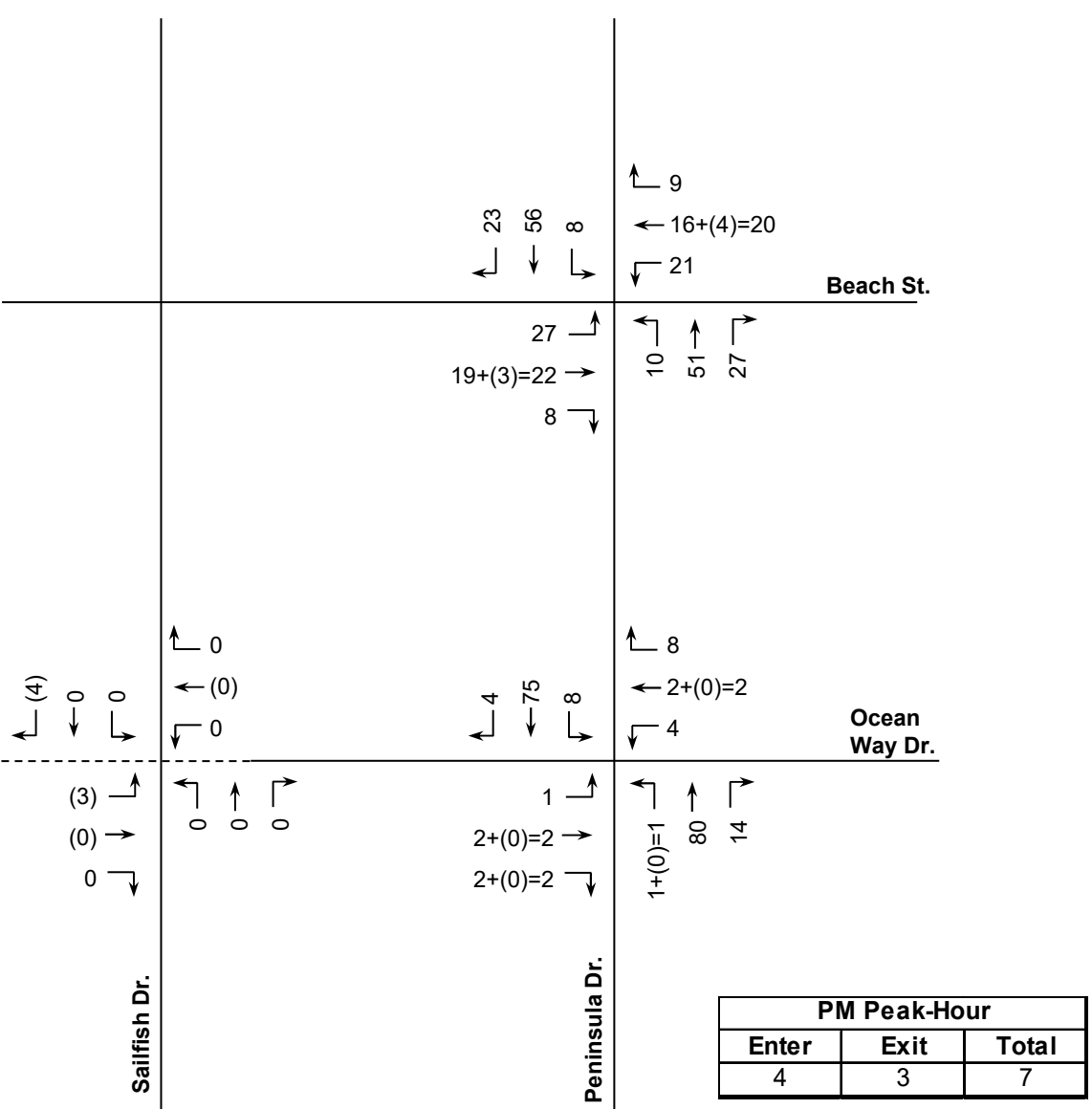
Project No.: 5559.01

Figure: 4A



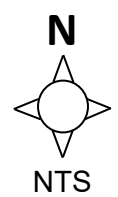
1450 W. Granada Blvd, Suite 2 – Ormond Beach, Florida 32174
 Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227

Legend:
 XX + (XX) = XXX

 2025 Total Build-out Traffic
 Project Trips
 2025 Background Traffic



PM Peak-Hour		
Enter	Exit	Total
4	3	7

Sailfish Marina



**2025 P.M. Peak-Hour
Build-Out Volumes**

Project No.: 5559.01 Figure: 4B



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TECHNICAL MEMORANDUM

Adam Mendenhall
 January 18, 2023
 Page 9

**Table 5
 2025 Build-Out A.M. and P.M. Peak-Hour LOS – Unsignalized Intersections
 Sailfish Marina**

Intersection	Adopted LOS	AM Peak-Hour			PM Peak-Hour		
		Critical Approach	Delay	LOS	Critical Approach	Delay	LOS
Peninsula Drive at Ocean Way Drive	E	EB/WB	9.1	A	EB	9.7	A
Peninsula Drive at Beach Street	E	EB	7.4	A	EB	7.8	A

As indicated in **Table 5**, the study area intersections are anticipated to operate within the adopted LOS under 2025 build-out conditions.

2025 BUILD-OUT ROADWAY SEGMENT ANALYSIS

The study area roadway segments were analyzed under build-out conditions to determine the anticipated LOS and the results are presented in **Table 6**. As indicated, all study area roadway segments are expected to operate within the adopted LOS under 2025 build-out conditions. Trips generated by the development have no significant impacts to segment volumes or capacity.

**Table 6
 2025 Build-Out PM Peak-Hour LOS – Roadway Segments
 Sailfish Marina**

Roadway	Segment		No. of Lanes	Adopted LOS	Peak-Hour Two-Way Capacity	Existing PM Peak-Hour Two-Way Volume	Applied Growth (%)	2025 Background Traffic	Project Distribution	Project Trips	2025 Build-Out Traffic	2025 Build-Out Traffic Exceed Adopted LOS?
Beach Street	Sailfish Drive	Peninsula Drive	2	E	987	128	2.00%	136	94.0%	7	143	No
Rains Drive	Sailfish Drive	Peninsula Drive	2	E	987	5	2.00%	5	0.0%	0	5	No
Ocean Way Drive	Sailfish Drive	Peninsula Drive	2	E	987	3	2.00%	3	6.0%	0	3	No
Sailfish Drive	Ocean Way Drive	Beach Street	2	E	987	1	2.00%	1	94.0%	7	8	No

CONCLUSION

The intent of this traffic assessment is to provide analyses of the proposed project's impacts on the local roadway system and address traffic concerns of the Town's Planning Department. The results of the analysis are summarized below:

- The proposed development will generate 2 a.m. peak-hour trips and 7 p.m. peak-hour trips.
- Under existing conditions, the study area intersections and roadway segments currently operate within the adopted LOS.
- Under 2025 build-out conditions, the study area intersections and roadway segments are expected to operate within the adopted LOS.

It should be noted that, based on R2CTPO TIA threshold criteria, the proposed project does not warrant a traffic impact analysis. Based on these analyses, the impacts of the proposed development on the local roadways are insignificant.



TECHNICAL MEMORANDUM

Adam Mendenhall

January 18, 2023

Page 10

Attachments: Exhibit A – Preliminary Site Plan
Exhibit B – Turning Movement Counts & 24-Hour Tube Counts
Exhibit C – Existing Conditions - HCS Summary Sheets
Exhibit D – 2025 Future Conditions - HCS Summary Sheets

I affirm, by affixing my signature and seal below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional engineering.

*THIS ITEM HAS BEEN DIGITALLY
SIGNED AND SEALED BY:*

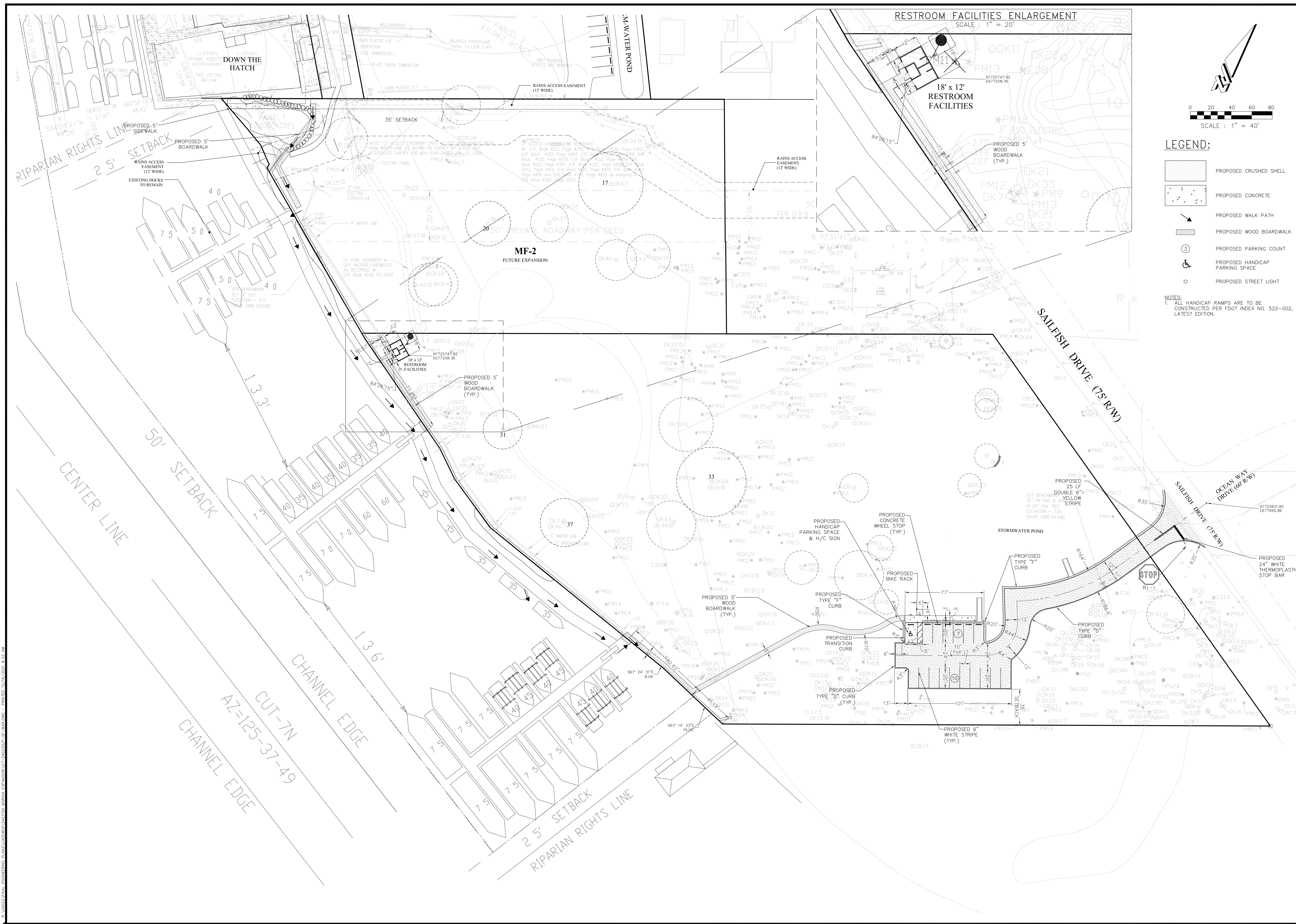
ON THE DATE ADJACENT TO THE SEAL

*PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED
AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY
ELECTRONIC COPIES.*

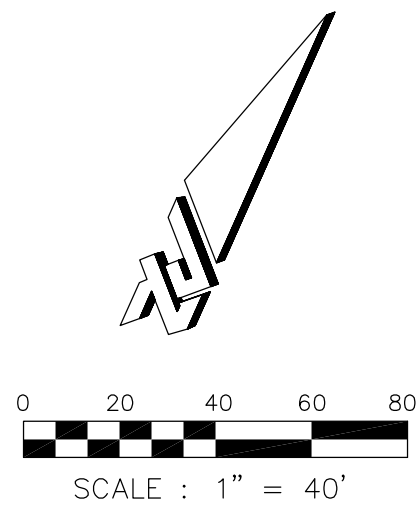
*LTG, INC.
1450 W. GRANADA BLVD, SUITE 2*



EXHIBIT A
Preliminary Site Plan



RESTROOM FACILITIES ENLARGEMENT
SCALE: 1" = 20'



LEGEND:

- PROPOSED CRUSHED SHELL
- PROPOSED CONCRETE
- PROPOSED WALK PATH
- PROPOSED WOOD BOARDWALK
- PROPOSED PARKING COUNT
- PROPOSED HANDICAP PARKING SPACE
- PROPOSED STREET LIGHT

NOTES:
1. ALL HANDICAP PERMS ARE TO BE CONSTRUCTED PER FDOT INDEX NO. 522-002, LATEST EDITION.

ZEV COHEN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE
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CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL PLANNING
TRANSPORTATION

NO.	DATE	BY	REVISIONS
1	08/03/21	SHK	REVISED PER CITY COMMENTS ON 05-04-21

**SAILFISH MARINA EXPANSION
FINAL ENGINEERING PLANS
SITE LAYOUT PLAN**

CITY OF PONCE DE LEON
VOLUSIA COUNTY, FLORIDA

PROJECT NO: ZC 04022
DESIGNED BY: RH
DRAFTED BY: CM
CHECKED BY: RH
DRAWING FILE: 07-04022SLP-SF-MAR
XREFS: XXXXX.DWG
XREFS: XXXXX.DWG

EXHIBIT B
Turning Movement Counts
& 24-Hour Tube Counts

DE TRAFFIC

386-341-4186

S Peninsula Dr at Ocean Way Dr
Volusia County, FL

File Name : peninsula at ocean
Site Code : 00000002
Start Date : 4/29/2021
Page No : 1

Groups Printed- Automobiles - Commercial

Start Time	S Peninsula Dr Southbound				Ocean Way Dr Westbound				S Peninsula Dr Northbound				Ocean Way Dr Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
07:00 AM	0	2	1	3	0	0	0	0	0	3	1	4	0	0	0	0	7
07:15 AM	1	3	0	4	0	0	1	1	0	2	0	2	1	0	0	1	8
07:30 AM	3	6	0	9	1	1	0	2	0	2	1	3	0	1	0	1	15
07:45 AM	1	3	0	4	0	0	0	0	0	3	0	3	0	0	0	0	7
Total	5	14	1	20	1	1	1	3	0	10	2	12	1	1	0	2	37
08:00 AM	1	6	1	8	0	1	0	1	0	5	1	6	0	1	0	1	16
08:15 AM	1	6	2	9	1	0	1	2	0	4	0	4	0	1	1	2	17
08:30 AM	2	6	1	9	0	1	0	1	0	5	2	7	0	0	0	0	17
08:45 AM	3	6	1	10	1	0	0	1	1	3	1	5	1	0	0	1	17
Total	7	24	5	36	2	2	1	5	1	17	4	22	1	2	1	4	67
04:00 PM	1	16	1	18	1	1	1	3	1	23	2	26	0	0	0	0	47
04:15 PM	2	12	0	14	0	0	1	1	0	19	3	22	0	0	0	0	37
04:30 PM	0	15	1	16	1	0	2	3	0	18	4	22	1	0	1	2	43
04:45 PM	3	17	1	21	0	1	3	4	1	15	2	18	0	1	0	1	44
Total	6	60	3	69	2	2	7	11	2	75	11	88	1	1	1	3	171
05:00 PM	2	19	2	23	2	0	0	2	0	21	3	24	0	1	1	2	51
05:15 PM	2	18	0	20	1	1	2	4	0	20	4	24	0	0	0	0	48
05:30 PM	2	15	1	18	0	2	1	3	0	16	2	18	0	1	0	1	40
05:45 PM	1	9	1	11	0	0	0	0	1	17	3	21	1	0	0	1	33
Total	7	61	4	72	3	3	3	9	1	74	12	87	1	2	1	4	172
Grand Total	25	159	13	197	8	8	12	28	4	176	29	209	4	6	3	13	447
Apprch %	12.7	80.7	6.6		28.6	28.6	42.9		1.9	84.2	13.9		30.8	46.2	23.1		
Total %	5.6	35.6	2.9	44.1	1.8	1.8	2.7	6.3	0.9	39.4	6.5	46.8	0.9	1.3	0.7	2.9	
Automobiles	23	159	13	195	8	8	11	27	4	171	29	204	3	6	3	12	438
% Automobiles	92	100	100	99	100	100	91.7	96.4	100	97.2	100	97.6	75	100	100	92.3	98
Commercial	2	0	0	2	0	0	1	1	0	5	0	5	1	0	0	1	9
% Commercial	8	0	0	1	0	0	8.3	3.6	0	2.8	0	2.4	25	0	0	7.7	2

DE TRAFFIC

386-341-4186

S Peninsula Dr at Ocean Way Dr
Volusia County, FL

File Name : peninsula at ocean
Site Code : 00000002
Start Date : 4/29/2021
Page No : 2

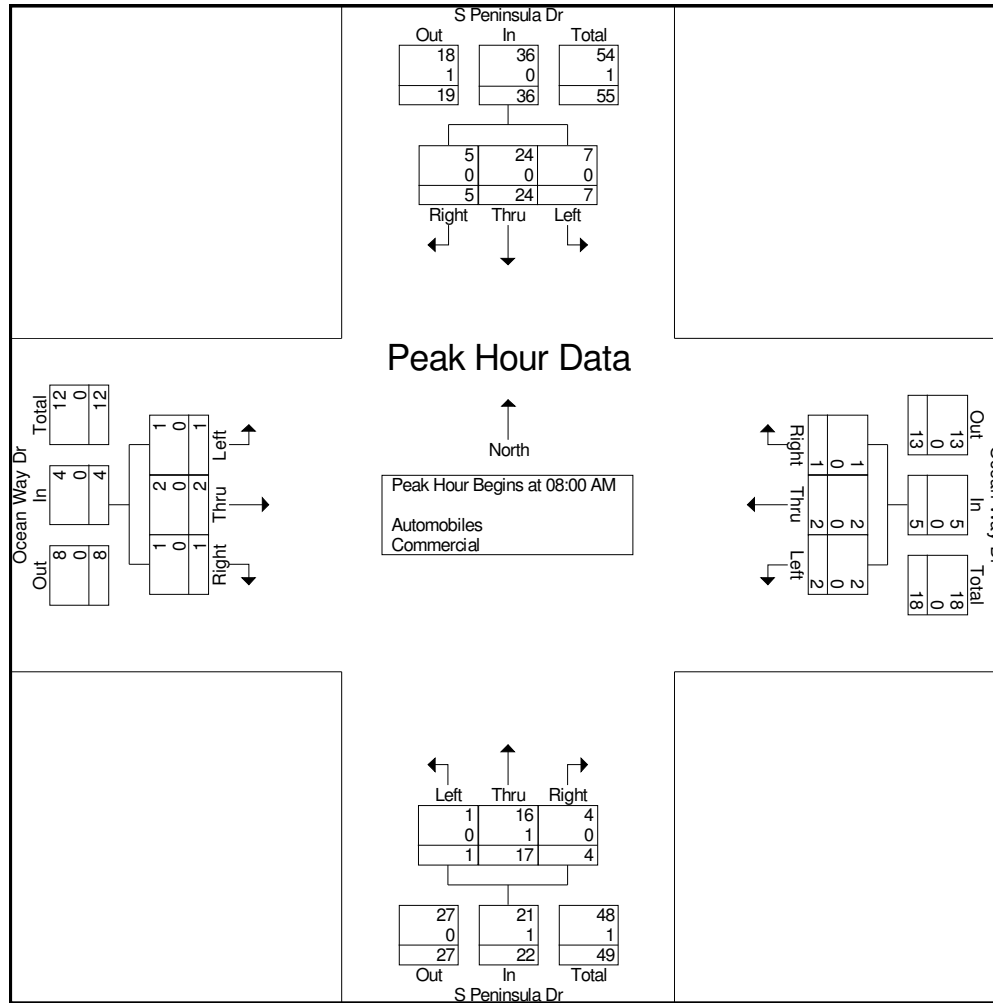
Start Time	S Peninsula Dr Southbound				Ocean Way Dr Westbound				S Peninsula Dr Northbound				Ocean Way Dr Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	1	6	1	8	0	1	0	1	0	5	1	6	0	1	0	1	16
08:15 AM	1	6	2	9	1	0	1	2	0	4	0	4	0	1	1	2	17
08:30 AM	2	6	1	9	0	1	0	1	0	5	2	7	0	0	0	0	17
08:45 AM	3	6	1	10	1	0	0	1	1	3	1	5	1	0	0	1	17
Total Volume	7	24	5	36	2	2	1	5	1	17	4	22	1	2	1	4	67
% App. Total	19.4	66.7	13.9		40	40	20		4.5	77.3	18.2		25	50	25		
PHF	.583	1.00	.625	.900	.500	.500	.250	.625	.250	.850	.500	.786	.250	.500	.250	.500	.985
Automobiles	7	24	5	36	2	2	1	5	1	16	4	21	1	2	1	4	66
% Automobiles	100	100	100	100	100	100	100	100	100	94.1	100	95.5	100	100	100	100	98.5
Commercial	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
% Commercial	0	0	0	0	0	0	0	0	0	5.9	0	4.5	0	0	0	0	1.5

DE TRAFFIC

386-341-4186

S Peninsula Dr at Ocean Way Dr
Volusia County, FL

File Name : peninsula at ocean
Site Code : 00000002
Start Date : 4/29/2021
Page No : 3



DE TRAFFIC

386-341-4186

S Peninsula Dr at Ocean Way Dr
Volusia County, FL

File Name : peninsula at ocean
Site Code : 00000002
Start Date : 4/29/2021
Page No : 4

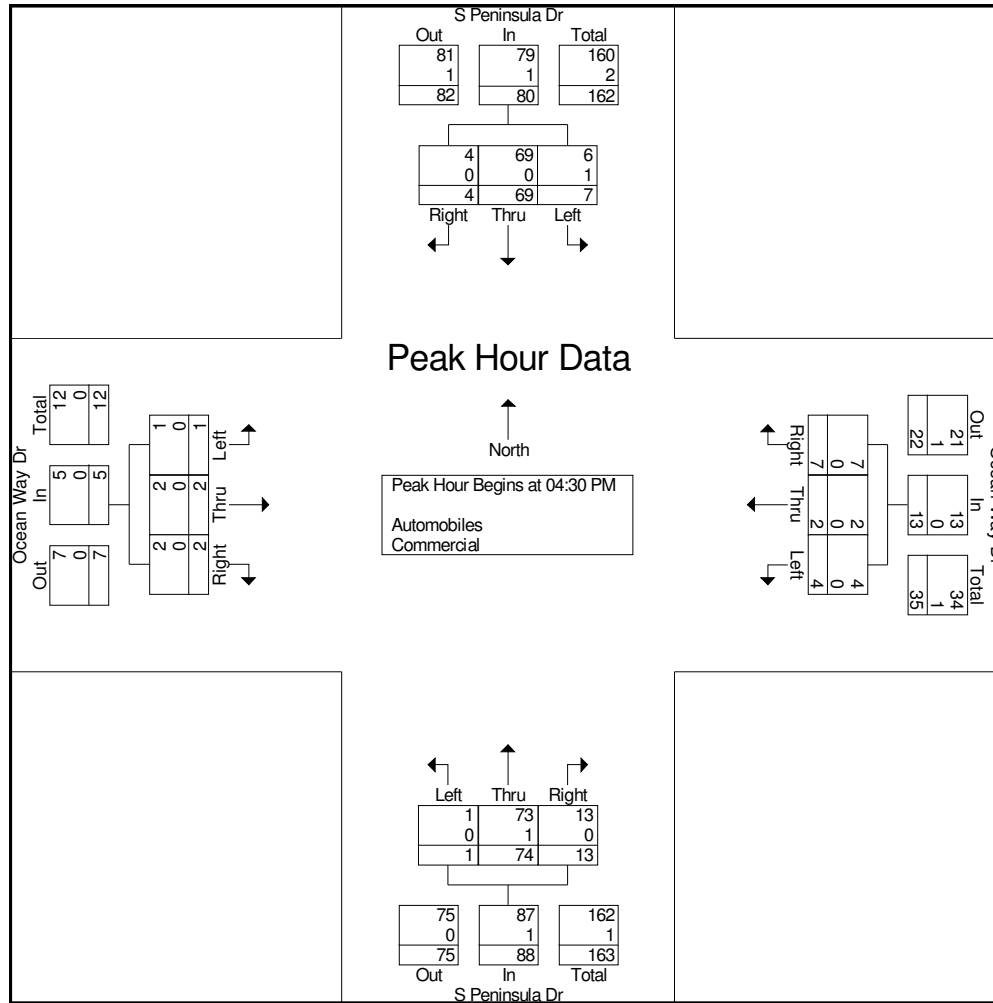
Start Time	S Peninsula Dr Southbound				Ocean Way Dr Westbound				S Peninsula Dr Northbound				Ocean Way Dr Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	0	15	1	16	1	0	2	3	0	18	4	22	1	0	1	2	43
04:45 PM	3	17	1	21	0	1	3	4	1	15	2	18	0	1	0	1	44
05:00 PM	2	19	2	23	2	0	0	2	0	21	3	24	0	1	1	2	51
05:15 PM	2	18	0	20	1	1	2	4	0	20	4	24	0	0	0	0	48
Total Volume	7	69	4	80	4	2	7	13	1	74	13	88	1	2	2	5	186
% App. Total	8.8	86.2	5		30.8	15.4	53.8		1.1	84.1	14.8		20	40	40		
PHF	.583	.908	.500	.870	.500	.500	.583	.813	.250	.881	.813	.917	.250	.500	.500	.625	.912
Automobiles	6	69	4	79	4	2	7	13	1	73	13	87	1	2	2	5	184
% Automobiles	85.7	100	100	98.8	100	100	100	100	100	98.6	100	98.9	100	100	100	100	98.9
Commercial	1	0	0	1	0	0	0	0	0	1	0	1	0	0	0	0	2
% Commercial	14.3	0	0	1.3	0	0	0	0	0	1.4	0	1.1	0	0	0	0	1.1

DE TRAFFIC

386-341-4186

S Peninsula Dr at Ocean Way Dr
Volusia County, FL

File Name : peninsula at ocean
Site Code : 00000002
Start Date : 4/29/2021
Page No : 5



DE TRAFFIC

386-341-4186

S Peninsula Dr at Ocean Way Dr
Volusia County, FL

File Name : peninsula at ocean
Site Code : 00000002
Start Date : 4/29/2021
Page No : 6

Groups Printed- Peds

Start Time	S Peninsula Dr Southbound					Ocean Way Dr Westbound					S Peninsula Dr Northbound					Ocean Way Dr Eastbound					Int. Total					
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total						
07:15 AM	0	0	0	2	2	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	5
07:30 AM	0	0	0	4	4	0	0	0	1	1	0	0	0	2	2	0	0	0	1	1	0	0	0	1	1	8
07:45 AM	0	0	0	2	2	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	4
Total	0	0	0	8	8	0	0	0	3	3	0	0	0	4	4	0	0	0	2	2	0	0	0	2	2	17
08:00 AM	0	0	0	1	1	0	0	0	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	5
08:15 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2
08:30 AM	0	0	0	2	2	0	0	0	1	1	0	0	0	1	1	0	0	0	2	2	0	0	0	2	2	6
08:45 AM	0	0	0	1	1	0	0	0	2	2	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	4
Total	0	0	0	5	5	0	0	0	5	5	0	0	0	4	4	0	0	0	3	3	0	0	0	3	3	17
09:00 AM	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
04:15 PM	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	3
04:30 PM	0	0	0	2	2	0	0	0	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	6
04:45 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	2
Total	0	0	0	3	3	0	0	0	4	4	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0	11
05:00 PM	0	0	0	0	0	0	0	0	1	1	0	0	0	2	2	0	0	0	2	2	0	0	0	2	2	5
05:15 PM	0	0	0	4	4	0	0	0	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	8
05:30 PM	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	0	0	0	2	2	0	0	0	2	2	5
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	1
Total	0	0	0	5	5	0	0	0	4	4	0	0	0	5	5	0	0	0	5	5	0	0	0	5	5	19
Grand Total	0	0	0	21	21	0	0	0	17	17	0	0	0	17	17	0	0	0	10	10	0	0	0	10	10	65
Apprch %	0	0	0	100		0	0	0	100		0	0	0	100		0	0	0	100		0	0	0	100		
Total %	0	0	0	32.3	32.3	0	0	0	26.2	26.2	0	0	0	26.2	26.2	0	0	0	15.4	15.4	0	0	0	15.4	15.4	

DE TRAFFIC

386-341-4186

S Peninsula Dr at Beach St
Volusia County, FL

File Name : Peninsula at Beach
Site Code : 00000002
Start Date : 4/29/2021
Page No : 1

Groups Printed- Automobiles - Commercial

Start Time	S Peninsula Dr Southbound				Beach St Westbound				S Peninsula Dr Northbound				Beach St Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
07:00 AM	1	3	4	8	0	6	4	10	0	3	1	4	3	1	0	4	26
07:15 AM	0	4	2	6	0	3	2	5	0	2	0	2	1	1	0	2	15
07:30 AM	0	6	3	9	2	0	1	3	0	1	2	3	0	0	0	0	15
07:45 AM	0	2	2	4	2	1	0	3	0	3	0	3	3	1	0	4	14
Total	1	15	11	27	4	10	7	21	0	9	3	12	7	3	0	10	70
08:00 AM	3	6	2	11	2	2	1	5	0	4	3	7	2	0	0	2	25
08:15 AM	0	9	6	15	0	0	0	0	0	3	0	3	1	3	0	4	22
08:30 AM	1	8	0	9	1	1	0	2	0	3	4	7	7	1	0	8	26
08:45 AM	1	7	2	10	4	0	3	7	0	2	3	5	4	3	0	7	29
Total	5	30	10	45	7	3	4	14	0	12	10	22	14	7	0	21	102
04:00 PM	2	13	5	20	4	2	6	12	4	14	8	26	3	7	1	11	69
04:15 PM	0	10	9	19	3	11	1	15	1	14	7	22	4	3	1	8	64
04:30 PM	1	12	8	21	1	2	3	6	4	13	3	20	1	6	4	11	58
04:45 PM	2	15	4	21	5	4	0	9	2	9	5	16	9	5	0	14	60
Total	5	50	26	81	13	19	10	42	11	50	23	84	17	21	6	44	251
05:00 PM	3	13	3	19	7	3	3	13	1	14	9	24	8	3	1	12	68
05:15 PM	1	12	6	19	6	6	2	14	2	11	8	21	7	4	2	13	67
05:30 PM	1	13	6	20	5	4	3	12	2	10	4	16	5	5	0	10	58
05:45 PM	1	9	6	16	1	8	1	10	1	10	10	21	5	7	1	13	60
Total	6	47	21	74	19	21	9	49	6	45	31	82	25	19	4	48	253
Grand Total	17	142	68	227	43	53	30	126	17	116	67	200	63	50	10	123	676
Apprch %	7.5	62.6	30		34.1	42.1	23.8		8.5	58	33.5		51.2	40.7	8.1		
Total %	2.5	21	10.1	33.6	6.4	7.8	4.4	18.6	2.5	17.2	9.9	29.6	9.3	7.4	1.5	18.2	
Automobiles	16	142	64	222	43	51	26	120	17	110	66	193	63	48	9	120	655
% Automobiles	94.1	100	94.1	97.8	100	96.2	86.7	95.2	100	94.8	98.5	96.5	100	96	90	97.6	96.9
Commercial	1	0	4	5	0	2	4	6	0	6	1	7	0	2	1	3	21
% Commercial	5.9	0	5.9	2.2	0	3.8	13.3	4.8	0	5.2	1.5	3.5	0	4	10	2.4	3.1

DE TRAFFIC

386-341-4186

S Peninsula Dr at Beach St
Volusia County, FL

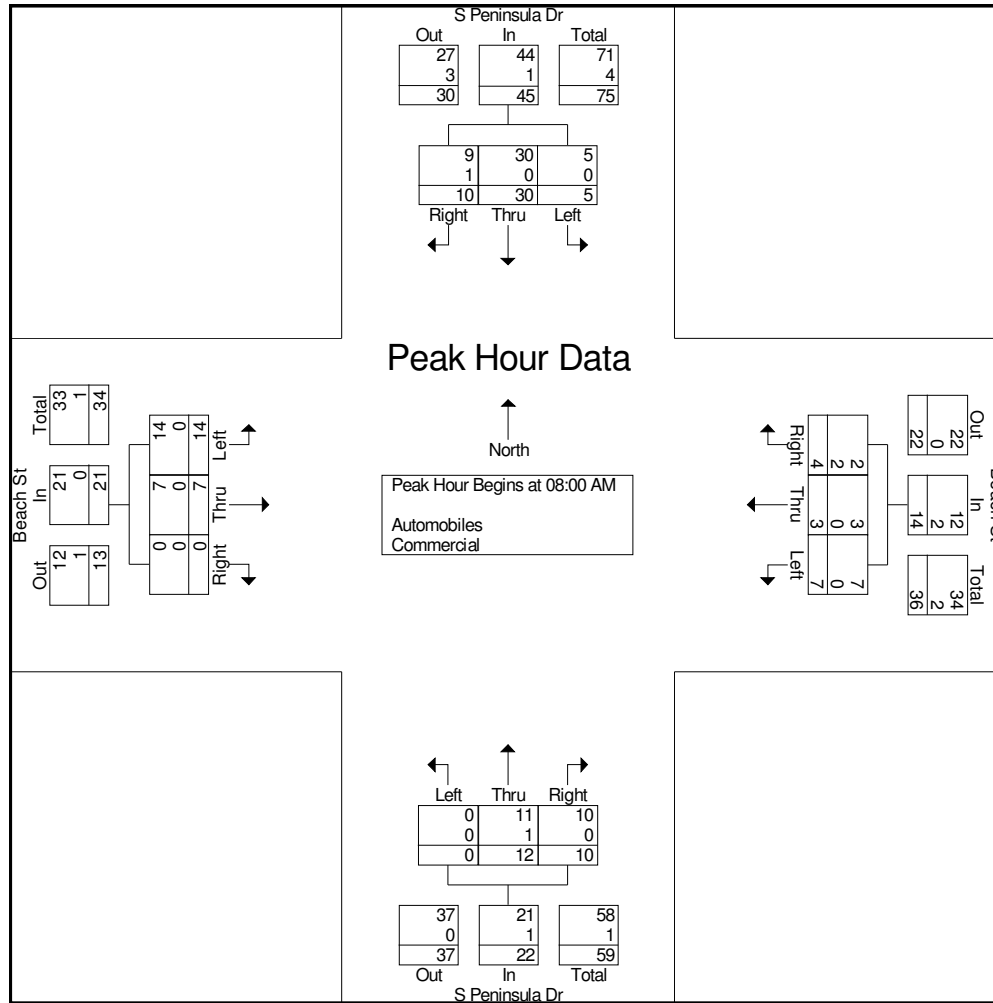
File Name : Peninsula at Beach
Site Code : 00000002
Start Date : 4/29/2021
Page No : 2

Start Time	S Peninsula Dr Southbound				Beach St Westbound				S Peninsula Dr Northbound				Beach St Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	3	6	2	11	2	2	1	5	0	4	3	7	2	0	0	2	25
08:15 AM	0	9	6	15	0	0	0	0	0	3	0	3	1	3	0	4	22
08:30 AM	1	8	0	9	1	1	0	2	0	3	4	7	7	1	0	8	26
08:45 AM	1	7	2	10	4	0	3	7	0	2	3	5	4	3	0	7	29
Total Volume	5	30	10	45	7	3	4	14	0	12	10	22	14	7	0	21	102
% App. Total	11.1	66.7	22.2		50	21.4	28.6		0	54.5	45.5		66.7	33.3	0		
PHF	.417	.833	.417	.750	.438	.375	.333	.500	.000	.750	.625	.786	.500	.583	.000	.656	.879
Automobiles	5	30	9	44	7	3	2	12	0	11	10	21	14	7	0	21	98
% Automobiles	100	100	90.0	97.8	100	100	50.0	85.7	0	91.7	100	95.5	100	100	0	100	96.1
Commercial	0	0	1	1	0	0	2	2	0	1	0	1	0	0	0	0	4
% Commercial	0	0	10.0	2.2	0	0	50.0	14.3	0	8.3	0	4.5	0	0	0	0	3.9

DE TRAFFIC

386-341-4186
 S Peninsula Dr at Beach St
 Volusia County, FL

File Name : Peninsula at Beach
 Site Code : 00000002
 Start Date : 4/29/2021
 Page No : 3



DE TRAFFIC

386-341-4186

S Peninsula Dr at Beach St
Volusia County, FL

File Name : Peninsula at Beach

Site Code : 00000002

Start Date : 4/29/2021

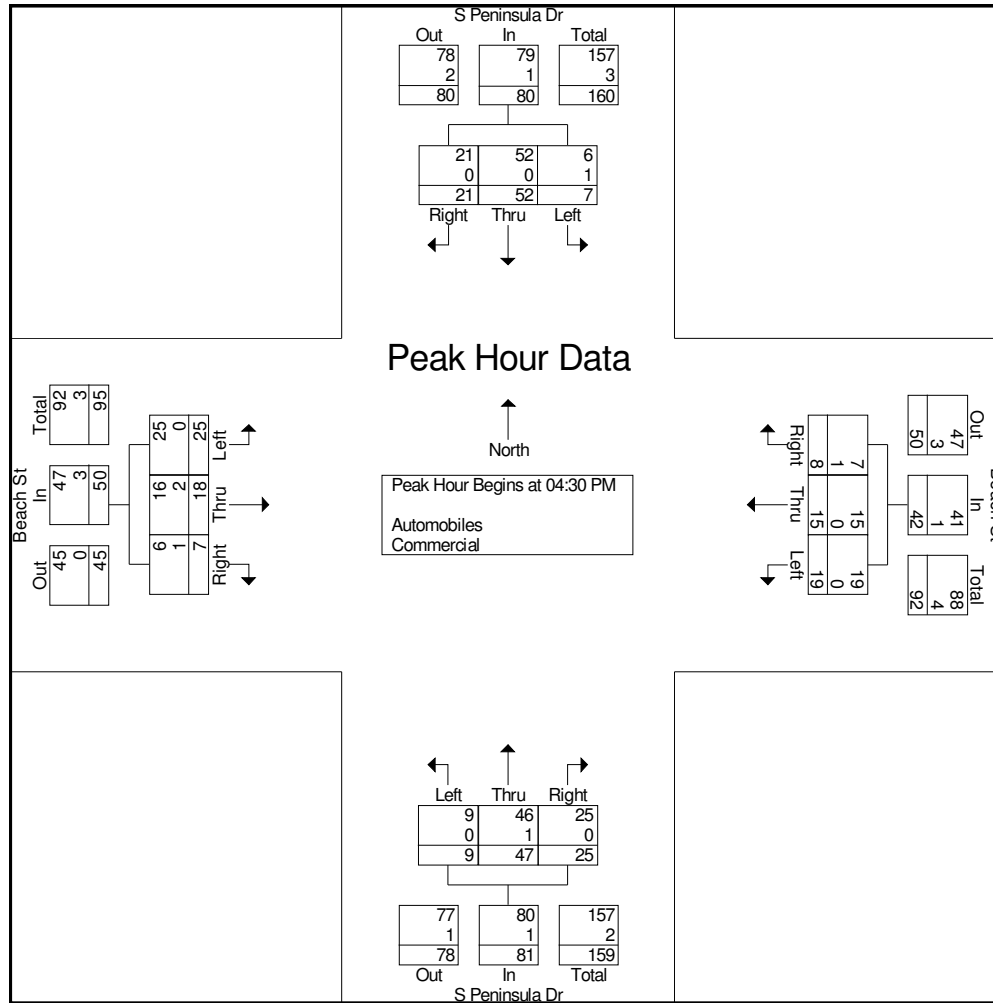
Page No : 4

Start Time	S Peninsula Dr Southbound				Beach St Westbound				S Peninsula Dr Northbound				Beach St Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	1	12	8	21	1	2	3	6	4	13	3	20	1	6	4	11	58
04:45 PM	2	15	4	21	5	4	0	9	2	9	5	16	9	5	0	14	60
05:00 PM	3	13	3	19	7	3	3	13	1	14	9	24	8	3	1	12	68
05:15 PM	1	12	6	19	6	6	2	14	2	11	8	21	7	4	2	13	67
Total Volume	7	52	21	80	19	15	8	42	9	47	25	81	25	18	7	50	253
% App. Total	8.8	65	26.2		45.2	35.7	19		11.1	58	30.9		50	36	14		
PHF	.583	.867	.656	.952	.679	.625	.667	.750	.563	.839	.694	.844	.694	.750	.438	.893	.930
Automobiles	6	52	21	79	19	15	7	41	9	46	25	80	25	16	6	47	247
% Automobiles	85.7	100	100	98.8	100	100	87.5	97.6	100	97.9	100	98.8	100	88.9	85.7	94.0	97.6
Commercial	1	0	0	1	0	0	1	1	0	1	0	1	0	2	1	3	6
% Commercial	14.3	0	0	1.3	0	0	12.5	2.4	0	2.1	0	1.2	0	11.1	14.3	6.0	2.4

DE TRAFFIC

386-341-4186
 S Peninsula Dr at Beach St
 Volusia County, FL

File Name : Peninsula at Beach
 Site Code : 00000002
 Start Date : 4/29/2021
 Page No : 5



DE TRAFFIC

386-341-4186

S Peninsula Dr at Beach St
Volusia County, FL

File Name : Peninsula at Beach
Site Code : 00000002
Start Date : 4/29/2021
Page No : 6

Groups Printed- Peds

Start Time	S Peninsula Dr Southbound					Beach St Westbound					S Peninsula Dr Northbound					Beach St Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
07:15 AM	0	0	0	1	1	0	0	0	1	1	0	0	0	3	3	0	0	0	1	1	6
07:30 AM	0	0	0	2	2	0	0	0	0	0	0	0	0	3	3	0	0	0	2	2	7
07:45 AM	0	0	0	0	0	0	0	0	1	1	0	0	0	1	1	0	0	0	1	1	3
Total	0	0	0	3	3	0	0	0	2	2	0	0	0	7	7	0	0	0	4	4	16
08:00 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	2	2	0	0	0	0	0	3
08:15 AM	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
08:45 AM	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Total	0	0	0	4	4	0	0	0	0	0	0	0	0	2	2	0	0	0	0	0	6
04:30 PM	0	0	0	3	3	0	0	0	0	0	0	0	0	1	1	0	0	0	2	2	6
04:45 PM	0	0	0	1	1	0	0	0	2	2	0	0	0	0	0	0	0	0	3	3	6
Total	0	0	0	4	4	0	0	0	2	2	0	0	0	1	1	0	0	0	5	5	12
05:00 PM	0	0	0	4	4	0	0	0	1	1	0	0	0	2	2	0	0	0	0	0	7
05:15 PM	0	0	0	4	4	0	0	0	2	2	0	0	0	1	1	0	0	0	1	1	8
05:30 PM	0	0	0	2	2	0	0	0	1	1	0	0	0	1	1	0	0	0	2	2	6
Total	0	0	0	10	10	0	0	0	4	4	0	0	0	4	4	0	0	0	3	3	21
Grand Total	0	0	0	21	21	0	0	0	8	8	0	0	0	14	14	0	0	0	12	12	55
Apprch %	0	0	0	100		0	0	0	100		0	0	0	100		0	0	0	100		
Total %	0	0	0	38.2	38.2	0	0	0	14.5	14.5	0	0	0	25.5	25.5	0	0	0	21.8	21.8	



NB Approach




SB Approach



EB Approach



WB Approach

	South Peninsula Dr at Ocean Way Dr		Volusia County	
	www.de-traffic.com		Project Number: L21-21	Sheet Number: 1
	299 McGregor Rd. DeLand FL. 32720			



NB Approach



SB Approach



EB Approach



WB Approach



South Peninsula Dr
at Beach Street

Volusia County

www.de-traffic.com

299 McGregor Rd. DeLand FL. 32720

Project
Number: L21-21

Sheet
Number: 2

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	0	1	1
05:00	0	0	0
06:00	0	0	0
07:00	0	0	0
08:00	1	1	2
09:00	1	0	1
10:00	1	0	1
11:00	0	1	1
12:00	2	1	3
13:00	2	0	2
14:00	2	1	3
15:00	0	0	0
16:00	2	1	3
17:00	2	0	2
18:00	1	1	2
19:00	1	1	2
20:00	0	1	1
21:00	1	1	2
22:00	0	1	1
23:00	0	0	0
24:00	0	1	1
DAY TOTAL	16	12	28
PERCENTS	57.1	42.9	100
AM Times	08:45	02:45	
AM Peaks	2	1	
PM Times	12:15	19:45	
PM Peaks	2	2	

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
01:00	0	1	1
02:00	0	0	0
03:00	0	2	2
04:00	0	0	0
05:00	0	1	1
06:00	2	0	2
07:00	1	0	1
08:00	0	1	1
09:00	1	0	1
10:00	1	1	2
11:00	0	2	2
12:00	1	0	1
13:00	0	0	0
14:00	0	0	0
15:00	1	0	1
16:00	1	0	1
17:00	1	1	2
18:00	1	1	2
19:00	1	0	1
20:00	0	0	0
21:00	0	0	0
22:00	0	0	0
23:00	1	0	1
24:00	0	0	0
DAY TOTAL	12	10	22
PERCENTS	54.5	45.5	100
AM Times	05:15	02:15	
AM Peaks	2	2	
PM Times	15:45	16:30	
PM Peaks	2	2	

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
01:00	0	1	1
02:00	2	0	2
03:00	1	0	1
04:00	0	2	2
05:00	0	1	1
06:00	0	1	1
07:00	1	0	1
08:00	3	0	3
09:00	1	1	2
10:00	1	1	2
11:00	0	1	1
12:00	1	0	1
13:00	0	2	2
14:00	0	0	0
15:00	1	0	1
16:00	1	1	2
17:00	1	1	2
18:00	1	1	2
19:00	0	0	0
20:00	1	0	1
21:00	0	1	1
22:00	1	0	1
23:00	0	0	0
24:00	0	0	0
DAY TOTAL	16	14	30
PERCENTS	53.3	46.7	100
AM Times	07:00	03:00	
AM Peaks	3	2	
PM Times	16:00	12:15	
PM Peaks	2	2	

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	0	0	0
03:30	0	1	1
03:45	0	0	0
04:00	0	0	0
Hour Total	0	1	1
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	0	0	0
07:15	1	0	1
07:30	0	0	0
07:45	0	0	0
08:00	0	1	1
Hour Total	1	1	2

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
08:15	0	0	0
08:30	0	0	0
08:45	1	0	1
09:00	0	0	0
Hour Total	1	0	1
09:15	0	0	0
09:30	1	0	1
09:45	0	0	0
10:00	0	0	0
Hour Total	1	0	1
10:15	0	0	0
10:30	0	1	1
10:45	0	0	0
11:00	0	0	0
Hour Total	0	1	1
11:15	1	0	1
11:30	0	1	1
11:45	0	0	0
12:00	1	0	1
Hour Total	2	1	3
12:15	0	0	0
12:30	1	0	1
12:45	0	0	0
13:00	1	0	1
Hour Total	2	0	2
13:15	0	1	1
13:30	1	0	1
13:45	0	0	0
14:00	1	0	1
Hour Total	2	1	3
14:15	0	0	0
14:30	0	0	0
14:45	0	0	0
15:00	0	0	0
Hour Total	0	0	0
15:15	1	0	1
15:30	0	1	1
15:45	1	0	1
16:00	0	0	0
Hour Total	2	1	3

Station #: Ocean Way
 Site ID: Ocean Way
 Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
 Steet Name: Ocean Way Drive
 County: Volusia

TIME	1 EAST	2 WEST	Total
16:15	1	0	1
16:30	0	0	0
16:45	1	0	1
17:00	0	0	0
Hour Total	2	0	2
17:15	0	1	1
17:30	0	0	0
17:45	1	0	1
18:00	0	0	0
Hour Total	1	1	2
18:15	0	0	0
18:30	0	0	0
18:45	1	1	2
19:00	0	0	0
Hour Total	1	1	2
19:15	0	0	0
19:30	0	0	0
19:45	0	0	0
20:00	0	1	1
Hour Total	0	1	1
20:15	0	0	0
20:30	0	1	1
20:45	1	0	1
21:00	0	0	0
Hour Total	1	1	2
21:15	0	0	0
21:30	0	0	0
21:45	0	0	0
22:00	0	1	1
Hour Total	0	1	1
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	1	1
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	1	1

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
DAY TOTAL	16	12	28
PERCENTS	57.1	42.9	100
AM Times	08:45	02:45	
AM Peaks	2	1	
PM Times	12:15	19:45	
PM Peaks	2	2	

Station #: Ocean Way
 Site ID: Ocean Way
 Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
 Steet Name: Ocean Way Drive
 County: Volusia

TIME	1 EAST	2 WEST	Total
00:15	0	0	0
00:30	0	1	1
00:45	0	0	0
01:00	0	0	0
Hour Total	0	1	1
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	1	1
02:30	0	0	0
02:45	0	0	0
03:00	0	1	1
Hour Total	0	2	2
03:15	0	0	0
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	0	0	0
04:15	0	0	0
04:30	0	1	1
04:45	0	0	0
05:00	0	0	0
Hour Total	0	1	1
05:15	1	0	1
05:30	0	0	0
05:45	0	0	0
06:00	1	0	1
Hour Total	2	0	2
06:15	0	0	0
06:30	0	0	0
06:45	1	0	1
07:00	0	0	0
Hour Total	1	0	1
07:15	0	0	0
07:30	0	1	1
07:45	0	0	0
08:00	0	0	0
Hour Total	0	1	1

Station #: Ocean Way
 Site ID: Ocean Way
 Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
 Steet Name: Ocean Way Drive
 County: Volusia

TIME	1 EAST	2 WEST	Total
08:15	1	0	1
08:30	0	0	0
08:45	0	0	0
09:00	0	0	0
Hour Total	1	0	1
09:15	1	0	1
09:30	0	1	1
09:45	0	0	0
10:00	0	0	0
Hour Total	1	1	2
10:15	0	0	0
10:30	0	1	1
10:45	0	0	0
11:00	0	1	1
Hour Total	0	2	2
11:15	0	0	0
11:30	0	0	0
11:45	1	0	1
12:00	0	0	0
Hour Total	1	0	1
12:15	0	0	0
12:30	0	0	0
12:45	0	0	0
13:00	0	0	0
Hour Total	0	0	0
13:15	0	0	0
13:30	0	0	0
13:45	0	0	0
14:00	0	0	0
Hour Total	0	0	0
14:15	1	0	1
14:30	0	0	0
14:45	0	0	0
15:00	0	0	0
Hour Total	1	0	1
15:15	0	0	0
15:30	0	0	0
15:45	1	0	1
16:00	0	0	0
Hour Total	1	0	1

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
16:15	0	0	0
16:30	1	1	2
16:45	0	0	0
17:00	0	0	0
Hour Total	1	1	2
17:15	0	1	1
17:30	0	0	0
17:45	1	0	1
18:00	0	0	0
Hour Total	1	1	2
18:15	0	0	0
18:30	0	0	0
18:45	1	0	1
19:00	0	0	0
Hour Total	1	0	1
19:15	0	0	0
19:30	0	0	0
19:45	0	0	0
20:00	0	0	0
Hour Total	0	0	0
20:15	0	0	0
20:30	0	0	0
20:45	0	0	0
21:00	0	0	0
Hour Total	0	0	0
21:15	0	0	0
21:30	0	0	0
21:45	0	0	0
22:00	0	0	0
Hour Total	0	0	0
22:15	1	0	1
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	1	0	1
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
DAY TOTAL	12	10	22
PERCENTS	54.5	45.5	100
AM Times	05:15	02:15	
AM Peaks	2	2	
PM Times	15:45	16:30	
PM Peaks	2	2	

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	1	1
Hour Total	0	1	1
01:15	0	0	0
01:30	1	0	1
01:45	1	0	1
02:00	0	0	0
Hour Total	2	0	2
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	1	0	1
Hour Total	1	0	1
03:15	0	0	0
03:30	0	1	1
03:45	0	1	1
04:00	0	0	0
Hour Total	0	2	2
04:15	0	0	0
04:30	0	0	0
04:45	0	1	1
05:00	0	0	0
Hour Total	0	1	1
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	1	1
Hour Total	0	1	1
06:15	1	0	1
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	1	0	1
07:15	1	0	1
07:30	1	0	1
07:45	1	0	1
08:00	0	0	0
Hour Total	3	0	3

Station #: Ocean Way
 Site ID: Ocean Way
 Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
 Steet Name: Ocean Way Drive
 County: Volusia

TIME	1 EAST	2 WEST	Total
08:15	1	0	1
08:30	0	1	1
08:45	0	0	0
09:00	0	0	0
Hour Total	1	1	2
09:15	0	0	0
09:30	1	0	1
09:45	0	0	0
10:00	0	1	1
Hour Total	1	1	2
10:15	0	0	0
10:30	0	0	0
10:45	0	0	0
11:00	0	1	1
Hour Total	0	1	1
11:15	0	0	0
11:30	1	0	1
11:45	0	0	0
12:00	0	0	0
Hour Total	1	0	1
12:15	0	1	1
12:30	0	0	0
12:45	0	1	1
13:00	0	0	0
Hour Total	0	2	2
13:15	0	0	0
13:30	0	0	0
13:45	0	0	0
14:00	0	0	0
Hour Total	0	0	0
14:15	0	0	0
14:30	0	0	0
14:45	1	0	1
15:00	0	0	0
Hour Total	1	0	1
15:15	0	0	0
15:30	0	0	0
15:45	0	1	1
16:00	1	0	1
Hour Total	1	1	2

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
16:15	0	1	1
16:30	0	0	0
16:45	1	0	1
17:00	0	0	0
Hour Total	1	1	2
17:15	0	1	1
17:30	0	0	0
17:45	1	0	1
18:00	0	0	0
Hour Total	1	1	2
18:15	0	0	0
18:30	0	0	0
18:45	0	0	0
19:00	0	0	0
Hour Total	0	0	0
19:15	0	0	0
19:30	1	0	1
19:45	0	0	0
20:00	0	0	0
Hour Total	1	0	1
20:15	0	1	1
20:30	0	0	0
20:45	0	0	0
21:00	0	0	0
Hour Total	0	1	1
21:15	0	0	0
21:30	0	0	0
21:45	1	0	1
22:00	0	0	0
Hour Total	1	0	1
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Ocean Way
Site ID: Ocean Way
Location: Ocean Way Drive, west of Peninsula

File: Ocean west of Penin.prn
Street Name: Ocean Way Drive
County: Volusia

TIME	1 EAST	2 WEST	Total
DAY TOTAL	16	14	30
PERCENTS	53.3	46.7	100
AM Times	07:00	03:00	
AM Peaks	3	2	
PM Times	16:00	12:15	
PM Peaks	2	2	

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	0	0	0
05:00	0	0	0
06:00	0	0	0
07:00	0	0	0
08:00	1	1	2
09:00	0	1	1
10:00	0	0	0
11:00	2	2	4
12:00	1	3	4
13:00	1	1	2
14:00	2	1	3
15:00	1	2	3
16:00	3	2	5
17:00	0	2	2
18:00	1	1	2
19:00	0	3	3
20:00	1	1	2
21:00	0	1	1
22:00	0	0	0
23:00	0	0	0
24:00	0	0	0
DAY TOTAL	13	21	34
PERCENTS	38.2	61.8	100
AM Times	10:45	10:45	
AM Peaks	3	3	
PM Times	15:15	15:30	
PM Peaks	3	3	

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	0	0	0
05:00	0	0	0
06:00	0	0	0
07:00	0	0	0
08:00	1	1	2
09:00	0	1	1
10:00	0	1	1
11:00	1	1	2
12:00	1	2	3
13:00	3	1	4
14:00	4	3	7
15:00	0	5	5
16:00	5	1	6
17:00	1	0	1
18:00	1	1	2
19:00	1	3	4
20:00	2	1	3
21:00	2	1	3
22:00	0	1	1
23:00	0	0	0
24:00	0	0	0
DAY TOTAL	22	23	45
PERCENTS	48.9	51.1	100
AM Times	10:45	07:45	
AM Peaks	2	2	
PM Times	15:30	13:30	
PM Peaks	6	5	

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	0	0	0
05:00	0	0	0
06:00	0	0	0
07:00	0	0	0
08:00	1	2	3
09:00	0	0	0
10:00	0	0	0
11:00	0	2	2
12:00	2	6	8
13:00	2	2	4
14:00	3	4	7
15:00	1	1	2
16:00	2	1	3
17:00	0	1	1
18:00	1	1	2
19:00	0	1	1
20:00	0	1	1
21:00	1	1	2
22:00	0	1	1
23:00	0	0	0
24:00	0	0	0
DAY TOTAL	13	24	37
PERCENTS	35.1	64.9	100
AM Times	11:00	11:15	
AM Peaks	2	6	
PM Times	12:30	13:15	
PM Peaks	3	4	

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	0	0	0
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	0	0	0
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	0	0	0
07:15	0	0	0
07:30	0	0	0
07:45	0	1	1
08:00	1	0	1
Hour Total	1	1	2

Station #: Rains
 Site ID: Rains
 Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
 Steet Name: Rains Dr
 County: Volusia

TIME	1 WEST	2 EAST	Total
08:15	0	0	0
08:30	0	0	0
08:45	0	0	0
09:00	0	1	1
Hour Total	0	1	1
09:15	0	0	0
09:30	0	0	0
09:45	0	0	0
10:00	0	0	0
Hour Total	0	0	0
10:15	0	0	0
10:30	0	0	0
10:45	1	1	2
11:00	1	1	2
Hour Total	2	2	4
11:15	0	0	0
11:30	1	1	2
11:45	0	0	0
12:00	0	2	2
Hour Total	1	3	4
12:15	1	0	1
12:30	0	0	0
12:45	0	0	0
13:00	0	1	1
Hour Total	1	1	2
13:15	1	0	1
13:30	0	1	1
13:45	1	0	1
14:00	0	0	0
Hour Total	2	1	3
14:15	1	1	2
14:30	0	0	0
14:45	0	1	1
15:00	0	0	0
Hour Total	1	2	3
15:15	0	0	0
15:30	2	1	3
15:45	0	0	0
16:00	1	1	2
Hour Total	3	2	5

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
16:15	0	1	1
16:30	0	0	0
16:45	0	1	1
17:00	0	0	0
Hour Total	0	2	2
17:15	0	1	1
17:30	1	0	1
17:45	0	0	0
18:00	0	0	0
Hour Total	1	1	2
18:15	0	1	1
18:30	0	0	0
18:45	0	1	1
19:00	0	1	1
Hour Total	0	3	3
19:15	0	1	1
19:30	0	0	0
19:45	0	0	0
20:00	1	0	1
Hour Total	1	1	2
20:15	0	1	1
20:30	0	0	0
20:45	0	0	0
21:00	0	0	0
Hour Total	0	1	1
21:15	0	0	0
21:30	0	0	0
21:45	0	0	0
22:00	0	0	0
Hour Total	0	0	0
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
DAY TOTAL	13	21	34
PERCENTS	38.2	61.8	100
AM Times	10:45	10:45	
AM Peaks	3	3	
PM Times	15:15	15:30	
PM Peaks	3	3	

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	0	0	0
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	0	0	0
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	0	0	0
07:15	0	0	0
07:30	0	0	0
07:45	1	1	2
08:00	0	0	0
Hour Total	1	1	2

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
08:15	0	0	0
08:30	0	1	1
08:45	0	0	0
09:00	0	0	0
Hour Total	0	1	1
09:15	0	1	1
09:30	0	0	0
09:45	0	0	0
10:00	0	0	0
Hour Total	0	1	1
10:15	0	0	0
10:30	0	0	0
10:45	0	1	1
11:00	1	0	1
Hour Total	1	1	2
11:15	0	0	0
11:30	1	1	2
11:45	0	0	0
12:00	0	1	1
Hour Total	1	2	3
12:15	1	0	1
12:30	0	0	0
12:45	1	0	1
13:00	1	1	2
Hour Total	3	1	4
13:15	2	0	2
13:30	1	1	2
13:45	1	1	2
14:00	0	1	1
Hour Total	4	3	7
14:15	0	2	2
14:30	0	1	1
14:45	0	1	1
15:00	0	1	1
Hour Total	0	5	5
15:15	0	0	0
15:30	1	0	1
15:45	1	0	1
16:00	3	1	4
Hour Total	5	1	6

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
16:15	1	0	1
16:30	0	0	0
16:45	0	0	0
17:00	0	0	0
Hour Total	1	0	1
17:15	0	1	1
17:30	1	0	1
17:45	0	0	0
18:00	0	0	0
Hour Total	1	1	2
18:15	0	0	0
18:30	0	1	1
18:45	0	1	1
19:00	1	1	2
Hour Total	1	3	4
19:15	0	0	0
19:30	0	0	0
19:45	1	0	1
20:00	1	1	2
Hour Total	2	1	3
20:15	1	0	1
20:30	1	1	2
20:45	0	0	0
21:00	0	0	0
Hour Total	2	1	3
21:15	0	1	1
21:30	0	0	0
21:45	0	0	0
22:00	0	0	0
Hour Total	0	1	1
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
DAY TOTAL	22	23	45
PERCENTS	48.9	51.1	100
AM Times	10:45	07:45	
AM Peaks	2	2	
PM Times	15:30	13:30	
PM Peaks	6	5	

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	0	0	0
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	0	0	0
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	0	0	0
07:15	0	0	0
07:30	1	1	2
07:45	0	1	1
08:00	0	0	0
Hour Total	1	2	3

Station #: Rains
 Site ID: Rains
 Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
 Steet Name: Rains Dr
 County: Volusia

TIME	1 WEST	2 EAST	Total
08:15	0	0	0
08:30	0	0	0
08:45	0	0	0
09:00	0	0	0
Hour Total	0	0	0
09:15	0	0	0
09:30	0	0	0
09:45	0	0	0
10:00	0	0	0
Hour Total	0	0	0
10:15	0	0	0
10:30	0	1	1
10:45	0	0	0
11:00	0	1	1
Hour Total	0	2	2
11:15	0	2	2
11:30	1	1	2
11:45	1	1	2
12:00	0	2	2
Hour Total	2	6	8
12:15	1	1	2
12:30	1	0	1
12:45	0	1	1
13:00	0	0	0
Hour Total	2	2	4
13:15	2	0	2
13:30	0	1	1
13:45	0	1	1
14:00	1	2	3
Hour Total	3	4	7
14:15	1	0	1
14:30	0	1	1
14:45	0	0	0
15:00	0	0	0
Hour Total	1	1	2
15:15	0	0	0
15:30	1	0	1
15:45	0	0	0
16:00	1	1	2
Hour Total	2	1	3

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
16:15	0	0	0
16:30	0	0	0
16:45	0	0	0
17:00	0	1	1
Hour Total	0	1	1
17:15	0	1	1
17:30	1	0	1
17:45	0	0	0
18:00	0	0	0
Hour Total	1	1	2
18:15	0	1	1
18:30	0	0	0
18:45	0	0	0
19:00	0	0	0
Hour Total	0	1	1
19:15	0	0	0
19:30	0	0	0
19:45	0	0	0
20:00	0	1	1
Hour Total	0	1	1
20:15	0	1	1
20:30	1	0	1
20:45	0	0	0
21:00	0	0	0
Hour Total	1	1	2
21:15	0	1	1
21:30	0	0	0
21:45	0	0	0
22:00	0	0	0
Hour Total	0	1	1
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Rains
Site ID: Rains
Location: Rains Drive, west of Peninsula Dr

File: Rains west of Penin.prn
Street Name: Rains Dr
County: Volusia

TIME	1 WEST	2 EAST	Total
DAY TOTAL	13	24	37
PERCENTS	35.1	64.9	100
AM Times	11:00	11:15	
AM Peaks	2	6	
PM Times	12:30	13:15	
PM Peaks	3	4	

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	0	0	0
05:00	0	0	0
06:00	0	0	0
07:00	1	0	1
08:00	0	1	1
09:00	0	1	1
10:00	0	1	1
11:00	1	0	1
12:00	0	1	1
13:00	1	1	2
14:00	0	1	1
15:00	1	1	2
16:00	1	0	1
17:00	0	1	1
18:00	1	1	2
19:00	0	1	1
20:00	0	2	2
21:00	0	1	1
22:00	0	0	0
23:00	0	0	0
24:00	0	0	0
DAY TOTAL	6	13	19
PERCENTS	31.6	68.4	100
AM Times	06:15	07:30	
AM Peaks	1	2	
PM Times	12:15	19:00	
PM Peaks	1	2	

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	1	0	1
05:00	1	0	1
06:00	0	0	0
07:00	0	0	0
08:00	1	1	2
09:00	0	1	1
10:00	0	1	1
11:00	0	1	1
12:00	1	0	1
13:00	0	1	1
14:00	1	1	2
15:00	0	1	1
16:00	1	1	2
17:00	2	0	2
18:00	0	0	0
19:00	1	0	1
20:00	0	1	1
21:00	1	1	2
22:00	0	0	0
23:00	0	0	0
24:00	0	0	0
DAY TOTAL	10	10	20
PERCENTS	50.0	50.0	100
AM Times	02:30	08:30	
AM Peaks	1	2	
PM Times	15:30	13:30	
PM Peaks	2	2	

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
01:00	0	0	0
02:00	0	0	0
03:00	0	0	0
04:00	0	1	1
05:00	1	0	1
06:00	0	0	0
07:00	0	0	0
08:00	1	0	1
09:00	0	1	1
10:00	0	0	0
11:00	0	1	1
12:00	2	0	2
13:00	0	1	1
14:00	2	1	3
15:00	0	2	2
16:00	1	0	1
17:00	1	2	3
18:00	1	1	2
19:00	0	0	0
20:00	0	0	0
21:00	0	3	3
22:00	0	2	2
23:00	1	0	1
24:00	0	0	0
DAY TOTAL	10	15	25
PERCENTS	40.0	60.0	100
AM Times	11:15	02:45	
AM Peaks	2	1	
PM Times	13:15	16:30	
PM Peaks	2	3	

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	0	0	0
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	0	0	0
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	1	0	1
Hour Total	1	0	1
07:15	0	0	0
07:30	0	0	0
07:45	0	1	1
08:00	0	0	0
Hour Total	0	1	1

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
08:15	0	1	1
08:30	0	0	0
08:45	0	0	0
09:00	0	0	0
Hour Total	0	1	1
09:15	0	0	0
09:30	0	1	1
09:45	0	0	0
10:00	0	0	0
Hour Total	0	1	1
10:15	0	0	0
10:30	0	0	0
10:45	0	0	0
11:00	1	0	1
Hour Total	1	0	1
11:15	0	1	1
11:30	0	0	0
11:45	0	0	0
12:00	0	0	0
Hour Total	0	1	1
12:15	0	0	0
12:30	1	1	2
12:45	0	0	0
13:00	0	0	0
Hour Total	1	1	2
13:15	0	0	0
13:30	0	1	1
13:45	0	0	0
14:00	0	0	0
Hour Total	0	1	1
14:15	0	0	0
14:30	1	0	1
14:45	0	1	1
15:00	0	0	0
Hour Total	1	1	2
15:15	0	0	0
15:30	0	0	0
15:45	0	0	0
16:00	1	0	1
Hour Total	1	0	1

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
16:15	0	1	1
16:30	0	0	0
16:45	0	0	0
17:00	0	0	0
Hour Total	0	1	1
17:15	0	1	1
17:30	0	0	0
17:45	1	0	1
18:00	0	0	0
Hour Total	1	1	2
18:15	0	0	0
18:30	0	1	1
18:45	0	0	0
19:00	0	0	0
Hour Total	0	1	1
19:15	0	0	0
19:30	0	1	1
19:45	0	1	1
20:00	0	0	0
Hour Total	0	2	2
20:15	0	0	0
20:30	0	1	1
20:45	0	0	0
21:00	0	0	0
Hour Total	0	1	1
21:15	0	0	0
21:30	0	0	0
21:45	0	0	0
22:00	0	0	0
Hour Total	0	0	0
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
DAY TOTAL	6	13	19
PERCENTS	31.6	68.4	100
AM Times	06:15	07:30	
AM Peaks	1	2	
PM Times	12:15	19:00	
PM Peaks	1	2	

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	1	0	1
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	1	0	1
04:15	0	0	0
04:30	1	0	1
04:45	0	0	0
05:00	0	0	0
Hour Total	1	0	1
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	0	0	0
07:15	0	0	0
07:30	0	0	0
07:45	0	0	0
08:00	1	1	2
Hour Total	1	1	2

Station #: Sailfish
 Site ID: Sailfish
 Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
 Steet Name: Sailfish
 County: Volusia

TIME	1 NORTH	2 SOUTH	Total
08:15	0	0	0
08:30	0	0	0
08:45	0	0	0
09:00	0	1	1
Hour Total	0	1	1
09:15	0	1	1
09:30	0	0	0
09:45	0	0	0
10:00	0	0	0
Hour Total	0	1	1
10:15	0	0	0
10:30	0	0	0
10:45	0	0	0
11:00	0	1	1
Hour Total	0	1	1
11:15	0	0	0
11:30	0	0	0
11:45	1	0	1
12:00	0	0	0
Hour Total	1	0	1
12:15	0	0	0
12:30	0	0	0
12:45	0	1	1
13:00	0	0	0
Hour Total	0	1	1
13:15	1	0	1
13:30	0	0	0
13:45	0	1	1
14:00	0	0	0
Hour Total	1	1	2
14:15	0	1	1
14:30	0	0	0
14:45	0	0	0
15:00	0	0	0
Hour Total	0	1	1
15:15	0	1	1
15:30	0	0	0
15:45	0	0	0
16:00	1	0	1
Hour Total	1	1	2

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
16:15	1	0	1
16:30	0	0	0
16:45	0	0	0
17:00	1	0	1
Hour Total	2	0	2
17:15	0	0	0
17:30	0	0	0
17:45	0	0	0
18:00	0	0	0
Hour Total	0	0	0
18:15	0	0	0
18:30	0	0	0
18:45	0	0	0
19:00	1	0	1
Hour Total	1	0	1
19:15	0	1	1
19:30	0	0	0
19:45	0	0	0
20:00	0	0	0
Hour Total	0	1	1
20:15	0	1	1
20:30	0	0	0
20:45	1	0	1
21:00	0	0	0
Hour Total	1	1	2
21:15	0	0	0
21:30	0	0	0
21:45	0	0	0
22:00	0	0	0
Hour Total	0	0	0
22:15	0	0	0
22:30	0	0	0
22:45	0	0	0
23:00	0	0	0
Hour Total	0	0	0
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
DAY TOTAL	10	10	20
PERCENTS	50.0	50.0	100
AM Times	02:30	08:30	
AM Peaks	1	2	
PM Times	15:30	13:30	
PM Peaks	2	2	

Station #: Sailfish
 Site ID: Sailfish
 Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
 Steet Name: Sailfish
 County: Volusia

TIME	1 NORTH	2 SOUTH	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	0	0	0
Hour Total	0	0	0
03:15	0	0	0
03:30	0	1	1
03:45	0	0	0
04:00	0	0	0
Hour Total	0	1	1
04:15	1	0	1
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	1	0	1
05:15	0	0	0
05:30	0	0	0
05:45	0	0	0
06:00	0	0	0
Hour Total	0	0	0
06:15	0	0	0
06:30	0	0	0
06:45	0	0	0
07:00	0	0	0
Hour Total	0	0	0
07:15	0	0	0
07:30	0	0	0
07:45	1	0	1
08:00	0	0	0
Hour Total	1	0	1

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
08:15	0	1	1
08:30	0	0	0
08:45	0	0	0
09:00	0	0	0
Hour Total	0	1	1
09:15	0	0	0
09:30	0	0	0
09:45	0	0	0
10:00	0	0	0
Hour Total	0	0	0
10:15	0	0	0
10:30	0	0	0
10:45	0	0	0
11:00	0	1	1
Hour Total	0	1	1
11:15	1	0	1
11:30	0	0	0
11:45	0	0	0
12:00	1	0	1
Hour Total	2	0	2
12:15	0	1	1
12:30	0	0	0
12:45	0	0	0
13:00	0	0	0
Hour Total	0	1	1
13:15	0	1	1
13:30	0	0	0
13:45	1	0	1
14:00	1	0	1
Hour Total	2	1	3
14:15	0	0	0
14:30	0	1	1
14:45	0	0	0
15:00	0	1	1
Hour Total	0	2	2
15:15	1	0	1
15:30	0	0	0
15:45	0	0	0
16:00	0	0	0
Hour Total	1	0	1

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
16:15	0	0	0
16:30	1	1	2
16:45	0	0	0
17:00	0	1	1
Hour Total	1	2	3
17:15	0	1	1
17:30	0	0	0
17:45	1	0	1
18:00	0	0	0
Hour Total	1	1	2
18:15	0	0	0
18:30	0	0	0
18:45	0	0	0
19:00	0	0	0
Hour Total	0	0	0
19:15	0	0	0
19:30	0	0	0
19:45	0	0	0
20:00	0	0	0
Hour Total	0	0	0
20:15	0	1	1
20:30	0	1	1
20:45	0	1	1
21:00	0	0	0
Hour Total	0	3	3
21:15	0	0	0
21:30	0	1	1
21:45	0	0	0
22:00	0	1	1
Hour Total	0	2	2
22:15	0	0	0
22:30	1	0	1
22:45	0	0	0
23:00	0	0	0
Hour Total	1	0	1
23:15	0	0	0
23:30	0	0	0
23:45	0	0	0
24:00	0	0	0
Hour Total	0	0	0

Station #: Sailfish
Site ID: Sailfish
Location: Sailfish Drive north of Ocean Way Drive

File: Sailfish n of Ocean.prn
Street Name: Sailfish
County: Volusia

TIME	1 NORTH	2 SOUTH	Total
DAY TOTAL	10	15	25
PERCENTS	40.0	60.0	100
AM Times	11:15	02:45	
AM Peaks	2	1	
PM Times	13:15	16:30	
PM Peaks	2	3	

DE Traffic

VOLUME SUMMARY
Tue 3/22/2022

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
01:00	1	0	1
02:00	0	0	0
03:00	2	1	3
04:00	0	0	0
05:00	0	0	0
06:00	1	1	2
07:00	6	5	11
08:00	9	15	24
09:00	13	27	40
10:00	19	38	57
11:00	22	44	66
12:00	41	46	87
13:00	38	51	89
14:00	52	46	98
15:00	47	56	103
16:00	59	69	128
17:00	50	42	92
18:00	68	79	147
19:00	57	56	113
20:00	52	19	71
21:00	42	14	56
22:00	25	7	32
23:00	13	2	15
24:00	4	0	4
DAY TOTAL	621	618	1239
PERCENTS	50.1	49.9	100
AM Times	11:15	10:00	
AM Peaks	41	50	
PM Times	17:15	17:15	
PM Peaks	68	79	

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
01:00	0	0	0
02:00	1	0	1
03:00	1	1	2
04:00	1	0	1
05:00	0	0	0
06:00	1	1	2
07:00	14	7	21
08:00	17	19	36
09:00	17	35	52
10:00	11	36	47
11:00	30	38	68
12:00	40	45	85
13:00	39	54	93
14:00	48	50	98
15:00	48	62	110
16:00	63	80	143
17:00	57	56	113
18:00	76	77	153
19:00	64	38	102
20:00	43	17	60
21:00	50	13	63
22:00	28	11	39
23:00	19	5	24
24:00	2	0	2
DAY TOTAL	670	645	1315
PERCENTS	51.0	49.0	100
AM Times	11:15	11:15	
AM Peaks	40	45	
PM Times	17:30	15:15	
PM Peaks	78	80	

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
01:00	0	0	0
02:00	0	0	0
03:00	1	0	1
04:00	1	1	2
05:00	0	0	0
06:00	1	3	4
07:00	16	14	30
08:00	22	27	49
09:00	13	32	45
10:00	17	42	59
11:00	24	45	69
12:00	44	45	89
13:00	42	49	91
14:00	67	35	102
15:00	57	45	102
16:00	76	58	134
17:00	64	41	105
18:00	61	79	140
19:00	55	55	110
20:00	58	16	74
21:00	35	9	44
22:00	34	5	39
23:00	16	3	19
24:00	3	1	4
DAY TOTAL	707	605	1312
PERCENTS	53.9	46.1	100
AM Times	11:15	09:45	
AM Peaks	44	53	
PM Times	15:00	17:15	
PM Peaks	78	79	

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	1	0	1
Hour Total	1	0	1
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	2	1	3
03:00	0	0	0
Hour Total	2	1	3
03:15	0	0	0
03:30	0	0	0
03:45	0	0	0
04:00	0	0	0
Hour Total	0	0	0
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	1	1	2
06:00	0	0	0
Hour Total	1	1	2
06:15	1	1	2
06:30	3	1	4
06:45	1	1	2
07:00	1	2	3
Hour Total	6	5	11
07:15	0	2	2
07:30	2	3	5
07:45	2	4	6
08:00	5	6	11
Hour Total	9	15	24

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
08:15	2	7	9
08:30	3	7	10
08:45	7	10	17
09:00	1	3	4
Hour Total	13	27	40
09:15	3	5	8
09:30	3	10	13
09:45	9	8	17
10:00	4	15	19
Hour Total	19	38	57
10:15	8	8	16
10:30	3	12	15
10:45	5	15	20
11:00	6	9	15
Hour Total	22	44	66
11:15	8	7	15
11:30	10	17	27
11:45	8	8	16
12:00	15	14	29
Hour Total	41	46	87
12:15	8	16	24
12:30	7	11	18
12:45	8	12	20
13:00	15	12	27
Hour Total	38	51	89
13:15	14	13	27
13:30	10	11	21
13:45	11	13	24
14:00	17	9	26
Hour Total	52	46	98
14:15	8	10	18
14:30	9	10	19
14:45	10	19	29
15:00	20	17	37
Hour Total	47	56	103
15:15	22	10	32
15:30	11	17	28
15:45	12	25	37
16:00	14	17	31
Hour Total	59	69	128

Station #: Beach
 Site ID: Beach
 Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
 Steet Name: Beach St
 County: Volusia

TIME	1 EAST	2 WEST	Total
16:15	20	15	35
16:30	7	6	13
16:45	12	9	21
17:00	11	12	23
Hour Total	50	42	92
17:15	18	22	40
17:30	22	20	42
17:45	16	24	40
18:00	12	13	25
Hour Total	68	79	147
18:15	11	18	29
18:30	13	13	26
18:45	21	14	35
19:00	12	11	23
Hour Total	57	56	113
19:15	15	6	21
19:30	10	5	15
19:45	15	7	22
20:00	12	1	13
Hour Total	52	19	71
20:15	9	3	12
20:30	11	4	15
20:45	12	3	15
21:00	10	4	14
Hour Total	42	14	56
21:15	8	2	10
21:30	6	3	9
21:45	5	1	6
22:00	6	1	7
Hour Total	25	7	32
22:15	5	0	5
22:30	6	1	7
22:45	0	0	0
23:00	2	1	3
Hour Total	13	2	15
23:15	3	0	3
23:30	1	0	1
23:45	0	0	0
24:00	0	0	0
Hour Total	4	0	4

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
DAY TOTAL	621	618	1239
PERCENTS	50.1	49.9	100
AM Times	11:15	10:00	
AM Peaks	41	50	
PM Times	17:15	17:15	
PM Peaks	68	79	

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	1	0	1
01:45	0	0	0
02:00	0	0	0
Hour Total	1	0	1
02:15	0	0	0
02:30	0	0	0
02:45	0	0	0
03:00	1	1	2
Hour Total	1	1	2
03:15	0	0	0
03:30	1	0	1
03:45	0	0	0
04:00	0	0	0
Hour Total	1	0	1
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	0	0
05:45	1	0	1
06:00	0	1	1
Hour Total	1	1	2
06:15	2	1	3
06:30	4	2	6
06:45	4	1	5
07:00	4	3	7
Hour Total	14	7	21
07:15	3	4	7
07:30	4	6	10
07:45	6	4	10
08:00	4	5	9
Hour Total	17	19	36

Station #: Beach
 Site ID: Beach
 Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
 Steet Name: Beach St
 County: Volusia

TIME	1 EAST	2 WEST	Total
08:15	5	8	13
08:30	4	8	12
08:45	7	11	18
09:00	1	8	9
Hour Total	17	35	52
09:15	2	7	9
09:30	2	9	11
09:45	3	12	15
10:00	4	8	12
Hour Total	11	36	47
10:15	6	6	12
10:30	9	13	22
10:45	7	11	18
11:00	8	8	16
Hour Total	30	38	68
11:15	8	10	18
11:30	11	8	19
11:45	8	11	19
12:00	13	16	29
Hour Total	40	45	85
12:15	9	14	23
12:30	8	16	24
12:45	10	13	23
13:00	12	11	23
Hour Total	39	54	93
13:15	16	16	32
13:30	10	13	23
13:45	9	11	20
14:00	13	10	23
Hour Total	48	50	98
14:15	10	16	26
14:30	6	8	14
14:45	13	21	34
15:00	19	17	36
Hour Total	48	62	110
15:15	20	18	38
15:30	16	19	35
15:45	11	22	33
16:00	16	21	37
Hour Total	63	80	143

Station #: Beach
 Site ID: Beach
 Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
 Steet Name: Beach St
 County: Volusia

TIME	1 EAST	2 WEST	Total
16:15	14	18	32
16:30	10	10	20
16:45	17	9	26
17:00	16	19	35
Hour Total	57	56	113
17:15	16	23	39
17:30	24	21	45
17:45	19	17	36
18:00	17	16	33
Hour Total	76	77	153
18:15	18	11	29
18:30	19	9	28
18:45	16	10	26
19:00	11	8	19
Hour Total	64	38	102
19:15	13	6	19
19:30	10	4	14
19:45	9	5	14
20:00	11	2	13
Hour Total	43	17	60
20:15	10	2	12
20:30	17	4	21
20:45	12	5	17
21:00	11	2	13
Hour Total	50	13	63
21:15	9	6	15
21:30	8	1	9
21:45	7	2	9
22:00	4	2	6
Hour Total	28	11	39
22:15	5	3	8
22:30	4	1	5
22:45	6	0	6
23:00	4	1	5
Hour Total	19	5	24
23:15	1	0	1
23:30	1	0	1
23:45	0	0	0
24:00	0	0	0
Hour Total	2	0	2

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
DAY TOTAL	670	645	1315
PERCENTS	51.0	49.0	100
AM Times	11:15	11:15	
AM Peaks	40	45	
PM Times	17:30	15:15	
PM Peaks	78	80	

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

TIME	1 EAST	2 WEST	Total
00:15	0	0	0
00:30	0	0	0
00:45	0	0	0
01:00	0	0	0
Hour Total	0	0	0
01:15	0	0	0
01:30	0	0	0
01:45	0	0	0
02:00	0	0	0
Hour Total	0	0	0
02:15	0	0	0
02:30	0	0	0
02:45	1	0	1
03:00	0	0	0
Hour Total	1	0	1
03:15	1	0	1
03:30	0	1	1
03:45	0	0	0
04:00	0	0	0
Hour Total	1	1	2
04:15	0	0	0
04:30	0	0	0
04:45	0	0	0
05:00	0	0	0
Hour Total	0	0	0
05:15	0	0	0
05:30	0	1	1
05:45	0	2	2
06:00	1	0	1
Hour Total	1	3	4
06:15	1	2	3
06:30	5	3	8
06:45	4	4	8
07:00	6	5	11
Hour Total	16	14	30
07:15	4	4	8
07:30	6	6	12
07:45	4	9	13
08:00	8	8	16
Hour Total	22	27	49

Station #: Beach
 Site ID: Beach
 Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
 Steet Name: Beach St
 County: Volusia

TIME	1 EAST	2 WEST	Total
08:15	4	7	11
08:30	4	10	14
08:45	4	9	13
09:00	1	6	7
Hour Total	13	32	45
09:15	2	10	12
09:30	2	8	10
09:45	4	9	13
10:00	9	15	24
Hour Total	17	42	59
10:15	8	16	24
10:30	7	13	20
10:45	7	8	15
11:00	2	8	10
Hour Total	24	45	69
11:15	8	9	17
11:30	11	13	24
11:45	16	10	26
12:00	9	13	22
Hour Total	44	45	89
12:15	10	16	26
12:30	13	14	27
12:45	8	10	18
13:00	11	9	20
Hour Total	42	49	91
13:15	16	8	24
13:30	17	13	30
13:45	18	8	26
14:00	16	6	22
Hour Total	67	35	102
14:15	10	4	14
14:30	16	11	27
14:45	10	16	26
15:00	21	14	35
Hour Total	57	45	102
15:15	19	15	34
15:30	21	19	40
15:45	17	13	30
16:00	19	11	30
Hour Total	76	58	134

Station #: Beach
 Site ID: Beach
 Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
 Steet Name: Beach St
 County: Volusia

TIME	1 EAST	2 WEST	Total
16:15	17	13	30
16:30	13	9	22
16:45	16	8	24
17:00	18	11	29
Hour Total	64	41	105
17:15	11	19	30
17:30	19	21	40
17:45	20	18	38
18:00	11	21	32
Hour Total	61	79	140
18:15	10	19	29
18:30	11	13	24
18:45	16	13	29
19:00	18	10	28
Hour Total	55	55	110
19:15	16	6	22
19:30	17	4	21
19:45	15	5	20
20:00	10	1	11
Hour Total	58	16	74
20:15	9	2	11
20:30	8	2	10
20:45	7	1	8
21:00	11	4	15
Hour Total	35	9	44
21:15	16	1	17
21:30	6	1	7
21:45	8	2	10
22:00	4	1	5
Hour Total	34	5	39
22:15	6	1	7
22:30	4	2	6
22:45	4	0	4
23:00	2	0	2
Hour Total	16	3	19
23:15	1	0	1
23:30	1	0	1
23:45	1	1	2
24:00	0	0	0
Hour Total	3	1	4

Station #: Beach
Site ID: Beach
Location: Beach Street, west of Peninsula Dr

File: B west of Penin.prn
Street Name: Beach St
County: Volusia

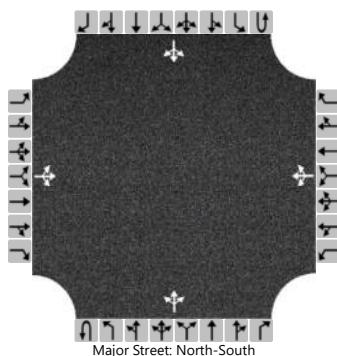
TIME	1 EAST	2 WEST	Total
DAY TOTAL	707	605	1312
PERCENTS	53.9	46.1	100
AM Times	11:15	09:45	
AM Peaks	44	53	
PM Times	15:00	17:15	
PM Peaks	78	79	

EXHIBIT C
Existing Conditions
HCS Summary Sheets

HCS Two-Way Stop-Control Report

General Information				Site Information			
Analyst	KAF			Intersection	Peninsula Drive/Ocean Way		
Agency/Co.	LTG			Jurisdiction	Ponce Inlet		
Date Performed	4/14/2022			East/West Street	Ocean Way		
Analysis Year	2022			North/South Street	Peninsula Drive		
Time Analyzed	A.M. Peak-Hour			Peak Hour Factor	0.95		
Intersection Orientation	North-South			Analysis Time Period (hrs)	0.25		
Project Description	5559.01						

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		1	2	1		2	2	1		1	17	4		7	24	5
Percent Heavy Vehicles (%)		2	2	2		2	2	2		2				2		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.12	6.52	6.22		7.12	6.52	6.22		4.12				4.12		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.52	4.02	3.32		3.52	4.02	3.32		2.22				2.22		

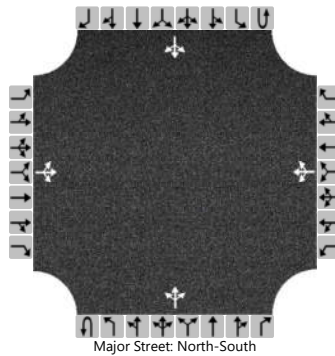
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			4				5							7		
Capacity, c (veh/h)			879				885							1579		
v/c Ratio			0.00				0.01							0.00		
95% Queue Length, Q ₉₅ (veh)			0.0				0.0							0.0		
Control Delay (s/veh)			9.1				9.1			7.3	0.0	0.0		7.3	0.0	0.0
Level of Service (LOS)			A				A			A	A	A		A	A	A
Approach Delay (s/veh)	9.1				9.1				0.3				1.4			
Approach LOS	A				A				A				A			

HCS Two-Way Stop-Control Report

General Information				Site Information			
Analyst	KAF			Intersection	Peninsula Drive/Ocean Way		
Agency/Co.	LTG			Jurisdiction	Ponce Inlet		
Date Performed	4/14/2022			East/West Street	Ocean Way		
Analysis Year	2022			North/South Street	Peninsula Drive		
Time Analyzed	P.M. Peak-Hour			Peak Hour Factor	0.91		
Intersection Orientation	North-South			Analysis Time Period (hrs)	0.25		
Project Description	5559.01						

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		1	2	2		4	2	7		1	74	13		7	69	4
Percent Heavy Vehicles (%)		2	2	2		2	2	2		2				2		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

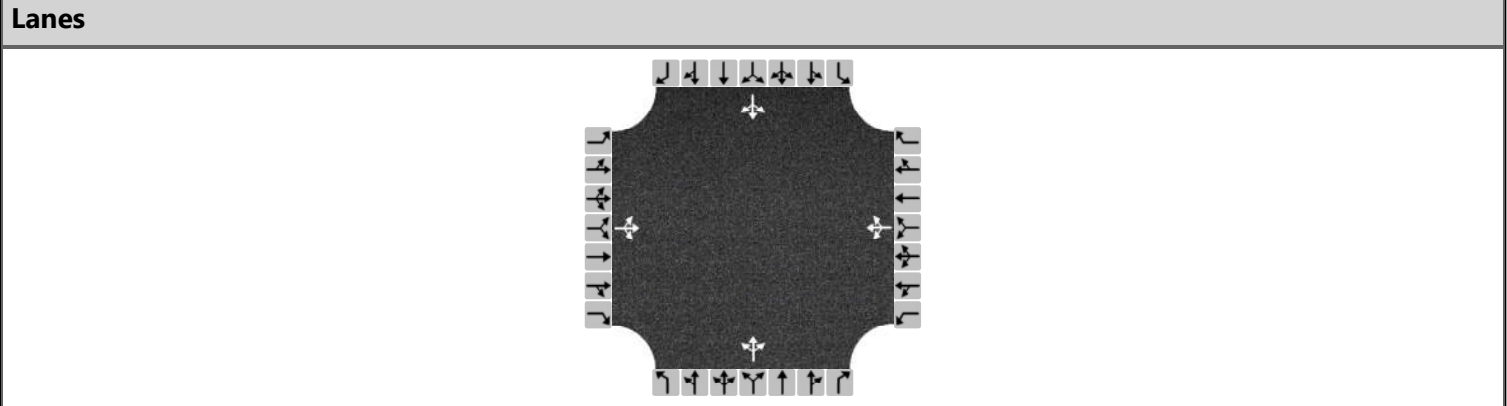
Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.12	6.52	6.22		7.12	6.52	6.22		4.12				4.12		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.52	4.02	3.32		3.52	4.02	3.32		2.22				2.22		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			5				14				1				8		
Capacity, c (veh/h)			793				833				1512				1482		
v/c Ratio			0.01				0.02				0.00				0.01		
95% Queue Length, Q ₉₅ (veh)			0.0				0.1				0.0				0.0		
Control Delay (s/veh)			9.6				9.4				7.4	0.0	0.0		7.4	0.0	0.0
Level of Service (LOS)			A				A				A	A	A		A	A	A
Approach Delay (s/veh)	9.6				9.4				0.1				0.7				
Approach LOS	A				A				A				A				

HCS All-Way Stop Control Report

General Information		Site Information	
Analyst	KAF	Intersection	Peninsula/Beach St
Agency/Co.	LTG	Jurisdiction	Ponce Inlet
Date Performed	4/25/2022	East/West Street	Beach Street
Analysis Year	2022	North/South Street	S. Peninsula Dr.
Analysis Time Period (hrs)	0.25	Peak Hour Factor	0.88
Time Analyzed	A.M. Peak-Hour		
Project Description	5559.01		



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Movement												
Volume	14	7	0	7	3	4	0	12	10	5	30	10
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			LTR			LTR			LTR		
Flow Rate, v (veh/h)	24			16			25			51		
Percent Heavy Vehicles	2			2			2			2		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20			3.20			3.20		
Initial Degree of Utilization, x	0.021			0.014			0.022			0.045		
Final Departure Headway, hd (s)	4.24			4.04			3.80			3.93		
Final Degree of Utilization, x	0.028			0.018			0.026			0.056		
Move-Up Time, m (s)	2.0			2.0			2.0			2.0		
Service Time, ts (s)	2.24			2.04			1.80			1.93		

Capacity, Delay and Level of Service

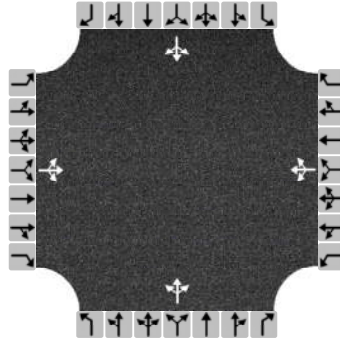
Flow Rate, v (veh/h)	24			16			25			51		
Capacity	849			890			948			915		
95% Queue Length, Q ₉₅ (veh)	0.1			0.1			0.1			0.2		
Control Delay (s/veh)	7.4			7.1			6.9			7.2		
Level of Service, LOS	A			A			A			A		
Approach Delay (s/veh)	7.4			7.1			6.9			7.2		
Approach LOS	A			A			A			A		
Intersection Delay, s/veh LOS	7.1						A					

HCS All-Way Stop Control Report

General Information

Analyst	KAF	Intersection	Peninsula/Beach St
Agency/Co.	LTG	Jurisdiction	Ponce Inlet
Date Performed	4/25/2022	East/West Street	Beach Street
Analysis Year	2022	North/South Street	S. Peninsula Dr.
Analysis Time Period (hrs)	0.25	Peak Hour Factor	0.93
Time Analyzed	P.M. Peak-Hour		
Project Description	5559.01		

Lanes



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Movement												
Volume	25	18	7	19	15	8	9	47	25	7	52	21
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			LTR			LTR			LTR		
Flow Rate, v (veh/h)	54			45			87			86		
Percent Heavy Vehicles	2			2			2			2		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20			3.20			3.20		
Initial Degree of Utilization, x	0.048			0.040			0.077			0.076		
Final Departure Headway, hd (s)	4.37			4.34			4.08			4.10		
Final Degree of Utilization, x	0.065			0.054			0.099			0.098		
Move-Up Time, m (s)	2.0			2.0			2.0			2.0		
Service Time, ts (s)	2.37			2.34			2.08			2.10		

Capacity, Delay and Level of Service

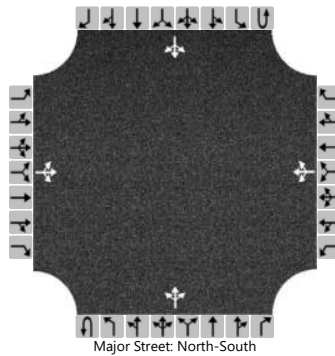
Flow Rate, v (veh/h)	54			45			87			86		
Capacity	824			830			882			877		
95% Queue Length, Q ₉₅ (veh)	0.2			0.2			0.3			0.3		
Control Delay (s/veh)	7.7			7.6			7.5			7.5		
Level of Service, LOS	A			A			A			A		
Approach Delay (s/veh)	7.7			7.6			7.5			7.5		
Approach LOS	A			A			A			A		
Intersection Delay, s/veh LOS	7.6						A					

EXHIBIT D
2025 Future Conditions
HCS Summary Sheets

HCS Two-Way Stop-Control Report

General Information				Site Information			
Analyst	KAF			Intersection	Peninsula Drive/Ocean Way		
Agency/Co.	LTG			Jurisdiction	Ponce Inlet		
Date Performed	4/14/2022			East/West Street	Ocean Way		
Analysis Year	2025			North/South Street	Peninsula Drive		
Time Analyzed	A.M. Peak-Hour			Peak Hour Factor	0.95		
Intersection Orientation	North-South			Analysis Time Period (hrs)	0.25		
Project Description	5559.01						

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		1	2	1		2	2	1		1	18	4		8	26	5
Percent Heavy Vehicles (%)		2	2	2		2	2	2		2				2		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.12	6.52	6.22		7.12	6.52	6.22		4.12				4.12		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.52	4.02	3.32		3.52	4.02	3.32		2.22				2.22		

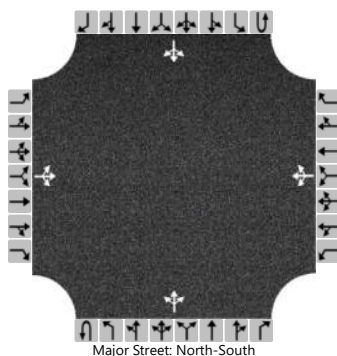
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			4				5							8		
Capacity, c (veh/h)			873				879							1578		
v/c Ratio			0.00				0.01							0.01		
95% Queue Length, Q ₉₅ (veh)			0.0				0.0							0.0		
Control Delay (s/veh)			9.1				9.1			7.3	0.0	0.0		7.3	0.0	0.0
Level of Service (LOS)			A				A			A	A	A		A	A	A
Approach Delay (s/veh)	9.1				9.1				0.3				1.5			
Approach LOS	A				A				A				A			

HCS Two-Way Stop-Control Report

General Information				Site Information			
Analyst	KAF			Intersection	Peninsula Drive/Ocean Way		
Agency/Co.	LTG			Jurisdiction	Ponce Inlet		
Date Performed	4/14/2022			East/West Street	Ocean Way		
Analysis Year	2025			North/South Street	Peninsula Drive		
Time Analyzed	P.M. Peak-Hour			Peak Hour Factor	0.91		
Intersection Orientation	North-South			Analysis Time Period (hrs)	0.25		
Project Description	5559.01						

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		1	2	2		4	2	8		1	80	14		8	75	4
Percent Heavy Vehicles (%)		2	2	2		2	2	2		2				2		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.12	6.52	6.22		7.12	6.52	6.22		4.12				4.12		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.52	4.02	3.32		3.52	4.02	3.32		2.22				2.22		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			5				15				1				9		
Capacity, c (veh/h)			779				826				1504				1473		
v/c Ratio			0.01				0.02				0.00				0.01		
95% Queue Length, Q ₉₅ (veh)			0.0				0.1				0.0				0.0		
Control Delay (s/veh)			9.7				9.4				7.4	0.0	0.0		7.5	0.0	0.0
Level of Service (LOS)			A				A				A	A	A		A	A	A
Approach Delay (s/veh)	9.7				9.4				0.1				0.7				
Approach LOS	A				A				A				A				

HCS All-Way Stop Control Report

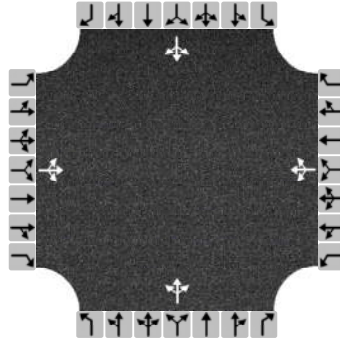
General Information

Analyst	KAF
Agency/Co.	LTG
Date Performed	4/25/2022
Analysis Year	2025
Analysis Time Period (hrs)	0.25
Time Analyzed	A.M. Peak-Hour
Project Description	5559.01

Site Information

Intersection	Peninsula/Beach St
Jurisdiction	Ponce Inlet
East/West Street	Beach Street
North/South Street	S. Peninsula Dr.
Peak Hour Factor	0.88

Lanes



Vehicle Volume and Adjustments

Approach	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Movement												
Volume	15	9	0	8	4	4	0	13	11	5	32	11
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			LTR			LTR			LTR		
Flow Rate, v (veh/h)	27			18			27			55		
Percent Heavy Vehicles	2			2			2			2		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20			3.20			3.20		
Initial Degree of Utilization, x	0.024			0.016			0.024			0.048		
Final Departure Headway, hd (s)	4.25			4.08			3.81			3.94		
Final Degree of Utilization, x	0.032			0.021			0.029			0.060		
Move-Up Time, m (s)	2.0			2.0			2.0			2.0		
Service Time, ts (s)	2.25			2.08			1.81			1.94		

Capacity, Delay and Level of Service

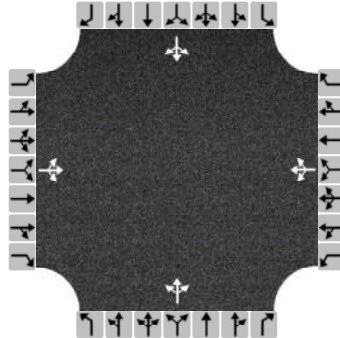
Flow Rate, v (veh/h)	27			18			27			55		
Capacity	848			882			945			913		
95% Queue Length, Q ₉₅ (veh)	0.1			0.1			0.1			0.2		
Control Delay (s/veh)	7.4			7.2			6.9			7.2		
Level of Service, LOS	A			A			A			A		
Approach Delay (s/veh)	7.4			7.2			6.9			7.2		
Approach LOS	A			A			A			A		
Intersection Delay, s/veh LOS	7.2						A					

HCS All-Way Stop Control Report

General Information

Analyst	KAF	Intersection	Peninsula/Beach St
Agency/Co.	LTG	Jurisdiction	Ponce Inlet
Date Performed	4/25/2022	East/West Street	Beach Street
Analysis Year	2025	North/South Street	S. Peninsula Dr.
Analysis Time Period (hrs)	0.25	Peak Hour Factor	0.93
Time Analyzed	P.M. Peak-Hour		
Project Description	5559.01		

Lanes



Vehicle Volume and Adjustments

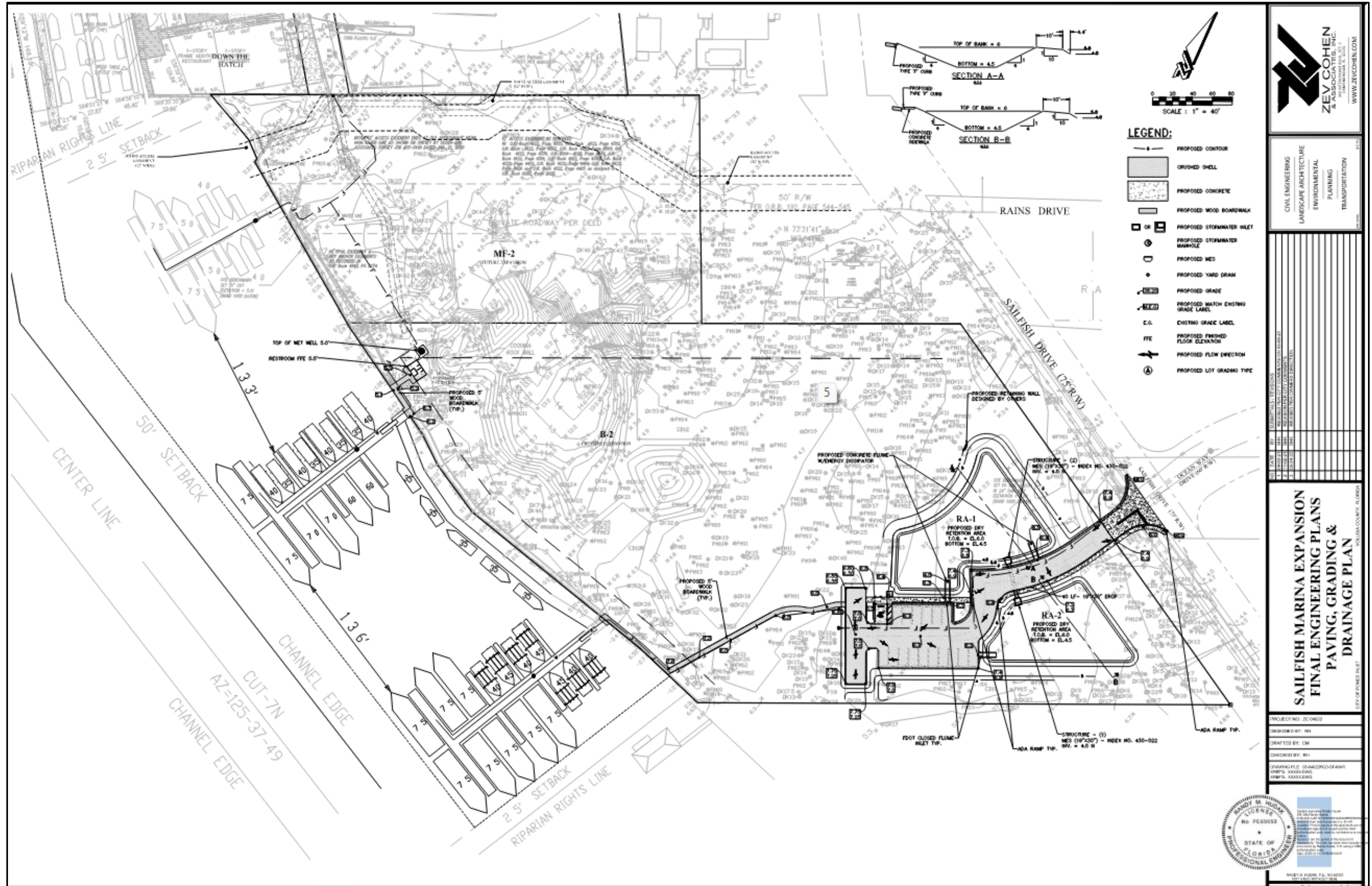
Approach	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
Movement												
Volume	27	22	8	21	20	9	10	51	27	8	56	23
% Thrus in Shared Lane												
Lane	L1	L2	L3	L1	L2	L3	L1	L2	L3	L1	L2	L3
Configuration	LTR			LTR			LTR			LTR		
Flow Rate, v (veh/h)	61			54			95			94		
Percent Heavy Vehicles	2			2			2			2		

Departure Headway and Service Time

Initial Departure Headway, hd (s)	3.20			3.20			3.20			3.20		
Initial Degree of Utilization, x	0.054			0.048			0.084			0.083		
Final Departure Headway, hd (s)	4.41			4.38			4.13			4.15		
Final Degree of Utilization, x	0.075			0.065			0.109			0.108		
Move-Up Time, m (s)	2.0			2.0			2.0			2.0		
Service Time, ts (s)	2.41			2.38			2.13			2.15		

Capacity, Delay and Level of Service

Flow Rate, v (veh/h)	61			54			95			94		
Capacity	817			822			872			867		
95% Queue Length, Q ₉₅ (veh)	0.2			0.2			0.4			0.4		
Control Delay (s/veh)	7.8			7.7			7.6			7.7		
Level of Service, LOS	A			A			A			A		
Approach Delay (s/veh)	7.8			7.7			7.6			7.7		
Approach LOS	A			A			A			A		
Intersection Delay, s/veh LOS	7.7						A					



ZEV COHEN & ASSOCIATES, INC.
 10000 W. BOULEVARD
 SUITE 100
 BOCA RATON, FL 33433
 WWW.ZEVCOHEN.COM

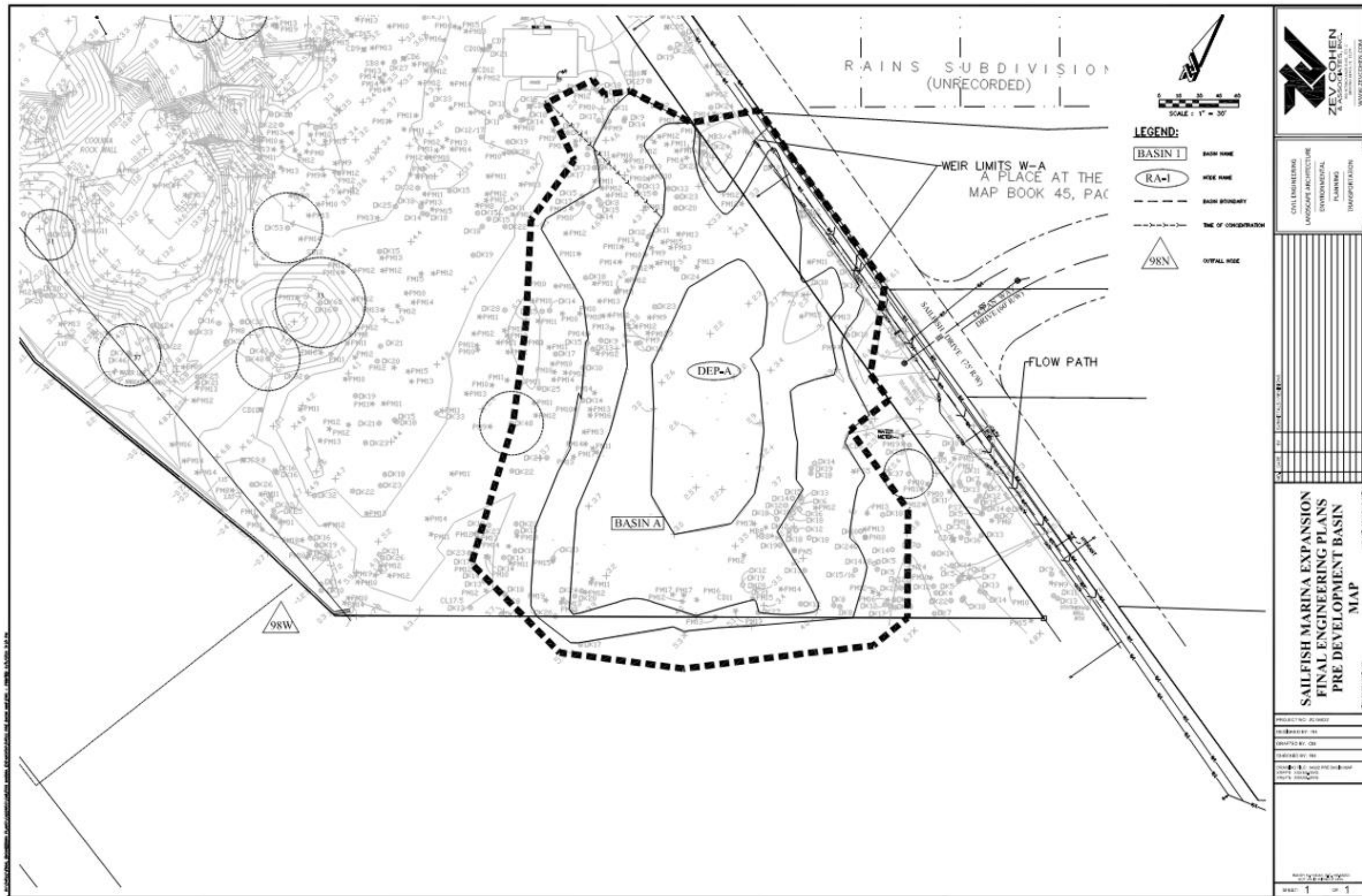
CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL PLANNING
 TRANSPORTATION

NO.	DATE	BY	DESCRIPTION
1	01/15/2022	RM	ISSUED FOR PERMITS
2	01/15/2022	RM	ISSUED FOR PERMITS
3	01/15/2022	RM	ISSUED FOR PERMITS
4	01/15/2022	RM	ISSUED FOR PERMITS

**SAILFISH MARINA EXPANSION
 FINAL ENGINEERING PLANS
 PAVING, GRADING &
 DRAINAGE PLAN**

PROJECT NO: 202002
 DESIGNED BY: RM
 DRAFTED BY: DM
 CHECKED BY: RM

RANDY M. HUSAK
 LICENSE No. PE05053
 STATE OF FLORIDA
 PROFESSIONAL ENGINEER



ATTACHMENT 3 – PRE-DEVELOPMENT BASIN AND PAVING, GRADING, AND DRAINAGE PLAN

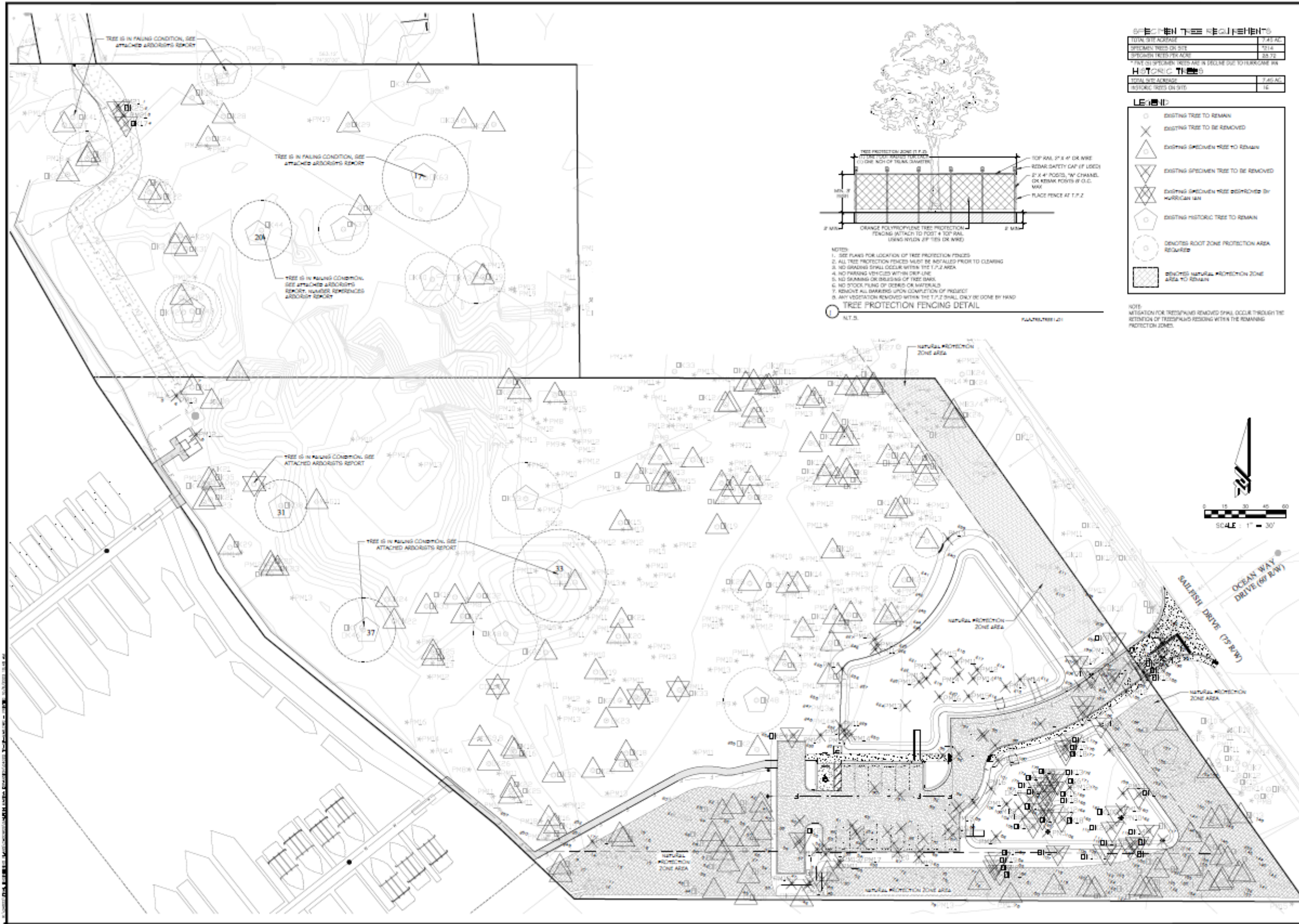


CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL
 PLANNING
 TRANSPORTATION

SAILFISH MARINA EXPANSION
 FINAL ENGINEERING PLANS
 POST DEVELOPMENT BASIN
 MAP

PROJECT NO. 201402
 DESIGNED BY: JH
 DRAWN BY: JH
 CHECKED BY: JH
 DATE: 08/14/14

ATTACHMENT 4 TREE PROTECTION PLAN



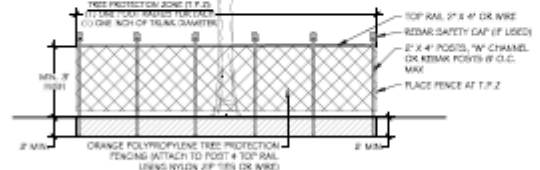
SPECIEN TREE REQUIREMENTS

TOTAL SITE ACRES	7.43 AC
SPECIEN TREES ON SITE	1214
EXISTING TREES TO REMAIN	133
TOTAL SPECIEN TREES ARE TO REMAIN DUE TO HURRICANE SA	133

HISTORIC TREES

TOTAL SITE ACRES	7.43 AC
HISTORIC TREES ON SITE	14

- LEGEND**
- EXISTING TREE TO REMAIN
 - ✕ EXISTING TREE TO BE REMOVED
 - △ EXISTING SPECIEN TREE TO REMAIN
 - ▽ EXISTING SPECIEN TREE TO BE REMOVED
 - ☆ EXISTING SPECIEN TREE TO BE REMOVED BY HURRICANE SA
 - EXISTING HISTORIC TREE TO REMAIN
 - DENOTES ROOT ZONE PROTECTION AREA REQUIRE
 - ▨ EXISTING NATURAL PROTECTION ZONE AREA TO REMAIN



- NOTES**
- SEE PLANS FOR LOCATION OF TREE PROTECTION FENCES
 - ALL TREE PROTECTION FENCES MUST BE INSTALLED PRIOR TO CLEARING
 - NO GRADING SHALL OCCUR WITHIN THE T.P.Z. AREA
 - NO PARKING VEHICLES WITHIN THE T.P.Z. AREA
 - NO GRASSING OR DRILLING OF TREE BARK
 - NO STOCK PILING OF DEBRIS OR MATERIALS
 - REMOVE ALL BRANES UPON COMPLETION OF PROJECT
 - ANY VEGETATION REMOVED WITHIN THE T.P.Z. SHALL ONLY BE DONE BY HAND
- TREE PROTECTION FENCING DETAIL**
- N.T.S. PLAN NUMBER 101

NOTE: MITIGATION FOR TREES REMOVED SHALL OCCUR THROUGH THE RETENTION OF TREES PLANTED WITHIN THE REMAINING PROTECTION ZONES.



CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
PLANNING
TRANSPORTATION

NO. DATE	BY	REVISION
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**SAILFISH MARINA EXPANSION
FINAL ENGINEERING PLANS
TREE PROTECTION PLAN &
DETAILS**

CITY OF PALM BEACH
PALM BEACH COUNTY, FLORIDA

PROJECT NO. 2018022
DESIGNED BY: BMS
DRAWN BY: BMS
CHECKED BY: JEM



TREE PROTECTION DETAILS

Specimen Trees Proposed for Removal		
Tree #	DBH	Common Name
186	27	OAK
187	26	OAK
2	25	OAK
110	24	OAK
234	24	OAK
58	23	OAK
82	21	OAK
50	20	OAK
83	20	OAK
84	19	OAK
105	19	OAK
178	19	OAK
158	18	OAK
163	18	OAK
165	18	OAK
167	18	OAK
168	18	OAK
176	18	OAK
177	18	OAK
202	18	OAK
1	21	PALM
3	21	PALM
67	20	PALM
71	20	PALM
47	19	PALM
66	19	PALM
68	19	PALM
69	19	PALM
88	19	PALM
87	18	PALM
95	18	PALM
116	24	PINE

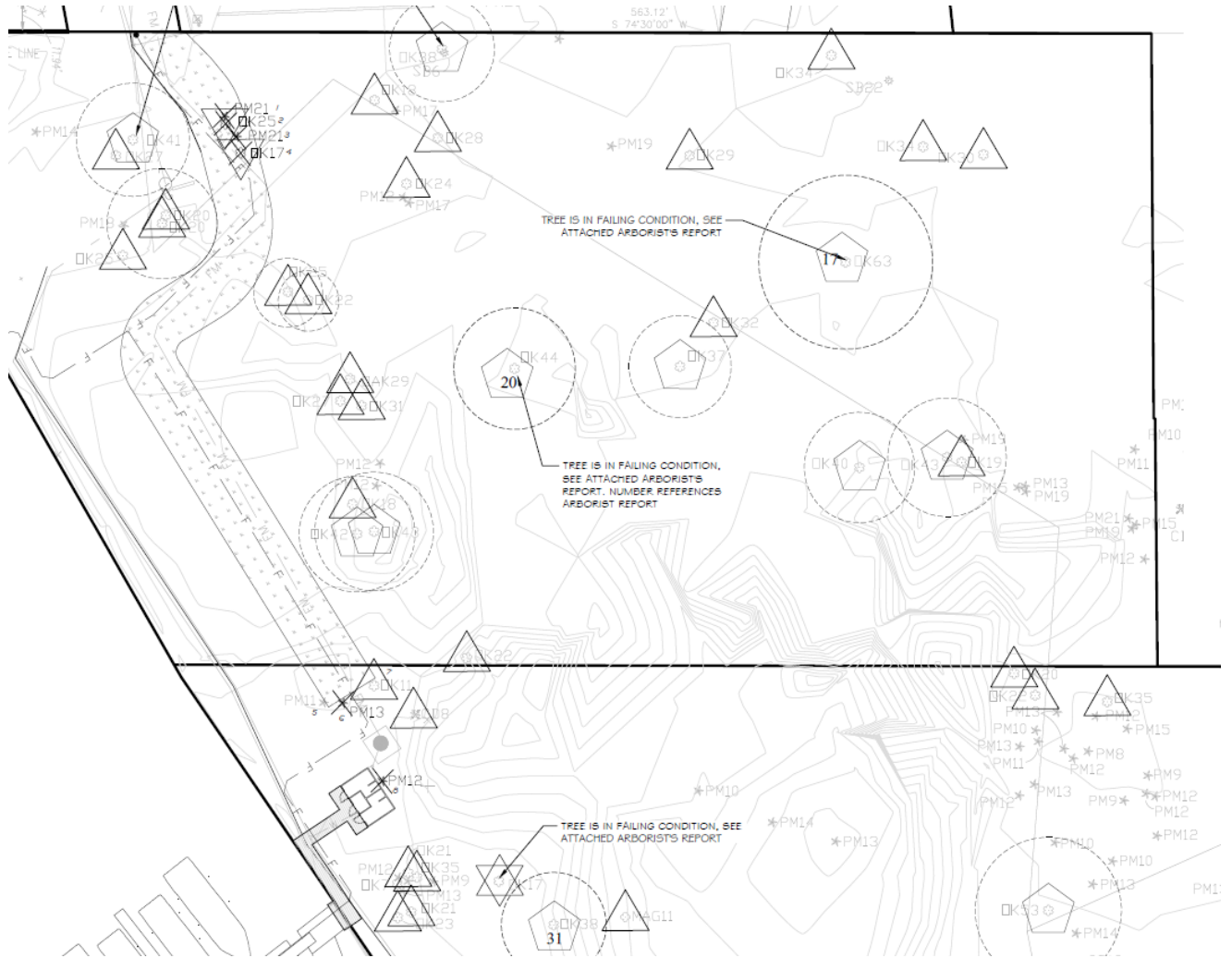
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Source: Zev Cohen & Associates Tree Preserved/Removed Sheet TP2 of 2; sorted for trees 18" DBH and greater by common tree name.

TREE PROTECTION DETAILS

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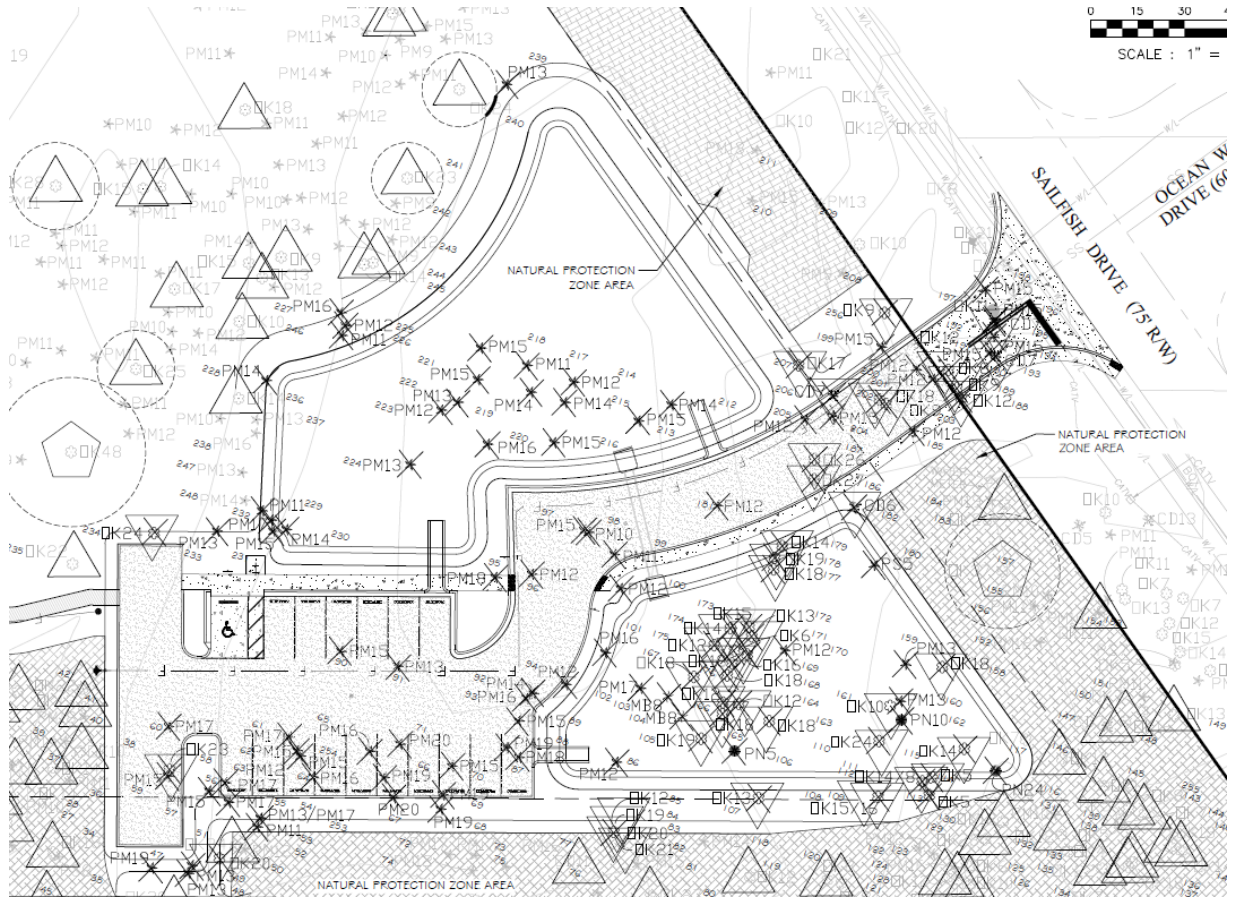
Northwest of subject property – tree removal for fire line required by Town of Ponce Inlet and for restroom facilities.



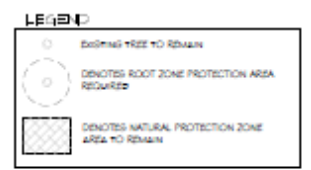
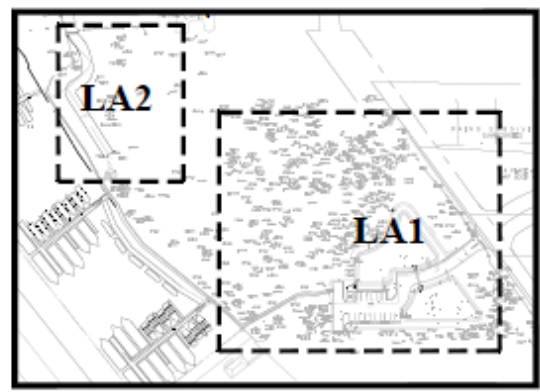
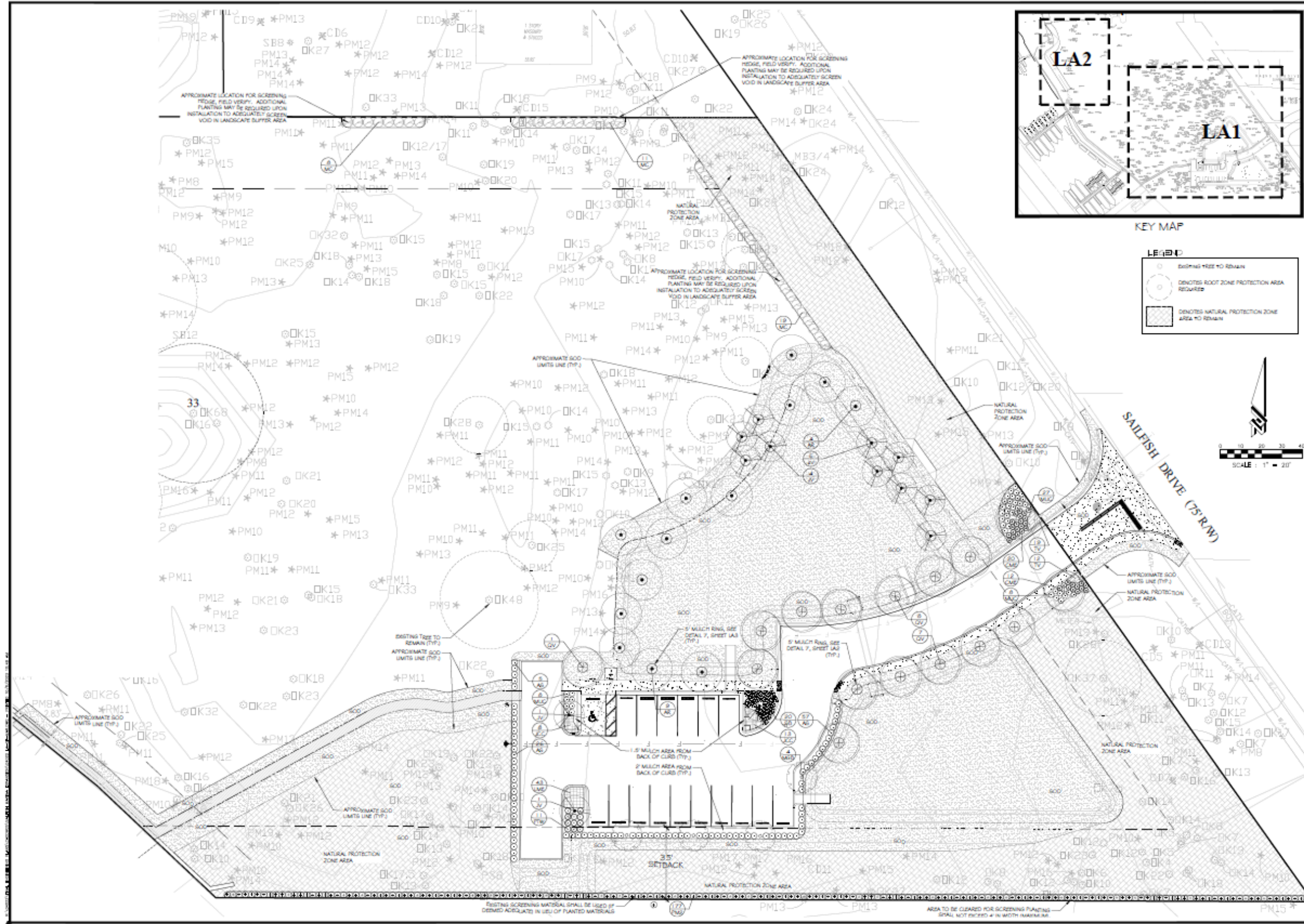
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TREE PROTECTION DETAILS

468
469 Southeast side of subject property – tree removal for driveway, parking lot, & stormwater retention
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472





ZEV COHEN & ASSOCIATES, INC.
LANDSCAPE ARCHITECTURE

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL PLANNING
TRANSPORTATION

PREPARED BY: [blank] CHECKED BY: [blank] DATE: [blank]	
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**SAILFISH MARINA EXPANSION
FINAL ENGINEERING PLANS
LANDSCAPE PLAN & DETAILS**

VOLusia COUNTY, FLORIDA

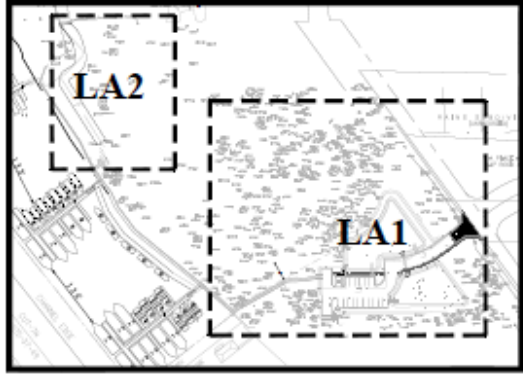
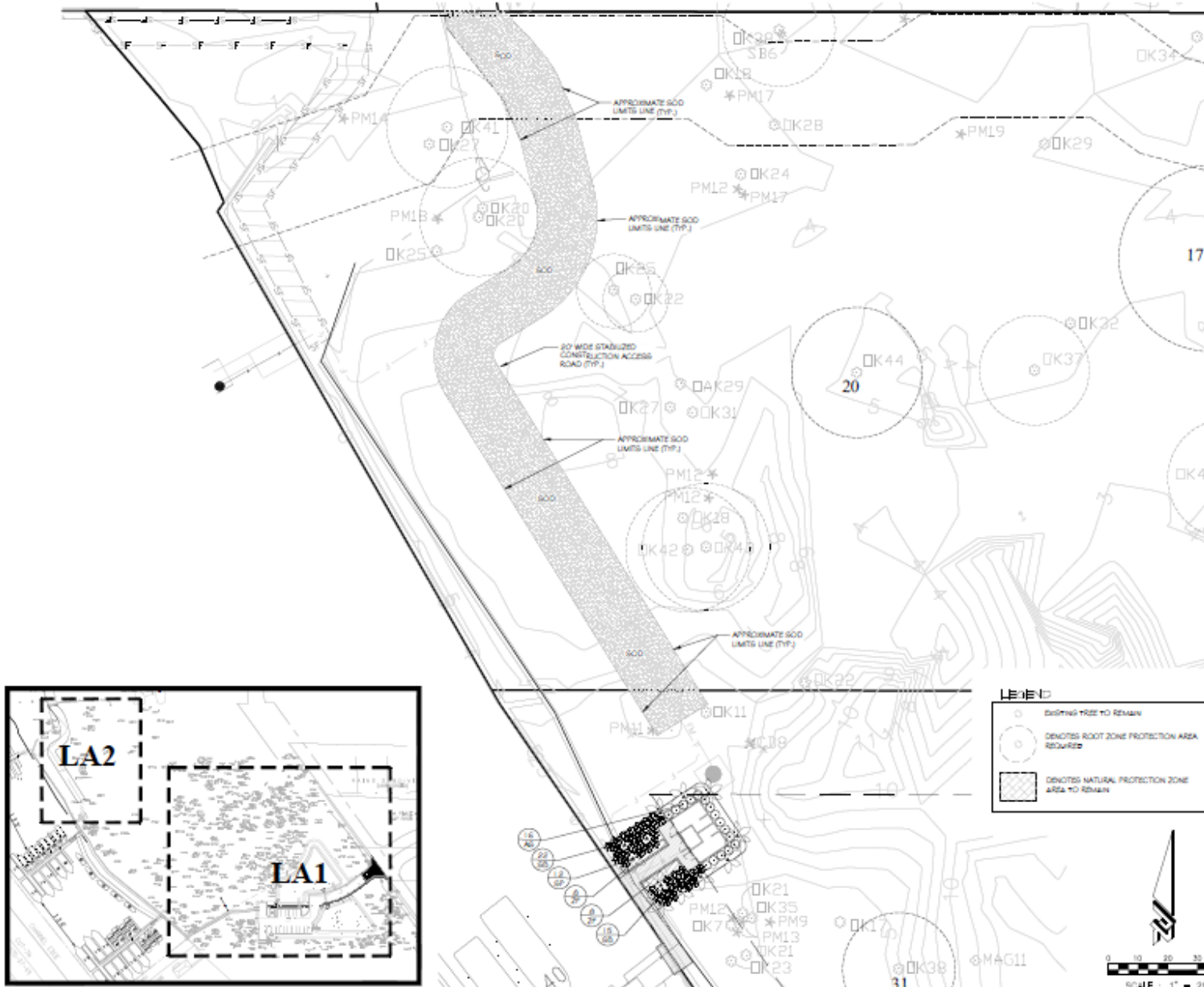
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Sheet: **LA1** of 3

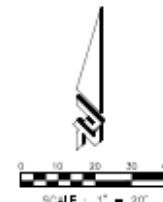
PLANT SCHEDULE

Plant	Qty	Botanical Name	Common Name	Size	Container	Spaced
AK	13	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	CALL TO GROUND
AKB	4	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKC	16	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKD	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKF	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKG	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKH	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKI	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKJ	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKK	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKL	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKM	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKN	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKO	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKP	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKQ	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKR	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKS	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKT	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKU	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKV	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKW	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKX	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKY	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT
AKZ	17	ANEMONE VIBRANTEA	ANEMONE	4" SP. CAL. 14" HT. MIN.	4" GAL.	2" C.T. MOUNT



LEGEND

- Existing Tree to Remain
- DENOTES ROOT ZONE PROTECTION AREA REQUIRED
- DENOTES NATURAL PROTECTION ZONE AREA TO REMAIN



ZEV COHEN & ASSOCIATES
 LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL PLANNING
 TRANSPORTATION

NO.	DATE	BY	REVISION
1	01/15/2024	AK	ISSUE FOR PERMIT
2	01/15/2024	AK	REVISED PER COMMENTS
3	01/15/2024	AK	REVISED PER COMMENTS
4	01/15/2024	AK	REVISED PER COMMENTS

**SAILFISH MARINA EXPANSION
 FINAL ENGINEERING PLANS
 LANDSCAPE PLAN & DETAILS**

PROJECT NO. 230402
 DESIGNED BY: AK
 DRAWN BY: AK
 CHECKED BY: AK

ENGINEER: [Signature]

SCALE: 1" = 20'

DATE: 01/15/2024

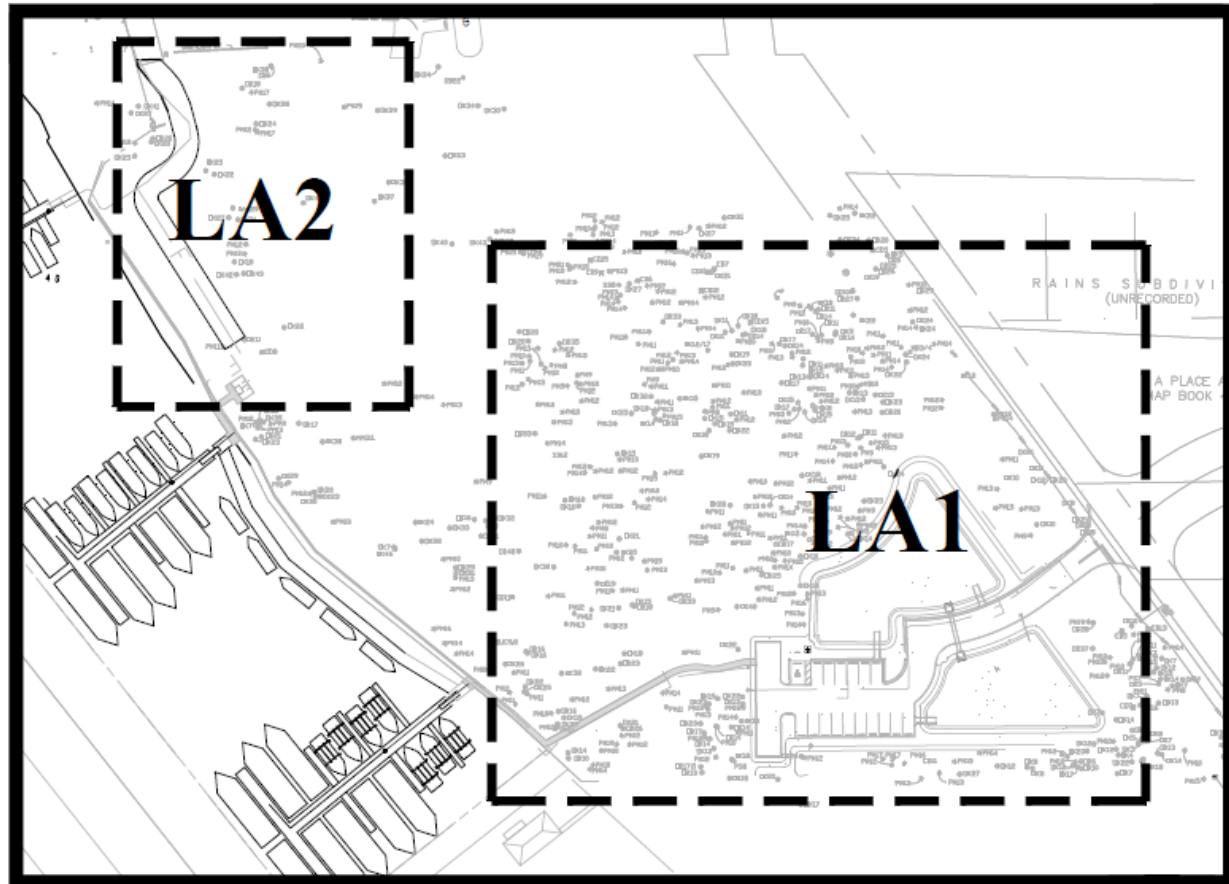
PROJECT: SAILFISH MARINA EXPANSION

ISSUE FOR PERMIT

LA2 OF 3

LANDSCAPE PLAN - DETAIL

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PLANT SCHEDULE

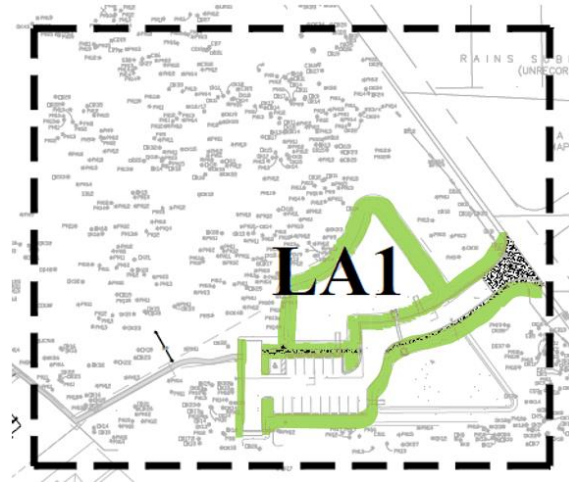
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	
AR	13	ACER RUBRUM	RED MAPLE	4.5" CAL., 14' HT MIN.		
JV	13	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	4.5" CAL., 14' HT MIN.		
MGB	4	MAGNOLIA GRANDIFLORA 'BRACKENS BROWN BEAUTY'	BRACKEN'S SOUTHERN MAGNOLIA	4.5" CAL., 14' HT MIN.		
QV	16	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	4.5" CAL., 14' HT MIN.		
FALMS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	
SP	12	SABAL PALMETTO	CABBAGE PALMETTO	VARY C.T. HT. 8'-16'		
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING
AS	104	ACCA BELLOWIANA	PINEAPPLE GUAVA, PELOA	36" HT. X 24" SP.	7 GAL.	36" o.o.
CME	32	CARISSA MACROCARPA 'EMERALD BLANKET'	DWARF NATAL PLUM	12-18" HT. X 12-18" SP.	3 GAL.	30" o.o.
MC	42	MYRICA CERIFERA	WAX MYRTLE	4" HT.	15 GAL.	60" o.o.
PTW	11	PITOSPORUM TOBIRA 'WHEELER'S DWARF'	DWARF PITOSPORUM	18-24" HT. X 18-24" SP.	7 GAL.	36" o.o.
FM2	178	FODOCARPUS MACROPHYLLUS MAKI	SHRUBBY YEW	36"-48" O.A	7 GAL.	36" o.o.
GRASSES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING
MUC	43	MUHLENBERGIA CAPILLARIS	MUHLY GRASS	12" HT. X 12" SP.	3 GAL.	36" o.o.
SB	57	SPARTINA BAKERI	SAND CORD GRASS	18" HT. X 18" SP.	3 GAL.	36" o.o.
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING
JCC	21	JUNIPERUS CONFERTA 'COMPACTA'	SHORE JUNIPER	8-10" HT. X 8-10" SP.	3 GAL.	30" o.o.
LME	43	* LIRIOPE MUSCARI 'EMERALD GODDESS'	LIRIOPE	10" HT. X 10" SP.	1 GAL.	18" o.o.
TV	31	TULBAGHIA VIOLACEA	SOCIETY GARLIC	8-10" HT. X 8-10" SP.	1 GAL.	18" o.o.
ZF	16	ZAMIA FLORIDANA	COONTIE PALM	12" HT. X 12" SP.	3 GAL.	30" o.o.
SOD	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING
PNA	35,023 SF	PASPALUM NOTATUM 'ARGENTINE'	BAHIA GRASS	---		

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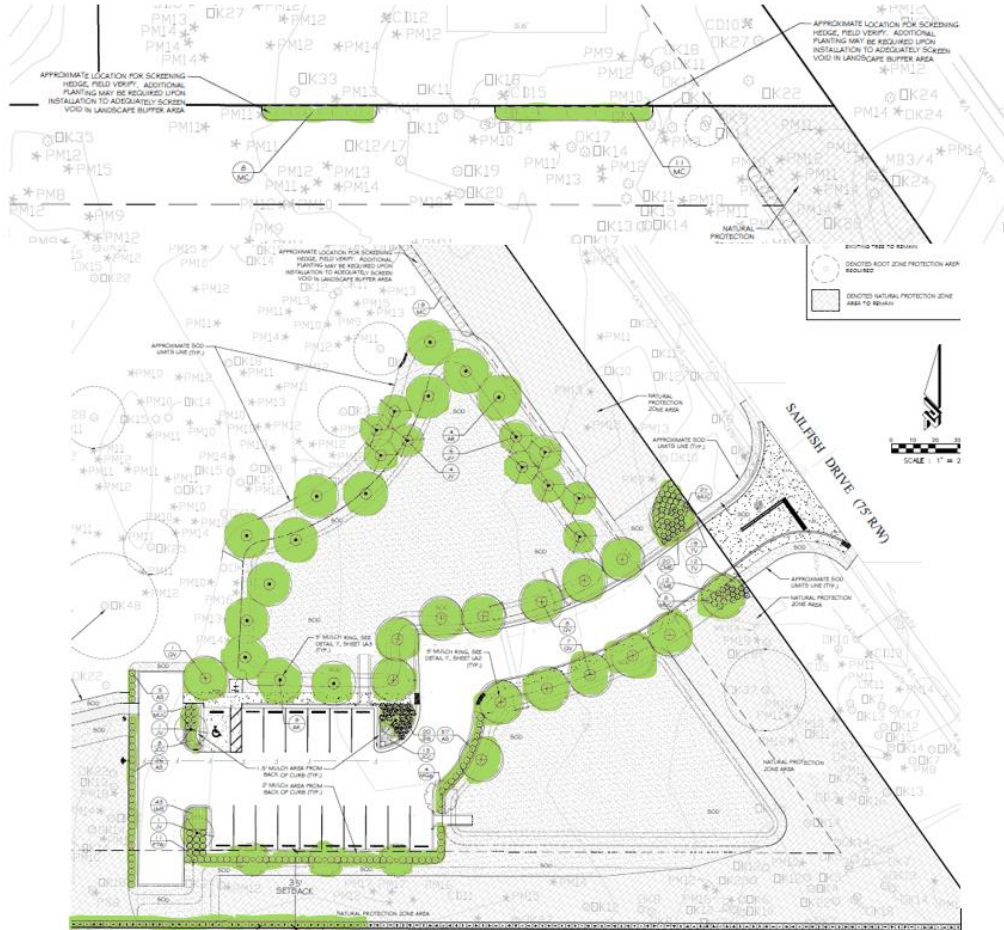
* The applicant notes that Liriope will be replaced with one of the following Florida Native or Florida Friendly plants: Coontie (Zamia pumila), Blanket Flower (Gaillardia pulchella), Dune Sunflower (Helianthus debilis) as Liriope is now considered an invasive plant.

478
479

LANDSCAPE PLAN - DETAIL



480
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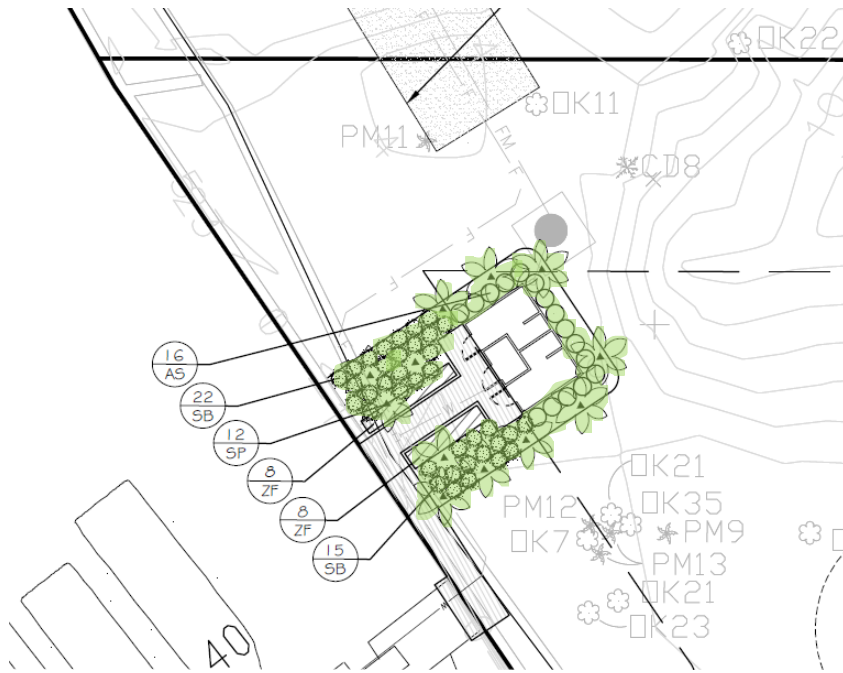
ATTACHMENT 5 - LANDSCAPE PLAN

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LANDSCAPE PLAN - DETAIL



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Environmental Assessment

For

Sailfish Marina

ZC 04022

April 28, 2020

Prepared For:

Lyder Johnson
Lincoln Commercial Properties, Inc.
4877 Front Street
Ponce Inlet, FL 32127

Prepared By:

Mallory Tatum
Zev Cohen & Associates, Inc.
300 Interchange Blvd., Suite C
Ormond Beach, FL 32174
(386) 677-2482

Table of Contents

	Page
Appendices.....	ii
1.0 PROJECT INFORMATION.....	1
2.0 SOILS.....	1
3.0 LAND USE AND VEGETATIVE COMMUNITY.....	2
4.0 WETLANDS AND SURFACE WATERS.....	2
5.0 PROTECTED SPECIES.....	3
5.1 Protected Wildlife Species.....	3
5.2 Wildlife Survey.....	4
6.0 SUMMARY.....	5
TECHNICAL LITERATURE REFERENCES.....	6

Appendices

Appendix A – Exhibits

- Location Map
- Aerial Map
- USGS Quadrangle Map
- Soils Map
- Habitat Map
- Gopher Tortoise Survey Map

1.0 PROJECT INFORMATION

The project site is located in the City of Ponce Inlet, Volusia County, Florida, in Section 37, Township 16 South, and Range 34 East (**Location Map**). The entire property is 7.9 acres and is bound by single family, low and medium density residential to the north, west, and south, and a commercial area with a restaurant, marina, and boat storage to the northeast (**Aerial Map**). The latitude and longitude coordinates for the approximate center of the project are 29° 4'51.74"N, 80°55'59.66"W (WGS84/NAD83) as determined on the USGS New Smyrna Beach Quad (**USGS Quadrangle Map**).

The property owner for this project is:

Lyder Johnson
Lincoln Commercial Properties, Inc.
4877 Front Street
Ponce Inlet, FL 32127

The environmental scientists for this project are:

Bill Lites and Mallory Tatum
Zev Cohen and Associates, Inc.
300 Interchange Boulevard
Ormond Beach, FL 32174

The proposed project includes the construction of a commercial marina with upland support facilities including an office building, restroom facilities, shell parking areas, landscaping, utilities, and stormwater management.

Zev Cohen & Associates, Inc. (ZCA) Environmental Department staff has conducted an Environmental Assessment (EA) of the subject property with associated site visits in April 2021. ZCA reviewed previous environmental reports for the subject property, characterized habitat types, verified the presence and extent of wetlands, assessed wetland impacts and mitigation, and documented the potential of occurrence of federal and state protected species. This EA report includes survey methodology, results, and supplementary materials.

2.0 SOILS

A review of the soil types present was conducted to characterize the existing conditions on the subject property. The soil review used soils surveys conducted by the United States Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS). Data are presented in accordance to Official Soil Series Descriptions (**Soils Map**).

12 – Canaveral Sand, 0 to 5 Percent Slopes: This is a moderately well drained to somewhat poorly drained soil that occurs on low coastal sand dunes. The water table is between depths of 10 and 40 inches during wet periods and during dry seasons below 60

inches and can be tidally influenced. Permeability is very high above the saturated layers and available water capacity is low.

43 – Paola Fine Sand, 8 to 17 Percent Slopes: This is an excessively drained and steep sandy soil that occurs along water banks. The water table is below a depth of 72 inches. The available water capacity and organic matter content are low. The permeability is very rapid.

68 – Turnbull Variant Sand: This is a soil that consists of sand and shell dredged material from the Intracoastal Waterway (ICW) and placed along the sides of the waterway. The water table is at a depth of about 40 inches. The available water capacity is very low and permeability is very rapid.

3.0 LAND USE AND VEGETATIVE COMMUNITY

The subject property is composed of uplands consistent with upland hardwoods (**Habitat Map**). Land use of the subject property was classified according to the Florida Department of Transportation (FDOT) (1999) *Florida Land Use, Cover and Forms Classification System* (FLUCFCS). The land use and vegetative communities observed on the subject property are described in detail below.

420 – Upland Hardwood Forests– The forested uplands onsite are consistent with the temperate hardwood cover type. The canopy is dominated by live oaks (*Quercus virginiana*), cabbage palms (*Sabal palmetto*), red cedars (*Juniperus virginiana*), and slash pine (*Pinus elliottii*) with a few hackberry (*Celtis laevigata*), and black cherry (*Prunus Serontina*). The sub-canopy is mostly cleared and open, though some places are dominated by yaupon holly (*Ilex vomitoria*), saw palmetto (*Serenoa repens*), Hercules Club (*Zanthoxylum clava-herculis*), Mother-in-Law's Tongue (*Sansevieria hyacinthoides*), Golden bamboo (*Phyllostachys aurea*), American beautyberry (*Callicarpa americana*), Bromeliads (*Bromelia* spp.), elephants ear (*Colocasia* spp.) and coral bean (*Erythrina herbacea*). The groundcover is dominated by St. Augustine grass (*Stenotaphrum secundatum*), saltgrass (*distichlis spicata*), coastal sandspur (*Cenchrus incertus*), crows foot grass, (*Dactyloctenium aegyptium*), spiderwort (*Tradescantia ohioensis*), tropical milkweed (*Asclepias curassavica*), lyreleaf sage (*Salvia lyrata*), and muscadine grape (*Vitis rotundifolia*).

4.0 WETLANDS AND OTHER SURFACE WATERS

Criteria used to determine the presence of wetlands and surface waters and delineate their boundaries were in accordance with Chapter 62-340 F.A.C. and the 1987 *Corps of Engineers Wetlands Delineation Manual*. After multiple site inspections, no wetlands were observed onsite. However, the site is bound by the ICW to the southeast with a functioning seawall in place.

5.0 PROTECTED SPECIES

Prior to visiting the site, a background literature search was also conducted to compile a list of state and federally protected animal and plant species that could occur on-site. The three primary sources of literature reviewed include the Florida Fish and Wildlife Conservation Commission's (FWC) *Florida's Endangered Species, Threatened Species, And Species of Special Concern*, the United States Fish and Wildlife Service's (USFWS) Threatened and Endangered Species System (TESS) database, and the Florida Department of Agriculture and Consumer Services (FDACS), Division of Plant Industry's (DPI) *Notes on Florida's Endangered and Threatened Plants*. Additional information was gathered from the Florida Natural Areas Inventory (FNAI) *Field Guides to the Rare Animals/Plants of Florida*, and the Florida Committee on Rare and Endangered Plants and Animals (FCREPA) *Rare and Endangered Biota of Florida Series: Volumes 1-5*, ZCA's *Protected Species Database*, including the *Florida Scrub-Jay Database* (a Zev Cohen proprietary database comprised of data acquired from several agencies, direct observations, and scientific journals), and the FWC's Eagle Nest Locator web site.

5.1 Protected Wildlife Species

The state and federally protected animal species with the potential to occur on the project site are listed in Table 5.1.1, below. The estimated likelihood of occurrence of each species is noted in the table and those species with at least a moderate likelihood of occurrence are discussed following the table.

Figure 5.1.1. Federally and Florida state protected wildlife species with the potential to occur on the subject property, in Volusia County, Florida.

Species Name	Common Name	Agency Listing		Likelihood of Occurrence	Habitat
		FWC/USFWS			
<i>Alligator mississippiensis</i>	American alligator	FT		Low	Lakes, slow moving rivers
<i>Amphelocoma coerulescens</i>	Florida scrub-jay	FT		Low	Scrub, xeric oak
<i>Calidris canutus rufa</i>	Red knot	FT		Low	Sandy tidal flats, coastal areas
<i>Caretta caretta</i>	Loggerhead sea turtle	FT		Low	Nearshore coastal waterways
<i>Charadrius melodus</i>	Piping Plover	FT		Low	Beaches, tidal flats, coastal areas
<i>Chelonia mydas</i>	Green Sea Turtle	FE		Low	Shallow flats, seagrass meadows
<i>Drymarchon corais couperi</i>	Eastern indigo snake	FT		Low	Wide variety of habitats
<i>Egretta caerulea</i>	Little blue heron	ST		Low	Shallow water bodies in FL
<i>Egretta tricolor</i>	Tricolored heron	ST		Low	Coastal ponds, marshes, swamps
<i>Falco sparverius paulus</i>	Southeastern American kestrel	ST		Low	Open habitats with scattered trees
<i>Gopherus polyphemus</i>	Gopher tortoise	ST		Moderate	Sandhills, scrub, flatwoods
<i>Haliaeetus leucocephalus</i>	Bald eagle	BE		Low	Common adjacent to water
<i>Laterallus jamaicensis</i>	Eastern Black Rail	FPT		Low	Salt, brackish, and fresh wetlands
<i>Mycteria americana</i>	Wood stork	FT		Low	Shallow open waters
<i>Nerodia clarkii taeniata</i>	Atlantic Salt Marsh	FT		Low	Coastal salt marsh, mangrove swamps

	Snake			
<i>Picoides borealis</i>	Red-cockaded woodpecker	FE	Low	Mature pine forests with regular burn
<i>Pituophis melanoleucus</i>	Florida pine snake	ST	Low	Upland areas adjacent to wetlands
<i>Platalea ajaja</i>	Roseate spoonbill	ST	Low	Coastal ponds, marshes, swamps
<i>Trichechus manatus</i>	West Indian Manatee	FT	Low	Marine, estuarine, and fresh waters

FE= Federally Endangered; FT= Federally Threatened; FPT= Federally Proposed Threatened; BE= Bald and Golden Eagle Protection Act; ST= State Threatened; SSC= Species of Special Concern.

Gopher tortoise (*Gopherus Polyphemus*) – The gopher tortoise is a state-designated Threatened Species and is being considered for federal protection due to habitat loss associated with development. Gopher tortoises require uplands that have a high enough elevation to allow for the construction of underground burrows that would not be below the groundwater table. These conditions are present on the subject property. A 100% gopher tortoise survey will be required for the property within 90 days prior to construction to be conducted by an Authorized Gopher Tortoise Agent. Associated gopher tortoise permitting with FWC and relocation will be required, if occupied habitat is proposed for impact.

Bald eagle (*Haliaeetus leucocephalus*) – According to the FWC, Eagle Nest Locator database, the closest bald eagle nest is over 1.0 mile away. Please note that the location provided by this website is provided only to allow the user to view the general location of a nest and to confirm that an appropriate area of interest was targeted by the user’s search. Development adjacent to known bald eagle nests is restricted under the Bald and Golden Eagle Protection Act. Because no nests occur within 660’ of the site, development of the site will not be constrained by permitting for the bald eagle.

5.2 Wildlife Survey

A preliminary site review was conducted to assess the potential presence of protected wildlife species on the subject property. The only federally or state protected species found to occur on the project site was the gopher tortoise. A 100% gopher tortoise survey will be required for the property within 90 days prior to construction to be conducted by an Authorized Gopher Tortoise Agent. A 10 or fewer gopher tortoise or a conservation permit will be required depending upon the amount of burrows located. Any tortoise burrows identified during the survey will require excavation and relocation of tortoises to an Authorized Gopher Tortoise Recipient Site.

A 100% gopher tortoise survey was conducted on April 27, 2021 by FWC Authorized Agent, Mallory Tatum. No gopher tortoises or their burrows were observed within the construction limits (**Gopher Tortoise Survey Map**). However, multiple armadillo burrows were observed, though they will not require any additional permitting.

6.0 SUMMARY

Zev Cohen and Associates, Inc. has conducted a site review on the proposed project site for the purposes of determining the presence or potential presence wetlands and state and federally protected wildlife. No wetlands were observed onsite.

A wildlife survey was conducted to evaluate the potential presence of state and federally protected wildlife species. The gopher tortoise was the only listed species with possible presence on the subject property, however, after a 100% gopher tortoise survey no gopher tortoises or their burrows were observed.

Technical Literature References

Chafin, L.G. 2000. *Field Guide to the Rare Animals of Florida*. Florida Natural Areas Inventory, Tallahassee, Florida.

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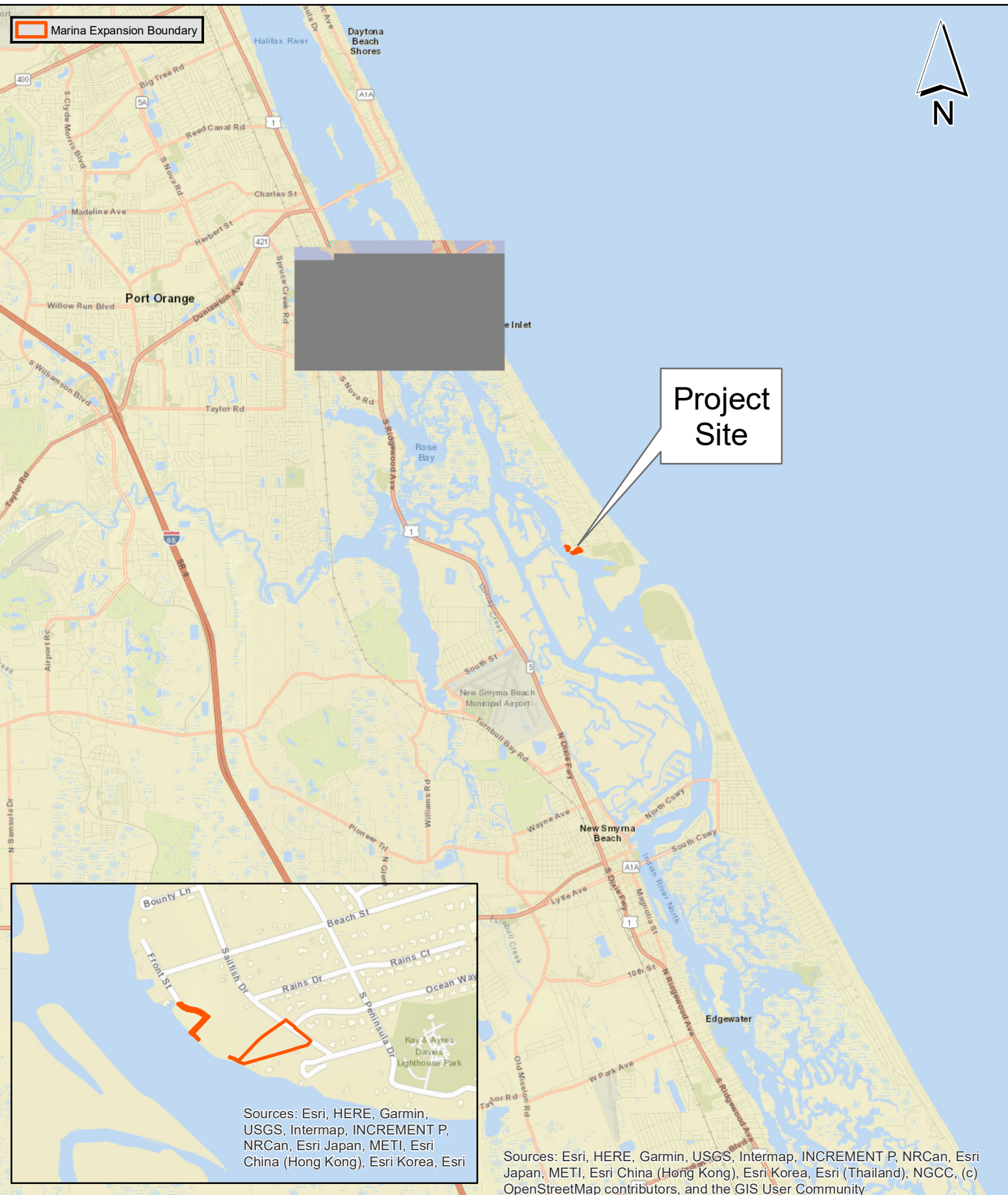
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Appendix A

Exhibits

Marina Expansion Boundary



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Info:

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7,500 3,750 0 7,500 Feet

Location Map Sailfish Property Volusia County, Florida

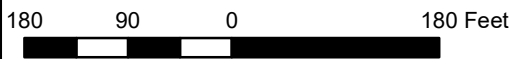
ZEVCOHEN
& ASSOCIATES INC
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482

Marina Expansion Boundary



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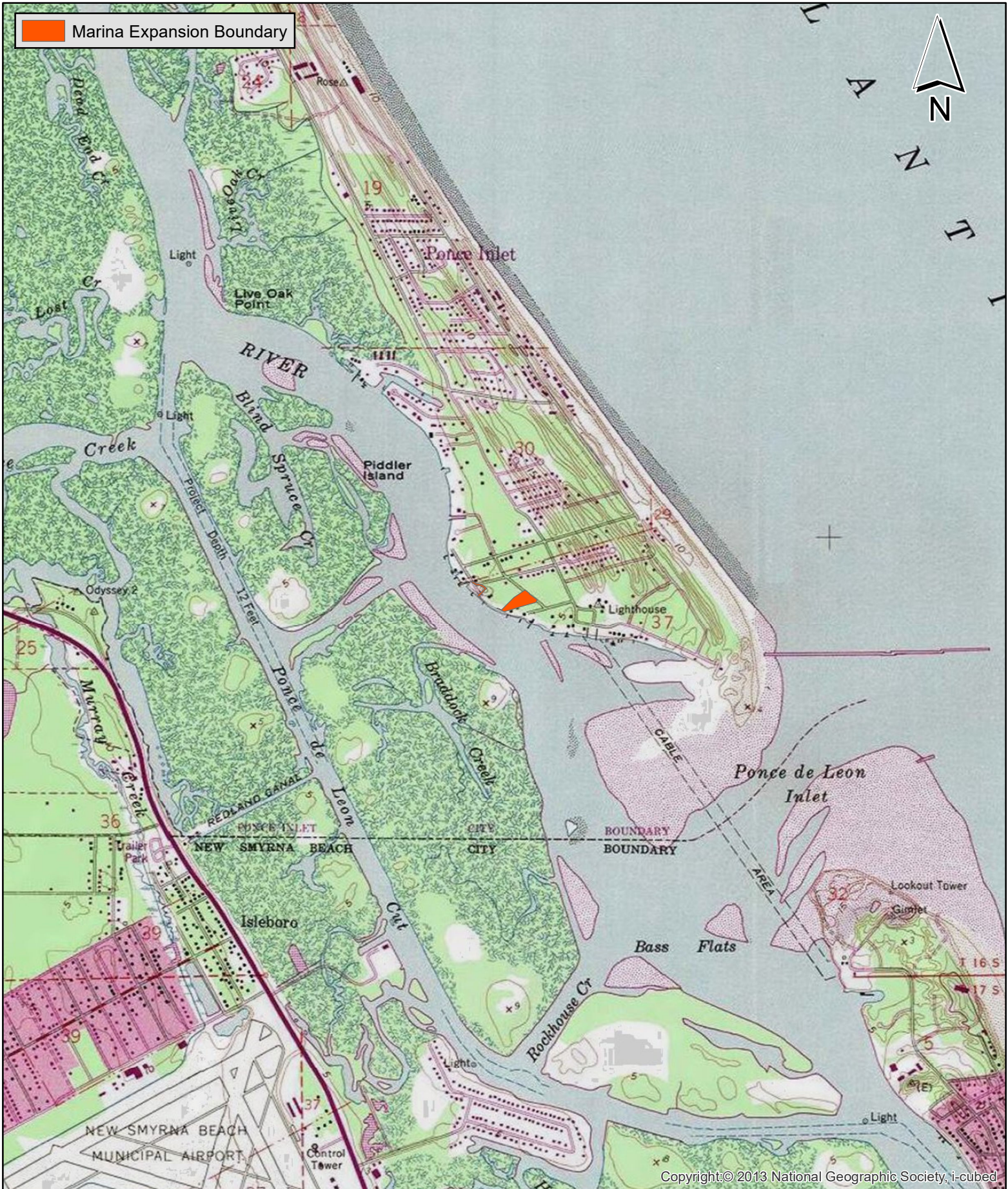
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Aerial Map Sailfish Property Ponce Inlet, Florida

 **ZEV COHEN**
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Marina Expansion Boundary



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USGS = U.S. Geological Survey

USGS Quadrangle Map Sailfish Property Ponce Inlet, Florida




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

2,000 1,000 0 2,000 Feet



 Marina Expansion Boundary

VC Soils

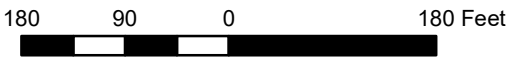
LEGENDFIEL

-  12 CANAVERAL SAND; 0 TO 5 PERCENT SLOPES
-  39 PALM BEACH SAND; 2 TO 8 PERCENT SLOPES
-  43 PAOLA FINE SAND; 8 TO 17 PERCENT SLOPES
-  68 TURNBULL VARIANT SAND



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Soils Map

Sailfish Property

Ponce Inlet, Florida

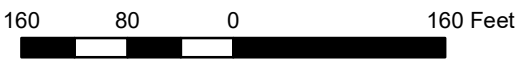


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 ph 386-677-2482

 Marina Expansion Boundary
Habitat Type
 420 - Upland Hardwood Forests



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Habitat Map

Sailfish Property

Ponce Inlet, Florida


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 Ormond Beach, FL 32174
 ph 386-677-2482

- - - Gopher Tortoise Transects
- Marina Expansion Boundary
- 25ft GT Buffer



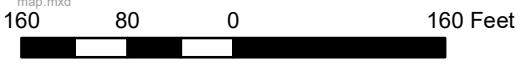
A gopher tortoise survey was completed on April 27, 2021 by Authorized Agent Mallory Tatum (GTA-20-00065A). No gopher tortoises or their burrows were observed on the site.

Info:

Gopher Tortoise Survey Map Sailfish Property Ponce Inlet, Florida


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495
496

SAILFISH MARINA EXPANSION
4912 FRONT STREET, PONCE INLET, VOLUSIA COUNTY, FL
BATHROOM ELEVATIONS (WITH COLOR)



ZC# 04022

497
498
499

Responses to Residents' concerns discussed with Mayor Paritsky on 4.1.2024

Front Street access- belief that many resident concerns would be alleviated if Front Street became the access into the Marina. There is the further belief it was our Planning Department that said “no” to developer’s request to use Front Street as the access point.

Response: *Staff have previously indicated to the property owner that an access drive from Front Street is possible. However, the access drive would have to cross the MF-2 (multifamily) property, which is not zoned to allow marinas or related structures like parking lots and restrooms. The access drive, therefore, would have to be limited to that specific purpose and could not further any additional development on the MF-2 property. It would require an access easement to be dedicated to allow and preserve vehicular travel across the MF-2 property in case the MF-2 property was sold separately to a different owner. Alternately, the developer could extend Front Street itself south by formal dedication of ROW. That said, Staff is not able to require the applicant to provide an entrance from Front Street when the B-2 (marina) property has the legal right of access to an abutting public right-of-way on Sailfish Drive.*

Note that Staff had earlier encouraged the developer to master plan the B-2 and MF-2 properties under the Planned Waterfront Development mixed-use zoning district.. This would have provided the developer with much greater flexibility in the future design of the development and required infrastructure without being limited to internal zoning boundary lines. However, staff could not require to the developer to rezone his property – it was ultimately his choice to proceed in a straightforward manner under conventional zoning.

Parking: Concern about overflow parking from the Marina onto Ocean Way Drive.

Response: *The developer has agreed to install a gate to the property to prevent vehicular access by the general public, such that only those with a boat slip will have access. Furthermore, the Police Department and planning staff have begun investigating a resident parking permit program for the south end of town where residents are most impacted by visitor traffic, especially on weekends and holidays.*

Sailfish Drive: Concern with wildlife and environmental impact from additional traffic.

Response: *The traffic engineer for the project estimates an average of 3-4 additional hourly trips per day.*

Traffic Study: Belief that the study presented at the Planning Board meeting is stale. Study was done during COVID and was limited to west of Peninsula, not west of Atlantic on Ocean Way.

Response: *The traffic study was conducted on April 29, 2021, using professionally accepted methods. The purpose of the study was to analyze the impact of the proposed marina development on the local roadway system. The study estimated the vehicular traffic entering and leaving the project site. Trip generation for the proposed marina was determined using the Institute of Transportation Engineers (ITE), Trip Generation Manual, 11th Edition. The marina land use generation data has not been altered since 2021.*

Traffic: Traffic flow and speed concerns on Ocean Way.

Response: *The Police Department and planning staff have begun investigating the following options:*

- *Resident parking permit program*
- *A four-way stop at Ocean Way Drive and S. Peninsula Drive*
- *Altering the traffic flow on Sailfish Drive south of Beach Street to one-way travel from north to south*

Questions:

1. Is this a new or an expanded Marina?

Response: *From Staff's perspective, this application was reviewed as a new marina, in that it is a stand-alone development with its own entrance and related infrastructure and is not structurally or physically connected to the owner's existing marina to the north. However, the developer has sometimes referred to it as an expansion, which perhaps is logical from an operations/management perspective..*

2. Can Sailfish be made into a legal one-way road?

Response: *The Police Chief is currently examining the possibility of modifying Sailfish Drive to one-way travel from north to south.*

3. Is there an existing non-confirming land use in that area? (MF-2 or B-2)

Response: *Yes, the MF-2 property has a non-conforming use, i.e., boat pier/marina, leftover from the former Florida Club development. Today, marinas are not a permitted use on MF-2 zoned property. See LUDC section below regarding nonconforming uses.*

7.4.2 Nonconforming use of a premises.

A legal nonconforming use may continue, or be resumed if destroyed, if:

- A. *It is not enlarged, increased, or extended to occupy a greater area than it did on the effective date; and*
- B. *It is not moved in whole or part to any portion of the lot; and*
- C. *No additional structure is constructed or erected that is related to the nonconforming use. For purposes of this section, "related to" means that the structure is physically connected to the use, connected by a breezeway or similar structure, or is accessory to the nonconforming use.*

Note that the pier is also considered to be a legal non-conforming structure. Such structures may remain, but cannot be moved, expanded, or repaired by more than 65% of their assessed value.

4. Is anyone in government looking at the combined impact of all the projects going on at the south end of Town, including this Marina.

Response: *The Planning and Development Department recently completed a comprehensive town-wide traffic study for this purpose. The study showed that all streets are still operating within their adopted levels of service. Town staff reviews applications based on code regulations pertaining to each parcel. As part of those reviews, required traffic studies and concurrency reviews consider the cumulative impact of development.*

5. Why is there not a legal notification requirement at the inception of any project for all

impacted residents; i.e. entire Ocean Way and Sailfish. Impact with traffic; gate, etc.

Response: *Town Staff are required to follow the public notice standards in the Land Use and Development Code (LUDC) and apply them equally to all applications of the same type. For site plan applications, certified letters are mailed to the contiguous property owners 15 days prior to the Planning Board meeting. The property was also posted with a notice placard 15 days in advance, and a public hearing notice was published in the Daytona Beach News-Journal one week before the hearing. The Town's notification requirements for site development applications are not mandated by State law (like with rezonings), and so can be modified if desired by the Town Council.*

6. Can a residential street be used to access commercial activity if it is a town road and not an arterial road

Response: *Yes, each parcel/property owner has a legal right of access to an abutting right of way. Street classifications, e.g. local vs. arterial, are based on the amount of traffic and access the road is designed to provide, not whether the abutting use is residential or commercial.*

7. Has a study been done on the impact large yachts will have on the local traffic?

Response: *No, not for this application. The proposed marina does not include a boat ramp, which means all boats will have to access the new docks from the water. The traffic study that was conducted for the marina use on this parcel focused on vehicles (e.g., cars and trucks) entering and exiting the parking lot, not yachts.*

March 25, 2024

From: Gary C. Comfort, Jr.

85 Ocean Way Drive

Ponce Inlet, FL 32127

To: Patty Rippey, Principal Planner and Planning Board

4300 S Atlantic Ave

Ponce Inlet, FL. 32127

SUBJECT: Application/Type: FDP #39-2023, Sailfish Marina Property Address: 4912 Sailfish Drive I attended the February 27, 2024, planning board meeting and have significant concerns regarding the proposed access routes (Ocean Way Dr and Sailfish Dr) to the subject property. I believe the proposed access point is inconsistent with the River Front Overlay District (ROD) zoning requirements and the Ponce Inlet 2017 Comprehensive Plan. I have no objections to the currently proposed use of the property (a marina) or its design. My concerns, based on what I heard at the meeting, are as follows:

1. The developer expected that access to the subject property would be primarily via Beach Street and down Sailfish. Sailfish Road is effectively a one lane, historic crushed shell road and considered a scenic byway. It is unlikely this would be the main route of traffic - Instead, most traffic would be directed down Ocean Way Drive by navigation systems as it is both the shortest route with the fastest speed limits. As far as I could tell, there was no realistic evaluation provided about the potential traffic impacts along either stretch of Ocean Way Dr (from S Atlantic Ave to S Peninsula Dr and from S Peninsula Dr to Sailfish Dr). Thus, the traffic study seems faulty.

Response:

The entrance to the development is aligned with Ocean Way Drive. This alignment will reduce the impact of traffic on Sailfish Drive and will encourage vehicular guests to travel on Ocean Way Drive, a paved road, crossing Sailfish Drive to enter the marina property.

2. Any access from Sailfish Dr would significantly destroy the current attractiveness of Sailfish Dr, which currently provides a unique character to Ponce Inlet. It would effectively cut in half the currently longest complete stretch of the shell road because I would expect the developer (and town) would require paving an extension of Ocean Way Dr across Sailfish Dr for easier maintenance and travel (like nearby Beach Street). Use of this access would also impact pedestrian traffic that often enjoy the peaceful walk through the woods with increased traffic travelling both across and on Sailfish Dr.

Response:

The Town is not requiring and the developer is not proposing that Ocean Way be extended and paved across Sailfish Drive into the property. The entrance to the site will be a private drive aisle, not a public road. The proposed final development plan calls for a concrete driveway apron between the Sailfish Drive roadbed and the property line, just like other driveways along Sailfish Drive. Interior to the property, the driveway is crushed shell (Sheet C7). The parking lot will also be crushed shell except for one concrete handicapped parking space.

3. Despite the finding of the staff the proposed entrance at Sailfish seems in major contradiction of the zoning regulations for the ROD for the following reasons: a. Section 2.14 D.4.c. of the ROD states that “The proposed development meets the concurrency management requirements of the town’s LUDC. Traffic impacts upon the scenic roads of Beach Street and Sailfish Drive will be minimized to the maximum extent possible by the use of interior drives, lanes or other means.” As discussed in the meeting, the developer proposed that most traffic would travel down Sailfish Dr from Beach Street. This expectation does not minimize traffic on Sailfish in any way nor does it seem that they considered alternative means of access during the formal presentation.

Response:

The entrance at Sailfish, aligned with Ocean Way Drive, would provide an opportunity to minimize traffic on Sailfish Drive to the maximum extent possible, crossing at the shortest path. The opportunity remains for the developer to extend Front Street or provide an access easement through the MF-2 property.

b. Section 2.14E.1.c of the ROD states, “Developments fronting upon or adjacent to scenic roads (i.e., Sailfish Drive), shall be required to observe the protected area restrictions of 15 feet extending from the right-of-way as established by the town’s scenic roads requirements. In addition, such restrictions must be observed for an additional 20 feet west of Sailfish Drive’s right-of-way (for a total of 35 feet) in order to maintain the existing tree canopy and other non-invasive natural vegetation.” I don’t see how having a cut through to Sailfish meets any aspect of this requirement as they would have to cut directly through this buffer, removing vegetation and significantly reducing the scenic quality of Sailfish.

Response:

Properties are permitted to have a driveway entrance from a public road into their property. The applicant has demonstrated that the 35-foot buffer will be met with existing tree canopy and additional landscaping as noted in the Landscape Plan (Sheet LA1 – LA2) and Tree Protection Plan (Sheet TP1 – TP2). The only clearing activity is at the entrance, as well as the parking lot and stormwater retention areas required for this permitted use. Existing trees and vegetation will be preserved and enhanced along the property lines and around parking lot, retention areas, entrance and bathroom building.

c. Section 2.14.E.2.f of the ROD states, “Sailfish Drive, designated as a scenic road by the town, is a sand-base road, uniquely fragile and limited in its ability to carry any significant amount of traffic for most of its length. Any application for a RDP shall positively address the means by which construction and post-construction traffic will avoid adversely affecting the character and quality of

this scenic road. The application shall also provide for permanent features to channel motor vehicle traffic movements within or around the proposed development to points where such traffic may enter or leave the development without adversely impacting Sailfish Drive.” With Sailfish Dr being proposed as the access point, not only would it adversely impact Sailfish by channeling motor vehicle traffic to Sailfish Dr, it is reasonable to expect this would be the main pathway for construction traffic while the marina and support structures are constructed. No discussion of construction vehicles nor their impacts on Sailfish Dr and nearby residential neighborhoods was presented at the meeting. Again, I am not sure how this criterion is met by the current development plan.

Response:

The final development plan specifies a temporary construction entrance with a tracking pad to be located on Sailfish Drive for entry by construction vehicles from Ocean Way Drive (Sheet C6). Construction vehicles will only cross the tracking pad on Sailfish Drive during the construction.

4. The proposed access seems to conflict with 2017 Comprehensive Plan for the following reasons:

a. In Chapter 3, ‘Transportation Element,’ Figure III-1, ‘Transportation Map,’ - the map already seems to propose access to the property in question via Front St, which is shown to run directly to and potentially across the subject property boundary (the resolution of the map available online is not totally clear). The map shows no connection of Sailfish or extension of Ocean Way Drive into the property. As it seems that the expected access to this property has always been Front Street, the proposed access via Sailfish Dr appears to conflict with the Comprehensive Plan.

Response:

The map in question shows the future transportation network of the Town. The Front Street right of way currently ends at the north end of the MF-2 parcel. The developer is not proposing to develop the MF-2 property and so is not proposing to extend the Front Street right of way. However, the developer does have the option of doing so, or could alternately provide an access easement across the MF-2 property that would accomplish the same purpose. As noted earlier, the developer is not proposing to extend Ocean Way Drive into the property but does have the right to construct a private drive aisle into the property from the public right of way on Sailfish Drive.

b. In Chapter 2, ‘Future Land Use Element,’ the section ‘General Guidelines and Principles for Future Land Use Development,’ states “Residential areas shall be protected from encroachment by incompatible land uses. Whenever possible, gradual transitions and/or buffers shall be provided between residential areas and predominantly nonresidential activities. Side or rear lot lines are favored over local streets as boundaries between residential areas and commercial land uses. A collector street is favored over lot lines as a boundary.” I heard no discussion of how access to the subject property, which is commercial in nature protects the residential neighborhood by providing a gradual transition. As indicated, it is preferred to push traffic down sub-collector roads, such as Beach St to make access to a commercial property more effective and properly reduce impacts on residential neighborhoods.

Response:

The site design incorporates transitions and buffers. The design meets the buffer requirements of 35 feet along Sailfish Drive and 10 feet along property lines. The parking lot itself is situated _____ away from the front property line on Sailfish and includes additional landscaping around the perimeter as required per code. The only building located on this parcel will be a one-story restroom.

c. Under Chapter 3 of the Comprehensive Plan, Policy 1.4.3, it states, “Safety shall be a major concern in all matters of road design and construction and traffic management. Therefore, the Town shall continue to ensure that all road improvements are consistent with the policies of this element.” During the meeting, I heard no discussion of the potential safety impacts (e.g., noise pollution, impact on pedestrians and children, etc) of allowing this new road connection. Pedestrians often use Sailfish Dr as a nice walk through the woods and Ocean Way Dr south of S Peninsula also has many twists leading to reduced visibility for through traffic. Adding traffic to either road does not seem to consider safety when other alternatives are available.

Response:

Increased traffic is expected in the area from the marina project and the renovation of the Pacetti House at the south end of Sailfish. Together, they will add an unknown number of vehicles to Sailfish Drive on any given day. During special events and holiday weekends these numbers will be even greater.

The existing design of Sailfish Drive, winding and ungraded, is a natural deterrent to speed. The Police Department will determine if conditions warrant additional traffic enforcement and/or additional signage in the corridor. Traffic violators will be issued traffic tickets.

5. During the staff presentation, one slide indicated the proposed development would only add two morning trips and seven additional evening trips. Based on follow-up discussion by one of the planning board members, it was disclosed that there was a projection of an average of 80 plus new trips per day (40 round trips). Although one could argue that this is still light at approximately 6 or less trips per hour over a day spread over an entire day, this number would likely be significantly higher during weekends and holidays and on the lower side during most weekdays. This number could also be significantly underestimated if more commercial recreational boating activities, as allowed and even preferred by the ROD, occur. These activities by my reading could potentially include fishing trips or even casino ships. Furthermore, even though a marina is only proposed for now, there is no reason not to expect further development (restaurants, shops, etc.). This is not only consistent with ROD but could be considered preferential. The fact that the developer is considering future historical reviews of the shell piles indicates that the developer may be considering this potential already. This could, of course, further increase the impact on Sailfish Dr and Ocean Way Drive far beyond the current estimates. As I’ve found in the past, once a road is opened, it is hard to close it. Thus, I object to even short-term access from Sailfish Dr (which I again feel would defeat the ROD and Comprehensive Plan requirements as stated earlier) and forever spoil the uniqueness of Sailfish Dr.

Response:

The two morning trips and the seven evening trips refer to the Peak Hour Traffic which are the hours of which traffic volumes are the highest during a 24-hour period, usually the highest volume in the am

(between 7am and 9am) and in the pm (between 4pm and 6pm). The 82 total trips referred to in the Traffic Impact Analysis refers to the daily trip ends, which means the expected number of vehicles entering and accessing a particular use. Each trip has two ends, one entering and one exiting the attractor producing the trips.

It should be noted that the parking lot and number of spaces designed for this proposed project is calculated solely based on the number of slips, not for any other uses. No additional parking spaces are proposed by the developer to accommodate other uses. If the developer wishes to add more uses to the property that create additional parking demand, the developer will be required to expand the parking area accordingly. This would require the developer to submit a new site plan application that would go through the same review process and public hearings. Until then, the uses on the property are effectively limited by the amount of parking provided. Note that casino ships are not permitted in any existing zoning district; per the LUDC, "A use or structure that is not expressly permitted in a zoning district is prohibited."

6. Front St should be the only access to the property. I am very interested in learning what laws prohibit access to the site through the MF-2 zoned lot. Most of my research indicates that this is the preferred route that was expected under the 2017 Comprehensive Plan and that an easement, if not already available, should be readily made for the following reasons: a. As indicated, the 2017 Comprehensive Plan already includes Front St in the transportation plan. It is surprising that it could not be developed even if the MF-2 property is not developed. Again, I'd like to know what law prohibits this and why it was not more actively addressed. I'm particularly concerned that this could set a precedent of how to subvert the town's Comprehensive Plan and trample environmental and residential zoning restrictions in order to implement a quicker and cheaper design. Even if a rule restricts a road going through until the MF-2 is developed then potentially, the developer should have been aware of such restrictions and knew that the project may have to be delayed until the other property is developed – and to make things worse, the developer owns the property requiring development and could have worked on that one first.

Response:

Town staff have researched this and have found nothing prohibiting an access through the MF-2 zoned property to the B-2 zoned property (proposed marina) within the LUDC. This could occur by extending the Front Street right-of-way or providing an access easement through the MF-2 property. This information was supplied to marina representatives in the past. What the LUDC does prohibit is the construction of parking, boat slips, or any other structure supporting the marina on the MF-2 property. A marina by itself is not a permitted use in the MF-2 zoning district. Note that the developer's initial plans also included marina slips on the MF-2 property, along with a parking lot and marina office. Based on zoning, all of these must be confined to the B-2 property, which is reflected on the site plan now under review.

b. In Policy 1.5.4 of Chapter 3 of the Comprehensive Plan, it states "The LUDC shall contain specific access management alternative techniques to include but not be necessarily limited to the following: ...Encourage cross-access easements between adjacent properties where feasible." Thus, allowing such a cross-access easement is already part of the town's transportation plan and thus developing Front St should be preferred.

Response:

See above response.

c. Section 704.1 of the Florida State law, which deals with land locked parcels, would also seem to apply. Although I am not certain, it would seem that because these parcels were likely together at one time (and they are currently owned by the same owner now), that an easement for access through the neighboring MF-2 property should also apply per this law.

Response:

The B-2 (marina) property is not considered a "land-locked" property as it has access to an abutting public right-of-way. Additionally, F.S. Sec. 704.1(1) states "Such an implied grant or easement in lands or estates exists where there is no other reasonable and practicable way of egress, or ingress and same is reasonably necessary for the beneficial use or enjoyment of the part granted or reserved."

d. In the meeting, it was mentioned that rezoning would be necessary to allow Front St to be used prior to development of the MF-2 property. The town council should not rush to such a solution without considering the historical record of town actions on the past on these properties to ascertain any changes are consistent with the Comprehensive Plan.

Response:

As previously mentioned, an access through the MF-2 zoned parcel is permitted and a rezoning would not be required; however, no parking or other structures supporting the marina could be located on the MF-2 parcel until a principal residential use on that parcel has been established or until the parcel was rezoned commercial and combined with the proposed marina parcel.

7. Finally, I am strongly concerned and take offense about the statements of the developer's agent that indicated that as long as the developer meets the zoning requirements, the proposed action must be approved. If that statement is true, there is no reason to waste people's time by allowing unused public input nor should the action go before the planning board or the town council because it becomes a sham public process. Despite the apparent veiled threats that almost seemed to sway the town planning board, the planning board made the correct decision to defer a decision on this action as it gives the public and planning board the time to review the proposal and the staff's findings. As I've indicated, I believe the town staff is mistaken in saying that the development meets the ROD zoning requirements and had the action been bulldozed through, such findings would be harder to consider. Furthermore, development actions of these significant scopes should be brought to the public's attention early in the process (not two years in after most decisions have been made) and better correspondence should be provided to people even moderately impacted by the project (e.g. as far as I understood, no one on Ocean Way Dr was directly mailed a notice even though that street may likely be the most impacted). Overall, access to the subject property via Sailfish Dr should be prohibited for the reasons stated above. I understand the developer's concern that changes will cost time and money; however, the developer needs to realize the proposed action could cause significant and permanent detriment to the residential safety and environment with the added traffic, as well as potential land value loss as the traffic makes the neighborhood less desirable. I appreciate your consideration of my comments.

Response:

The subject application is quasi-judicial, meaning that it is reviewed according to specific criteria in the code, and if those criteria are met, the application must be approved. However, it is up to each Board and Council member to judge on their own whether the criteria have been met, based on their review of competent substantial evidence presented at the public hearing. Staff's technical review and recommendation is a significant component of this evidence, but it is not the only one that the Board and Council can consider. The purpose of the public hearings is to gather additional input, including testimony from the applicant and the public. The review process is spelled out in the code itself – these types of applications require review and recommendation by Town staff and the Planning Board, with the final decision being made by the Town Council.

As for public notice, Town staff follows the notice requirements in the LUDC. This includes a notice physically posted on the property, an ad in the News-Journal one week before the meeting, and certified letters sent 15 days in advance to all abutting property owners. Property owners along Ocean Way Drive from Sailfish Drive to Peninsula Drive were also notified. These same procedures will be followed for the Town Council meeting.

Hello -

Having reviewed the Planning Board Feb 27 minutes specifically Item 7, the minutes state the Town notified residents abutting the project for public comment and that a notice was posted in the News Journal. Why wasn't every resident of Sailfish Drive between Peninsula and Beach Street notified by the Town for public comments? Why was there no placard placed on the property signifying there will be a public hearing with the date/time?

Response:

Here is my concern regarding traffic impact from this project. Present Sailfish Drive traffic has increased regardless of studies and the method by which data was gathered and I dispute the findings and methods used in the study. At least 50 or more cars travel past 4919 Sailfish Dr, often pulling off or turning around in my driveway due to traffic volume. For me to safely leave my driveway on a blind corner has become a real and existing challenge to my personal safety!

Response:

Historically boating is an enjoyable activity with invited guests. The crew each drive a vehicle, guest may or may not travel in the same vehicle. During tournaments or snapper weekend every boat is engaged with as many legal passengers allowed with each traveling to the marinas. Consider the additional volume to our BEDROOM NEIGHBORHOOD OF SAILFISH DRIVE!

Response:

Please forward this notice of my concern to all members of the Council, Planning Board & Town Manager

Karen Stone

stonekstone@gmail.com

What does this comment regard?

Building Permits

Questions or Comments

Hello -

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Please forward this notice of my concern to all members of the Council, Planning Board & Town Manager

Here

Please provide the following information.

Name

Karen Stone

Email Address	stonekstone@gmail.com
Address	4919 Sailfish
City	<i>Field not completed.</i>
State	<i>Field not completed.</i>
Zip Code	<i>Field not completed.</i>
Phone Number	<i>Field not completed.</i>
Organization	<i>Field not completed.</i>

Darren Lear

From: Mike Disher
Sent: Tuesday, April 2, 2024 11:02 AM
To: stonekstone@gmail.com
Cc: Ami Pierce; Dan Scales; Darren Lear; Patty Rippey; Becky Hugler; Kim Cherbano; Stephanie Gjessing
Subject: RE: Online Form Submittal: Send Us Your Comments and Questions

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Stone,

Thank you for taking the time to share your concerns. We will forward your message to the to the Town Council. The Council will be reviewing the Sailfish Marina project at its meeting on April 18th, starting at 2:00 p.m. This is a public meeting and you are welcome to attend.

Please note that the Town staff is required to follow the public notice standards in the Land Use and Development Code (LUDC) and apply them equally to all applications of the same type. This includes mailing certified letters to contiguous property owners 15 days prior to the hearing, posting notice placards on the property 15 days prior to the hearing, and publishing a legal ad in the Daytona Beach *News-Journal* noting the time, location, and reason for the public hearing one week prior to the hearing . This was done for the February 27, 2024 Planning Board meeting and will be done again for the April 18, 2024 Town Council meeting.

The public notice placards were posted on the property in two locations. If you did not see them, it is possible they were knocked down or removed. If you have any additional questions about the application, please free to contact Principal Planner Patty Rippey or our Planning & Development Director Darren Lear. Both are copied on this e-mail for reference.

Sincerely,

Michael E. Disher, AICP
Town Manager

TOWN OF PONCE INLET

4300 South Atlantic Avenue
Ponce Inlet, FL 32127

mdisher@ponce-inlet.org

Off • 386-213-4240
Cell • 386-241-3996
Fx • 386-236-2190

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

NOTE: Please do not send any personal e-mail to this address. Florida has very broad public records laws. Most written communication to or from Town of Ponce Inlet officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



From: Becky Hugler <Rhugler@ponce-inlet.org>

Sent: Tuesday, April 2, 2024 7:59 AM

To: Mike Disher <mdisher@ponce-inlet.org>; Patty Rippey <prippey@ponce-inlet.org>; Darren Lear <dlear@ponce-inlet.org>

Cc: Ami Pierce <APierce@ponce-inlet.org>; Dan Scales <dscases@ponce-inlet.org>

Subject: FW: Online Form Submittal: Send Us Your Comments and Questions

Please see below from a resident sent thru the website.

Becky Hugler

Public Information Officer/FD Office Manager/Town Website Administrator

Ponce Inlet Fire Department

4680 S. Peninsula Dr.

Ponce Inlet, FL 32127

rhugler@ponce-inlet.org

office:386-322-6720

cell:386-262-9714



"The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar."

PLEASE NOTE: Please do not send any personal e-mail to this address. Florida has very broad public records laws. Most written communication to or from Town of Ponce Inlet officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: noreply@civicplus.com <noreply@civicplus.com>

Sent: Tuesday, April 2, 2024 7:58 AM

To: Becky Hugler <Rhugler@ponce-inlet.org>; Ami Pierce <APierce@ponce-inlet.org>

Subject: Online Form Submittal: Send Us Your Comments and Questions

[EXTERNAL: This email was sent from outside of ponce-inlet.org, confirm this is a trusted sender before opening any links or attachments]

Send Us Your Comments and Questions

What does this comment regard?

Building Permits

Questions or Comments

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Please forward this notice of my concern to all members of the Council, Planning Board & Town Manager

Here

Please provide the following information.

Name Karen Stone

Email Address stonekstone@gmail.com

Address 4919 Sailfish

City *Field not completed.*

State	<i>Field not completed.</i>
Zip Code	<i>Field not completed.</i>
Phone Number	<i>Field not completed.</i>
Organization	<i>Field not completed.</i>

Email not displaying correctly? [View it in your browser.](#)

On 4/1/2024 10:32 AM, Jo Anne Hamilton wrote:

Mayor Paritsky, I appreciate you taking the time to discuss the impact that the development of the Blue Waters LLC property will have on our community and to my concern Ocean Way Drive. I have many questions and discussion points I would like to be addressed.

My top three are:

- 1) Roads - Arterial, collector, local, etc. At the Planning Board meeting, when asked, Mr. Disher stated that Ocean Way Drive is a "City Road". Are City Roads designed to carry traffic to commercial sites? Speed limit signs, road lining, road width, etc.

Response: Ocean Way Drive is considered a local road and is currently capable of handling vehicles traveling to the surrounding properties. Providing access to a commercial property does not automatically change the classification of a road to a collector or arterial. Such classifications are based on the traffic volume the road is designed to accommodate and its function within the transportation network. In this case, the anticipated traffic volume of the marina would not be enough to change the classification of Ocean Way Drive. Additionally, there are no prohibitions for the marina property to access abutting public roads, including Sailfish Drive and Ocean Way Drive.

- 2) What is the Town's definition of a "Boatel", as mentioned in the LUDC, and how large of a Boatel would Blue Waters LLC be allowed to construct should they decide to do so?

Response: The LUDC defines a boatel as a facility that may be located on land and/or water that is accessible by boat and provides transient lodging accommodations, normally at a daily rate for boat travelers. Boatels include sleeping accommodations and provisions for sanitation service and may include cooking facilities (LUDC 3.6.1). Pursuant to LUDC 3.6.4., the following standards apply for boatels.

- *Each boatel shall contain no more than 750 square feet of floor area.*
- *No more than ten boatel units are permitted on any B-2 zoned parcel.*
- *No more than five boatel units permitted within any proposed boatel building.*
- *Buildings that contain boatel units shall be separated by a minimum of 25 feet.*
- *The parcel proposed for boatels shall be separated from any established residential use or residentially zoned property by a bufferyard in accordance with the requirements set forth in section 4.10.3 of this code.*
- *All boatel units and related off-street parking spaces shall be screened from any adjoining established residential use or residential zoned property by a solid wall, fence or plant material. If screening is comprised of plant material, it shall form a screen of at least 75 percent opacity at the time of installation.*

Note: A boatel use requires a major special exception in the B-2 zoning district. A major special exception would require Planning Board recommendation and Town Council

approval. Blue Waters Realty Advisors, LLC has not submitted an application for a Boatel as of this date.

3) What affect will crossing sand based Sailfish Drive have on the “Scenic Drive” and who will maintain Sailfish drive has the continuous crossing erodes the drive?

Response: The Public Works Department performs road grading to Sailfish Drive bi-monthly to remove washboards, potholes and other irregularities to the surface of the road. They also bring in additional material annually to restore the driving surface and drainage attributes of the road. The impact of additional vehicles crossing Sailfish Drive will be addressed in the monthly and annual maintenance of the road.

Carroll Hamilton
86 Ocean Way Drive
Ponce Inlet, Fl

Sent from my iPad

--

MEMORANDUM

28 FEB 2024

From: Mark & Lori Ehmann
101 Ocean Way Drive
Ponce Inlet, FL 32127
386-295-6737

To: Patty Rippey, Principal Planner and Planning Board
4300 S Atlantic Ave
Ponce Inlet, FL. 32127
386-236-2182

1) While we can appreciate that you (and the developer) have worked on the Sailfish Marina project for a couple of years now, we'd like to remind you that this is completely brand new to us, and frankly unwelcome. In the future, it might be fruitful to first consult with surrounding neighbors about projects like these from a conceptual standpoint so that passionate, show-stopping details can be ironed out prior to putting anything on paper. Neighbors' quality of life is on the table here, and they ought to be involved early so that win/win solutions can be explored prior to any time investment.

Response: We understand these concerns. However, Town Staff is required to follow the public notice standards in the Land Use and Development Code (LUDC) and apply them equally to all applications of the same type. For site plan applications, certified letters are mailed to the contiguous property owners 15 days prior to the Planning Board meeting, the property located at 4912 Sailfish Drive was posted with a notice sign in two locations abutting Sailfish Drive 15 days prior to the Planning Board meeting, and a legal ad noting the time, location, and reason for the public hearing was advertised in the Daytona Beach News-Journal one week prior to the Planning Board meeting. The same notice will be provided prior to the April 18, 2024 Town Council meeting. It is ultimately up to the Town Council to keep or modify the public notice requirements as a matter of policy.

2) Google Maps provides the most efficient route to the proposed Sailfish Marina by use of Ocean Way, not Beach Street or other routes as the developer's engineer has suggested. Most people will simply use Google Maps; it is our perception that the developer is being purposefully misleading (for reasons unknown), and will continue to do so for Phase III, and other future projects.

Response: Yes, it is likely that first-time visitors will rely on Google Maps or other navigation app, but will find their own preferred route on subsequent visits.

The proposed marina includes only one development phase that is comprised of the

marina, restroom building, and parking lot. Staff is not aware of any other planned development phases for this parcel. The Phase III historic survey referenced at the Planning Board meeting would only be necessary if the historic mound is disturbed.

3) We understand the developer wants to maximize profit and potential use of his B-2 property; however, this presents an obvious conflict of interest for Ocean Way residents. If parking and traffic is the issue (for us), why not designate 8 parking spots on the B-2 property to the north of the developer's MF-2 parcel, and settle with a Sailfish Marina that has 16 boat slips? Why 34? I don't believe he's entitled to 34 or any specific number with respect to the potential impact of neighbors.

Response: Pursuant to Ordinance 2007-28 (Boat Slip Allotment and Allocation), Exhibit A, a total of 39 "wet" boat slips and 88 "dry" slips were allocated to the parcel located at 4912 Sailfish Drive. This was done for all riverfront parcels in Ponce Inlet and all riverfront communities in Volusia County to comply with the County's manatee protection program. This program established a cap on the number of slips (and thereby boat traffic) in the Halifax River as a way to reduce manatee injuries and deaths. The actual number of slips that can be constructed or used on any given property is subject to the development requirements of the LUDC.

Staff is not able to require the applicant to provide an entrance from Front Street when the B-2 (marina) property has the legal right of access to an abutting public right-of-way on Sailfish Drive. Additional parking spaces could be reserved for the marina property if the owner has a surplus of spaces (more than the minimum required) and provides an access easement between the two properties. However, Staff is not able to require this either since sufficient room exists on the B-2 property to provide the minimum number of required parking spaces for the marina.

4) As was proposed in last night's meeting, why not use the MF-2 property for a boardwalk from Sea Love B-2 to Sailfish Marina B-2 for access? The existing boat slips at the MF-2 property do this now (minus a proposed boardwalk). If the MF-2 cannot be used for this purpose, then the existing MF-2 boat slips should be removed to conform with applicable codes. Conversely, if there exists a way for the developer to get legalized access to the new marina, simply use the same "legalized" access method to the existing docks which has already been approved (despite apparent land-use inconsistencies). The MF-2 property "limitations" should not be used as a convenient excuse nor should it be claimed as a hardship.

Response: Town staff has researched this and found nothing prohibiting access through the MF-2 zoned property to the B-2 zoned property (proposed marina) within the LUDC. This could occur by extending the Front Street right-of-way or providing an access easement through the MF-2 property. This information was supplied to marina representatives in the past. What the LUDC does prohibit is the construction of parking, boat slips, or any other structure supporting the marina on the MF-2 property. A marina by itself is not a permitted use in the MF-2 zoning district. Note that the developer's initial

plans also included marina slips on the MF-2 property, along with a parking lot and marina office. Based on zoning, all of these must be confined to the B-2 property, which is reflected on the site plan now under review. The existing pier and boat slips on the MF-2 property are a legal non-conforming use and are allowed to remain, as long as they are not expanded, moved, or repaired beyond 65% of their current assessed value.

5) There exists a construction project due west of the Lighthouse which once complete, will increase traffic volume down here to additional levels unknown. Was a vehicular traffic and parking impact study completed for this project? And were neighbors similarly notified? We were not.

Response: The Pacetti Hotel Museum project was submitted for review on February 23, 2022, and approved by the Town Council on October 22, 2022. A trip generation memorandum was submitted by the applicant indicating that the development will generate 35 vehicular trips per day. As with the Sailfish Marina application, certified letters were sent to contiguous property owners, the property was posted, and a public hearing notice was published in the Daytona Beach News-Journal in compliance with LUDC Section 6.3.5.

6) Many of the developer's ideas presented on paper last night do not reflect reality here. Given the existing businesses near us, the Lighthouse, Lighthouse Park, the boat ramp, the Marine Science Center, the current construction project, and future ones, we believe it's time to give serious consideration to the cumulative impact that these entities bring forth, as each project in isolation sounds and looks great on paper, but they're drawn up and assembled by an engineer in a remote office who does not live here.

Response: The Planning and Development Department recently completed a comprehensive town-wide traffic study for this purpose. The study showed that all streets are still operating within their adopted levels of service.

However, based on concerns expressed by residents, the Police Department and planning staff have begun investigating the following options:

- *Resident parking permit program*
- *A four-way stop at Ocean Way Drive and S. Peninsula Drive*
- *Altering the traffic flow on Sailfish Drive south of Beach Street to one-way travel from north to south*

7) Thank you for your time and consideration.

Sincerely,

Mark & Lori Ehmann

1. No point of access to a driveway is allowed within ten feet of the intersection of the right of way lines of two public streets. Ponce Inlet Ordinance 4.2.5 C .2. and 4.2.7 C.3. Location of Driveways.

Response: This requirement applies to driveways on corner lots and is intended to minimize the number of potential traffic conflict points in the vicinity of a street intersection. In this case, the subject property is not a corner lot, and the proposed driveway entrance will be aligned with Ocean Way Drive itself. The location of the entrance does not conflict with this code section.

In its effort to protect the scenic road of Sailfish, the Planning Board has approved a plan that provides a straightforward trajectory of high vehicle travel to access a commercial driveway in the middle of an intersection of two public roads - Sailfish and Ocean Way.

Response: The traffic study conducted by Lassiter Transportation Group, estimates 3-4 vehicular trips per hour in a 24-hour period. The applicant has also agreed to install a gate at the entrance, prohibiting vehicular traffic by the general public.

2. Any deviation from Town code requires a variance, with public notice requirements. Ponce Inlet Ordinance 6.6.4 – Variances. “The variance process provides limited relief from code where strict application of a particular requirement will create a practical difficulty or undue hardship prohibiting the use of land in a manner otherwise allowed under this case. Variances are intended to provide such relief where this code renders the land difficult or impossible to use because of some physical attribute or other factor unique to the property for which the variance is requested”.

The Plan deviates from the Code for the placement driveway, and therefore, a variance request was required. No variance request was made, and therefore no public notice of the deviation of this driveway from the code was provided, as is required.

Response: See response to comment 1. above. A variance is not required for the proposed driveway entrance alignment.

3. A mere inconvenience or financial burdens that can be resolved by means other than a variance shall not constitute evidence of unnecessary or undue hardship and shall not alone be considered grounds to justify a variance. 6.6.4 – Variances

When asked during the Planning Board meeting why access was not planned from Front Street using an easement along contiguous property owned by Blue Water, the response was that it was “too expensive”. In accordance with the language of the Code, the property owners “financial burdens” do not constitute grounds to justify a variance and any variance request would have required the application to be supported by several other criteria for approval.

Response: The applicant has the legal right of access to an abutting public right-of-way on Sailfish Drive. A variance is not required.

4. The Town shall access management techniques to include but not necessarily limited to the following a). Limit access to roads by controlling the number and

location of site access driveways and other intersection roads; b) Encourage cross access between adjacent properties where feasible. Ponce Inlet Comprehensive Plan Policy 1.5.4

Residential and public safety (vehicular and pedestrian) is at risk due to the clear and expected trajectory of an increased vehicular traffic across the intersection to access this property. Consideration should have been encouraged to determine feasibility of access to Front Street, through the adjacent property which is also owned by Blue Water.

Response: Staff is not able to require the applicant to provide an entrance from Front Street when the B-2 (marina) property has the legal right of access to an abutting public right-of-way on Sailfish Drive. The applicant initially proposed to provide access via Front Street, but only if the marina parking lot could be placed on the MF-2 (multifamily) property. Since marinas and their supporting infrastructure are prohibited in the MF-2 zoning district, the applicant was not able to do this, and elected to move the entrance and parking to Sailfish Drive instead.

Regarding traffic and public safety concerns, the Police Department and planning staff have begun investigating the following options:

- *Resident parking permit program.*
- *A four-way stop at Ocean Way Drive and S. Peninsula Drive.*
- *Altering the traffic flow on Sailfish Drive south of Beach Street to one-way travel from north to south.*

5. “The Town shall ensure, through its development review process, that future development does not occur in amount, types or locations that would increase in through lanes” Ponce Inlet Comprehensive Plan Policy 1.1.3.

This commercial “driveway” is essentially a “public right of way” to the Riverfront Overlay District and its placement in the center where Sailfish intersects with Ocean Way is designed to encourage a public through way to the Riverfront Overlay District along Ocean Way from So. Atlantic. This constructively changes, without the completion of a traffic study, the use of Ocean Way from a “local” road, which permits parking on both sides of the street, to “sub-collector” access road to the Riverfront Overlay District. Any change of text of the use classification of Ocean Way would require that the Town adopt an Amendment to the text of Comprehensive Plan Policy 1.1.1 Table III-1 Roads and would require both a traffic study and public notice. The Planning Board approved this plan which is designed to create the foregoing constructive changes to Ocean Way, yet made no requirement that a traffic study be conducted on Ocean Way between So. Peninsula and So Atlantic.

Response: A private driveway entering from Sailfish Drive is not a public right-of-way. The developer has agreed to install a gate across the driveway that will prohibit vehicular access by the general public.

Providing access to a commercial property does not automatically change the classification of a road to a sub-collector. Such classifications are based on the traffic volume the road is designed to accommodate and its function within the transportation network. In this case, the anticipated traffic volume of the marina would not be enough to change the classification of Ocean Way Drive from a local road to a sub-collector road, nor would it require an increase in the number of through lanes. A traffic study was provided as part of the final development plan application submittal for FDP 39-2023 – Sailfish Marina. The traffic impact analysis parameters included

Sailfish Drive, Beach Street, Rains Drive and Ocean Way Drive from S. Peninsula Drive to Sailfish Drive.

Road classifications and other terms are defined in the Florida Transportation Code (Source: F.S. Chapter 334 Transportation Administration):

“City street system” means all local roads within a municipality, and all collector roads inside that municipality, which are not in the county road system.

“Collector road” means a route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Such a route also collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs (Town of Ponce Inlet Comprehensive Plan, Transportation Element).

“Local Road” means roadways which provide high access to abutting property, low average traffic volumes, and short average trip lengths. Local roads may include minor county roads, minor urban and suburban subdivision streets, and graded or unimproved roads.

“Right-of-way” means land in which the state, the department, a county, or a municipality owns the fee or has an easement devoted to or required for use as a transportation facility. You are correct that any change to the functional classification of any roadway would require an amendment to the comprehensive plan. However, no such changes or amendments are warranted by the proposed development.

6. The Town shall encourage all new development, except single and two family dwelling, to provide bicycle/pedestrian access to public transit stops located within 500 feet. The Town will further encourage such developments to utilize VOTRAN’s Transit Development Design Guidelines. Comprehensive Plan Policy 1.7.10.

The Planning Board has approved public access to a commercial property that is much further than 500 feet from the nearest public transit stop and is not able to be accessed by VOTRAN due it’s location on Sailfish, a designated scenic roadway.

***Response:** The intent of this policy is to ensure that pedestrians and bicyclists have a safe path of travel between a new development and a transit stop, if the transit stop is located within 500 feet of the development. It is not intended to require new developments to install transit stops, nor is it intended to prevent new development if the closest transit stop is more than 500 feet away. This policy does not authorize the Town to require the placement of another Votran bus stop at this location.*

7. It has been acknowledged by the City and the Planning Board, that the developer, Blue Water, is not yet providing any plan to develop the MF-2 property, and therefore is not proposing to extend Front Street.

It is a likely expectation that the developer will be providing a plan in the future for the MF-2 property and any such plan would be expected to include Front Street. Therefore, it is not clear why an easement from the B2 property through the MF-2 to Front Street at this time would be any more expensive for the developer during his development of the B2 property than it would be at the time of developing his MF-2. Without the knowledge of

the developers' intent for the MF-2 property and how he intends to access the property without doing an eventual "expensive" improvement to Front Street, it could be assumed that the plan to place the B2 access directly across from Ocean Way is intended for the future use of the B2 right of way to become the "less expensive" access point through an easement for the MF-2 MultiFamily. This likely future development should not be discarded by the Town in its rush to protect the scenic road Sailfish and approve the driveway access to the B2 property directly across from Ocean Way. In fact, approval of the placement of the driveway in this location will only provide added incentive for the developer to make the same "less expensive" argument a second time to access his MF-2 property.

Response: The scope of Staff's review of development applications is limited to the requirements of the LUDC and comprehensive plan. Staff review considers what is allowed and prohibited under the law and whether the criteria for approval are met, not what the developer believes may be more or less expensive.

Conclusion – As future access to the MF2 property owned by the developer will eventually be required, any request by the Town to encourage access to the B2 property by way of an easement across the MF2 will not constitute a hardship on the developer or prevent him from using the property for its intended purpose and would be in harmony with the general intent and purpose of the Ponce Inlet Comprehensive Plan.

Response: The Town provided information to the applicant regarding the options to construct a driveway or right of way through the MF-2 property. However, staff is not able to require the applicant to provide an entrance from Front Street when the property owner has legal right of access to Sailfish Drive. Based on staff review, the proposed project complies with the Town's Land Use and Development Code and the Comprehensive Plan.



Meeting Date: 4/18/2024

Agenda Item: 10-A

Report to Town Council

Topic: Second reading and adoption of Ordinance 2024-01, Amendments to beach addressing requirements.

Summary:

The Town Council approved first reading of this ordinance on March 21, 2024. The Planning & Development Department is proposing amendments to Code of Ordinances Chapter 18 – Buildings and Building Regulations; Section – 18.4 – Posting of addresses. The proposed changes are intended to clarify regulations adopted by Ordinance No. 2023-06 on December 18, 2023.

Suggested motion:

Staff recommends approval of proposed Ordinance 2024-01 updating Code of Ordinances Chapter 18 – Buildings and Building Regulations; Section – 18.4 – Posting of addresses.

Requested by: Mr. Lear, Planning & Development Director

Approved by: Mr. Disher, Town Manager



MEMORANDUM

PLANNING AND DEVELOPMENT DEPARTMENT

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Michael E Disher, AICP, Town Manager
From: Darren Lear, AICP, Planning and Development Director
Date: April 4, 2024
Subject: Ordinance 2024-01 – Updating Code of Ordinances Chapter 18 – Buildings and Building Regulations; Section 18-4 - Posting of addresses

MEETING DATE: April 18, 2024

Introduction

The Planning & Development Department is proposing amendments to the Code of Ordinances Chapter 18 concerning beach addressing requirements. The proposed changes are intended to clarify regulations adopted by Ordinance No. 2023-06 on December 18, 2023.

Background

In May of 2023, the Volusia County Council identified a concern that tourists and other visitors to our beach would not be able to accurately communicate their location to emergency responders while on County beaches. The Volusia County Council adopted Ordinance No. 2023-46 with the goal of having the addresses of beachfront homes, businesses, and condominiums visible to beachgoers so that they can convey their location to emergency responders.

Subsequently, the Town adopted Ordinance #2023-06, which contained many of the same provisions regarding beach addressing. However, the Town's ordinance also included requirements for multifamily and commercial property owners to provide the street name along with the address number, which proved to be cumbersome for many such property owners.

The proposed amendments to this Chapter seek to alleviate this burden and are contained in the proposed ordinance. The Town Council approved first reading of this item on March 21, 2024.

Recommendation

Staff recommends **approval** of proposed Ordinance 2024-01 updating Code of Ordinances Chapter 18 – Buildings and Building Regulations; Section – 18.4 – Posting of addresses.

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ORDINANCE 2024-01

AN ORDINANCE OF THE TOWN OF PONCE INLET, FLORIDA, AMENDING CHAPTER 18 OF THE PONCE INLET CODE OF ORDINANCES RELATING TO POSTING OF ADDRESS NUMBERS FOR PROPERTIES ADJACENT TO THE ATLANTIC OCEAN; AMENDING SECTION 18.4 “POSTING OF ADDRESSES” OF CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS; REQUIRING THE POSTING OF ADDRESS NUMBERS ON BEACHFRONT PROPERTIES THAT ARE VISIBLE FROM THE ADJACENT BEACH; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Ponce Inlet and other coastal communities in Volusia County are aware of potential delays of reaching persons in need of emergency assistance on the beach if beachgoers are unable to accurately identify the location of emergency situations occurring on the beach; and

WHEREAS, the Town Council of the Town of Ponce Inlet determines that it is in the best interest of the public health, safety, and welfare to require addresses to be posted on the rear of properties or buildings adjacent to the Atlantic Ocean to assist with emergency response activities on the beach; and

WHEREAS, the Town of Ponce Inlet Council previously adopted Ordinance No. 2023-06 requiring single-family beachfront properties to post their address number, and requiring to commercial and multifamily beachfront properties to also post the street name; and

WHEREAS, the Town of Ponce Inlet has received reports that the requirement for commercial and multifamily beachfront properties to also post the street name is proving to be problematic, and exceeds the requirements of other Volusia County coastal communities; and

WHEREAS, the Town Council of the Town of Ponce Inlet determines that further modifications to the beach addressing requirements are necessary and appropriate; and

WHEREAS, this ordinance is enacted under the general home rule and police powers of the Town of Ponce Inlet.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA:

NOTE: Underlined words constitute additions to the Town of Ponce Code of Ordinances, ~~striketrough~~ constitutes deletions from the current Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

46 **SECTION 1.** Legislative Findings and Intent. The findings set forth in the recitals above
47 are hereby adopted as legislative findings pertaining to this Ordinance.
48

49 **SECTION 2.** Incorporation of Amendments. The proposed amendments to Chapter
50 18 of the Ponce Inlet Code of Ordinances are attached to this Ordinance as **Exhibit “A,”**
51 and are hereby incorporated into the text of this Ordinance as though fully set forth herein
52 verbatim as the Code of Ordinances amendments.
53

54 **SECTION 3.** Codification. It is the intent of the Town Council of the Town of Ponce Inlet
55 that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal
56 authority in codifying the provision of this Ordinance.
57

58 **SECTION 4.** Severability. If any section, sentence, phrase, word or portion of this
59 Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not
60 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
61 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
62 unconstitutional.
63

64 **SECTION 5.** Conflicts. All ordinances or parts of ordinances in conflict herewith are
65 hereby repealed to the extent of such conflict.
66

67 **SECTION 6.** Effective Date. This Ordinance shall become effective immediately upon its
68 passage and adoption.
69

70 It was moved by Councilmember Milano and seconded by Councilmember Villanella that
71 said Ordinance be passed on first reading. A roll call vote of the Town Council on said motion
72 resulted as follows:

73	Mayor Paritsky, Seat #1	YES
74	Councilmember Milano, Seat #2	YES
75	Councilmember White, Seat #3	YES
76	Councilmember Villanella, Seat #4	YES
77	Vice-Mayor Smith, Seat #5	YES

78 Passed on first reading this 21st day of March 2024.

79 It was moved by _____ and seconded by _____ that said
80 Ordinance be adopted on second reading. A roll call vote of the Town Council on said motion
81 resulted as follows:

82	Mayor Paritsky, Seat #1	_____
83	Councilmember Milano, Seat #2	_____
84	Councilmember White, Seat #3	_____
85	Councilmember Villanella, Seat #4	_____

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Vice-Mayor Smith, Seat #5 _____

Passed this _____ day of _____ 2024.

Town of Ponce Inlet, Florida

Lois A. Paritsky, Mayor

ATTEST:

Kim C. Cherbano,
Town Clerk

132

EXHIBIT “A”

133 **AMENDMENTS TO CHAPTER 18.** Chapter 18 of the Town of Ponce Inlet Code of Ordinances,
134 titled BUILDINGS AND BUILDING REGULATIONS, is hereby amended in its entirety to read
135 as follows:

136

137 **Chapter 18 - BUILDINGS AND BUILDING REGULATIONS**

138 **ARTICLE I. - IN GENERAL**

139 * * *

140 **Sec. 18-4. - Posting of addresses.**

141 All buildings in the town shall have their assigned address numbers properly displayed. It shall
142 be the duty of the owners and occupants of each building to post the assigned address number on
143 the property in the following manner:

144 (a) The address number shall be affixed to the front of the building or to a separate structure
145 to the front of the building (such as a mailbox, post, wall, fence, etc.) in such a manner
146 so as to be clearly visible and legible from the public or private way on which the building
147 fronts from both directions.

148 (b) Numerals shall be Arabic and shall not be less than three inches in height and one-half
149 inch in width.

150 (c) The numerals shall be of a contrasting color with the immediate background of the
151 building or structure on which such numerals are affixed.

152 (d) For properties abutting the Atlantic Ocean, this requirement shall also apply to the rear
153 of the property facing the beach so that the address number is visible from the beach. ~~In~~
154 ~~addition, all beachfront multifamily buildings and commercial buildings shall also display~~
155 ~~the street name. Alternately, address~~ Address ~~letters and/or~~ numerals facing the beach
156 may be affixed to any permanent seawall, fence, sign, or other vertical structure
157 acceptable to the chief building official or designee as long as they are visible from the
158 beach. Address ~~letters and/or~~ numerals required to be visible from the beach shall be a
159 minimum of 12 inches in height. The beachfront addressing for all properties abutting the
160 Atlantic Ocean shall be in place within ~~120~~ 60 days of the effective date of the amending
161 ordinance.

162 * * *

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Meeting Date: 4/18/2024

Agenda Item: 11-A

Report to Town Council

Topic: First reading of Ordinance 2024-02, Granting a non-exclusive electric utility franchise to Florida Power & Light Company

Summary:

Florida Power & Light Company (FPL) is requesting renewal of its electric utility franchise to operate within the Town of Ponce Inlet. The ordinance provides for maintenance responsibility, calculation of the franchise fee, non-competition, audit of records, dispute resolutions, and other topics.

Suggested motion:

Staff recommends approval of proposed Ordinance 2024-02, granting a non-exclusive electric utility franchise to Florida Power & Light Company.

Requested by: Mr. Disher, Town Manager
Florida Power & Light Company (FPL)

Approved by: Mr. Disher, Town Manager



MEMORANDUM

Town of Ponce Inlet – Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Michael E. Disher, AICP, Town Manager
Date: April 11, 2024
Subject: Ordinance No. 2024-02 - Granting a non-exclusive electric utility franchise to Florida Power & Light Company

MEETING DATE: April 18, 2024

1 **Introduction**

2 Florida Power & Light Company (FPL) is requesting renewal of its electric utility franchise to
3 operate within the Town of Ponce Inlet. The previous franchise ordinance¹ was adopted in 1994
4 and will expire this year. If approved, the ordinance will grant FPL the right to deliver and sell
5 electric power service to Ponce Inlet property owners for an additional 30 years, in exchange for a
6 payment of a 6 percent franchise fee to the Town of Ponce Inlet. The ordinance provides for
7 maintenance responsibility, calculation of the franchise fee, non-competition, audit of records,
8 dispute resolution, and other topics.

9 **Background**

10 Electric utilities are similar to municipal water and sewer utilities, in that they operate within
11 service areas established by state law or other authority, in which there are little to no alternative
12 providers of that service. Although some local governments choose to operate their own electric
13 utility, such as the City of New Smyrna Beach, it is much more common for them to authorize
14 electric utility companies to provide that service. Such arrangements are typically handled through
15 a franchise ordinance, which adopts the agreement as a matter of law. The length of the
16 arrangement is typically 30 years, which provides stability and certainty for the utility company to
17 recoup its investment in any new and upgraded infrastructure, and for the local government to
18 secure franchise fees and other benefits for that same length of time. Public utility operations are
19 governed by F.S 366, F.A.C. Ch. 25-6, and rules of the Florida Public Service Commission..

20
21
22 The proposed ordinance is the product of discussions with FPL representatives over the past
23 several months. Additionally, Staff and the Town Attorney's office reviewed similar franchise
24 ordinances from the majority of cities in Volusia County and other locations in Florida. The result

¹ Ord. No. 94-01, March 16, 1994

25 of this research indicates that the ordinances, whether with FPL or other utility, largely follow the
26 same template, although there may be specific differences depending on the needs and
27 circumstances of each jurisdiction. In this case, FPL representatives agreed to the Town’s request
28 to add certain provisions regarding interference with non-vehicular traffic, adherence to FDOT
29 standards, the Town’s right to remove interfering FPL facilities, the right to higher franchise fees
30 if approved in neighboring cities and counties, face-to-face meetings as part of any dispute
31 resolution process, and additional time for the Town to resolve any disputes or concerns.

32
33 **Discussion**

34 The significant aspects of the ordinance are outlined below:

35
36 Section 1. Grant of Electric Utility Franchise; Term of Franchise (Pgs. 2-3). This section grants
37 a 30-year, non-exclusive right to FPL to “construct, operate, and maintain...electric light and
38 power facilities” in the incorporated limits of the Town, to supply electricity and other services.

39
40 Section 2. Facility Installation, Location, and Relocation (Pgs. 3-4). Section 2 states the FPL’s
41 facilities will not unreasonably interfere with vehicular and non-vehicular traffic, or with
42 access to abutting properties. It further commits FPL to following the Town’s rules and
43 regulations for operating within the Town’s public rights-of-way, provided the Town’s rules
44 do not unreasonably prevent FPL from providing electric service. Any above-grade facilities
45 must be constructed per FDOT standards, including restoration of the right-of-way after
46 construction. If necessary to address any unreasonable interference caused by FPL’s facilities,
47 it allows the Town to remove such facilities at FPL’s expense, with no liability incurred to the
48 Town.

49
50 Section 3. Indemnification of the Grantor (Pgs. 4-5). This section indemnifies the Town and
51 holds it harmless for any accident or damage caused by FPL.

52
53 * * *

54
55 Section 5. Franchise Fee; Calculation; Payment (Pgs. 5-6). Section 4 sets the monthly franchise
56 fee at 6% of FPL’s monthly billed revenues. This fee is in addition to the 10% public service
57 tax charged by the Town per Code of Ordinances Sec. 72-101. The 6% fee is unchanged from
58 the 1994 franchise agreement with FPL, meaning there will be no increase to customers’
59 monthly bill from this ordinance (see **Attachment 1**).

60
61 Section 6. Favored Nations Covenant (Pgs. 6-7). This section states that if FPL enters into a
62 franchise agreement with any other municipality in Seminole, Volusia, Brevard, Flagler, or
63 Lake Counties with a higher franchise fee, then Ponce Inlet is entitled to the same higher fee.
64 Likewise, it states that the other franchise agreement contains additional benefits to FPL, then
65 FPL is entitled to those same benefits in Ponce Inlet as well.

66
67 Section 7. Non-Competition by the Grantor (Pgs. 7-8). Section 7 prohibits the Town from
68 competing directly with FPL in the electric utility business. It also allows the Town to purchase
69 electricity from another supplier, as long as the Town first provides adequate notice to FPL
70 and gives FPL the opportunity chance to match the other supplier’s rates, terms, and conditions.

71
72 Section 8. Competitive Disadvantage; Termination by the Grantee; Dispute Resolution (Pgs.
73 8-9). This section allows FPL to terminate the agreement if the Town grants a franchise to
74 another electric utility under more favorable conditions. It requires FPL to provide the Town
75 with 120 days' notice of its intent to terminate. The Town then has an additional 120 days to
76 remedy the situation. The section requires a face-to-face meeting upon the Town's request
77 prior to termination of the franchise.

78
79 Section 9. Legislative or Regulatory Action (Pgs. 9-10). Similar to Section 8, this section states
80 that FPL can terminate the agreement if any legislative, regulatory or other action by the United
81 States of America or the State of Florida allows another supplier to provide electric service to
82 Ponce Inlet at a competitive advantage, then FPL has the right to terminate the agreement. FPL
83 must provide 120 days' notice to the Town, after which the Town must attempt to remedy the
84 situation in another 120 days.

85
86 Sections 10-11. Default by the Grantee and Grantor (Pgs. 10-11). These sections provide
87 consequences if the terms of the agreement are breached by either party. Default by FPL
88 constitutes grounds for forfeiture, while default by the Town entitles FPL to withhold franchise
89 payments.

90
91 Section 12. The Grantee's Books and Records; Audit; Maintenance (Pgs. 11-12). Section 12
92 provides the right for the Town to annually audit FPL's records relating to the calculation of
93 the franchise payment. Any such audit must follow adequate notice to FPL and will be
94 conducted at the Town's expense.

95
96 * * *

97
98 Acceptance (Pg. 15). Similar to the signature page of an interlocal agreement, this page
99 provides a place for FPL representatives to sign, acknowledging the terms of the ordinance.

100
101
102 With the above sections included, the ordinance is focused solely on the core functions of the
103 franchise agreement with Town. It is very similar in content to the 1994 ordinance (see
104 **Attachment 2**), although the wording has changed somewhat. Related topics such as vegetation
105 maintenance and tree trimming; infrastructure hardening; undergrounding of facilities; pole
106 removal; or renewable energy are beyond the scope of the ordinance. FPL representatives have
107 stated that they are happy to discuss these issues with the Town at any time.

108
109 **Recommendation**

110 Staff recommends approval of Ordinance No. 2024-02, granting a non-exclusive electric utility
111 franchise to Florida Power & Light Company.

112
113 Attachment

- 114 1. Franchise fee rate summary from FPL
115 2. Ord. No. 94-01

ATTACHMENT 1

Franchise Fee Rate Summary

FPL's Franchise Fee Payment Calculation (Estimate)
New Franchise Agreement - Ponce Inlet

Current franchise fee rate is 6%

New Contract Terms ¹:

Franchise Fee + Permits/Fees = 6% of specified revenue (less uncollectibles)

\$	320,431
\$	320,431
\$	-

Example:

Revenue Type	Current Franchise Agreement Rate is 6%	New Agreement
Residential	\$ 4,336,309	4,336,309
Commercial	976,912	976,912
Industrial	27,298	27,298
Total Revenue ²	\$ 5,340,519	5,340,519
Less: Uncollectibles(-	-
Net Revenue	\$ 5,340,519	5,340,519
	x 6%	x 6%
6% / 6% of net revenue	\$ 320,431	320,431
Other payments by FPL:		
Permits/Fees	\$ -	\$ -
Property Taxes	-	-
Franchise Fees	\$ 320,431	\$ 320,431

This is the increased amount that would be passed on to the city's franchise customers.

- Under the current Franchise agreement³ - a typical residential bill for 1,000 kWh is \$144.15; \$8.15 of that is for franchise fees and \$0.00 is for municipal taxes.
- Under the new Franchise agreement³ - a typical residential bill for 1,000 kWh would be \$144.15; \$8.15 of that is for franchise fees and \$0.00 is for municipal taxes.

Currently the Franchise Agreement rate is 6%. Under the new agreement, the average residential customer would see a monthly increase in their bill of \$0 per month.

Summary:

Current Contract Terms ¹:

Franchise Fee + Permits/Fees = 6% of specified revenue
 320,431 + - + - = **320,431 (Total payments)**

New Contract Terms ¹:

Franchise Fee + Permits/Fees = 6% of specified revenue
 320,431 + - = 320,431 + - = **320,431 (Total payments)**

¹ Current Contract Terms calls for the Permits/Fees to be deducted from the payment. This analysis assumes that the Permit & Fees will continue to be deducted under the ne

² Franchise revenues for the period of Jan 2022- Dec 2022.

³ Rate Comparisons based on Rates from FPL.com, updated July 2023

ATTACHMENT 2

ORDINANCE NO. 94-01

AN ORDINANCE OF THE TOWN OF PONCE INLET GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF PONCE INLET, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA:

Section 1. There is hereby granted to Florida Power & Light Company (hereinafter called the "Grantee"), its successors and assigns, the non-exclusive right, privilege or franchise to construct, maintain and operate in, under, upon, over and across the present and future streets, alleys, bridges, easements and other public places of the Town of Ponce Inlet, Florida (hereinafter called the "Grantor") and its successors, in accordance with established practice with respect to electrical construction and maintenance, for the period of thirty (30) years from the date of acceptance hereof, electric light and power facilities (including conduits, poles, wires and transmission lines, and, for its own use, telephone and telegraph lines) for the purpose of supplying electricity to the Grantor and its successors, and inhabitants thereof, and persons and corporations beyond the limits thereof.

Section 2. As a condition precedent to the taking effect of this grant, the Grantee shall have filed its acceptance hereof with the Grantor's Clerk within 30 days hereof.

Section 3. The facilities of the Grantee shall be so located or relocated and so erected as to interfere as little as

possible with traffic over said streets, alleys, bridges and public places, and with reasonable egress from and ingress to abutting property. The location or relocation of all facilities shall be made under the supervision and with the approval of such representatives as the governing body of the Grantor may designate for the purpose, but not so as to unreasonably interfere with the proper operation of the Grantee's facilities and service. When any portion of a street is excavated by the Grantee in the location or relocation of any of its facilities, Grantee shall comply with Section 6.6.2, as amended, of Grantor's Land Use and Development Code pertaining to excavations in public rights-of-way.

Section 4. Grantor shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation or maintenance by the Grantee of its facilities hereunder, and the acceptance of this ordinance shall be deemed an agreement on the part of the Grantee to indemnify the Grantor and hold it harmless against any and all liability, loss, cost, damage or expense which may accrue to the Grantor by reason of the negligence, default or misconduct of the Grantee in the construction, operation or maintenance of its facilities hereunder.

Section 5. All rates and rules and regulations established by the Grantee from time to time shall at all times be reasonable and the Grantee's rates for electricity shall at all times be subject to such regulation as may be provided by law. Grantee

recognizes its obligation to provide electric service and energy on reasonable terms and conditions at just, reasonable and non-discriminatory rates to all who request during the franchise term and thereafter, as required by law.

Section 6. No later than 60 days after the first anniversary date of this grant, and no later than 60 days after each succeeding anniversary date of this grant, the Grantee, its successors and assigns, shall have paid to the Grantor and its successors an amount which added to the amount of all taxes as assessed, levied, or imposed (without regard to any discount for early payment or any interest or penalty for late payment), licenses, and other impositions levied or imposed by the Grantor upon the Grantee's electric property, business, or operations, and those of the Grantee's electric subsidiaries for the preceding tax year, will equal six percent of the Grantee's revenues from the sale of electrical energy to residential, commercial and industrial customers within the corporate limits of the Grantor for the 12 fiscal months preceding the applicable anniversary date.

Section 7. Payment of the amount to be paid to the Grantor by the Grantee under the terms of Section 6 hereof shall be made in advance by estimated monthly installments commencing 90 days after the effective date of this grant. Each estimated monthly installment shall be calculated on the basis of 90% of the Grantee's revenues (as defined in Section 6) for the monthly billing period ending 60 days prior to each scheduled monthly

payment. It is also understood that for purposes of calculating each monthly installment, all taxes, licenses, and other impositions shall be estimated on the basis of the latest data available for all such amounts imposed on the Grantee, before being prorated monthly. The final installment for each fiscal year of this grant shall be adjusted to reflect any underpayment or overpayment resulting from estimated monthly installments made for said fiscal year.

Section 8. Grantor may, at its option, and upon reasonable notice to Grantee, at any time within 90 days after each anniversary of this grant, and at the expense of Grantor, examine the books of Grantee as such books relate to the calculation of the franchise payments to the Grantor. The examination of the books and records of Grantee by Grantor shall be during the regular hours of business of the Grantee and at the General Office of the Grantee or at a mutually agreed upon place. All audits by the Grantor shall be done by the Grantor's employees or by a qualified accounting firm retained by the Grantor on a fixed fee basis.

Section 9. If, during the term of this franchise, the Grantee enters into a franchise with any other municipal corporation which provides for a greater franchise fee than that provided to the Grantor herein, then Grantee agrees upon request of the Grantor to enter into a new franchise with the Grantor containing a similar or greater franchise fee provided that such new franchise includes benefits to Grantee at least equal to

those provided by its franchise agreement with such other municipal corporation.

Section 10. As a further consideration of this franchise, the Grantor agrees not to engage in the business of distributing and selling electricity during the life of this franchise or any extension thereof in competition with the Grantee, its successors and assigns.

Section 11. Failure on the part of the Grantee to comply in any substantial respect with any of the provisions of this ordinance shall be grounds for forfeiture of this grant, but no such forfeiture shall take effect if the reasonableness or propriety thereof is protested by the Grantee until a court of competent jurisdiction (with right of appeal in either party) shall have found that the Grantee has failed to comply in a substantial respect with any of the provisions of this franchise, and the Grantee shall have six months after the final determination of the question to make good the default before a forfeiture shall result with the right in the Grantor, at its discretion, to grant such additional time to the Grantee for compliance as necessities in the case require.

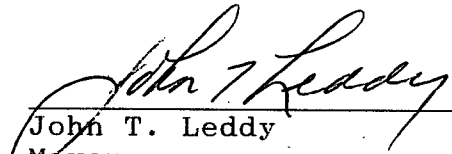
Section 12. Should any section or provision of this ordinance or any portion hereof be declared by a court of competent jurisdiction to be invalid, such decision shall affect the validity of the remainder as a whole and the ordinance shall be invalid.

Section 13. That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 14. This ordinance shall take effect on the date upon which the Grantee files its acceptance.


PASSED First Reading this 16th day of March, 1994.

PASSED Second and Final Reading this 20th day of April, 1994.

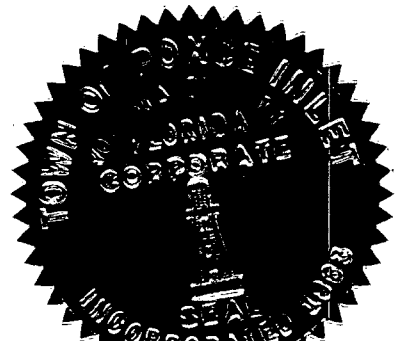


John T. Leddy
Mayor

ATTEST:



Robert C. Burns
Town Manager/Finance Director



31 No. 94-01, passed and adopted April 20, 1994, granting to FPL, its successors and
32 assigns, a thirty (30) year electric franchise ("Current Franchise Agreement"); and

33 **WHEREAS**, FPL and the Town of Ponce Inlet desire to enter into a new agreement
34 (New Franchise Agreement) providing for the payment of fees to the Town of Ponce Inlet
35 in exchange for the nonexclusive right and privilege of supplying electricity and other
36 services within the Town of Ponce Inlet free of competition from the Town of Ponce Inlet,
37 pursuant to certain terms and conditions; and

38 **WHEREAS**, the Town Council of the Town of Ponce Inlet deems it to be in the best
39 interest of the Town of Ponce Inlet and its citizens to enter into the New Franchise
40 Agreement prior to expiration of the Current Franchise Agreement.

41 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE**
42 **TOWN OF PONCE INLET, FLORIDA:**

43 **Section 1. Grant of Electric Utility Franchise; Term of Franchise.** There is
44 hereby granted to Florida Power & Light Company, its successors and assigns
45 (hereinafter called the "Grantee"), for the period of 30 years from the effective date hereof,
46 the nonexclusive right, privilege and franchise (hereinafter called "franchise") to construct,
47 operate and maintain in, under, upon, along, over and across the present and future
48 roads, streets, alleys, bridges, easements, rights-of-way and other public places
49 (hereinafter called "public rights-of-way") throughout all of the incorporated areas, as such
50 incorporated areas may be constituted from time to time, of the Town of Ponce Inlet,
51 Florida, and its successors (hereinafter called the "Grantor"), in accordance with the
52 Grantee's customary practice with respect to construction and maintenance, electric light
53 and power facilities, including, without limitation, conduits, poles, wires, transmission and

54 distribution lines, and all other facilities installed in conjunction with or ancillary to all of
55 the Grantee's operations (hereinafter called "facilities"), for the purpose of supplying
56 electricity and other services to the Grantor and its successors, the inhabitants thereof,
57 and persons beyond the limits thereof.

58 **Section 2. Facility Installation, Location, and Relocation.**

59 (a) The facilities of the Grantee shall be installed, located, or relocated to not
60 unreasonably interfere with vehicular and non-vehicular traffic over the public rights-of-
61 way or with reasonable egress from and ingress to abutting property.

62 (b) To avoid conflicts with such traffic, the location or relocation of all facilities
63 shall be made as representatives of the Grantor may prescribe in accordance with the
64 Grantor's reasonable rules and regulations with reference to the placing and maintaining
65 in, under, upon, along, over and across said public rights-of-way; provided, however, that
66 such rules or regulations:

67 (1) shall not prohibit the exercise of the Grantee's right to use said public
68 rights-of-way for reasons other than unreasonable interference with vehicular and non-
69 vehicular traffic,

70 (2) shall not unreasonably interfere with the Grantee's ability to furnish
71 reasonably sufficient, adequate, and efficient electric service to all its customers, and

72 (3) shall not require the relocation of any of the Grantee's facilities
73 installed before or after the effective date hereof in public rights-of-way unless or until
74 widening or otherwise changing the configuration of the paved portion of any public right-
75 of-way used by pedestrians, motor vehicles, and non-motorized vehicles causes such
76 installed facilities to unreasonably interfere with vehicular and non-vehicular traffic.

77 (c) Such rules and regulations shall recognize that above-grade facilities of the
78 Grantee installed after the effective date hereof should be installed near the outer
79 boundaries of the public rights-of-way to the extent possible, and such installation shall
80 be consistent with the latest edition of the Florida Department of Transportation's *Manual*
81 *of Uniform Minimum Standards for Designs, Construction, and Maintenance for Streets*
82 *and Highways* (aka "Florida Greenbook").

83 (d) When any portion of a public right-of-way is excavated, damaged, or
84 impaired by the Grantee or any of its agents, contractors, or subcontractors in the location
85 or relocation of any of its facilities, the portion of the public right-of-way so excavated shall
86 within a reasonable time be replaced by the Grantee at its expense and in as good
87 condition as it was at the time of such excavation, damage, or impairment.

88 (e) In the event that the Grantor requires removal or relocation of the Grantee's
89 facilities because the facilities unreasonably interfere with the standards set forth in
90 subsection 2(a), and the Grantee fails to remove or relocate such facilities at the
91 Grantee's expense within 30 days after written notice from the Grantor, then the Grantor
92 may proceed to cause the facilities to be removed or relocated and all of the expense
93 therefore shall be charged against the Grantee.

94 (f) The Grantor shall not be liable to the Grantee for any cost or expense in
95 connection with any relocation of the Grantee's facilities required under subsection (b)(1)
96 of this Section, except, however, the Grantee shall be entitled to reimbursement of its
97 costs from others and as may be provided by law.

98 **Section 3. Indemnification of the Grantor.** The Grantor shall not be liable or
99 responsible for any accident or damage that may occur in the construction, operation or

100 maintenance by the Grantee of its facilities hereunder, and the acceptance of this
101 ordinance shall be deemed an agreement on the part of the Grantee to indemnify the
102 Grantor and hold it harmless against any and all liability, loss, cost, damage or expense
103 which may accrue to the Grantor by reason of the negligence, default or misconduct of
104 the Grantee in the construction, operation or maintenance of its facilities hereunder.

105 **Section 4. Rates, Rules, and Regulations of the Grantee.** All rates and rules
106 and regulations established by the Grantee from time to time shall be subject to such
107 regulation as may be provided by law.

108 **Section 5. Franchise Fee; Calculation; Payment.**

109 (a) As a consideration for this franchise, the Grantee shall pay to the Grantor,
110 commencing 90 days after the effective date hereof, and each month thereafter for the
111 remainder of the term of this franchise, an amount which added to the amount of all
112 licenses, excises, fees, charges and other impositions of any kind whatsoever (except ad
113 valorem property taxes and non-ad valorem tax assessments on property) levied or
114 imposed by the Grantor against the Grantee's property, business or operations and those
115 of its subsidiaries during the Grantee's monthly billing period ending 60 days prior to each
116 such payment will equal six (6) percent of the Grantee's billed revenues, less actual write-
117 offs, from the sale of electrical energy to residential, commercial and industrial customers
118 (as such customers are defined by FPL's tariff) within the incorporated areas of the
119 Grantor for the monthly billing period ending 60 days prior to each such payment, and in
120 no event shall payment for the rights and privileges granted herein exceed six (6) percent
121 of such revenues for any monthly billing period of the Grantee.

122 (b) The Grantor understands and agrees that such revenues as described in
123 the preceding paragraph are limited, as in the existing franchise Ordinance No. 94-01, to
124 the precise revenues described therein, and that such revenues do not include, by way
125 of example and not limitation:

126 (1) revenues from the sale of electrical energy for Public Street and
127 Highway Lighting (service for lighting public ways and areas);

128 (2) revenues from Other Sales to Public Authorities (service with
129 eligibility restricted to governmental entities);

130 (3) revenues from Sales to Railroads and Railways (service supplied for
131 propulsion of electric transit vehicles);

132 (4) revenues from Sales for Resale (service to other utilities for resale
133 purposes);

134 (5) franchise fees;

135 (6) Late Payment Charges;

136 (7) Field Collection Charges; and

137 (8) other service charges.

138 **Section 6. Favored Nations Covenant.** If during the term of this franchise the
139 Grantee enters into a franchise agreement with any other municipality located in Seminole
140 County, Volusia County, Brevard County, Flagler County, or Lake County, the terms of
141 which provide for the payment of franchise fees by the Grantee at a rate greater than 6
142 percent of the Grantee's residential, commercial, and industrial (as such customers are
143 defined by FPL's tariff) revenues, under the same terms and conditions as specified
144 herein, then the Grantee, upon written request of the Grantor, shall enter into a new

145 franchise agreement with the Grantor in which the percentage to be used in calculating
146 monthly payments thereunder, utilizing the same terms and conditions as set forth herein
147 shall be that greater rate provide for such other municipality within Seminole County,
148 Volusia County, Brevard County, Flagler County, or Lake County; provided, however, that
149 if the franchise with such other municipality within Seminole County, Volusia County,
150 Brevard County, Flagler County, or Lake County contains additional benefits given to
151 Grantee in exchange for the increased franchise rate, which such additional benefit are
152 not contained in this franchise, such new franchise agreement shall include those benefits
153 to the Grantee.

154 **Section 7. Non-Competition by the Grantor.**

155 (a) As a further consideration, during the term of this franchise or any extension
156 thereof, the Grantor agrees:

157 (1) not to engage in the distribution and/or sale, in competition with the
158 Grantee, of electric capacity and/or electric energy to any ultimate consumer of electric
159 utility service (herein called a "retail customer") or to any electrical distribution system
160 established solely to serve any retail customer formerly served by the Grantee,

161 (2) not to participate in any proceeding or contractual arrangement, the
162 purpose or terms of which would be to obligate the Grantee to transmit and/or distribute,
163 electric capacity and/or electric energy from any third party(ies) to any other retail
164 customer's facility(ies), and

165 (3) not to seek to have the Grantee transmit and/or distribute electric
166 capacity and/or electric energy generated by or on behalf of the Grantor at one location
167 to the Grantor's facility(ies) at any other location(s). Nothing specified herein shall prohibit

168 the Grantor from engaging with other utilities or persons in wholesale transactions which
169 are subject to the provisions of the Federal Power Act.

170 (b) Nothing herein shall prohibit the Grantor, if permitted by law,

171 (1) from purchasing electric capacity and/or electric energy from any other
172 person or supplier, or

173 (2) from seeking to have the Grantee transmit and/or distribute to any
174 facility(ies) of the Grantor electric capacity and/or electric energy purchased by the Grantor
175 from any other person or supplier; provided, however, that before the Grantor elects to
176 purchase electric capacity and/or electric energy from any other person or supplier, the
177 Grantor shall notify the Grantee. Such notice shall include a summary of the specific rates,
178 terms and conditions which have been offered by the other person or supplier and identify
179 the Grantor's facilities to be served under the offer. The Grantee shall thereafter have 90
180 days to evaluate the offer and, if the Grantee offers rates, terms and conditions which are
181 equal to or better than those offered by the other person or supplier, the Grantor shall be
182 obligated to continue to purchase from the Grantee electric capacity and/or electric energy
183 to serve the previously-identified facilities of the Grantor for a term no shorter than that
184 offered by the other person or supplier. If the Grantee does not agree to rates, terms and
185 conditions which equal or better the other person's or supplier's offer, all of the terms and
186 conditions of this franchise shall remain in effect.

187 **Section 8. Competitive Disadvantage; Termination by the Grantee; Dispute**
188 **Resolution.**

189 (a) If the Grantor grants a right, privilege or franchise to any other person or
190 otherwise enables any other such person to construct, operate or maintain electric light

191 and power facilities within any part of the incorporated areas of the Grantor in which the
192 Grantee may lawfully serve or compete on terms and conditions which the Grantee
193 determines are more favorable than the terms and conditions contained herein, the
194 Grantee may at any time thereafter terminate this franchise if such terms and conditions
195 are not remedied within the time period provided hereafter. The Grantee shall give the
196 Grantor at least 120 days advance written notice of its intent to terminate. Such notice
197 shall, without prejudice to any of the rights reserved for the Grantee herein, advise the
198 Grantor of such terms and conditions that it considers more favorable. The Grantor shall
199 then have 120 days in which to correct or otherwise remedy the terms and conditions
200 complained of by the Grantee. If the Grantee determines that such terms or conditions
201 are not remedied by the Grantor within said time period, the Grantee may terminate this
202 franchise agreement by delivering written notice to the Grantor's Clerk and termination
203 shall be effective on the date of delivery of such notice.

204 (b) Notwithstanding the foregoing provisions in Section 6 and this Section 7,
205 upon written request of the Grantor within the 120-day period for a face-to-face meeting
206 between representatives of the Grantor and Grantee, Grantee agrees that it shall meet
207 with the Grantor prior to terminating the franchise agreement. Nothing contained herein
208 shall be construed as constraining the Grantor's rights to legally challenge FPL's
209 reasonable determination of competitive disadvantage leading to termination under
210 Section 6 or this Section 7.

211 **Section 9. Legislative or Regulatory Action.** If as a direct or indirect
212 consequence of any legislative, regulatory or other action by the United States of America
213 or the State of Florida (or any department, agency, authority, instrumentality or political

214 subdivision of either of them) any person or supplier is permitted to provide electric service
215 within the incorporated areas of the Grantor to a customer then being served by the
216 Grantee, or to any new applicant for electric service within any part of the incorporated
217 areas of the Grantor in which the Grantee may lawfully serve, and the Grantee determines
218 that its obligations hereunder, or otherwise resulting from this franchise in respect to rates
219 and service, place it at a competitive disadvantage with respect to such other person or
220 supplier, the Grantee may, at any time after the taking of such action, terminate this
221 franchise if such competitive disadvantage is not remedied within the time period provided
222 hereafter. The Grantee shall give the Grantor at least 120 days advance written notice
223 of its intent to terminate. Such notice shall, without prejudice to any of the rights reserved
224 for the Grantee herein, advise the Grantor of the consequences of such action which
225 resulted in the competitive disadvantage. The Grantor shall then have 120 days in which
226 to correct or otherwise remedy the competitive disadvantage. If such competitive
227 disadvantage is not remedied by the Grantor within said period, the Grantee may
228 terminate this franchise agreement by delivering written notice to the Grantor's Clerk and
229 termination shall take effect on the date of delivery of such notice.

230 **Section 10. Default by the Grantee; Forfeiture.** Failure on the part of the
231 Grantee to comply in any substantial respect with any of the provisions of this franchise
232 shall be grounds for forfeiture, but no such forfeiture shall take effect if the reasonableness
233 or propriety thereof is protested by the Grantee until there is final determination (after the
234 expiration or exhaustion of all rights of appeal) by a court of competent jurisdiction that
235 the Grantee has failed to comply in a substantial respect with any of the provisions of this
236 franchise, and the Grantee shall have six months after such final determination to make

237 good the default before a forfeiture shall result with the right of the Grantor at its discretion
238 to grant such additional time to the Grantee for compliance as necessities in the case
239 require.

240 **Section 11. Default by the Grantor.** Failure on the part of the Grantor to comply
241 in substantial respect with any of the provisions of this ordinance, including but not limited
242 to:

243 (a) denying the Grantee use of public rights-of-way for reasons other than
244 unreasonable interference with vehicular and non-vehicular traffic;

245 (b) imposing conditions for use of public rights-of-way contrary to Florida law or
246 the terms and conditions of this franchise;

247 (c) unreasonable delay in issuing the Grantee a use permit, if any, to construct
248 its facilities in public rights-of-way,

249 shall constitute breach of this franchise and entitle the Grantee to withhold all or part of
250 the payments provided for in Section 5 hereof until such time as a use permit is issued or
251 a court of competent jurisdiction has reached a final determination in the matter. The
252 Grantor recognizes and agrees that nothing in this franchise agreement constitutes or
253 shall be deemed to constitute a waiver of the Grantee's delegated sovereign right of
254 condemnation and that the Grantee, in its sole discretion, may exercise such right.

255 **Section 12. The Grantee's Books and Records; Audit; Maintenance.** The
256 Grantor may, upon reasonable notice and within 90 days after each anniversary date of
257 this franchise, at the Grantor's expense, examine the records of the Grantee relating to
258 the calculation of the franchise payment for the year preceding such anniversary date.
259 Such examination shall be during normal business hours at the Grantee's office where

260 such records are maintained. Records not prepared by the Grantee in the ordinary course
261 of business may be provided at the Grantor's expense and as the Grantor and the
262 Grantee may agree in writing. Information identifying the Grantee's customers by name
263 or their electric consumption shall not be taken from the Grantee's premises. Such audit
264 shall be impartial and all audit findings, whether they decrease or increase payment to
265 the Grantor, shall be reported to the Grantee. The Grantor's right to examine the records
266 of the Grantee in accordance with this Section shall not be conducted by any third party
267 employed by the Grantor whose fee, in whole or part, for conducting such audit is
268 contingent on findings of the audit.

269 Grantor waives, settles and bars all claims relating in any way to the amounts
270 paid by the Grantee under the Current Franchise Agreement embodied in Ordinance
271 No. 94-01.

272 **Section 13. Person.** As used herein "person" means an individual, a partnership,
273 a corporation, a business trust, a joint stock company, a trust, an incorporated
274 association, a joint venture, a governmental authority, or any other entity of whatever
275 nature.

276 **Section 14. Conflicts.** Ordinance No. 94-01, passed and adopted April 20, 1994,
277 and all other ordinances and parts of ordinances and all resolutions and parts of
278 resolutions in conflict herewith, are hereby repealed.

279 **Section 15. Severability.** If any section, sentence, phrase, word, or portion of the
280 is Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination
281 shall not be held to invalidate or impair the validity, force, or effect of any other section,

282 sentence, phrase, word, or portion of this Ordinance not otherwise determined to be
283 invalid unlawful, or unconstitutional.

284 **Section 16. Condition Precedent; Acceptance by Grantee; Effective Date.** As
285 a condition precedent to the taking effect of this ordinance, the Grantee shall file its
286 acceptance hereof with the Grantor's Clerk within 30 days of adoption of this ordinance.
287 The effective date of this ordinance shall be the date upon which the Grantee files such
288 acceptance.

289 It was moved by _____ and seconded by _____ that said Ordinance
290 be passed on first reading. A roll call vote of the Town Council on said motion resulted as
291 follows:

292	Mayor Paritsky, Seat #1	_____
293	Councilmember Milano, Seat #2	_____
294	Councilmember White, Seat #3	_____
295	Councilmember Villanella, Seat #4	_____
296	Vice-Mayor Smith, Seat #5	_____

297 PASSED on first reading this _____ day of _____, 2024.

298 It was moved by _____ and seconded by _____ that
299 said Ordinance be adopted on second reading. A roll call vote of the Town Council on
300 said motion resulted as follows:

301	Mayor Paritsky, Seat #1	_____
302	Councilmember Milano, Seat #2	_____
303	Councilmember White, Seat #3	_____
304	Councilmember Villanella, Seat #4	_____

305 Vice-Mayor Smith, Seat #5 _____

306

307 PASSED AND ADOPTED on second reading this _____ day of
308 _____, 2024.

309 TOWN OF PONCE INLET, FLORIDA

310

311 By: _____
312 Lois A. Paritsky, Mayor

313 ATTEST:

314

315 By: _____ (SEAL)
316 Kim C. Cherbano, Town Clerk

317

318

319 APPROVED AS TO FORM AND LEGALITY

320

321

322

323

324 _____
Town Attorney, Ponce Inlet, Florida

ACCEPTANCE OF ELECTRIC FRANCHISE
ORDINANCE NO. 2024-02
BY FLORIDA POWER & LIGHT COMPANY

Town of Ponce Inlet, Florida _____, 2024

Florida Power & Light Company does hereby accept the electric franchise in the Town of Ponce Inlet, Florida, granted by Ordinance No. 2024-02, being:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, FLORIDA, GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE ELECTRIC UTILITY FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO THE TOWN OF PONCE INLET; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

which was passed and adopted on _____, 2024.

This instrument is filed with the Town Clerk of the Town of Ponce Inlet, Florida, in accordance with the provisions of Section 16 of said ordinance.

FLORIDA POWER & LIGHT COMPANY

By _____

I HEREBY ACKNOWLEDGE receipt of the above Acceptance of Electric Franchise Ordinance No. 2024-02 by Florida Power & Light Company, and certify that I have filed the same for record in the permanent files and records of the Town of Ponce Inlet, Florida on this ____ day of _____, 2024.

(SEAL)

Town Clerk, Town of Ponce Inlet, Florida



Meeting Date: 4/18/2024

Agenda Item: 11-B

Report to Town Council

Topic: Resolution 2024-05, Updating the Town's fee schedule.

Summary: Please see attached staff memorandum.

Suggested motion: To approve Resolution 2024-05 as presented.

Requested by: Chief Scales, Public Safety Director

Approved by: Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET, OFFICE OF THE PUBLIC SAFETY DIRECTOR

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Michael E. Disher, AICP, Town Manager
From: Daniel Scales, CFO, Public Safety Director
Date: April 11, 2024
Subject: Resolution No. 2024-05 – Updating the Town’s Fee Schedule

MEETING DATE: April 18, 2024

1 INTRODUCTION

2 This staff report is to provide an explanation of the changes proposed in Resolution No. 2024-05,
3 amending portions of Appendix A (Fees, Rates and Charges) of the Town Code. The proposed
4 amendments aim to update the existing fee structure associated with the Planning & Development
5 Department, Police Department, Fire Department, Public Works, and Cultural Services. Staff
6 recommends certain changes are necessary to modernize and align the fee structure with current
7 requirements and standards. These amendments were identified after a thorough review of the
8 existing fee schedule and consideration of various factors such as cost of services, regulatory
9 compliance, industry standards, and interlocal agreements such as with the City of Port Orange.
10 As proposed, the changes would take effect on May 1, 2024 if adopted by the Town Council.

12 SUMMARY OF CHANGES

13 The proposed amendments to Appendix A include modifications to various fees, rates, and charges
14 across different departments and services provided by the Town. Below is a summary of the key
15 changes:

17 PART II. - BUILDINGS AND BUILDING REGULATIONS (Page 1)

- 18 • *Technology fee* (Item 20). Florida Statutes¹ requires local building departments to accept
19 permit applications and payments electronically. In addition, this statute also requires local
20 governments to post and update the status of every permit application under review. Staff
21 recently completed installation of a major update to its “EnerGov” permitting software
22 system to provide these services, involving significant upgrades to the Town’s computer
23 hardware, network software, and “InCode” financial software. However, like all
24 computerized systems, the Town’s permitting software is expected to require periodic
25 updates as long as it is being used. Future changes are expected given the Florida
26 Legislature’s demands for local governments to review and issue permits in ever-shorter
27 timeframes. To provide a steady revenue source for this effort, in 2021 the Town created a

¹ F.S. 553.79(1)(b)

28 new Technology Fee, and has collected approximately \$12,000 per year. However, this has
29 not been entirely sufficient to keep up with rising costs to maintain and service this system.
30 The proposed change will institute a \$10 minimum fee with each permit collected, along
31 with a change to the formula to better account for the total staff resources involved in
32 reviewing and processing a permit.
33

- 34 • *Milestone Inspection Report Review Fee* (Item 22). Milestone inspections are required per
35 FL Statutes 553.899 and were recently added to the FL Building Code, 2023 8th edition
36 and adopted in BOAF Model Administrative Code, Section 110.9. This requirement was
37 enacted by the Florida Legislature in 2022 following the collapse of a condo building in
38 Surfside, Florida. The law requires structural inspections of condominium and co-op
39 buildings along the coast that are 25 years or older. The inspections must be conducted by
40 an architect, structural engineer, or other qualified person. The role of the Town's Building
41 Official and division staff is to provide notice of the inspection deadlines, review these
42 reports as they are submitted, and to determine if the building is unsafe for human
43 occupancy if any necessary repairs have not been scheduled within a certain time after the
44 report is submitted. The proposed fee is intended to cover the staff time needed to fulfill
45 these responsibilities pursuant to state law. The \$300 fee is in line with those of Volusia
46 County and other jurisdictions.
47

48 PART X. - WATER SERVICE (Pages 2-4)

49 Last year, the Town raised its water utility rates² in response to rate increases by the City of Port
50 Orange, from which the Town purchases water for its own customers. Other fees related to the
51 operation of the Town's water system, such as connection fees and charges for service calls, were
52 left unchanged at that time. The proposed fee amendments are intended to better reflect the costs
53 associated with providing water service in compliance with industry standards, and are comparable
54 to those recently adopted by the City of Port Orange for similar water utility activities.
55

- 56 • *Water Connection/Reconnection Service Charge* (Section 2). The fee is increasing by \$10
57 for next-day service calls and by \$45 for same-day or after-hours calls.
58
- 59 • *Diagnostic Fee* (Section 3). This fee is charged for testing a water meter when the meter is
60 suspected to be inaccurate. Such testing can involve removing the meter for testing using
61 specialized diagnostic equipment. The proposed change increases the existing charge from
62 \$35.00 to \$45.00. However, if a problem is found with the water meter, the inspection fee
63 is waived, and there is no charge to the customer for testing or replacement of the meter.
64
- 65 • *Extraordinary Service Calls* (Section 4). This fee is assessed for service requests that more
66 significant than regular maintenance, such as locating a meter covered during grading or
67 sodding on the property or repairing damages caused by customer activity. The proposed
68 increase is the same as for the water connection/reconnection service. Additionally,
69 customers are billed for the cost of regaining access to the meter and restoring service, as
70 well as any damage to the meter or utility system caused by customer activity.
71

² Resolution 2023-15, September 21, 2023

- 72 • *Late Fees* (Section 5). The proposed amendment replaces the late fee of 12% of the
73 outstanding bill with a flat fee of \$45.00 for bills paid 20 days or later after the due date.
74
- 75 • *Meter Check Request* (Section 6). This type of meter check typically involves a visual
76 inspection of the meter at the property to make sure it is working, without the use of
77 specialized diagnostic equipment. The Town does not currently charge for this service. The
78 charge will not be assessed if the meter reading is found to be working improperly.
79
- 80 • *Water Connection Fee Schedule* (Section 7). The proposed changes include adjustments to
81 connection fees for various meter sizes, ensuring alignment with current costs and industry
82 standards, similar to the new rates for Port Orange. The changes “flatten” the existing fee
83 structure, such that the cost for the smaller meters are increasing significantly, while the
84 cost for the largest meters are decreasing.
85
- 86 • *Fine for Tampering with a Utility Meter* (Section 8). The proposed addition provides a
87 penalty for tampering with a utility meter of 3 time the actual repair cost plus \$115.
88 Currently the town has no mechanism to recoup costs associated with the repair or
89 replacement of a utility meter damaged through tampering. This fee is authorized by
90 Florida Statutes § 812.14 and Section 78-58 of the Code of Ordinances.
91
- 92 • *Minimum Advance Security Deposit* (Section 9). The proposed changes include
93 adjustments to the minimum advance security deposits for different meter sizes, reflecting
94 updated amounts for owner and renter deposits. These updates are also similar to the new
95 fees for Port Orange.
96

97 PART XV – PLANNING, DEVELOPMENT, AND CODE ENFORCEMENT FEES (Pages 4-6)

- 98 • *Temporary use permit* (Item 6). This fee is authorized pursuant to LUDC Sec. 6.6.17, which
99 was created³ as a mechanism for permitting temporary uses such as mobile food vendors.
100 The fee covers the cost to review and process permits for these types of uses.
101
- 102 • *Nominations of historic/landmark trees* (Item 8). The Town does not receive many
103 applications of this type. The purpose of adding this item to the fee schedule is to indicate
104 that, like nominations to the Historic Register, the cost is fully subsidized by the Town as
105 an incentive to preserve the Town’s historic and ecological heritage.
106

107 PART XVI. - FIRE DEPARTMENT FEES (Pages 6-7)

108 The fees charged for fire department service have not been updated since 2013. The revised fee
109 structure aligns with industry standards and takes into account factors such as the size and
110 complexity of structures, as well as the level of personnel and equipment required for standby
111 fire/EMS protection. These adjustments are necessary to ensure that the town can cover the costs
112 associated with these activities. The following fee adjustments have been proposed:
113

- 114 • *Annual Fire Inspection Fees Section* (Item 3). The proposed revisions are intended to
115 condense the current fee structure, which calls out various sizes of building occupancies
116 but charges the same fee for each. The revised fee structure is designed to reflect the actual

³ Ord. No. 2022-07, November 11, 2022

117 level of resources required for inspections across the various types of occupancies and
118 structures within the town. Those occupancy classes not applicable to the town have been
119 eliminated.

120
121 • *Standby Fire/EMS Protection Charges Section (4)*. The standby fire/EMS protection
122 charges have been updated to accurately reflect the costs associated with providing
123 emergency response services. The hourly personnel fees are doubling, while fees for
124 apparatus and vehicles are also increasing to align with actual operational costs as
125 identified by FEMA⁴. The fee for a brush truck is being eliminated since the Town does
126 not currently own or operate one.

127
128 **PART XVII. - POLICE DEPARTMENT FEES (Page 7)**

129 The Police Department has recently reviewed and proposed adjustments to the fees associated with
130 excessive false alarms. False alarms not only consume valuable police resources but also pose a
131 potential risk to public safety by diverting attention from genuine emergencies. The revised fee
132 structure aims to deter the occurrence of false alarms while ensuring that the costs associated with
133 responding to such incidents are appropriately covered. For each subsequent false alarm beyond
134 the fifth instance, the fee has been adjusted from \$100.00 to \$200.00. This escalation in fees serves
135 as a stronger deterrent against repeated false alarms and emphasizes the importance of maintaining
136 alarm systems in proper working conditions.

137
138 **PART XX – PARKS AND SPECIAL EVENTS (Pages 7-8)**

139 Under Item 2, court rental fees for pickle-ball instruction have been added to the tennis court rental
140 section. The fees for instructional rentals remain the same.

141
142
143 **Conclusion**

144 The proposed amendments to Appendix A of the Town Code represent a comprehensive effort to
145 update the fee structure in alignment with current needs and standards. These changes aim to
146 ensure transparency, fairness, and sustainability in the provision of town services. The Town
147 Council is encouraged to review and consider these amendments for adoption in order to facilitate
148 effective governance and service delivery in the Town of Ponce Inlet.

149
150 **Recommendation**

151 Staff recommends approval of Resolution No. 2024-05, updating the fee schedule under Appendix
152 A of the Town Code.

⁴ FEMA 2023 Schedule of Equipment Rates

RESOLUTION 2024-05

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA AMENDING PORTIONS OF APPENDIX A (FEES, RATES AND CHARGES) OF THE TOWN CODE OF ORDINANCES, PART II - BUILDINGS AND BUILDING REGULATIONS, PART X - WATER SERVICE, PART XV – PLANNING, DEVELOPMENT, AND CODE ENFORCEMENT FEES, PART XVI - FIRE DEPARTMENT FEES, PART XVII - POLICE DEPARTMENT FEES, AND PART XX – PARKS AND SPECIAL EVENTS; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council has determined that certain changes are appropriate updates to the existing fee structure; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PONCE INLET, VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

NOTE: Words stricken are deletions; words underlined are additions; and omissions in text intended to remain the same are indicated by [* * *].

Section 1. Amending Fees for Buildings and Building Regulations. Part II of Appendix A of the Town of Ponce Inlet Code of Ordinances is hereby amended to modify Item 20 and create Item 22, as follows:

PART II. - BUILDINGS AND BUILDING REGULATIONS

On all buildings, structures or alterations requiring a building permit, as set forth in the building code, a fee for each building permit shall be paid at the time of permit issuance, in accordance with the following schedule.

APPLICATION TYPE	FEE
* * *	
20 <i>Technology Fee</i> Note: required to maintain on-line permitting system [F.S. 533.79(b)]	<u>\$10 min or 5% of building permit fees, per item (2) above whichever is greater</u>
* * *	
<u>22</u> <i>Milestone Inspection Report Review Fee</i>	<u>\$300.00</u>

Section 2. Amending Fees for Water Service. Part X of Appendix A of the Town of Ponce Inlet Code of Ordinances is hereby amended to read as follows:

PART X. - WATER SERVICE

- (1) Water service:
 - a. Monthly unit gallonage charge:

Quantity	Fiscal Year, October 1 through September 30				
	2023/24	2024/25	2025/26	2026/27	2027/28
Monthly base charge, first 2,000 gallons or less	\$23.00	\$23.92	\$24.87	\$25.86	\$26.63
Each additional 1,000 gallons (all users)	\$7.84	\$8.15	\$8.47	\$8.80	\$9.06

- b. Fire mains (any size without meter):
Installation\$1,000.00

	Fiscal Year, October 1 through September 30				
	2023/24	2024/25	2025/26	2026/27	2027/28
Monthly rate	\$28.75	\$29.90	\$31.09	\$32.33	\$33.29

Deposit\$100.00

Note: All fire mains must be available for inspection at all times.

- c. Beginning on October 1, 2028, unless otherwise amended, the water service rates above shall be automatically adjusted each year by the greater of:
 - (i) three (3.0) percent
 - OR
 - (ii) one (1.0) percent plus the annual change to the Consumer Price Index for All Urban Consumers (CPI-U) as reported by the Bureau of Labor Statistics as of May 31st of each year.

All percentage adjustments shall be rounded down to the nearest whole cent.

- (2) Water connection/reconnection service charge: Cost plus ~~\$45.00~~~~35.00~~ for next business day service or ~~\$115.00~~~~70.00~~ for same-day service. For after-hours service calls, an additional ~~\$115.00~~~~70.00~~ charge will be applied. If more than one meter exists at a single address, only one service charge shall apply if ~~the work is they are~~ done at the same time. Costs to the town shall be evidenced by an invoice from the testing authority.
- (3) ~~Inspection-Diagnostic~~ fee for testing water meter where meter is suspected to be inaccurate: ~~\$45.00~~~~35.00~~ plus any additional charges incurred such as removal and replacement, labor, testing charges, meter replacement cost if destruction is required, shipping, etc. If the water meter is found to be inaccurate, the inspection fee is waived and there is no charge to the customer for testing or replacement of the meter.

- (4) Extraordinary service calls outside of regular maintenance (for example, locating a meter covered during grading or sodding on the property or repairing damages attributable to customer activity): ~~shall require a \$45.00~~~~35.00~~ service charge, ~~plus -~~ ~~Additionally, the customer will be billed for~~ the cost of regaining access to the meter and restoring service, and for any damage to the meter or utility system caused by building, construction, or other activity on the property. Extraordinary service calls requiring response on Saturdays, Sundays, holidays, or after 2:00 p.m. Monday-Friday shall require a ~~\$115.00~~~~70.00~~ service charge together with the additional charges listed above set forth in this section.
- (5) a. Late fee ~~12 per cent of the outstanding bill~~~~\$45.00~~ \$45.00 for all bills paid 20 days or later after the due date.
 b. Disconnect grace period 7 days after due date
 c. Any account that is sent to collections will be charged the collection agency fee plus a ~~\$45.00~~~~35.00~~ administration fee, as well as the late fee.
 d. Any account that has been processed for a lien or satisfaction of lien will be charged the appropriate processing fee to cover these expenses along with the \$35.00 administration fee and the late fee.
- (6) Meter check request at service location: \$30.00. If the reading is found to be in error or the meter is not functioning properly, then this charge will not be assessed.

~~(7)~~ Water connection fee schedule:

aA.

Meter Size	Connection Fee
¾-inch*	\$750.00 \$250.00
1-inch	\$1,030.00 \$400.00
1½-inch	\$1,220.00 \$1,200.00
2-inch	\$1,905.00 \$2,000.00
3-inch or 4-inch	\$525.00 3,100 plus actual cost of subcontractor (material and labor)

*Note: Each new unit within a multifamily dwelling unit shall be charged the connection fee for a ¾-inch meter size.

bB. Tapping Fees (not applicable to all connections but will be assessed as appropriate):

Meter Size	Tapping Fee
¾ to 1-inch	\$300.00
1½-inch	\$300.00 \$350.00
2-inch	\$430.00 \$500.00
3-inch or larger	Actual costs of material and labor

cC. Directional drilling (not applicable to all connections but will be assessed as appropriate): Actual costs of material and labor.

(87) Fine for tampering with a utility meter, per Florida Statutes § 812.14 and Section 78-58 of this code: 3x the actual repair cost plus \$115.00.

(9) The following ~~M~~minimum advance security deposit ~~shall be required of all customers of the town's water and sewer service system:~~

Meter Size	Owner Deposit	Renter Deposit
3/4--inch	\$120.00 \$100.00	\$300.00 \$175.00
1--inch	\$240.00 200.00	\$500.00 350.00
1½--inch	\$360.00 300.00	\$630.00 525.00
2--inch	\$912.00 760.00	\$1,596.00 1,330.00
3--inch	\$1,260.00 1,050.00	\$2,205.00 1,838.00
4--inch	\$1,680.00 1,400.00	\$2,940.00 2,450.00
6--inch	\$4,200.00 3,500.00	\$7,350.00 6,125.00
8--inch	\$5,040.00 4,200.00	\$8,820.00 7,350.00
10--inch	\$7,200.00 6,000.00	\$12,600.00 10,500.00

Section 3. Amending Planning, Development, and Code Enforcement Fees. Part XV of Appendix A of the Town of Ponce Inlet Code of Ordinances is hereby amended to modify Items 6 and 8, as follows:

PART XV – PLANNING, DEVELOPMENT, AND CODE ENFORCEMENT FEES

APPLICATION TYPE		FEE
	* * *	
6	<i>Planning and Zoning</i>	
	Alcohol license zoning review	\$30.00
	Annexation/contraction [F.S. 171.0413 and F.S. 171.051]	\$1,000.00
	Appeal of administrative decisions	
	To planning board	\$400.00
	To town council	\$600.00
	Change of use permit	\$150.00
	Additional cost for re-inspection, if required	Employee(s) hourly rate
	Comprehensive plan amendment	
	Small-scale amendment	\$2,000.00
	Large-scale text OR map amendment	\$2,500.00
	Large-scale text AND map amendment	\$3,500.00
	Development agreements	
	Agreement review	\$2,250.00
	Amendment review	\$1,125.00
	FDEP permit zoning confirmation letter	\$100.00
	Zoning confirmation letter	\$100.00

	Minor replats Lot reconfigurations (combinations and boundary adjustments)	\$100.00
	Lot splits, 2 lots	\$400.00
	Lot splits, 3-4 lots	\$600.00
	Special exception Minor	\$1,150.00
	Major	\$1,350.00
	<u>Temporary use permit (annual, or up to 1 year)</u>	<u>\$200.00</u>
	Text amendment to the LUDC or code of ordinances	\$2,500.00
	Vacation of easement or right-of-way	\$600.00
	Variances Administrative [LUDC Sec. 6.6.5]	\$200.00
	Planning Board [LUDC Sec. 6.6.4]	\$400.00
	Town Council [Code of Ordinances, Ch. 18]	\$600.00
	After-the-fact	2x application fee
	Variance appeal to town council	\$600.00
	Waivers [LUDC Sec. 6.6.16] Administrative	\$175.00
	Planning board	\$275.00
	After-the-fact	2x application fee
	Zoning map amendment (rezoning, quasi-judicial)	\$1,700.00

8	<i>Tree Removal, Landscaping Inspection, and Wetland Alteration</i>	
	Tree removal permit application: Administrative review	\$75.00
	Cultural Services Board review	\$150.00
	Town council review	\$600.00
	Note: Tree removal permit fees are waived for invasive and/or noxious species, and for trees that are dead, have been weakened by age, storm, fire, disease, or may cause imminent personal injury or significant property damage and therefore require immediate removal. [LUDC Section 4.10.4]	
	Tree mitigation bank contribution in lieu of required tree replacement	\$350.00/tree
	Note: Based on 2021 market rate for minimum 2.5” caliper replacement tree size	
	Landscape plan review and inspection for single- and two-family residential	\$100.00
	Landscape plan review and inspection for non-residential and multi-family (including subdivisions of 5 or more lots)	\$200.00
	Landscape plan waivers [LUDC Sec. 4.10.5.A]	\$175.00
	Additional cost for re-inspection, if necessary	Employee(s) hourly rate
	Wetland alteration	\$350.00
	<u>Nominations of historic/landmark trees</u>	<u>\$0</u>

Section 4. Amending Fire Department Fees. Part XVI of Appendix A of the Town of Ponce Inlet Code of Ordinances is hereby amended to read as follows:

PART XVI. - FIRE DEPARTMENT FEES

Activity		Fee
1	New construction fee for application processing, plans review, and inspection	\$1.50 per \$1,000.00 of job cost (\$15.00 minimum)
2	Reinspection fees First reinspection Second reinspection Third (and subsequent) re-inspections	\$100.00 \$100.00 \$100.00
3	Annual fire inspection fees for new and existing occupancies, buildings, and structures (to be paid annually with the issuance of a Business Tax Receipt) Assembly with occupancy of over 50—299 persons Assembly with occupancy of 300—999 persons Assembly with occupancy of 1,000—4,999 persons Assembly with occupancy over 5,000 persons Day care, nursery and preschool Short-term rental dwelling All others Multifamily, etc. (24 units or lessmore) Multifamily, etc. (25—100 units) Multifamily, etc. (101—500 units) Multifamily, etc. (501 units or more) Mercantile, office and storage (5,000 square feet and under) Mercantile, office and storage (5,001— 15,000 -square feet or more) Mercantile, office and storage (15,001—30,000 square feet) Mercantile, office and storage (30,001—100,000 square feet) Mercantile, office and storage (100,001—200,000 square feet) Mercantile, office and storage (200,001 square feet or more) Marinas (50 boat slips and under) Marinas (51 or more —100 boat slips) Marinas (101—250 boat slips) Marinas (251 boat slips or more) All temporary structures Other (includes home-based business inspections, all occupancies not listed above, and required single-family residential inspections)	\$50.00 \$50.00 \$50.00 \$50.00 \$50.00 \$50.00 per unit \$50.00 \$100.00 \$100.00 \$100.00 \$100.00 \$50.00 \$50.00 \$100.00 \$50.00 \$50.00 \$50.00 \$50.00 \$50.00 \$30.00 \$50.00
4	Standby fire/EMS protection, per hour: Personnel (firefighter/EMT) Personnel (firefighter/paramedic)	\$50.00 \$25.00 \$60.00 \$30.00

	Personnel (officer/supervisor) (required when 3 or more personnel are needed)	\$ 80.00 40.00
	Fire engine	\$ 175.00 90.00
	Brush truck	\$ 75.00
	Ambulance/Rescue truck	\$41.00
	Supervisor vehicle	\$ 60.00 35.00
5	Appeals of administrative decisions	
	To planning board	\$400.00
	To town council	\$600.00

Section 5. Amending Police Department Fees. Part XVII of Appendix A of the Town of Ponce Inlet Code of Ordinances is hereby amended to read as follows:

PART XVII. - POLICE DEPARTMENT FEES

- (1) Fingerprinting (nonresidents only)\$10.00
- (2) Outside detail, per officer (3-hour minimum), per hour\$50.00*, plus 3% administrative fee
- (3) Outside detail for supervisor, required when 3 or more officers involved (3-hour minimum), per hour\$60.00*, plus 3% administrative fee
- (4) Excessive False Alarm Fees
 - Fourth false alarm\$~~100.00~~~~50.00~~
 - Fifth false alarm \$~~150.00~~~~75.00~~
 - Each Additional instance thereafter \$~~200.00~~~~100.00~~

* Prior to the scheduling of an outside detail, the number of members to be assigned will be determined by the police chief and agreed upon by the employer.

Section 6. Amending Fees for Parks and Special Events. Part XX of Appendix A of the Town of Ponce Inlet Code of Ordinances is hereby amended to read as follows:

PART XX – PARKS AND SPECIAL EVENTS

APPLICATION TYPE		FEE
1	Rental of gazebo and pavilions at Town parks and approved Town facilities for limited duration	\$35.00 + \$100.00 refundable deposit
2	Rental of tennis <u>and pickle-ball</u> courts for private lessons	
	For-profit entities	\$20.00 per hour
	Non-profit entities	\$10.00 per hour
3	Special event permits	
	Permit fee	\$150.00
	Amplified sound permit fee	\$50
	Additional fee for tents and/or temporary structures	per Part II
	Additional services	
	Standby fire/EMS protection	per Part XVI

Outside police detail Public works special event assistance	per Part XVII per Part XVIII
Itinerant Merchant licenses (background check only)	\$35.00
Note: Separate permits are not required of charitable or non-profit organizations which hold sales tax exemption certificates or for the distribution of information of a political nature.	

Section 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision in such holding shall not affect the validity of the remaining portions or applications hereof.

Section 8. Conflicting Resolutions. All Resolutions or parts thereof in conflict herewith or contrary hereto are hereby repealed to the extent of such conflict.

Section 9. Effective Date. This Resolution shall take effect on May 1, 2024.

It was moved by Councilmember _____ and seconded by Councilmember _____ that this Resolution shall be adopted. A roll call vote of the Town Council on said motion resulted as follows:

Mayor Paritsky, Seat #1	_____
Councilmember Milano, Seat #2	_____
Councilmember White, Seat #3	_____
Councilmember Villanella, Seat #4	_____
Vice-Mayor Smith, Seat #5	_____

Adopted this _____ day of _____, 2024.

Town of Ponce Inlet, Florida

Lois A. Paritsky, Mayor

ATTEST:

Kim Cherbano, Town Clerk



Meeting Date: 4/18/2024

Agenda Item: 11-C

Report to Town Council

Topic: Resolution 2024-06, Historic Tree designation at Ponce Preserve.

Summary: Please see attached staff memorandum.

Suggested motion: To approve Resolution 2024-06 as presented.

Requested by: Mr. Lear, Planning & Development Director

Approved by: Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET, PLANNING AND DEVELOPMENT DEPARTMENT

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet obtain the greatest value for their tax dollar.

To: Michael, E. Disher AICP, Town Manager
From: Darren Lear, AICP, Planning & Development Director
Date: April 3, 2024
Subject: Res. No. 2024-06 – Historic Tree designation at Ponce Preserve

REQUEST: To designate a 41” tree in Ponce Preserve as a Historic and Landmark tree

LOCATION: 4401 S. Peninsula Drive - Ponce Preserve Park

APPLICANTS: Barbara Davis and Catherine O’Brien

RECOMMENDATION: **Approval**, based on the findings in this report

MEETING DATE: April 18, 2024

1

2 INTRODUCTION

3 The applicants are requesting designation of a 41” DBH Southern Live Oak located on Town-
4 owned property as a historic and landmark tree.

5

6 AUTHORITY AND PROCESS

7 Section 4.10.5.D of the Land Use and Development Code (LUDC) describes the criteria for
8 designating landmark and historic trees (**Attachment 1**). Upon receipt of a complete application
9 and review by Staff, it is the Cultural Services, Historic Preservation, and Tree Advisory Board’s
10 role as an advisory body to provide a recommendation on whether the tree should be designated..
11 The Cultural Services Board unanimously recommended the designation of the 41” Southern Live
12 Oak tree at Ponce Preserve Park as a historic tree at its regularly scheduled meeting on April 1,
13 2024.

14

15 After the Board has provided its recommendation to the Town Council, the Council may then
16 choose to pass a resolution that officially designates the tree and add it to the Local Historic
17 Register.

18

19 PROPERTY OVERVIEW

20 The tree is in Ponce Preserve, 4401 S. Peninsula Drive, Ponce Inlet (**Attachment 2**). This property
21 is owned by the Town of Ponce Inlet and offers walking trails from the Atlantic Ocean to the

22 Halifax River, wetlands, kayak and canoe launches, a children's playground, and the historic Green
23 Mound.

24

25 **REVIEW OF APPLICATION**

26 The tree being nominated for historic designation is a Southern Live Oak (*Quercus virginiana*)
27 and is located on the northwest edge of the Green Mound in Ponce Preserve. The tree is in good
28 health and the species is indigenous to the region and this ecological setting. In addition, the tree
29 has unique growth features that makes this unique among live oaks in the area. The tree measures
30 41" DBH and the canopy height is estimated to be 65 feet. The canopy area is estimated at
31 approximately 2,600 square feet.

32

33 According to the information in the application package (see **Attachments 3**), the criteria for
34 designating a tree as historic has been met for this tree. Photographs of the tree are contained in
35 **Attachment 4**.

36

37 **RELATIONSHIP TO DEVELOPMENT**

38 In addition to the criteria above, nominations for local historic landmarks are also reviewed
39 according to their relationship between the designation and existing and future plans for the
40 development of the town. The nominated tree is located in a Town-owned park, which receives
41 thousands of tourists per year. The property to the north and south of Ponce Preserve are residential
42 zones. To the east is the Atlantic Ocean and to the west is the Halifax River. The designation of
43 the tree would complement the existing historic sites, trees and walking trails in the surrounding
44 area.

45

46 **RECOMMENDATION**

Staff recommends *approval* of the proposed historic tree designation for the 41" Southern Live
Oak at Ponce Preserve Park.

Attachments:

1. LUDC Section 4.10.5.
2. Location map
3. Narrative provided Certified Arborist
4. Photographs of Tree

ATTACHMENT 1

CRITERIA FOR DESIGNATION

LUDC SECTION 4.10.5.D.2.

Criteria for designation. In order to be eligible for historic or landmark designation, the following criteria shall be met:

- a. The tree must be indigenous to the region;
- b. The tree must be in apparent good health;
- c. The tree must have a DBH of at least 25 inches; and
- d. The tree must possess significance in one or more of the following ways:
 - (1) The tree has a documented association with a historical figure, property, or significant historical event.
 - (2) The tree is associated with a historic landmark, site, or event.
 - (3) The tree was planted as a commemoration, memorial or tribute.
 - (4) The tree is distinctive due to a functional or aesthetic relationship with a natural resource, such as trees located along stream banks or along dune or ridge lines.
 - (5) The tree has exceptional or unique architecture.
 - (6) The tree is identified by the town as having significant arboricultural or horticultural value to the citizens of the town.
 - (7) The tree is identified as playing a significant role in the landscape or architecture of a specific location.

ATTACHMENT 2
LOCATION MAP



Property Address/Location: 4401 S. Peninsula



LOCATION MAP

TOWN OF PONCE INLET



ATTACHMENT 3
NARRATIVE FROM CERTIFIED ARBORIST

NATIVE FLORIDA LANDSCAPES, LLC

Environmental & Vegetation Consulting
P.O. Box 2905, Ormond Beach, FL 32175
386-235-0404 ✪ donaldjspence@gmail.com

March 1, 2024

Mr. Mike Disher, Town Manager
Town of Ponce Inlet
4300 South Atlantic Avenue
Ponce Inlet, FL 32127

Subj: Assessment of a Historic Tree, Ponce Preserve

Dear Mr. Disher,

I was asked to evaluate the health of a live oak tree (*Quercus virginiana*) on the northwest edge of Green Mound in Ponce Preserve (Figure 1) for nomination as a historic tree. I visited the tree on February 24, 2024 and collected demographic data and assessed the tree's overall health. I used the standard tree collection methodology that is accepted by the International Society of Arboriculture (ISA) and my training as a plant pathologist to assess this tree. I also reviewed the tree specifications outlined in the LUDC, Section 9.4, from the Town of Ponce Inlet as part of my assessment.

This live oak tree is in good health and it is a species that is indigenous to the region and to this ecological setting. This tree has unique growth features that makes it unique among live oaks in the area.

Through my investigative work, I found the live oak to have a diameter (DBH) of 41 inches, measured 4.5 above the root collar. This tree arches to the west due to the prevailing winds that occur on the barrier island in a coastal hammock setting, Figure 2. The tree has three main trunks that split at about 5 feet above the ground and support a canopy area of approximately 2,600 square feet. The canopy height is estimated to be 65 feet. The scaffolding branches, limbs, and branches of this tree support several species of lichens and bromeliads, as well as resurrection fern (*Pleopeltis polypodioides*) and likely the epiphytic green-fly orchid (*Epidendrum conopseum*).

Feel free to contact me if you have any questions.

Respectfully submitted,

A handwritten signature in black ink that reads "Don Spence". The signature is written in a cursive style with a large, stylized "D" and "S".

Don Spence, Ph.D.
President
Native Florida Landscapes, LLC
Board Certified Master Arborist: FL-1341B

Native Florida Landscapes, LLC is owned by Don Spence, Ph.D. who has a doctorate in Plant Pathology from the University of Florida, is a Board Certified Master Arborist (FL-1341B) with over 20 years of experience and has earned the Tree Risk Assessment and Qualification Certification (TRAQ) from the International Society of Arboriculture. The information provided in this report is based on professional experience and Dr. Spence's formal education in plant health and diseases.

**ATTACHMENT 4
PHOTOGRAPHS OF TREE
PONCE PRESERVE PARK**





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RESOLUTION 2024-06

**A RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF PONCE INLET, VOLUSIA
COUNTY, FLORIDA, DESIGNATING ONE (1)
TREE WITHIN PONCE PRESERVE AS A LOCAL
HISTORIC LANDMARK TREE PURSUANT TO
SECTION 4.10.5.D OF THE LAND USE AND
DEVELOPMENT CODE; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, Section 4.10 of the Town of Ponce Inlet Land Use and Development Code (LUDC) establishes the Town's minimum standards for protecting existing native trees and vegetation and for the design, installation, and maintenance of landscaping and buffers; and

WHEREAS, Section 4.10.5 of the LUDC provides that the Town Council may designate certain trees as historic or landmark trees if deemed to be irreplaceable due to size, age, and historic, aesthetic, or cultural significance; and

WHEREAS, trees provide numerous environmental, social, and economic benefits such as reducing storm water runoff and erosion, reducing energy use, improving air quality, increasing property values, shading, promoting wildlife habitat, and providing residents with a source of serenity within the Town; and

WHEREAS, the Town has placed considerable emphasis on the quality life and importance of trees on publicly owned land in Ponce Inlet by establishing a master tree inventory and management plan in 2007; and

WHEREAS, at its April 1, 2024, meeting, the Cultural Services Board reviewed and recommended approval of the designation of one (1) Southern Live Oak tree with a 41-inch diameter within Ponce Preserve as a historic landmark tree; and

WHEREAS, the Town Council of the Town of Ponce Inlet, Florida, hereby determines that the criteria set forth in LUDC Section 4.10.5.D have been met, such that the tree should be designated as a historic landmark and added to the Ponce Inlet Local Register of Historic Trees.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF PONCE INLET, FLORIDA AS FOLLOWS:**

SECTION 1. The 41-inch Southern Live Oak tree located in Ponce Preserve, 4401 S. Peninsula Drive, Ponce Inlet (**Exhibit 1**) is hereby designated as a historic landmark tree and added to the Ponce Inlet Local Register of Historic Trees.

SECTION 2. The designation of this tree shall restrict future removal and allow trail marker designations to be placed within the park for recognition of its historic significance.

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SECTION 3. This Resolution shall take effect immediately upon its adoption.

It was moved by Councilmember _____ and seconded by Councilmember _____ that said Resolution be adopted. A roll call vote of the Town Council on said motion resulted as follows:

- Mayor Paritsky, Seat #1 _____
- Councilmember Milano, Seat #2 _____
- Councilmember White, Seat #3 _____
- Councilmember Villanella, Seat #4 _____
- Vice-Mayor Smith, Seat #5 _____

Passed this 18th day of April 2024.

Town of Ponce Inlet, Florida

Lois A. Paritsky, Mayor

ATTEST:

Kim Cherbano, Town Clerk



Meeting Date: 4/18/2024

Agenda Item: 11-D

Report to Town Council

Topic: Resolution 2024-07, Supporting Volusia County's beach feasibility study.

Summary: Please see attached staff memorandum.

Suggested motion: To approve Resolution 2024-07 as presented.

Requested by: Mayor Paritsky

Approved by: Mr. Disher, Town Manager



MEMORANDUM

Town of Ponce Inlet

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Lois A. Paritsky, Mayor
Date: April 9, 2024
Subject: Resolution No. 2024-07 – Supporting Volusia County’s Beach Feasibility Study

Meeting Date: April 18, 2024

A request was made to the Volusia League of Cities by Volusia County, through its Deputy County Manager Suzanne Konchan and Coastal Division Director Jessica Fentress, for consideration supporting the County’s efforts of beach restoration with the adoption of a resolution. The proposed resolution addresses support of the County’s beach feasibility study request as part of its advocacy to bring the Army Corp of Engineers to Volusia County. Attached is the League’s Resolution, 24-02 (Attachment A) adopted by the Volusia League of Cities on March 12, 2024. There was additional discussion with County representatives that it would be helpful if the municipalities could also provide support of a similar resolutions. The Town’s proposed Resolution of support of this effort is provided with this memo.

Our support for beach restoration, shoreline enhancements, and a feasibility study is memorialized in the proposed Town resolution. Such a study's expense is dependent on federal monies being authorized. Through this resolution, we hope to support the County's advocacy efforts as it works with federal agencies and the US Congress to seek federal funds.

I respectfully request that the Council adopt the proposed Resolution in support of the County's Beach Feasibility Study.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lois A. Paritsky".

Lois A. Paritsky, Mayor

Attachment A – Volusia League of Cities Resolution 24-02

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RESOLUTION 2024-07

**A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF PONCE INLET, VOLUSIA COUNTY,
FLORIDA, IN SUPPORT OF THE PARTNERSHIP
BETWEEN VOLUSIA COUNTY AND THE ARMY
CORPS OF ENGINEERS' REQUEST TO FUND THE
COASTAL RESILIENCY FEASIBILITY STUDY AND
ITS INCLUSION IN THE ADMINISTRATION'S
BUDGET REQUEST, CONGRESSIONAL
APPROPRIATION OF FUNDS, AND THE SIGNING
OF A FEASIBILITY COST-SHARING AGREEMENT;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Ponce Inlet recognizes the importance of addressing shoreline erosion control, storm damage reduction, environmental restoration and protection, coastal resiliency, and related improvements along the Atlantic shoreline within the County of Volusia; and

WHEREAS, the Town of Ponce Inlet values the positive economic impact the beaches contribute to the business community and residents who encompass the workforce that serves the hotels, restaurants, retail establishments, and other commercial ventures that serve as a foundation for our regional economy; and

WHEREAS, tourism is a core aspect of the State of Florida's economic vitality, and Volusia County beaches, including the "World's Most Famous" beach in Daytona, serve as a regional draw and travel hub for visitors from across the nation and around the world who in turn boost Florida's economy; and the beaches are the focal point of recreational activity in Volusia County for residents and visitors who utilize them for physical and mental health benefits, fellowship, rest and relaxation, and a wealth of activities including walking, biking, fishing, swimming, and surfing; and

WHEREAS, the Town of Ponce Inlet supports the Volusia County, Florida Hurricane, Storm Damage Reduction, and Coastal Resiliency Feasibility Study, in collaboration with the U.S. Army Corps of Engineers; and the Town of Ponce Inlet understands initiation of such a study is contingent upon selection as a new start study through the annual Congressional appropriations process, with associated allocation of Federal funds; and

WHEREAS, the Town of Ponce Inlet supports a Feasibility Cost-Sharing Agreement between Volusia County and the U.S. Army Corps of Engineers to commence the study, with an understanding that the agreement aims to complete the feasibility study within three years at a total cost not exceeding \$3 million; and

WHEREAS, the Town of Ponce Inlet acknowledges that the cost-sharing for the study entails a 50% contribution by the U.S. Army Corps of Engineers regular appropriations and a 50% cash contribution or in-kind non-monetary services provided by the County of Volusia; and



Meeting Date: 4/18/2024

Agenda Item: 13-A

Report to Town Council

Topic: Fifth Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement between the Town of Ponce Inlet and the City of Port Orange.

Summary: See attached staff report and supporting documents.

Suggested motion: Staff recommends approval of the proposed Fifth Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement between the Town of Ponce Inlet and the City of Port Orange for this project.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



MEMORANDUM

Town of Ponce Inlet – Office of the Town Manager

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Michael E. Disher, AICP, Town Manager
Date: April 11, 2024
Subject: Fifth Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement between the Town of Ponce Inlet and the City of Port Orange

MEETING DATE: April 18, 2024

In January 2024, Mead & Hunt submitted a “Request for Inclusion on the Clean Water Priority List” on the Town’s behalf to the Florida Department of Environmental Protection (FDEP) for the Septic-to-Sewer Phase 1 and 2 projects. Staff was notified on February 21, 2024 that the Town is scheduled to receive \$10.4 M in funding from the FDEP Supplemental Appropriation for Hurricanes Fiona and Ian (SAHFI), provided we apply for FDEP SRF 100% principal forgiveness loan and meet all the Department’s requirements. The construction can be divided and bid as needed to ensure the Town does not go over the \$10.4 M available funding.

At its March 21, 2024 meeting, the Town Council approved a Task Assignment to Mead & Hunt to provide funding and bidding assistance in the amount of \$99,349. Mead & Hunt recommended a cost share split for this task between the City of Port Orange (72%) and the Town (28%) in its letter dated March 19, 2024, based on the shared costs of the recently completed septic-to-sewer project on Ponce de Leon Circle.

One of the required documents that needs to be included with the FDEP loan application is an interlocal agreement with the City governing the expansion and shared costs of the City’s sewer system within the Town. Given the FDEP loan application deadline of August 12, 2024, Mead & Hunt has recommended that the agreement be completed as soon as possible.

The Town met with Port Orange staff on March 5th and March 21st, who indicated their willingness to support a cost-share arrangement. The proposed funding arrangement is spelled out in the proposed Interlocal Agreement (attached), including the share of costs for Mead & Hunt’s assistance as well as any potential costs over the \$10.4 million loan amount, if necessary. The agreement document has been reviewed and accepted by the staff and attorneys of both jurisdictions. It is scheduled for consideration by the Port Orange City Council on May 7th.

Recommendation

Staff recommends **approval** of the proposed Fifth Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement between the Town of Ponce Inlet and the City of Port Orange for this project.

**FIFTH AMENDMENT TO
RESTATEMENT AND AMENDMENT TO SEWER
SERVICES INTERLOCAL AGREEMENT BETWEEN
THE TOWN OF PONCE INLET, FLORIDA AND THE
CITY OF PORT ORANGE, FLORIDA**

This Fifth Amendment to the Restatement and Amendment to Sewer Services Interlocal Agreement Dated March 26, 1993, between the Town of Ponce Inlet, Florida and The City of Port Orange, Florida (“Agreement”) is entered into between the Town of Ponce Inlet, Florida (“Town”) and the City of Port Orange (“City”) (collectively referred to as the “Parties”).

WHEREAS, the City presently owns a sewer system serving the Town; and

WHEREAS, the Parties have, since 1993, entered into an agreement, as amended, for sewer services; and

WHEREAS, a Restatement and Amendment was entered into between the Town and the City, and recorded on January 20, 2004 in Official Records Book 5243 at Page 4473 in the Public Records of Volusia County, Florida (“Restatement”); and

WHEREAS, an Amendment to the Restatement was entered into between the Parties, and recorded on July 31, 2007 in Official Records Book 6102 at Page 1652 in the Public Records of Volusia County, Florida (“Amendment”); and

WHEREAS, a Second Amendment to the Restatement was entered into between the Parties on May 21, 2013, and recorded in Official Records Book 7274 at Page 1524 in the Public Records of Volusia County, Florida (“Second Amendment”); and

WHEREAS, a Third Amendment to the Restatement was entered into between the Parties on April 18, 2017, and recorded in Official Records Book 7892 at Page 628 in the Public Records of Volusia County, Florida (“Third Amendment”); and

WHEREAS, a Fourth Amendment to the Restatement was entered into between the Parties on September 15, 2020, and recorded in Official Records Book 7917 at Page 1397 in the Public Records of Volusia County, Florida (“Fourth Amendment”); and

WHEREAS, Chapter 163, Part I, Florida Statutes, authorizes and provides for interlocal agreements between public agencies including cities; and

WHEREAS, the City’s sanitary sewer within the Town, as part of the septic-to-sewer conversion project, requires an extension of the centralized sewage collection system, which will provide service to over 400 parcels; and

WHEREAS, the Town has funded the preparation of the engineering design plans by Mead & Hunt, Inc., dated August 1, 2023, to construct the septic-to-sewer project, and

said plans have been reviewed and accepted by the City; and

WHEREAS, the Town has been responsible for securing the necessary permitting to enable the construction of the septic-to-sewer project; and

WHEREAS, the Town is now in the process of securing a \$10,400,000 SRF 100% principal forgiveness loan (“SRF Loan”) for construction funding from the Florida Department of Environmental Protection’s Supplemental Appropriations for Hurricanes Fiona and Ian (SAHFI) program; and

WHEREAS, the Town has hired the firm of Mead & Hunt, Inc. for funding and bidding assistance associated with securing the SRF Loan and selection of one or more contractors for construction; and

WHEREAS, the City and the Town now wish to jointly fund the construction of the septic-to-sewer project for unserved properties in the Town through an agreed-upon division of roles and responsibilities; and

WHEREAS, constructing the septic-to-sewer project serves valid public and proprietary purposes of the Parties; and

WHEREAS, a Fifth Amendment is necessary to jointly fund and construct the septic-to-sewer project to serve remaining unserved properties in the Town.

NOW, THEREFORE, THE PARTIES AGREE THAT THE RESTATEMENT IS HEREBY AMENDED AS FOLLOWS:

1. The above recitals are incorporated as if fully set forth herein.
2. The purpose of this amendment is to define the roles and responsibilities of the Town and the City with respect to jointly funding and constructing the project entitled, “Town of Ponce Inlet Septic-to-Sewer Phases 1 and 2” (the “Project”), as described in **Exhibit “1”** attached hereto (FDEP Request for Inclusion on the Clean Water Priority List). This amendment defines the financial obligations of both Parties and defines the tasks to be completed by each. The amendment acknowledges existing grants and the potential for future grants that may be pursued for this project.
3. **Roles and Responsibilities – Funding & Bidding Assistance.** The parties agree to share the costs for Mead & Hunt’s “SAHFI Funding and Bidding Assistance – Sewer Resilience Phases 1 & 2” services as outlined in the scope of services dated February 28, 2024 (attached hereto as **Exhibit “2”**), consistent with the percentage split recommended by Mead & Hunt in its letter dated March 19, 2024 (attached hereto as **Exhibit “3”**). Such costs shall be shared as follows:
 - a. **The Town - 28 %**
 - b. **The City - 72 %**

4. **Roles and Responsibilities – Construction Costs.** The SRF Loan funded by FDEP for construction of the Project is a “not to exceed” amount of \$10,400,000. However, in the event the cost to construct the Project exceeds this amount, it is agreed that the Town and the City will divide and share the remaining costs for construction of the Project as follows:

- a. **The Town** - 100% of the demolition, construction, reconstruction or improvements to the water distribution system, streets, roads, sidewalks, and rights-of-way, including drainage, pavement, and restoration of the right-of-way. Construction supervision, quality assurance, quality control and maintenance of the drainage, pavement and surface right-of-way features shall be the Town’s responsibility.
- b. **The City** - 100% of the demolition, construction, reconstruction or improvements to the sewer system, lift station and force main components. Construction supervision, quality assurance, quality control and maintenance of the sewer mains, manholes, service laterals (up to the property line), lift station and force main shall be the City’s responsibility.
- c. **The Town and the City** – Site Preparation as defined in the construction documents will be split 50/50 between both parties.

5. The Parties contemplate the Project described herein will be procured through the competitive bid process. The bid schedule shall be formatted to support the above-referenced items. The actual bid amount for line items in the bid schedule will be used as the basis for calculating the cost to be paid by the Parties. The bid award will be used based upon the bid from the lowest responsible and responsive bidder.

6. The SRF Loan funded by FDEP in an amount not to exceed \$10,400,000 for this Project shall be shared proportionally by the Town and the City based upon the actual bid amounts and assigned based upon the division of costs and responsibilities as set forth in Paragraph 4. Any future grants for construction to either Party shall be shared proportionally by the Town and the City based upon the actual bid amounts and assigned based upon the division of costs and responsibilities as set forth above in Paragraph 4.

7. The Town intends to pursue additional grant funding with FDEP. The grant is intended to defray the cost to property owners for septic tank abandonment and connection to the central sewer collection system, and to completely fund the project if necessary. If the grant is received, the funds will go to defray homeowner costs or fees. The disbursement methodology will be determined by the Town.

8. This Fifth Amendment is made pursuant to Section 15 of the Restatement.

9. The provisions of this Fifth Amendment shall prevail against any conflict with provisions of the Restatement, the Amendment, the Second Amendment, the Third Amendment, or the Fourth Amendment. Otherwise, all other terms and conditions of the Restatement, the Amendment, the Second Amendment, Third Amendment, and the Fourth Amendment shall remain in full force and effect.

10. This Fifth Amendment may be executed in counterparts and shall take effect upon

execution by the appropriate officials from the City and the Town. This Fifth Amendment may be amended only through an instrument of equal formality signed by the respective Parties as set forth in Paragraph 15 of the Restatement.

IN WITNESS THEREOF, the Parties hereto have executed this Fifth Amendment to Restatement and Amendment to Sewer Services Interlocal Agreement, by and through their duly authorized representatives, on the respective dates below.

CITY OF PORT ORANGE

TOWN OF PONCE INLET

By: _____
Mayor Donald O. Burnette

By: _____
Mayor Lois A. Paritsky

Attest: _____
Robin Fenwick, MMC, City Clerk

Attest: _____
Kim Cherbano, Town Clerk

Date: _____

Date: _____

Approved as to form and legality:

Matthew J. Jones, City Attorney

Clifford B. Shepard, Town Attorney



Florida Department of Environmental Protection

REQUEST FOR INCLUSION ON THE CLEAN WATER PRIORITY LIST

Clean Water State Revolving Fund Program
3900 Commonwealth Blvd., MS 3505, Tallahassee, FL 32399-3000

Process to receive a State Revolving Fund (SRF) Loan. This Request for Inclusion (RFI) form, Form RFI 1 per subsection 62-503.200(33), F.A.C., lets us know that you are interested in obtaining an SRF loan. Each RFI will be assigned a project engineer to assist you throughout the SRF funding process. The information contained in the RFI is used to determine a priority score for your project; and the priority score is used to rank projects on the SRF priority list. Only projects ranked on the fundable portion of the priority list will receive consideration for a loan. Your project engineer will assist you in understanding all program requirements necessary before you are asked to submit a loan application, Form Application 1 or Form Application 2 per paragraph 62-503.430(1)(a), F.A.C. Please note that costs incurred before the adoption of the project on the fundable or waiting portion of the priority list are ineligible for reimbursement.

Type of Loan Requested in this Application. Select only one loan category and project type.

Loan Category: Planning Design Inflow/Infiltration Rehabilitation Construction

Project Type: Design/Bid/Build Design/Build (D/B) Construction Manager at Risk (CMR)

Note: Procurement of professional services must meet the requirements of the Consultants' Competitive Negotiation Act, Section 287.055, F.S.

1. Applicant's Name and Address.

Project Sponsor: Town of Ponce Inlet Contact Person: Kim McColl Title: Finance Director
4300 South Atlantic Avenue Ponce Inlet Volusia FL 32127
(street address) (city) (county) (state) (zip code)
3862362150 kmccoll@ponce-inlet.org
(phone) (ext.) (email address)

Contact Person Address (if different): _____
(street address) (city) (state) (zip code)

2. Name and Address of Applicant's Consultant (if any).

Firm: Mead & Hunt Contact Person: Casey Cissel Title: Project Manager
4401 Eastport Pkwy Port Orange Volusia FL 32127
(street address) (city) (county) (state) (zip code)
3864145062 cassandra.cissell@meadhunt.com
(phone) (ext.) (email address)

3. Certification by Authorized Representative. I certify that this form and attachments have been completed by me or at my direction and that the information presented herein is, to the best of my knowledge, accurate.

mdisher@ponce-inlet.org _____
(email address) (date)

Mike Disher Town Manager
(name, typed) (title)

(signature)

REQUEST FOR INCLUSION ON THE CLEAN WATER PRIORITY LIST

4. Eligible Projects.

- a. Stormwater management facilities, such as detention/retention facilities, treatment facilities, etc. sponsored by a local government (eligible under Section 212 of the amended Clean Water Act).
- b. Wastewater management facilities, such as sewers, pump stations, treatment plants, reuse facilities, sludge facilities, etc. sponsored by a local government (eligible under Section 212 of the amended Clean Water Act).
- c. Nonpoint source pollution control best management practices for agriculture, silviculture, on-site treatment and disposal, wetlands, mining, marinas, brownfields or groundwater protection sponsored by any entity (eligible under Section 319 or 320 of the amended Clean Water Act).

5. Project Information (Please attach).

- a. Describe the project, its location, the scope, why it's needed and the environmental benefit.
- b. Attach maps showing system boundaries, existing and proposed service area, and project area.

6. Estimated Costs (Clean Water Act Section 212, 319, and 320).

a. Planning and/or SSES including geotechnical studies and surveying	_____
b. Design	
c. Special Studies including feasibility studies	_____
d. Eligible Land (necessary land divided by total land times purchase price)	_____
e. Construction, Equipment, Materials, Demolition and Related Procurement	<u>8,000,000</u>
f. Construction Contingency (10% of Item e)	<u>1,600,000</u>
g. Technical Services during Construction	<u>800,000</u>
h. Sum of Items a. through g.	<u>10,400,000</u>

7. Project Schedule.

(Month and Year)

a. Submit the planning or SSES documentation	<u>complete</u>
b. Submit the design documents, obtain permits, and acquire sites (as necessary)	<u>Feb. 2024</u>
c. Start activity (such as construction or non-structural best management practice)	<u>June 2024</u>
d. Complete activity (such as construction or non-structural best management practice)	<u>Dec. 2025</u>

8. Population

a. Population served by the system	<u>3411</u>
b. Population to be served by the project	<u>3411</u>

9. Project Priority

- a. Baseline Priority Categorization.

In the Table below, identify each of the project components for which the project qualifies and provide the component's construction cost. The baseline priority score (BPS) will be determined by prorating each component. The project sponsor must provide documentation that supports the selection of a base priority score of 350 points or greater.

REQUEST FOR INCLUSION ON THE CLEAN WATER PRIORITY LIST

<u>Project Component</u>	<u>Priority Points</u>	<u>Component Construction Cost</u>
1. Eliminate a documented acute or chronic public health hazard. Examples include elimination of failing septic tanks, failing package plants, or elimination of sanitary sewer overflows.	500 points	<u>8000000</u>
2. Implement a project included in, or to be implemented as a direct result of, an adopted Basin Management Action Plan or a Reasonable Assurance Plan approved pursuant to section 403.067, F.S.	450 points	<u>8000000</u>
3a. Protect surface or ground water by preventing or reducing a documented source of pollution, pollution reductions necessary to meet regulatory requirements; or		
3b. Projects or activities by local governments or on-site system management entities, under section 319 of the Act, that correct septic tank failures in springsheds of first magnitude springs; or correct septic tank contributions to nutrient impaired spring systems.	400 points	_____
4. Address a compliance problem documented in an enforcement action where the Department has issued a notice of violation or entered a consent order with the project sponsor.	375 points	_____
5. Meet the criteria for a Green Project; correct excessive inflow/infiltration or other issues within the collection and transmission system that cause sanitary sewer overflows; scheduled rehabilitation; replacement; repair described in an approved asset management plan; or reuse that replaces an existing or proposed demand on a water supply.	350 points	_____
6. Planning and design loans; projects for the installation of wastewater transmission facilities to be constructed concurrently with other construction projects occurring within or along a transportation facility right-of-way; or for rehabilitation, replacement or repair not included in an approved asset management plan.	340 points	_____
7. Projects that construct other reclaimed water systems or residuals reuse systems that do not meet the criteria of component 5. above.	300 points	_____
8. Ensure compliance with other enforceable standards or requirements.	200 points	_____
9. Timely submitted projects that otherwise meet the requirements of the Act (including land or wastewater system acquisition projects).	100 points	_____

b. Restoration and Protection of Special Water Bodies.

In order to qualify for a base score multiplier, identify which of the water bodies listed below that the project will assist in restoring or protecting; and reference the location in existing documentation where substantiating information may be found or attach other such substantiating information. If none are selected, the multiplier equals 1.0. If one or more are selected, the multiplier is 1.2. Supporting documentation must be provided for items selected.

- 1. A priority water body identified in an adopted Surface Water Improvement and Management (SWIM) Plan.
- 2. A water body classified as Outstanding Florida Waters or Wild and Scenic Rivers.

c. Projects that document any of the following shall have bonus points added to the priority score after the adjustment under paragraph (b) above, as indicated. Items 3, 4 and 5 below are only applicable to financially disadvantaged small communities.

- 1. Elimination of Ocean Outfalls. 15 points
- 2. Consistency with an Integrated Water Resource Management (One Water) plan. 15 points
- 3. Population of 10,000 or less as of most recent decennial census, and affordability index less than or equal to 100. _____ points.

1000 divided by the affordability Index = _____ points.
- 4. Negative population trend as defined in 62-505.300(2)(c)2, F.A.C. 25 points
- 5. End of useful life as defined in 62-505.300(2)(c)3., F.A.C. 25 points

Return the completed form to the State Revolving Fund Program, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida, 32399-3000. The form may be scanned and emailed to SRFRFI@FloridaDEP.gov.

The Town of Ponce Inlet Septic to Sewer Phase 1 and 2 projects includes the construction of six (6) individual projects. These projects are located in the Town of Ponce Inlet which is situated between the Halifax River and the Atlantic Ocean. Per the Florida Department of Health's "Assessment of Nitrogen Contribution from Onsite Wastewater Treatment Systems (OWTS) in the Wekiva Study Area of Central Florida" it is estimated that nitrogen input into the environment per capita leaving a septic tank varied between 7.3 and 14.7 lb. per person per year. Ponce Inlet has approximately 2 residents per house which would equate to roughly 29 lb./year per house of nitrogen from every septic tank.

The Project satisfies goals described within the Hurricane Ian Special Appropriation Florida Requirements guidance for the following purposes:

- Reduce flood or fire damage risk and vulnerability as defined by section 212 of the CWA or any eligible facilities under section 1452 of the SDWA
- Enhance resiliency to rapid hydrologic change or natural disaster as defined by section 212 of the CWA or any eligible facilities under section 1452 of the SDWA

Specific project elements that meet the program goals are listed below:

I. Projects that prevent interruption of collection system operation in the event of a flood or natural disaster, including but not limited to:

- a. Installation of back-up generators (including portable generators) or alternative energy sources (e.g., solar panels, wind turbines, batteries, switch boxes) that service pump stations or other distribution system facilities
 - i. *Project includes provisions for emergency power at the proposed lift station site.*
- b. Replacement of damaged equipment with more energy efficient equipment
 - i. *Project includes replacement of septic tanks and drainfields with a centralized sewer system conveying flow to pump stations and ultimately the WWTP for treatment. Septic tank and drainfields in the waterfront community currently discharge excess nutrients into the adjacent waterbodies. During storm events saturated drainfields often prohibit the use of septic systems for prolonged periods of time. Installation of new centralized gravity collection systems will dramatically improve resiliency on this barrier island.*
- c. Physical "hardening" or waterproofing of pumps and electrical equipment at pump stations and other components of collection systems (including storage facilities and associated equipment) through upgrade or replacement, including:
 - Installation of submersible pumps
 - i. *In addition to the gravity collection sewers and roadway rehabilitation, the project will include a new lift station with two (2) submersible pumps. The new lift station and control panel will be constructed above the 100-year flood plain and storm surge elevation. The submersible pump design may operate for extended period in submerged conditions. This project also includes some changes to existing grades for current flooded roadways that will be raised as part of the roadway reconstruction.*

- Waterproofing electrical components (e.g., pump motors)
 - i. *Project includes a new control panel with 316 SS, NEMA 4X control panels for continuous, all-weather operation. The new lift station and control panel will be constructed above the 100-year flood plain and storm surge elevation. The submersible pump design may operate for extended period in submerged conditions.*
- Waterproofing circuitry
 - i. *Project includes a new control panel with 316 SS, NEMA 4X control panels for continuous, all-weather operation. The new lift station and control panel will be constructed above the 100-year flood plain and storm surge elevation. The submersible pump design may operate for extended period in submerged conditions.*
- Dry floodproofing/sealing of structure to prevent floodwater penetration
 - i. *In addition to the gravity collection sewers and roadway rehabilitation, the project will include a new lift station with two (2) submersible pumps. The new lift station and control panel will be constructed above the 100-year flood plain and storm surge elevation. The submersible pump design may operate for extended period in submerged conditions. This project also includes some changes to existing grades for current flooded roadways that will be raised as part of the roadway reconstruction.*
- Installation/construction of wind resistant features (e.g., wind resistant roofing materials, wind-damage resistant windows, storm shutters)
 - i. *The proposed lift station design will meet all current building code and wind load criteria for the state of Florida.*

d. Relocation of critical equipment to less flood prone areas of a facility and/or elevation of critical structures

- i. *The new lift station and control panel will be constructed above the 100-year flood plain and storm surge elevation. The submersible pump design may operate for extended period in submerged conditions.*

e. SCADA system projects to allow remote or multiple system operation locations or installation of flood attenuation, diversion, and retention infrastructure within or beyond the boundaries of a treatment works that protects the collection system

- i. *New SCADA systems installed for the lift station, installed in 316SS NEMA 4X panels and moved to a safe location.*

The construction of Phase 1 and 2 of the septic to sewer project would eliminate +/- 11,745 lb./yr of nitrogen from the environment. Cumulatively in all projects within Phase 1 and 2 the following will be constructed;

- 20,310 LF of 8" gravity sewer
- 2,820 LF of 12" gravity sewer
- 97 manholes

- 379 sewer services
- One (1) Lift Station
- Demo one (1) Lift Station
- 202 water services (replace or install)

A breakdown of each subproject is listed below.

Phase 1

- A1A Sewer Extension
 - Project 1A – Construction of approximately 300 LF of force main
 - Project 1B – Construction of approximately 800 LF of force main
 - Project 1C – Construction of approximately 350 LF of force main
- Lighthouse Shores – Construction of approximately 6,390 LF of 8” gravity sewer, 24 manholes, 124 sewer services, and installation or replacement of 65 water services.
- Jennifer Circle/Bay Harbor Dr – Construction of approximately 3,400 LF of 8” gravity sewer, 1,000 LF of 12” gravity sewer, 19 manholes, 70 sewer services, and installation or replacement of 42 water services.
- West Beach St. – Construction of approximately 2,800 LF of 8” gravity sewer, nine (9) manholes, 29 sewer services, and installation or replacement of 20 water services.

Phase 2

- Oceanside Village – Construction of approximately 6,220 LF of 8” gravity sewer, 1,820 LF of 12” gravity sewer, 36 manholes, 1,580 LF of force main, 156 sewer services, and installation or replacement of 75 water services.
- Lighthouse Preservation – Construction of approximately 1,500 LF of 8” gravity sewer, 9 manholes, 340 LF of force main, 11 sewer services, construction of one (1) lift station, demolition of one (1) lift station, and installation or replacement of 7 water services.

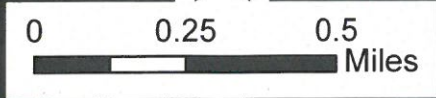
Budget

Estimated Construction Cost, Ph 1 & 2	\$8,000,000
Contingency @ 20%	\$1,600,000
CEI Services @ 10%	\$ 800,000
Estimated Grand Total	\$10,400,000

Schedule

Design	Complete
Permitting	February 2024
Bidding	March – April 2024
Bid Review and Award	May 2024
Construction	June 2024 – December 2025

Ponce Inlet



Legend

- Lighthouse Shores
- Oceanside Village
- Jennifer Cir. / Bay Harbor Dr.
- Lighthouse Preservation
- West Beach St
- South Atlantic 1A
- South Atlantic 1B
- South Atlantic 1C

Timucuan Oaks Botanical Garden

Harbour Village Golf & Yacht Club

Happy Tails Dog Park

S Peninsula Dr

Inlet Harbor Rd

Piddler Island

Beach St

Kay & Ayres Davies Lighthouse Park

State of Florida, Maxar, FDEP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



These documents shall not be used for any purpose or project for which it is not intended. Mead & Hunt shall be indemnified by the client and held harmless from all claims, damages, liabilities, losses, and expenses, including attorneys' fees and costs, arising out of such misuse or reuse of the documents. Any other use or reuse by owner or by others will be at owner's sole risk and without liability or legal exposure to Mead & Hunt. In addition, unauthorized reproduction of these documents, in part or as a whole, is prohibited.

Town of Ponce Inlet Septic to Sewer

Project Service Areas

EXHIBIT A: For the 2/14/2024 FY 2024 Priority List Adoption Meeting

FY2024 CWSRF WATER POLLUTION CONTROL PRIORITY LIST ADOPTION ISSUES AND RECOMMENDATIONS, Ch. 62-503, Florida Administrative Code

1.) The P.L. 117-328 2023 Consolidated Appropriations Act requires State administer the Supplemental Appropriation for Hurricane Fiona & Ian (SAHFI) funds through the existing SRF programs. SRF requirements and procedures apply to these supplemental funds. The Department has determined based on allocated funding that sufficient funds will be available to allow a \$19,823,318 cap per sponsor. Projects listed with additional need will be moved to a waiting list for the remaining amount and will be eligible to compete for any reallocated funds at future Project Priority List meetings.

The CWSRF SAHFI Projects are:

	PROJECT SPONSOR	PRIORITY SCORE	SRF PROJECT #	LOAN TYPE	MEETING DATE	APPLICATION DEADLINE	AGREEMENT DEADLINE	FUNDABLE		ALLOCATED	
								LISTING AMOUNT	AMOUNT	PRINCIPAL	FORGIVENESS
1	LaBelle**	387	26038	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
2	Arcadia**	368	14016	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
3	Eatonville**	363	48029	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
4	Welaka**	363	54050	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$4,996,000	\$4,996,000	\$	4,996,000
5	Mascotte**	361	35124	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
6	Fort Meade**	360	53113	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$6,130,000	\$6,130,000	\$	6,130,000
7	Avon Park*	350	28044	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$2,520,000	\$2,520,000	\$	2,520,000
8	Charlotte County	352	0802K	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
9	Daytona Beach Shores	351	82702	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$14,550,000	\$14,550,000	\$	14,550,000
10	Fort Myers	350	3604E	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
11	Groveland*	350	35066	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
12	Holly Hill*	350	6410A	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$9,300,000	\$9,300,000	\$	9,300,000
13	Lake Wales*	350	5303E	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$7,350,110	\$7,350,110	\$	7,350,110
14	Lee County	350	3602C	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
15	Leesburg*	350	35101	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
16	Montverde	350	35133	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
17	Ponce Inlet	350	64141	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$19,823,318	\$	19,823,318
18	Port Orange*	350	64041	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$15,150,000	\$15,150,000	\$	15,150,000

* - Financially Disadvantaged Community

** - Small Disadvantaged Community

19	Punta Gorda	350	08033	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$19,823,318	\$ 19,823,318
20	Cocoa Beach	349	05064	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$15,024,000	\$ 15,024,000
21	Howey-in-the-Hills	340	35023	CW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$3,185,000	\$ 3,185,000
22	Fort Myers Beach	107	36088	SW/Plan/Design/Const.	02/14/24	08/12/24	11/10/24	\$10,753,392	\$ 10,753,392

FINANCIALLY DISADVANTAGED COMMUNITY = \$164,386,018		TOTAL SAHFI PROJECTS =	\$317,415,000
STATE DEFINED SMALL DISADVANTAGED COMMUNITY = \$90,419,272		TOTAL ALLOCATED PRINCIPAL FORGIVENESS =	\$317,415,000

Staff recommends adding these projects to the fundable portion of the FY 2024 project priority list for the amounts as shown.

2.) Projects being added to the list in Issue 1 above whose project costs exceed the \$19,823,318 million sponsor cap will be placed on the waiting portion of the project priority list for the unfunded amount. They are:

PROJECT SPONSOR	PRIORITY SCORE	SRF PROJECT #	LOAN TYPE	MEETING DATE	UNFUNDED COSTS
LaBelle**	387	26038	CW/Plan/Design/Const.	02/14/24	\$13,918,682
Arcadia**	368	14016	CW/Plan/Design/Const.	02/14/24	\$4,537,946
Eatonville**	363	48029	CW/Plan/Design/Const.	02/14/24	\$18,749,303
Mascotte**	361	35124	CW/Plan/Design/Const.	02/14/24	\$3,576,682
Charlotte County	352	0802K	CW/Plan/Design/Const.	02/14/24	\$97,838,142
Fort Myers	350	3604E	CW/Plan/Design/Const.	02/14/24	\$34,176,682
Groveland*	350	35066	CW/Plan/Design/Const.	02/14/24	\$31,531,682
Lee County	350	3602C	CW/Plan/Design/Const.	02/14/24	\$188,766,682
Leesburg*	350	35101	CW/Plan/Design/Const.	02/14/24	\$21,076,682
Montverde	350	35133	CW/Plan/Design/Const.	02/14/24	\$15,633,682
Punta Gorda	350	08033	CW/Plan/Design/Const.	02/14/24	\$20,076,682

WAITING PORTION TOTAL = \$ 449,882,847

Projects added to the waiting portion of the project priority list for FY 2024 may be elevated to the fundable portion of the list if unused funds become available

* - Financially Disadvantaged Community
 ** - Small Disadvantaged Community

3.)

SOURCES AND USES OF FUNDS

SOURCE OF FUNDS

FEDERAL FUNDS

FY 2024 SRF SAHFI CWSRF Capitalization Grant for Projects

FY 2024

\$ 317,415,000

TOTAL FUNDS AVAILABLE

\$ 317,415,000

USE OF FUNDS

SAHFI Projects on SFY 2024 Priority List (Forgivable Loan)

\$317,415,000

TOTAL FUNDS OBLIGATED

\$317,415,000

BALANCE OF LOAN FUNDS for PROJECTS = \$

-

* - Financially Disadvantaged Community
** - Small Disadvantaged Community

EXHIBIT 2



February 28, 2024

Mike Disher, AICP
Town Manager
Town of Ponce Inlet
4300 S. Atlantic Ave.
Ponce Inlet, FL 32127

Email: mdisher@ponce-inlet.org

Subject: SAHFI Funding and Bidding Assistance – Sewer Resilience Phases 1 & 2.

Dear Mr. Disher:

In accordance with your request, we are pleased to offer the enclosed scope of services and engineering fee estimate for funding and bidding assistance for the above referenced project. Tasks to be performed include: SRF Facility Plan and loan application preparation, interlocal agreement assistance and bidding assistance.

A grant application for the FDEP Clean Water State Revolving Fund (SRF) Supplemental Appropriation for Hurricanes Fiona & Ian (SAHFI) was submitted for a total of \$10.40 M. The loan request for inclusion was successfully received and included in the Intended Use Plan (IUP). The application was approved for consideration at the public hearing dated February 14, 2024. This program requires the Town to submit a Clean Water SRF Facility Plan, which is complete and submitted for review. Upon award, the loan will be administered as a SRF loan with 100% principal forgiveness.

The tasks described define requisite activities required up until the time of bid award. A subsequent proposal will be prepared for technical services during construction including construction engineering and inspection (CEI) and grant compliance/documentation. Thank you for this opportunity to continue to be of service.

Sincerely,
MEAD & HUNT, Inc.

A blue ink signature of Sheryl Parsons.

Sheryl Parsons
Regional Funding Practice Leader/Water

A blue ink signature of Cassandra Cissell.

Cassandra "Casey" Cissell, PE
Project Manager

SP/CMC

Enclosure Scope of Services and Fee Estimate
cc: Kim McColl – Town of Ponce Inlet

**TOWN OF PONCE INLET
SCOPE OF SERVICES
FOR
SAHFI FUNDING ASSISTANCE – SEWER RESILIENCE PHASE 1 & 2.**

This Task Order is in conformance with the Addendum to the Agreement for Professional Engineering Services Contract dated February 21, 2002, between the Town of Ponce Inlet (OWNER) and Mead & Hunt, Inc. (MEAD & HUNT) and is referred to herein as the Contract.

GENERAL

The Town of Ponce Inlet completed the Septic to Sewer Phase 1 and 2 project in 2023. Funding the project was then the Town's priority. The Town is currently scheduled to receive \$10,400,000 from FDEP's supplemental appropriation for Hurricanes Fiona and Ian (SAHFI). This funding is a state revolving fund (SRF) loan with 100% principal forgiveness. As such, the loan has specific requirements including a facility plan and loan agreements that will need to be completed prior to construction. The following items will need to be completed prior to the August 12, 2024, deadline;

- Clean Water Facility Plan
- Loan Application
- Interlocal agreement between the Town and City of Port Orange

SCOPE OF SERVICES

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

PHASE 1 – PROJECT MANAGEMENT

Project Coordination

MEAD & HUNT'S Project Manager (PM) will monitor and manage the project budget, schedule, and scope throughout the estimated seven (7) month project duration.

Project Kick-Off Meeting

MEAD & HUNT will coordinate and conduct one (1) virtual 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.

Quality Assurance / Quality Control

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 – Project Management

- Kick-Off Meeting Agenda and Summary

PHASE 2 – CLEAN WATER SRF FACILITY PLAN

TASK 1 – Clean Water Facility Plan Preparation

MEAD & HUNT will prepare a Clean Water Facility Plan for Sewer Resilience Phase 1 & 2 (Septic to Sewer Phase 1 and 2) project. This project includes the septic to sewer conversion in six (6) areas in Ponce Inlet. Project Areas include, the A1A sewer extension, Lighthouse Shores, Oceanside Village, Jennifer Circle/Bay Harbor, West Beach Street, and Lighthouse Preservation. This project will provide roughly 405 parcels access to a centralized sewer system. It is assumed one (1) meeting will be held to review a draft of the Facility Plan prior to finalization.

The CWSRF Facility Plan will be written to meet the requirements listed in section 62-552.700 (4) F.A.C which includes the following:

- A. Executive summary
 - a. A project description, including identification of planning and service areas.
 - b. An explanation of the need or justification for the project.
 - c. A project location map. This map will clearly show the precise location of the proposed project with roadways being legibly labeled.

- B. Environmental effects
 - a. A discussion of the environmental benefits associated with the proposed project.
 - b. A discussion if the proposed project will have any significant adverse effects upon flora, fauna, threatened or endangered plant or animal species, surface water bodies, prime agricultural lands, wetlands, or undisturbed areas.
 - c. A discussion if the proposed project will have any significant adverse human health or environmental effects on minority or low-income communities.
 - d. An explanation of what investigations/site visits were performed to determine the environmental effects of the proposed project.

- C. Development of alternatives and selection of a preferred alternative
 - a. A description of the existing and recommended improvements.
 - b. A comparison of at least three (3) feasible alternatives and recommendation of the selected alternative.
 - c. Preliminary design information, calculations, and a conceptual cost estimate for the selected alternative.

D. Public Participation Process

- a. Evidence that a public meeting was held to explain the project, including alternatives considered and cost and impact on user charges; and enabled public participation in evaluating project alternatives.
- b. Meeting local requirements for advertising the public meeting.
- c. Provide minutes of public meeting and include a copy of the advertisement.

E. Financial Feasibility

- a. An Identification of revenues to be dedicated to repaying the loan.

F. Schedule

- a. A Schedule for implementing the recommended facilities.

G. Adopting Resolution

- a. A Specific Authorization to implement the planning recommendations.

TASK 2 – Capital Finance Plan Assistance

MEAD & HUNT will provide Capital Finance Planning (CFP) assistance. MEAD & HUNT assumes that information pertaining to rates and other financials to be provided by the OWNER or Raftelis. The CFP is a financial document which details the ability of the utility to generate sufficient revenue to repay the loan and meet existing and future operating expenses and debt service obligations. The CFP details current and projected operating expenses, debt service obligations, miscellaneous expenses, existing and projected revenues, and other sources of income which will be used to repay the loans.

PHASE 3 – LOAN APPLICATION PREPARATION

MEAD & HUNT will review the loan offer from the SAHFI and prepare the loan documents necessary for the award of the loan.

The application package generally consists of an application form and a series of attachments. The completed application package will be submitted to the funding agency. Submission of the completed application does not always guarantee approval. It may be based on timely submittal and availability of the agency's funds.

PHASE 4 – INTERLOCAL AGREEMENT ASSISTANCE

MEAD & HUNT will provide technical assistance and support in an effort to develop and obtain an interlocal relationship between the Town of Ponce Inlet and City of Port Orange. It is assumed that a maximum of five (5) meetings will be held over the course of drafting the agreement. It is also assumed that both the Town and City will have their legal department involved to review for both sides.

PHASE 5 – CONFORM BID DOCUMENTS

The funding is being obtained for the construction of both Phases 1 and 2. As such MEAD & HUNT will make the required modifications to conform to the plans and specifications in accordance with preferred bidding strategies.

PHASE 6 – BIDDING ASSISTANCE

The OWNER 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 OWNER purchasing and contract policies (Division 0 and 1). The OWNER will also be responsible for request for bid advertisements, distribution of bidding documents, prebid meeting, and bid opening. MEAD & HUNT will provide the following:

Bidding and Contract Documents

MEAD & HUNT will utilize OWNER 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 OWNER's finance/purchasing/clerk for review. Upon receipt of the OWNER'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 OWNER's finance/purchasing/clerk staff. The OWNER will be responsible for distributing bidding documents to interested parties.

Pre-Bid Meeting

MEAD & HUNT will attend a pre-bid meeting and present the project scope/intent; construction contract duration; design and permitting highlights and any special/supplemental conditions specific to the project.

Addenda

MEAD & HUNT will respond to potential bidders' questions during the bid period. MEAD & HUNT will prepare suggested responses and provide the OWNER with a draft addendum for review. This scope of services assumes two (2) addenda will be completed. The OWNER shall be responsible for distribution of addenda.

Bid Opening

MEAD & HUNT will attend the bid opening at the OWNER's facility. The OWNER will be responsible for receiving, opening, and recording the bids.

Bid Review and Recommendation of Award

Upon receipt of copies of the received bid documents from the OWNER, 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. MEAD & HUNT will prepare a tabulation of received bid prices, including unit prices, if

applicable, and verify extended values and total. MEAD & HUNT will also review submitted pricing for imbalances and other disparities. Based on that review, MEAD & HUNT will submit to the OWNER the bid tabulation and a recommendation of award.

Deliverables – Bidding Services

- Bid Set Plans and Specifications
- Addenda to bid documents
- Bid Tabulation
- Recommendation of award

PHASE 7 – REIMBURSABLES

Items under this phase include out-of-pocket direct job expenses such as reproductions, postage, etc. Items included in this phase will be billed at actual cost plus 15%.

PHASE 8 – CONTINGENCY

If additional services are identified as needed or required during the duration of the project, MEAD & HUNT will utilize contingency funds for any additional work items. Contingency funds will be billed at time and expense. Additional work will be billed per the agreed upon contract hourly rates.

EXCLUSIONS

This scope of services excludes all items not specifically described herein.

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)	Commencing Upon
<i>Phase 1 – Project Management</i>	<i>210 days</i>	<i>Receipt of notice to proceed</i>
<i>Phase 2 – Clean Water SRF Facility Plan</i>	<i>90 days</i>	<i>Receipt of notice to proceed</i>
<i>Phase 3 – Loan Application Preparation</i>	<i>60 days</i>	<i>Completion of Phase 2</i>
<i>Phase 4 – Interlocal Agreement Assistance</i>	<i>180 days</i>	<i>Receipt of notice to proceed (concurrent with other phases)</i>
<i>Phase 5 – Conform Bid Documents</i>	<i>60 days</i>	<i>OWNER acceptance of Phase 2 (Concurrent with Phase 3)</i>
<i>Phase 6 – Bidding Assistance</i>	<i>60 days</i>	<i>OWNER approval of Phase 5</i>

COMPENSATION

Phase/Task	Fee/Cost	Basis
Phase 1 – Project Management	\$9,275	Lump Sum
Phase 2– Clean Water SRF Facility Plan		
Task 1 – Clean Water Facility Plan Preparation	\$28,712	Lump Sum
Task 2 – Capital Finance Plan Assistance	\$5,877	Lump Sum
Phase 3 – Loan Application Preparation	\$21,686	Lump Sum
Phase 4 – Interlocal Agreement Assistance	\$9,732	Lump Sum
Phase 5 – Conform Bid Documents	\$8,210	Lump Sum
Phase 6 – Bidding Assistance	\$10,650	Lump Sum
<i>Subtotal</i>	\$94,142	
Phase 7 –Reimbursables	\$500	Actual cost plus 15%
Phase 8 – Contingency at 5%	\$4,707	Time & Expense
TOTAL	\$99,349	

AUTHORIZATION:

The scope of services and compensation stated in this proposal are valid for a period of thirty (30) days from the 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: TOWN OF PONCE INLET

Approved by: MEAD & HUNT, INC.

By: _____

By:  _____

Name: _____

Name: Brad T. Blais

Title: _____

Title: Vice President/Market Leader

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

Date: _____

Date February 28, 2024

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

Mike Disher, AICP
February 28, 2024
Page 8

IF THE CONTRACTOR (MEAD & HUNT INC.) HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT (PROPOSAL), CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT TOWN HALL, TOWN OF PONCE INLET, 4300 SOUTH ATLANTIC AVENUE, PONCE INLET, FL 32127, Deputy Town Clerk, Kim Cherbano, (386) 236-2150, kcherbano@ponce-inlet.org.

EXHIBIT 3



March 19, 2024

Mr. Wayne Clark
City Manager
City of Port Orange
1000 City Center Circle
Port Orange, FL 32129

Subject: Supplemental Appropriation for Hurricanes Fiona and Ian (SAHFI) Funding and Bidding Assistance – Sewer Resilience Phases 1 & 2

Dear Mr. Clark:

Our firm would like to recommend a cost share split between the City (72%) and the Town (28%) based on the recently completed shared costs with Ponce de Leon Circle Septic to Sewer project (cost share allocation attached). The scope of work for the septic to sewer projects included in the SAHFI Funding is very similar to the Ponce de Leon project.

Ponce Inlet recently paid 100% of the design costs for both phases in the amount of \$593,943 with ARPA funding. The Town does not have a revenue source to fund additional sewer related costs or complete construction of these projects since the City owns the sewer system and receives all the revenue. If there are any additional construction costs not covered by the \$10,400,000 SAHFI SRF principal forgiveness loan that the City and Town approve, the cost share will be calculated based on the actual bid costs divided up per the new interlocal agreement.

We look forward to working with the City on this project. If you have any questions or comments, please contact our office.

Sincerely,

MEAD & HUNT, Inc.

A handwritten signature in cursive script that reads "Sheryl Parsons".

Sheryl Parsons
Regional Funding Practice Leader/Water

Enclosure: Ponce de Leon Circle Septic to Sewer Project Bid Cost and Shared Costs with SJRWMD Grant

cc: John McKinney, CGFO FRA-RA, Assistant City Manager
Steve Parnell, Public Utilities Director
Junos Reed, P.E., City Engineer



Meeting Date: 4/18/2024

Agenda Item: 15

Report to Town Council

Topic: From the Town Manager

Summary: Please see attached report.

Requested by: Mr. Disher, Town Manager

Approved by: Mr. Disher, Town Manager



MEMORANDUM OFFICE OF THE TOWN MANAGER

The Town of Ponce Inlet staff shall be professional, caring and fair in delivering community excellence while ensuring Ponce Inlet citizens obtain the greatest value for their tax dollar.

To: Town Council
From: Michael E. Disher, AICP, Town Manager
Date: April 11, 2024
Subject: Town Manager's Report

MEETING DATE: April 18, 2024

1. The week of April 15, Town staff will be participating in a four-day FEMA training session at the Volusia County EOC, hosted by the County's new Emergency Management Director Clint Mecham. The training will be led by staff from FEMA and will be similar to courses provided at FEMA's National Emergency Training Center in Emmitsburg, Maryland.
2. County Council updates, [April 2, 2024](#) meeting:
 - [Item M](#) - Contract task assignment with Intera-GEC, LLC for Ponce Inlet flood shoals surveying and testing.
3. County Council updates, [April 16, 2024](#) meeting:
 - [Item K](#) - ECHO Advisory Committee 2024 work plan and goals, 2023 Annual Report.
 - [Item V](#) - Contract task assignment to Taylor Engineering, Inc. for 2024 beach profile monitoring. This comprehensive survey will be replicated every 5 years to determine short- and long-term beach erosion trends, with less comprehensive surveys conducted annually in the intervening years.
 - [Item 08](#) – Repeal of Chapter 78-1 "Waiting Period and Records Check for Purchase of Firearms" of the Volusia County Code of Ordinances.
4. The Florida Fish and Wildlife Conservation Commission has once again authorized construction to continue on the beach during the 2024 sea turtle nesting season, May 1 through Oct. 31.
5. The County's Road and Bridge Division will be loaning the Town two message boards during Memorial Day weekend to help manage traffic and parking. County staff will set them up on Thursday, May 23rd and will instruct our officers how to use them.

6. Staff is pleased to announce that the Town of Ponce Inlet has proudly achieved 30 years as a designated Tree City USA by the Arbor Day Foundation! This is a milestone that recognizes our community's commitment to effective urban forest management.
7. Building permit activity: The number of permits and applications has remained at slightly above the 100-per-month average for the second month in a row.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	Avg
Permit applications	94	112	112										318	106
Permits issued	85	118	113										316	105
Plan reviews	85	118	113										316	105
Inspections	243	242	274										759	253

8. The Police Department's Womens' Self-Defense Class was a great success. There were 27 participants, all of whom had good things to say about their experience. The Department will look to put on another one in the next few months.